



City of Harrisonburg, Virginia

Department of Planning & Community Development
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To: Kurt Hodgen, City Manager
From: Planning Commission and
Adam Fletcher, Director - Department of Planning and Community Development
Date: March 14, 2017 (Regular Meeting)
Re: Special Use Permit – 425 Hill Street (Section 10-3-40 (5) to Allow for a Community Building)

Summary:

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 a community building, as proposed for amendment 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.

Background:

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

Key Issues:

The subject property is located at 425 Hill Street. Real Estate Office records indicate that the building was constructed in 1940, is contains, story, 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.

Environmental Impact:

N/A

Fiscal Impact:

N/A

Prior Actions:

N/A

Alternatives:

- (a) Approve the special use request as submitted by the applicant;
- (b) Approve the special use request with the conditions as presented by staff;
- (c) Approve the special use request with other conditions; or
- (d) Do not approve the special use permit request.

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 for the special use permit. The advertisement was published as shown below:

Special Use Permit – 425 Hill Street (Section 10-3-40 (5) to Allow Community Buildings)

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 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.

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) to approve 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.

Attachments:

1. Site maps (2)
2. Application, applicant letter, and supporting documents (4)

Review:

Planning Commission recommended to approve (6-0) 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.