



City of Harrisonburg, Virginia

Department of Planning & Community Development
409 South Main Street
Harrisonburg, Virginia 22801
www.harrisonburgva.gov/community-development

Building Inspections: (540) 432-7700
Engineering: (540) 432-7700

Planning and Zoning: (540) 432-7700
Department Fax: (540) 432-7777

March 6, 2017

TO THE MEMBERS OF CITY COUNCIL CITY OF HARRISONBURG, VIRGINIA

SUBJECT: Public hearing to consider a request from Shenandoah Valley Black Heritage Project with representative Robin Lyttle for a special use permit per section 10-3-40 (5) of the Zoning Ordinance to allow for community building, as amended in a separate application, within the R-2, Residential District. The 4,364 +/- square foot site is addressed as 425 Hill Street and identified as tax map parcel 33-K-11.

EXTRACT FROM MINUTES OF HARRISONBURG PLANNING COMMISSION MEETING HELD ON: February 8, 2017

Chair Way read the request and asked staff to review.

Ms. Dang said the Comprehensive Plan designates this area as Neighborhood Residential. This designation states that this type of land use highlights those neighborhoods in which existing conditions dictate the need for careful consideration of the types and densities of future residential development. Infill development and redevelopment must be designed so as to be compatible with the existing character of the neighborhood. These are older neighborhoods, which can be characterized by large housing units on small lots.

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

Site: Single-family dwelling, zoned R-2

North: Newtown Cemetery, zoned R-2

East: Multiple-family dwellings known as Franklin Heights and operated by Harrisonburg Redevelopment & Housing Authority, zoned R-2

South: Single-family dwelling, zoned R-2

West: Single-family dwelling, zoned R-2

The subject property is located at 425 Hill Street. Real Estate Office records indicate that the building was constructed in 1940 and has 576 square feet. The applicant is requesting a special use permit per Section 10-3-40 (5), as proposed for amendment in a separate application presented simultaneously with this application, to allow the residential dwelling to be converted to a "community building" use. If the separate application for a Zoning Ordinance amendment is approved, the definition of community building in Section 10-3-24, Definitions would be as shown:

Building, community: A building for social, educational, cultural, and recreational activities for a neighborhood or community, provided any such use is not operated primarily for commercial gain.

Additionally, Zoning Ordinance Section 10-3-40 (5) within the R-2, Residential District's list of uses permitted only by special use permit would be as shown:

(5) Community buildings.

The Shenandoah Valley Black Heritage Project is a non-profit organization whose mission, as stated on their website, is "to learn about African-American History of the Shenandoah Valley and about the families who contributed so much to the building of the Valley," and to share the research work of Valley historians. Shenandoah Valley Black Heritage Project proposes to use 425 Hill Street as a "heritage center" where community members can conduct genealogy research and have access to a small library. Representatives of the Shenandoah Valley Black Heritage Project have expressed the importance of being located within the Northeast Neighborhood and have expressed that locating adjacent to the Newtown Cemetery, a Virginia Historic Landmark and on the National Registry of Historic Places, is an asset.

The applicant's letter states that the use of the house will be limited to daytime hours. Since the property is located within a residential neighborhood, staff believes that it is important to limit hours operation to keep in character with the residential district.

The applicant is aware that before occupying the building, there are significant renovations required by the Building Code to the change the building from a residential use to a non-residential use. The applicant has met at least once with Building Inspections Division staff. The applicant is aware that advertising signage will be limited to 24 square feet and six feet in height, and that illumination for signs shall keep with the intent and purpose of the residential district.

Parking spaces must be provided onsite at a rate of one parking space per 250 square feet of gross floor area and must meet parking lot landscaping regulations described in Zoning Ordinance Section 10-3-30.1. The building has 576 square feet of floor area and will require three parking spaces, one of which must be handicap accessible. The applicant plans to place parking spaces behind the building and to access them via the alley between 425 Hill Street and the Newtown Cemetery. If the parking spaces are located such that backing into the alley will be necessary for exiting vehicles, staff has expressed concern about possible conflict between backing vehicles and headstones located in the cemetery. Staff has recommended that the applicant and representatives of the cemetery install a barrier between the alley and the cemetery to mitigate potential impact. The applicant was receptive to this and stated that they will coordinate with representatives of the Newtown Cemetery.

