



CITY OF HARRISONBURG COMMUNITY DEVELOPMENT

409 SOUTH MAIN STREET, HARRISONBURG, VA 22801

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To: Ande Banks, Interim City Manager
From: Adam Fletcher, Director – Department of Community Development, and Harrisonburg Planning Commission
Date: February 8, 2022
Re: Special Use Permit – 381 University Boulevard (To Allow Multiple-Family Dwellings and/or Mixed Use Buildings in the B-2 District)

Summary:

Public hearing to consider a request from A/H Harrisonburg Regal LLC with representatives Armada Hoffer Properties to allow multiple-family dwellings and/or mixed use buildings in the B-2, General Business District. The +/- 9.5-acre property is addressed as 381 University Boulevard and is identified as tax map parcel 79-E-2. (Note that this special use permit is requested simultaneously with a Zoning Ordinance amendment request that, if approved, would create the ability for property owners within the B-2 District to apply for a special use permit per Section 10-3-91 of the Zoning Ordinance to allow for multiple-family dwellings and/or mixed use buildings. The Zoning Ordinance amendment is described in a separate staff report.)

Staff and Planning Commission recommended approval of the special use permit with conditions.

Background:

The Comprehensive Plan designates this site as Commercial. Commercial uses include retail, office, professional service functions, restaurants, and lodging uses. Commercial areas should offer connecting streets, biking and walking facilities, and public transit services. Interparcel access and connections are essential to maintaining traffic safety and flow along arterials. Parking should be located to the sides or rear of buildings.

The following land uses are located on and adjacent to the property:

- Site: Movie theater, zoned B-2
- North: Undeveloped land and commercial uses, zoned B-2
- East: Commercial uses zoned, B-2
- South: Commercial uses zoned, B-2
- West: Commercial uses zoned, B-2

Key Issues:

The site is a +/- 9.5-acre through lot with frontage along University Boulevard and Evelyn Byrd Avenue. Currently, the Regal Harrisonburg movie theater operates on the site. If the special use permit (SUP) request is approved, the applicant intends to develop 274-multiple-family dwelling units with a parking garage on a portion of the site while also maintaining the Regal Harrisonburg structure. Note that this SUP is requested simultaneously with a Zoning Ordinance (ZO) amendment request that, if approved, would create the ability for property owners within the B-2 district to apply for a SUP to allow for multiple-family dwellings and/or mixed use buildings. This report presumes that the ZO amendments are approved as submitted by the applicant.

As would be required by Section 10-3-93 (d), the applicant has submitted a development plan with the SUP. Proposed Section 10-3-93 (d) states that “[f]or multiple-family dwellings and mixed use buildings, the development plan submitted with the special use permit shall govern development on the site and shall be used as a basis for subdivision and engineered comprehensive site plan approval.” If the SUP is approved, then details of the development plan would be used to ensure that what is proposed and evaluated during the SUP review is what is developed. If significant deviations are desired by the property owner in the future, then the property owner must amend the development plan by going through the SUP process again.

Features of the development plan submitted with the SUP that would be used as the basis for engineered comprehensive site plan approval include, but are not limited to:

1. The general location of buildings and structures as illustrated.
2. The general number of stories within proposed buildings and structures. Although the buildings and structure heights are not described on the development, the applicant is aware that the maximum height allowed in the B-2 district is 75 feet.
3. The type and general number of dwelling units within each structure and on the site. The applicant is planning to construct 274-multiple-family dwelling units.
4. The proposed ZO amendment in Section 10-3-25 would require a minimum of one off-street parking space for each dwelling unit or as may be more or less restrictive as conditioned by the SUP. The ratio of off-street parking spaces originally proposed by the applicant was one off-street parking space per dwelling unit. However, between publication of the Planning Commission (PC) agenda packet and the PC meeting, the applicant informed staff that they desire to update the development plan to require a minimum of 1.3 off-street parking spaces per dwelling unit.
5. Construction of sidewalks and crosswalks within the site.
6. Installation of “sharrow” lane markings on the private road between Evelyn Byrd Avenue and University Boulevard. This is to ensure awareness of the use of the private road by people biking.
7. Removal of an existing site access (entrance) along Evelyn Byrd Avenue.

The applicant has also self-imposed the following requirements, or conditions, which are listed on the updated development plan:

1. The property shall not contain dwelling units that have more than three (3) bedrooms.
2. A minimum of 1.3 parking spaces per dwelling unit shall be provided.
3. The one-bedroom dwelling units on the Property shall make up at least 10% of the total dwelling units on the property. The three-bedroom dwelling units on the property shall make up no more than 40% of the total dwelling units on the property.
4. The property owner shall construct and dedicate necessary right-of-way or provide an easement for a bus pull off and concrete pad for a bus shelter along Evelyn Byrd Avenue.
5. A continuous ingress and egress easement for use by bicyclists and pedestrians from the entrance on Evelyn Byrd Avenue to the entrance on University Boulevard. This easement leaves open the ability to reconfigure the location of the path if the theater portion redevelops, but ensures that there's still a way for bicyclists and pedestrians to travel through the property.

With regard to public transit, Route 1 serves Evelyn Byrd Avenue and residents of the proposed multiple-family development would be well served by public transportation. The location of the bus pull off described above would be determined during the engineered comprehensive site plan phase of the project in coordination with the Departments of Public Transportation and Public Works. The City has offered to provide a bus shelter.

