



## CITY OF HARRISONBURG COMMUNITY DEVELOPMENT

409 SOUTH MAIN STREET, HARRISONBURG, VA 22801

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To: Planning Commission  
From: Department of Community Development  
Date: January 10, 2024 (Regular Meeting)  
Re: Rezoning – 715 North Main Street (M-1C to B-1C)

### **Summary:**

Project name	N/A
Address/Location	715 North Main Street
Tax Map Parcels	40-T-10
Total Land Area	+/- 0.31 acres
Property Owner	Harrisonburg Redevelopment and Housing Authority
Owner's Representative	Strength in Peers
Present Zoning	M-1C, General Industrial District Conditional
Proposed Zoning	B-1C, Central Business District Conditional
Staff Recommendation	Approval
Planning Commission	January 10, 2024 (Public Hearing)
City Council	Anticipated February 13, 2024 (First Reading/Public Hearing) Anticipated February 27, 2024 (Second Reading)

### **Background:**

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

Site: Single-family detached dwelling, zoned M-1C

North: Across an undeveloped alley, residential dwellings fronting Madison Street, zoned R-2

East: Single-family detached dwelling and nonconforming office building, zoned M-1

South: Across North Main Street, automotive uses, zoned M-1

West: Automobile sales and repairs, zoned M-1

In 2010, the current owner of the property, Harrisonburg Redevelopment and Housing Authority, requested a rezoning from R-2 to M-1C and requested three special use permits, which were approved by City Council. The 2010 rezoning included the following proffers (written verbatim):

1. The following uses permitted by right in the M-1 zoning classification will continue to be permitted by right:
  - a. Veterinary supply and service establishments including hospitals, laboratories and kennels.

- b. Maintenance and repair shops.
- c. Mercantile establishments and office facilities accessory to and supportive of the sale, processing and storage of goods and materials as permitted in this district.
- d. Hotels, motels and similar types of transient accommodations. Nontransient housing facilities are not permitted nor may existing housing facilities be expanded.
- e. Accessory buildings and uses customarily incidental to any of the above-listed uses.
- f. Training facilities and vocational schools.
- g. Public utilities, public service or public transportation uses or building, generating, purification or treatment plants, water storage tanks, pumping or regulator stations, telephone exchange and transformer or substations.
- h. Plant nurseries and greenhouses.
- i. Public uses.

The remaining uses and any future uses added to the uses permitted in the by right section of the M-1 zoning classification being proffered out and thereby not permitted. Also as an additional general proffer, no buses shall be parked other than for immediate loading and unloading on this property

2. For purposes of the sign ordinance, the applicant proffers to be bound by that portion of the sign ordinance for the R-1 zoning classification as established in Section 11-7-4 of the City ordinances, the signage permitted in the M-1 zoning classification being proffered out and thereby not permitted.

The three special use permits (SUPs) that the applicant had applied for included: to allow for reduced parking, to allow for charitable and benevolent uses, and to allow for a boarding and rooming house. The SUPs were approved with the following conditions:

- The boarding and rooming house along with the uses permitted by Section 10-3-97 (9) and the reduced parking privileges shall be only for the uses the same as the applicants proposed project.
- The property shall supply no less than five parking spaces.
- If in the opinion of the Planning Commission or City Council, parking issues become a nuisance, the reduced parking special use permit could be recalled for further review, which could lead to the need for additional parking spaces, conditions, restrictions, or revocation of the permit.

As defined in the Zoning Ordinance, conforming boarding and rooming houses, among other things, are required to complete an annual inspection by October 31<sup>st</sup> of each year and failure to perform such inspection automatically voids the SUP approval. In this particular case, the boarding and rooming house became null and void in 2019 as records indicate the property owner's last inspection occurred in 2018.

**Key Issues:**

The applicant is requesting to rezone a +/-13,600-square foot parcel from M-1C, General Industrial District Conditional to B-1C, Central Business District Conditional. The property is addressed as 715 North Main Street and is identified as tax map parcel 40-T-10. The applicant plans to lease the property to Strength in Peers, who plan to operate a recovery residence on the site.

Note that staff presented a Zoning Ordinance Amendment to Planning Commission on November 8, 2023 to make way for recovery residence uses. City Council (CC) requested additional information from staff and tabled the ordinance amendment on December 12, 2023. At this time, staff anticipates presenting the Zoning Ordinance Amendment to CC again in February 2024.

