



# CITY OF HARRISONBURG COMMUNITY DEVELOPMENT

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To: Planning Commission  
From: Department of Community Development  
Date: January 8, 2020 (Regular Meeting)  
Re: Rezoning – 650 Keezletown Road (Juniper Hill Commons) (R-1 to R-7)

## **Summary:**

Public hearing to consider a request from Harrisonburg Cohousing, LLC to rezone a +/- 5.5-acre parcel from R-1, Single-Family Residential District to R-7, Medium Density Mixed Residential Planned Community District. The planned development is proposed to have a single-family detached dwelling, duplex structures, townhomes, and apartment units. The +/- 5.5-acre property is addressed as 650 Keezletown Road and is identified as 72-B-6.

## **Background:**

The Comprehensive Plan designates this site as Low Density Mixed Residential. These areas have been developed or are planned for residential development containing a mix of large and small-lot single-family detached dwellings, where commercial and service uses might be finely mixed within residential uses or located nearby along collector and arterial streets. Duplexes may be appropriate in certain circumstances. Mixed use buildings containing residential and non-residential uses might be appropriate with residential dwelling units limited to one or two dwelling units per building. Attractive green and open spaces are important for these areas and should be incorporated. Open space development (also known as cluster development) is encouraged, which provides for grouping of residential properties on a development site to use the extra land for open space or recreation. The intent is to have innovative residential building types and allow creative subdivision designs that promote neighborhood cohesiveness, walkability, connected street grids, community green spaces, and the protection of environmental resources or sensitive areas (i.e. trees and floodplains). Residential building types such as zero lot-line development should be considered as well as other new single-family residential forms. The gross density of development in these areas should be around 7 dwelling units per acre and commercial uses would be expected to have an intensity equivalent to a Floor Area Ratio of at least 0.4, although the City does not measure commercial intensity in that way.

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

- Site:** A single-family detached dwelling and undeveloped lands, zoned R-1
- North:** A single-family detached dwelling on property zoned M-1 and R-1
- East:** A single-family detached dwelling and undeveloped lands, zoned R-1

South: Across Keezletown Road, single-family detached dwellings, zoned R-1

West: Single-family detached dwellings and commercial uses, zoned R-1 and R-3C

**Key Issues:**

The applicant is requesting to rezone one +/-5.5-acre parcel from R-1, Single Family Residential District to R-7, Medium Density Mixed Residential Planned Community District. The property is located along the northern side of Keezletown Road, its western boundary approximately 525-feet from Keezletown Road's intersection with Country Club Road. The applicant proposes 28 dwelling units including eight multi-family (apartment) units, 15 townhouse units, two duplex structures (four units), and one single-family detached dwelling. The proposed R-7 master planned community is planned to be called "Juniper Hill Commons."

The narrative for Juniper Hill Commons states:

"The design of Juniper Hill Commons is based on the concept of cohousing, which originated in Denmark in the 1960s. Cohousing homes are privately owned by the residents as in a typical [homeowners association] or Condo Association, with a club house (common house) and walkable design to foster community. With the first cohousing community built in the United States in the early 1990s, the trend has since grown considerably in North America with over 165 completed communities, as well as hundreds more in various stages of planning or development."

The narrative further explains the vision and other details of the proposed project, and therefore such information does not need to be repeated in this report. The Conceptual Site Layout illustrates a conceptual arrangement and location of the types of residential units, parking and travelways, and a general landscaping plan. Section F (3) of the master plan generally states where housing areas and open space will be provided and the Conceptual Site Layout demonstrates this regulatory detail, where the existing stream is the delineation between these two areas. It should be understood that any permissible type of housing could be located within the housing area so long as it met the requirements of the master plan. .

