



May 13, 2025, City Council Meeting

Title

Consider a Special Use Permit at 1812 Erickson Avenue — Adam Fletcher, Community Development

Summary

Project name	N/A
Address/Location	1812 Erickson Avenue
Tax Map Parcels	115-C-6
Total Land Area	+/- 1.93 acres
Property Owner	KP'S CARS LLC
Owner's Representative	Frank Gordon
Present Zoning	B-2, General Business District
Special Use Permit Request	Section 10-3-91(17) — To allow multiple-family dwellings and/or mixed-use buildings in B-2
Planning Commission	April 9, 2025 (Public Hearing)
City Council	May 13, 2025 (Public Hearing)

Recommendation

Option 1. Staff and Planning Commission (5-0) recommend approval of the special use permit request as submitted by the applicant, with an additional condition, and for an extension of the time period to establish or to demonstrate diligent pursuit to 48-months.

Owner-Developer Self-Imposed Conditions:

1. The property shall not contain dwelling units that have more than one (1) bedroom.
2. The site shall contain a minimum of one-half (0.5) off-street parking spaces per dwelling unit.
3. Buildings shall be no more than three (3) stories.
4. A pedestrian connection will be provided between the dwellings and Erickson Ave.
5. Upon request and upon the completion of necessary plats and deeds by the City, the applicant will agree to dedicate the needed public right-of-way and temporary construction easement at the corner of the subject parcel at the intersection of Erickson Avenue and the private street for future improvements to the intersection (ex. traffic signals, pedestrian signals, accessible curb ramps).

Staff and Planning Commission's recommended condition:

6. A sidewalk or shared use path connection between Erickson Avenue and the Wal-Mart property (Rockingham County tax map parcel 108-12-1) will be provided.

Fiscal Impact

N/A

Context & Analysis

The applicant is requesting a special use permit (SUP) per Section 10-3-91(17) of the Zoning Ordinance (ZO) to allow multiple-family dwellings and/or mixed-use buildings in B-2, General Business District. The +/- 1.93-acre property is addressed as 1812 Erickson Avenue and is identified as tax map parcel 115-C-6. If SUP request is approved, the applicant plans to construct two (2) three-story multi-family buildings with a total of 40 efficiency or one-bedroom units.

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

Site: Vacant land, zoned B-2

North: Commercial uses, zoned B-2

East: Across Erickson Avenue, vacant land, zoned R-7

South: Commercial uses, zoned B-2

West: Within Rockingham County, commercial uses, zoned B-1 (County)

Development Plan

As required by Section 10-3-93 (d) the applicant has submitted a development plan. Section 10-3-93 (d) of the ZO 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 apply to 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 an engineered comprehensive site plan approval include, but are not limited to:

- a. The general location of buildings and structures as illustrated.
- b. The general number of stories within proposed buildings and structures as illustrated.
- c. The general location of parking areas as illustrated.
- d. The general location of pedestrian connections as illustrated.

Additionally, the applicant has proposed the following conditions, which are described on the “Owner Developer Self-Imposed Conditions” (written verbatim):

1. The property shall not contain dwelling units that have more than one (1) bedroom.
2. The site shall contain a minimum of one-half (0.5) off-street parking spaces per dwelling unit.

3. Buildings shall be no more than three (3) stories.
4. A pedestrian connection will be provided between the dwellings and Erickson Ave.
5. Upon request and upon the completion of necessary plats and deeds by the City, the applicant will agree to dedicate the needed public right-of-way and temporary construction easement at the corner of the subject parcel at the intersection of Erickson Avenue and the private street for future improvements to the intersection (ex. traffic signals, pedestrian signals, accessible curb ramps).

With regard to condition #1, the applicant offered this condition to limit newly constructed multiple-family units to efficiency or one-bedroom units to help address the need for smaller dwelling units in the City. The City's 2021 Comprehensive Housing Assessment and Market Study (Housing Study) notes that "smaller apartments are part of the solution for supportive housing, the location of these smaller units is critical to ensure that persons in need of services can easily access them via walking and public transit."

Regarding condition #2, the ZO requires one off-street parking space per unit in the B-2 district unless otherwise conditioned. The applicant is conditioning a minimum of one-half parking space per dwelling unit. Staff feels that reducing the required number of parking spaces to half a space is sufficient because the applicant has offered a condition limiting the units to efficiency or one-bedroom units, and the development is located along Harrisonburg Department of Public Transportation (HDTP) Transit Route 3 and is within walking distance of businesses and services.