Staff recommends approval of the special use permit request with the following conditions:

- Any community building shall operate substantially the same as the use proposed within this application.
- If the City receives concerns and/or complaints regarding parking, noise, or other nuisance issues associated with the community building use, Planning Commission or City Council may request to re-evaluate the permit, and if necessary, add conditions or revoke the permit.

Chair Way asked if there were any questions for staff.

Vice Chair Fitzgerald said one of the things that was mentioned at the tour yesterday was the idea of maybe blocking or in some way impeding traffic within the alley for people who might be going to the cemetery to attend a funeral.

Ms. Dang said yes, the visitors to this building would be parking on the subject property. The group discussed, those who have attended funerals at this location, described that people usually park along the other streets around there. I have not had personal experience there so I could not say.

Mr. Colman asked is the alley going to be improved to access the parking area.

Ms. Dang said we had recommended to the applicants that when they figured out how they do their parking area that they may want to do that, but the rest of the alley way, going further beyond their property, would not be improved.

Chair Way asked if there were any more questions for staff. Hearing none, he opened the public hearing and asked if anyone would like to speak in favor or against this request.

Robyn Lyttle said I am the founder of the Shenandoah Valley Black Heritage Project. We started about 4-5 years ago and we became a 501(c)3 this past March. In addition to our research on the free families of Harrisonburg, we published our first book about them. A young man did history from about the 1815-1816 and you will be amazed about how much property was black owned in that time in downtown Harrisonburg. These are the kinds of projects that we work on but we needed Simms for our big programs.

Over the years, several of us started doing family history and we have probably done 60 family trees now. We have been doing them at Simms, even though these are just census records and marriage licenses and death certificates, we wanted to try to find a private space and that is when we found 425 Hill Street. It really is a peanut, we know that we can handle the repairs and get it up to code because it is a peanut, and as soon as we get through this process we will be working to raise the money to do that.

We are not looking to use it for anything other than what we have already described; it is just not going to be suitable size-wise. We got tired of hauling our books out of the storage room at Simms. This is why we are here before you, and again thank you all so much for helping us through this process.

Chair Way asked if anyone else would like to speak in favor or against the request.

James Orndoff, said on behalf of the Northeast Neighborhood Association we are delighted to support the request from Shenandoah Valley Black Heritage Project. They have done so much work in the African-American community, and continue to do workshops, and programs, and all sorts of activities year round. As you know February is Black History Month, so there are a number of things coming up in the area, many of which would not be happening without Robyn Lyttle and Shenandoah Valley Black History Project. They support the work that the Northeast Neighborhood Association does and we support the work that they do. It is a mutually beneficial relationship; we encourage you to approve the permit.

Chair Way asked if anyone else would like to speak in favor or against the request. Hearing none, he closed the public hearing and asked Planning Commission for a motion on the request for the purpose of discussion.

Mrs. Whitten asked who holds the ownership of these two buildings.

Ms. Lyttle said technically I am the owner, but quite frankly I did it with the help of family and friends, because I stand before you as an artist and my background is in the arts and as you could probably imagine that does not necessarily allow you to do this kind of thing. It was working with the Northeast Neighborhood Association and being involved in the neighborhood that drove me to want to do this. My name is on the two properties.

Mrs. Whitten said I just wondered because you have two different non-profits.

Ms. Lyttle said yes the conflict of interest is definitely something I sought council on, which is why Mr. Baugh is not in here right now. I am very cognizant of that since we became a 501(c)3. We do pay close attention to make sure that I do not do any missteps.

Mr. Colman said on the same line is the intent to transfer the property to the 501(c)3s.

Ms. Lyttle said yes it already has actually, releasing the house to NENA. I, in all honesty, could not raise the money to buy them out right. We have loans and I do not want to inflict that on the non-profits, so at

this point what we have discussed and what we are working out are leasing arrangements, but in my will, or until we are able to transfer it officially, I have named both non-profits as the beneficiaries should anything happen to me.

Chair Way asked if there were any questions, discussions or a motion to the request.

Mr. Colman moved to approve the Special Use Permit – 425 Hill Street (Section 10-3-40 (5) to Allow Community Buildings) as presented by staff.

Mrs. Whitten seconded the motion.

Chair Way asked if there was any other discussion. Hearing none, he called for a voice vote on the motion.

All voted in favor (6-0) to recommend approval of the Special Use Permit – 425 Hill Street (Section 10-3-40 (5) to Allow Community Buildings) as presented by staff.

Chair Way said this will go forward to City Council on March 14, 2017.

Respectfully Submitted,

Alison Banks

Alison Banks
Senior Planner