To date, the City has approved four R-7 master planned communities:

- Brookside Park located at Roberts Court, Drake Lane, and Suter Street, rezoned to R-7 in 2006, amended in 2007 and 2011;
- The Quarry located along Linda Lane and Smithland Road, rezoned to R-7 in 2007;
- Collicello North located along Collicello Street north of 5<sup>th</sup> Street, rezoned to R-7 in 2013; and
- The Village at Chicago Park located along Saturday Drive off of Chicago Avenue, rezoned to R-7 in 2014.

The R-7 district is intended to provide opportunities for the development of planned residential communities offering a mix of single-family detached units, single-family attached units, and in certain circumstances, multi-family units. R-7 communities are developed under an approved master plan that incorporates regulatory text for the communities. Aside from particular provisions of the Zoning Ordinance (ZO) that must be met, the approved master plan is the "zoning" by which the development must abide. The R-7 zoning district requires a minimum of two contiguous acres at the time of application,

a minimum of 15 percent open/green space, and at least two types of residential housing types, where no one type can exceed 70 percent of all residential units. Maximum density is limited to 15 units per acre.

Any needed Subdivision Ordinance variances or other subdivision related matters should be considered when making a recommendation for master planned projects as approving the plan of development could be perceived as also providing an endorsement for the subdivision matters during the platting phase. As shown in the conceptual site layout, the arrangement of the proposed parcels within this development will require approval of a variance to Section 10-2-42(C) of the Subdivision Ordinance during the platting phase to allow parcels to not have public street frontage.

As proposed, Juniper Hill Commons would meet or exceed all the minimum required provisions to construct an R-7 development. The development site is +/- 5.5-acres and the master plan sets the maximum density of eight dwelling units per acre (about 66% of the maximum density allowed in the R-7 district) and would supply the minimum 15 percent open space. (The conceptual plan illustrates open space at +/- 2.83 acres or about 52 percent of the land area.)

The R-7 district allows the applicant to propose their own area and dimensional regulations for the development except for maximum building height which is 40-feet and three stories for all buildings, except for multi-family dwellings which may have a maximum height of 50-feet and four stories. Additionally, the R-7 district allows the applicant to propose alternative regulations to address off-street vehicle and bicycle parking and for provisions found in Article T. Modifications and Adjustments of the ZO.

Section A of the master plan describes the uses permitted by right within Juniper Hill Commons. The applicant plans to include single-family detached, single-family attached (duplexes and townhomes), and multi-family dwellings in the development. The R-7 district limits occupancy to a single family or not more than two persons.

Section B of the master plan allows uses permitted by special use permit in the associated district regulations of the ZO if approved by City Council.

Section C of the master plan describes the area, density, and dimensional regulations for Juniper Hill Commons. While Section 10-3-57.5 of the ZO prescribes some minimum requirements, as previously stated, the R-7 district allows area and dimensional regulations (lot area, lot width, lot depth, yards for all uses) be set by the approved master plan. As noted, the provisions of Article T. Modifications and Adjustments of the ZO can also be adjusted through approval of the master plan, which Section E addresses.

The conceptual site layout and narrative describes eight multi-family (apartment) units, 15 townhouse units, two duplex structures (four units), and one single-family detached dwelling. On the +/- 5.5-acre site, this equals a density of approximately 5.1 dwelling units per acre. However, the applicant has proposed a maximum density of eight dwelling units per acre. On the +/- 5.5-acre site, the master plan would allow the development to have up to 44 dwelling units on the site, which would be restricted per Section F(3) of the master plan to locations south of the stream as generally shown on the conceptual site layout. The exact number of the allowed dwelling unit types may vary so long as the density of the development does not exceed eight dwelling units per acre, no one housing type exceeds 70 percent of all residential units,

and that multi-family units do not exceed 30 percent of all the residential units in the community as regulated by the R-7 district.