As required by Section 10-3-118 of the Zoning Ordinance, since the proposed multiple-family dwellings meet the threshold for the City to be able to review a traffic impact analysis (TIA), staff requested for traffic to be evaluated. The TIA evaluated the traffic impacts of a proposed 274-unit multiple-family residential development and parking garage and analyzed traffic operations at seven study intersections during the AM and PM peak hours. The TIA study concluded that “[b]ased on findings of the analysis, it was determined that the proposed project does not result in significant nor adverse impacts on the surrounding roadway network. Therefore, mitigation measures including geometric and capacity improvements are not recommended.”

Although the applicant did not illustrate on the development plan construction of sidewalks along the frontage of University Boulevard and a short section of Evelyn Byrd Avenue frontage, the applicant is aware that sidewalk construction and dedication of right-of-way or public sidewalk easement will be required when the site is further developed.

Staff encouraged the applicant to consider adding tree plantings on private property along University Boulevard into the development plan. The applicant responded that they are willing to consider the incorporation of trees as the design develops, but that they cannot commit to tree plantings at this time. The applicant noted the existing steep grade along University Boulevard and stated that they would prioritize construction of sidewalks along University Boulevard if both sidewalks and trees are not feasible.

The City's Comprehensive Housing Assessment and Market Study (Housing Study), which was completed in January 2021 identified a shortage of rental housing units that are affordable to the lowest and highest income renter households (0-30% and above 80% AMI) and found that “[t]here is significant

mismatch with many higher income households residing in more affordable units and lower income households residing in more costly units.” Among renters, the study noted several key findings of the housing mismatch, which included:

- “There are significantly more households than units in the 0-30% AMI tier. This tier includes most student households (including dependent and independent students), persons needing supportive housing, elderly households, and other household types that are non-student, non-elderly households.
- The vast majority of rental units are naturally occurring affordable housing, meaning that the unit is affordable to a household earning up to 80% AMI without public subsidy; 81% of all rental units are affordable to households with incomes up to 80% AMI.
- Because there are many more households with incomes above 80% AMI but few available for this income tier, these higher income households occupy rental units that cost less, therefore increasing competition among lower income households for the affordable units.
- The vacancy rate is low; CHAS [Comprehensive Housing Affordability Strategy] data identified that only 2% of rental units were vacant.”

The Housing Study explained that when the rental vacancy rate is low at 2% (or 3.5% per American Community Survey data), it indicates “a very tight market with an inadequate inventory. This creates high levels of competition within the market as renters compete for scarce units and where the lowest income households have the fewest options.”

Another component of the Housing Study places the subject site within Market Type A and notes that “priorities and policies that are appropriate to market Type A areas include an emphasis on increasing density through zoning changes, infill development and housing rehabilitation to maintain the quality of housing.” Staff believes that the proposal utilizes a component of the recommendation by creating an opportunity for infill development.

With regard to the Comprehensive Plan, Traditional Neighborhood Development (TND) principles are encouraged to be included in all developments throughout the City. While the subject site on its own would not incorporate all the ideals and characteristics of TND, adding multi-family dwelling units at this location would incorporate some of those characteristics such as: having a neighborhood that allows residents to work, shop, and carry out many of life’s other activities; and allowing residents to walk, ride a bicycle, or take transit for many trips between home, work, shopping, and school.

From a design and site layout perspective, staff likes the applicant’s proposal to mass buildings and structures close to the private drive aisle and to Evelyn Byrd Avenue. The four-story garage structure is also an efficient use of space for vehicular parking. Staff believes that the design will create an environment that is more accessible, interesting, and safer for pedestrians, bicyclists, and motorists. Furthermore, adding more residential units to the market will benefit the community’s need for more housing and for people who want to live in the City.

Staff recommends approval of the SUP request as submitted and governed by the development plan.

Environmental Impact:

N/A

Fiscal Impact:

N/A

Prior Actions:

N/A

Alternatives:

- (a) Approve the special use permit request as submitted;
- (b) Approve the special use permit request with the suggested condition;
- (c) Approve the special use permit with other conditions(s); or
- (d) Deny the special use permit.

Community Engagement:

As required, the request was published in the local newspaper twice advertising for Planning Commission’s public hearing and twice advertising for City Council’s public hearing. The advertisement was published as shown below:

Special Use Permit – 381 University Boulevard (To Allow Multiple-Family Dwellings and/or Mixed Use Buildings in the B-2 District)

Public hearing to consider a request from A/H Harrisonburg Regal LLC with representatives Armada Hoffer Properties to allow multiple-family dwellings and/or mixed use buildings in the B-2, General Business District. Note that this special use permit is requested simultaneously with a Zoning Ordinance amendment request that, if approved, would create the ability for property owners within the B-2 District to apply for a special use permit per Section 10-3-91 of the Zoning Ordinance to allow for multiple-family dwellings and/or mixed use buildings. The +/- 9.5-acre property is addressed as 381 University Boulevard and is identified as tax map parcel 79-E-2.

In addition, adjoining property owners were notified of the public hearing; the property was posted with signage advertising the request; and a notice was provided on the City’s website at <https://www.harrisonburgva.gov/public-hearings>.

Recommendation:

Staff recommends alternative (b) approval of the special use permit request with the suggested conditions.

Attachments:

- 1. Extract from Planning Commission
- 2. Site map
- 3. Updated Application and supporting documents (includes updated Development Plan)

Review:

Planning Commission recommended (6-1) alternative (b) approval of the special use permit request with the suggested conditions.