Staff suggested that the applicant consider alternative layouts to locate the apartment buildings along the private road to promote and establish a design that encourages pedestrian activity and enhances cohesiveness. The applicant has explained that the submitted development plan is a more efficient, cost-effective layout for this site. The development plan, as presented, has less travel lanes and paved areas, has more open space for stormwater facilities, is closer to utility connections, and has other cost-reducing benefits compared to staff's suggested layouts.

Regarding condition #4, a pedestrian connection between the proposed buildings and the public street is required by the Design and Construction Standards Manual (DCSM). Staff suggested that the applicant provide a sidewalk connection between Erickson Avenue and the Wal-Mart parking lot. In condition #2, the applicant has requested to reduce parking requirements, which means that residents will need safe facilities to walk to shopping and to the public transit bus stop. Since the development will create additional pedestrian traffic, staff recommends an additional condition to require construction of sidewalk or shared use path connection between Erickson Avenue and the Wal-Mart property.

Additional details about condition #5 are in the Transportation & Traffic section.

Land Use

The Comprehensive Plan designates this site as Commercial and states:

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.

With regard to the Comprehensive Plan, Traditional Neighborhood Development (TND) principles are encouraged to be included in all developments throughout the City. 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.

Transportation and Traffic

The Determination of Need for a Traffic Impact Analysis (TIA) form ("TIA determination form") for the proposed SUP is attached. The TIA determination form indicated that the project would not generate 100 or more new peak hour trips, which is the threshold for staff to require a TIA. Therefore, a TIA was not required for the SUP request.

Condition #5 provides for the dedication of right-of-way and temporary construction easements at the corner of the subject parcel to support future improvements to the intersection that will be completed by others. In 2023, City Council approved the rezoning request for the Bluestone Town Center, an 897-unit housing development consisting of a variety of housing types. The development required several new roadway improvements, including a street connection to Erickson Avenue across from the private road that serves the Wal-Mart shopping center and that will serve the subject 40-unit development. The future street connection will include a traffic signal with pedestrian signals and accessible curb ramps.

Public Water and Sanitary Sewer

The applicant is aware that they will have to work with the Harrisonburg-Rockingham Regional Sewer Authority (HRRSA) to connect to the HRRSA interceptor.

Housing Study

The City's Comprehensive Housing Assessment and Market Study (Housing Study) places the subject site within Market Type B, which has "neighborhoods [that] are characterized by high income earning households, large volumes of housing sales and lower population growth." The Housing Study further notes that houses in these markets are quick to sell and that "[p]riorities and policies that are appropriate to Market Type B areas include the preservation of existing affordable housing while at the same time working to increase access to amenities."

Public Schools

Staff from Harrisonburg City Public Schools (HCPS) noted that based on their student generation calculations, the proposed 40 residential units is estimated to result in 13 additional students. Based on the School Board's currently adopted attendance boundaries, Bluestone Elementary School, Thomas Harrison Middle School, and Harrisonburg High School would serve the students residing in this development. HCPS staff noted that four of the six elementary schools exceed effective capacity.

For total student population projections, the City of Harrisonburg and HCPS both use the University of Virginia's Weldon Cooper Center for Public Service's projections. These projections are updated annually and are available at: <https://www.coopercenter.org/virginia-school-data>.

Recommendation

Staff recommends approval of the SUP with the conditions submitted by the applicant and with staff's recommended condition.

Furthermore, the applicant has requested an extension of the time period to establish or demonstrate diligent pursuit of the multifamily use from 36-months to 48-months. As identified, by Section 10-3-130 (c) of the ZO, unless City Council specifically grants a time period for which the SUP must be established or diligent pursuit demonstrated, the default time period is 36 months from the approval date for residential projects. The applicant has stated that the limited application windows for financing options may constrain the development. Staff is comfortable recommending an extension from 36 months to 48 months.

Options

1. Approve the special use permit as submitted by the applicant, with an additional condition, and for an extension of the time period to establish or to demonstrate diligent pursuit to 48-months.
2. Approve the special use permit with other conditions(s), with or without the extension of time period to establish or to demonstrate diligent pursuit to 48-months.
3. Deny the special use permit.

Attachments

- Extract from Planning Commission
- Site maps
- Application and supporting documents