All buildings, including community buildings and accessory structures, would have five feet building setbacks from all property lines, except along Keezletown Road and along the side and rear exterior property lines of the development. The minimum setback for principal buildings along the Keezletown Road public street right-of-way would be 15-feet in consideration of required front yard setbacks for existing and future developments on Keezletown Road. Except for the R-6 and R-7 districts' master planned communities, where the applicant can propose their own setback regulations, all other residential zoning districts require a minimum front yard setback of 10 to 30 feet. The minimum setback for principal buildings along side and rear exterior property lines of the development is proposed to be 7-feet for one- and two-story buildings and 10-feet for three story buildings. This addresses staff concerns about radiant heat and fire spread between buildings on this property and on adjacent properties, along with the angle for ladder placement for fire and rescue personnel between these buildings. Remember that in most zoning districts, buildings are separated from each other by 20 feet because there is a 10-foot side yard setback required for both buildings. Additionally, in order to allow the five foot minimum setback for interior property lines of the development, staff and the applicant worked together to develop regulations in Section F(1) of the master plan that prohibits structures and obstacles (exclusive of HVAC equipment) between buildings that are 20-feet or less apart.

Section D of the master plan governs off-street vehicle and bicycle parking for the Juniper Hill Commons development. Below is a summary of elements of Section D that differ from Article G, Off-Street Vehicle and Bicycle Parking regulations of the ZO.

1. The master plan's *Off-Street Vehicle Parking Regulations*, subsection (1) requires at least 44 percent of the provided parking spaces be regular or accessible spaces, allowing up to 56 percent of provided parking spaces to be designated for compact automobiles. Article G of the ZO allows up to 25 percent of the provided parking spaces to be designated for compact automobiles.
2. The master plan's *Off-Street Vehicle Parking Regulations*, subsection (6) states "[t]here shall be no more than two parking spaces located within 33-feet of the Keezletown Road public street right-of-way, however, no parking spaces shall be located within 15 feet of the Keezletown Road street right-of-way." This prohibits parking lots from being constructed within close proximity to Keezletown Road. Along with subsection (4) of the *Parking Lot Landscaping* regulations section of the master plan, this subsection helps to improve the aesthetics of viewing the site and parking areas from Keezletown Road.
3. The master plan's *Off-Street Bicycle Parking Regulations* are the same as Article G of the ZO, except that the list of bicycle parking requirements by use has been simplified to contain only those uses that are permitted by the master plan. With the eight multi-family (apartment) units and 15 townhouse units proposed in the conceptual site layout and narrative, the applicant would be required to install four bicycle parking spaces.
4. The master plan's *Parking Lot Landscaping* regulations, subsection (2) requires "[p]arking spaces within parking lots located within twenty (20) feet of side and rear exterior property lines of the development shall be separated from such lines by an opaque wall or fence of at least six (6) feet

in height.” The master plan proposes a stricter regulation than Section 10-3-30.1(2) of the ZO. The master plan’s requirement is intended to provide for fencing to separate adjacent properties from the development’s parking areas and to provide fencing where vehicle headlights are likely to be directed towards adjacent properties. The conceptual site layout illustrates two proposed 6-ft. tall opaque fences along portions of the eastern and western exterior property lines of the proposed development.

5. The master plan’s *Parking Lot Landscaping* regulations subsection (4) requires that one (1) small/ornamental deciduous tree or evergreen tree be planted for every 12.5 linear feet of parking lot street frontage. Compared to Section 10-3-30.1(4) of the ZO, the master plan has removed options to plant large deciduous trees in consideration of the overhead utility lines along Keezletown Road. Additionally, in an effort to improve the aesthetics of viewing the site and parking areas from Keezletown Road, the master plan requires twice as many trees as Section 10-3-30.1(4) the ZO at a ratio of one tree for every 12.5 linear feet compared to one tree for every 25 linear feet.
6. The master plan’s *Parking Lot Landscaping* regulations subsection (5) establishes that “[f]or every six parking spaces provided, a landscaping island shall be provided either at the terminus of a row of parking bays or within twenty-five (25) feet of the parking lot.” Additionally, the master plan’s *Parking Lot Landscaping* regulations subsection (6) requires that rows of parking spaces be divided at intervals of no more than 18 parking spaces by a landscaping island, which is less restrictive than Section 10-3-30.1(6) of the ZO, which requires rows of parking spaces be divided at intervals of no more than 12 parking spaces by a landscaping island. Subsections (5) and (6) of the master plan provide the applicant with more flexibility in laying out the development’s parking areas. By increasing the number of parking spaces allowed between landscaping islands, fewer landscaping islands would be provided on the site compared to a site developed under the ZO’s requirements. Therefore, the applicant has proposed that landscaping islands be provided either at the terminus or within 25-feet of the parking lot for every six parking spaces provided. This could result in more landscaping around the parking lot.
7. A number of sections within Article G of the ZO that are not applicable to the uses permitted by the master plan have been omitted and are not included within Section D.