***Proffers***

The applicant has offered the following proffers (written verbatim):

1. All traffic generating uses shall be limited to a combined total of 100 vehicle trips in either the AM or PM peak hour as calculated using the latest edition of the Institute of Transportation Engineer's Trip Generation Manual.
2. Drive-through facilities are prohibited.
3. No parking lot (excluding travel lanes and drive aisles) shall be located between any building and North Main Street.

***Land Use***

The Comprehensive Plan designates this site as Mixed Use and states:

The Mixed Use category includes both existing and proposed areas for mixed use. Mixed Use areas shown on the Land Use Guide map are intended to combine residential and non-residential uses in neighborhoods, where the different uses are finely mixed instead of separated. Mixed Use can take the form of a single building, a single parcel, a city block, or entire neighborhoods. Quality architectural design features and strategic placement of green spaces for large scale developments will ensure development compatibility of a mixed use neighborhood with the surrounding area. These areas are prime candidates for “live-work” and traditional neighborhood developments (TND). Live-work developments combine residential and commercial uses allowing people to both live and work in the same area. The scale and massing of buildings is an important consideration when developing in Mixed Use areas. 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.

Downtown is an existing area that exhibits and is planned to continue to contain a mix of land uses. The downtown Mixed Use area often has no maximum residential density, however, development should take into consideration the services and resources that are available (such as off-street parking) and plan accordingly. Residential density in Mixed Use areas outside of downtown should be around 24 dwelling units per acre, and all types of residential units are permitted: single-family detached, single-family attached (duplexes and townhomes), and multi-family buildings. Large scale developments, which include multi-family buildings are encouraged to include single-family detached and/or attached dwellings.

The Downtown 2040 Plan identifies the northern boundary of the Downtown Study Area as the intersection of West Washington Street and North Main Street. Although the subject property is outside of what is generally considered downtown, the property is located along a gateway into downtown and is within the North Main Street Corridor Enhancement Area identified in the Comprehensive Plan. The uses and design of this corridor should be taken into consideration while fostering this transition area.

As noted above, the property is designated as Mixed Use in the Comprehensive Plan, which, among other things, is a designation that promotes for “live-work” environments and traditional neighborhood development (TND). The Mixed Use designation description refers to TND, which is explained further in the Comprehensive Plan on page 6-9, and includes promoting walking, biking, and taking public transit. Proffers #2 and #3 promote pedestrian friendly design by prohibiting drive-throughs and restricting vehicle parking areas from being located between buildings and the public street. Note that the B-1 district has no off-street parking requirements.

#### *Transportation and Traffic*

The Determination of Need for a Traffic Impact Analysis (TIA) form (“TIA determination form”) for the proposed rezoning 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.

#### *Public Water and Sanitary Sewer*

Staff has no concerns with the requested rezoning regarding water and sewer matters.

#### *Housing Study*

The City’s Comprehensive Housing Assessment and Market Study (Housing Study) places the subject property within Market Type D, which has “neighborhoods [that] are characterized by the lowest growth of any market type and low housing volume turnover.” Additionally, “[i]ncomes in different pockets vary greatly. Median household incomes across block groups in these neighborhoods have the broadest range: \$20,000 to \$91,000. This could point to a divergence of two conditions found within these neighborhoods: one of stable, high-income, low turnover neighborhoods and one of lower turnover in lower income neighborhoods.

#### *Recommendation*

With the proposed proffers, staff believes that the request is in conformance with the Comprehensive Plan and recommends approval of the rezoning request.

#### **Environmental Impact:**

N/A

#### **Fiscal Impact:**

N/A

#### **Prior Actions:**

N/A

#### **Alternatives:**

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

**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 – 715 North Main Street (M-1C to B-1C)***

Public hearing to consider a request from Harrisonburg Redevelopment & Housing Authority to rezone a +/-13,600-square foot parcel from M-1C, General Industrial District Conditional to B-1C, Central Business District Conditional. The property is addressed as 715 North Main Street and is identified as tax map parcel 40-T-10.

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.

**Attachments:**

- 1. Site maps
- 2. Application and supporting documents

**Review:**

N/A