Section E of the master plan replaces Article T. Modifications and Adjustments of the ZO. This section modifies, supplements, and qualifies regulations appearing elsewhere in the master plan. Below is a summary of elements of Section E that differ from Article T.

1. The master plan’s *General Modifications* section subsection (3) allows terraces, patios, uncovered porches, etc. to project into a required yard setback provided these projections are at least two feet from any adjoining property. This allows the development more flexibility as Article T requires that projections are at least five feet from any adjoining property.
2. The master plan’s *General Modifications* section subsection (4) was added to clarify that front, side, and rear yards are established based on the proposed orientation of the building. Typically, front, side, and rear yards are established using streets for orientation purposes. However, not all dwellings within this community are planned to have their fronts facing streets or travelways.

3. The master plan does not include supplements or modifications to regulations for townhomes. In other words, Section 10-3-113 of the ZO has been omitted. The development would follow the setback regulations of Section C regardless of the number of attached units and as long as they meet Building Code requirements.
4. The master plan's *Accessory Buildings* section does not include requirements for accessory buildings to be constructed on property which has been improved with a principal building or use. Given the nature of this development, where the homeowners association can dictate requirements for accessory buildings, staff is comfortable allowing accessory buildings to be located where there is no principal building or use on the parcel. Additionally, except for setback regulations, the master plan does not restrict where accessory buildings can be placed on a parcel.
5. A number of sections within Article T of the ZO that are not applicable to the uses permitted by the master plan have been omitted and are not included within Section E.

Section 10-3-57.2 of the ZO describes the purpose of the R-7 district and states that eight design objectives shall be achieved. The applicant has addressed these objectives in Section IV of the narrative.

The ZO allows multi-family developments in approved R-7 communities so long as certain conditions specified in Section 10-3-57.6(d) of the ZO are met. Staff believes such conditions are met:

1. Adequate vehicular, transit, pedestrian and bicycle facilities currently serve or are planned to serve the site. During the engineered comprehensive site plan and construction phase, the applicant will be required to provide sidewalks along Keezletown Road and dedicate the necessary right-of-way for future City plans for bicycle facilities on Keezletown Road. At this time, there are no transit routes serving Keezletown Road, however, transit routes are within a reasonable walking distance from the subject site and future bicycle and pedestrian facilities are shown in the City's Bicycle and Pedestrian Plan along Keezletown Road and Country Club Road;
2. Compatibility with adjacent existing and proposed single-family detached and attached residential development is achieved through the master plan's requirements for parking lot landscaping and fencing requirements, as well as, minimum setback requirements from the public street right-of-way of Keezletown Road. Additionally, Section F (2) of the master plan requires that private refuse collection be provided at a designated point of collection, that said facilities shall be screened by fences or walls to hide them from view, and requires the refuse storage areas not be located within 20-ft. of exterior property lines of the development. Furthermore, although the master plan would permit other layouts and building types, the narrative and conceptual site layout describes the applicant's plan to locate two three-story multi-family buildings in the center of the development away from adjacent properties where the floorplates of the multi-family buildings are similarly sized to other residential structures within the development; and
3. The site is environmentally suitable for multi-family development. Section 10-3-57.6(d) of the ZO states "[t]here shall be adequate area within the site to accommodate buildings, roads, and parking areas with minimal impact to steep slopes and floodplains." This condition is unusual as there is no established criteria of how it should be evaluated. The conceptual site layout of the

development shows the location of the existing stream and the proposed buildings. There is no mapped floodplain on the site. The applicant also provided an exhibit illustrating where there are steep slopes on the site using contour intervals of two feet. Steep slopes are defined by the ZO as:

*“Steep slopes: Natural slopes prior to land disturbance or construction that exceeded fifteen (15) percent (0.15). Such slopes are measured as the rise in elevation over the horizontal distances between contour lines on a topographic map with a contour interval of five (5) feet or less.*

While there are steep slopes on the site that will be re-graded, staff believes the site has merit to be developed as presented. The majority of the steep slopes that are on the site are located to the north of the stream. Section F (3) of the master plan requires that the area north of the stream would be used for open space, parks, trails, and other green space amenities such as, but not limited to, accessory buildings. As described in the narrative, it is explained that the intent is to maintain this area as open/green space for a playfield, orchards, and gardens.

With regard to the Comprehensive Plan, the property and properties surrounding it on the north side of Keezletown Road are designated as Low Density Mixed Residential. The Land Use Guide describes that the gross density of development in these areas should be around seven dwelling units per acre. Although Juniper Hill Commons would allow townhomes and multi-family units, the density of the development is around what is planned for this area and staff believes the intent of the Comprehensive Plan’s guide for this area of the City is still met as the project provides innovative residential building types and a creative subdivision design. This development also helps in the furtherance of achieving Goal 5 of the Comprehensive Plan, which, among other things, is to promote the development of new neighborhoods that are quiet, safe, beautiful, walkable, enhance social interaction, and offer a balanced range of housing choices.

Staff recommends approving the rezoning request to R-7 as submitted.

**Environmental Impact:**

N/A

**Fiscal Impact:**

N/A

**Prior Actions:**

N/A

**Alternatives:**

- (a) Recommend approval of the rezoning request as submitted; or
- (b) Recommend denial.

**Community Engagement:**

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

***Rezoning – 650 Keezletown Road (Juniper Hill Commons) (R-1 to R-7)***

Public hearing to consider a request from Harrisonburg Cohousing, LLC to rezone a +/- 5.5-acre parcel from R-1, Single-Family Residential District to R-7, Medium Density Mixed Residential Planned Community District. The R-1, Single-Family Residential District is intended for low-density, relatively spacious single-family residential development. The R-7, Medium Density Mixed Residential Planned Community District is intended to permit the development of master planned residential communities offering a mix of single family detached and attached dwellings and open spaces. The minimum district size is two acres and the maximum density is 15 dwelling units per acre. The Comprehensive Plan designates this site as Low Density Mixed Residential. These areas have been developed or are planned for residential development containing a mix of large and small-lot single-family detached dwellings, where commercial and service uses might be finely mixed within residential uses or located nearby along collector and arterial streets. Duplexes and mixed use buildings with residential dwelling units limited to one or two dwelling units per building might be appropriate. The gross density of development in these areas should be around 7 dwelling units per acre. The planned development is proposed to have a single-family detached dwelling, duplex structures, townhomes, and apartment units. The +/- 5.5-acre property is addressed as 650 Keezletown Road and is identified as 72-B-6.

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 (a) approval of the rezoning request as submitted.

**Attachments:**

1. Site maps
2. Application, applicant letter, and supporting documents
3. Master Plan Zoning Requirements for Juniper Hill Commons
4. Rezoning Narrative for Juniper Hill commons
5. Conceptual site layout
6. Exhibit - 15% slopes based on 2-ft. contours
7. Public comment received as of January 2, 2020

**Review:**

N/A