

NOTICE OF PUBLIC HEARING

The Harrisonburg City Council will hold public hearings on June 11, 2019 at 7:00 p.m., or as soon as the agenda permits, in the City Council Chambers located at 409 South Main Street, Harrisonburg, Virginia, to consider the following:

Special Use Permit – 785 Acorn Drive (Recreational and Leisure Time Activities in M-1)

Public hearing to consider a request from Sierra Valley Resources LLC for a special use permit per Section 10-3-97(10) to allow recreational and leisure time activities, which may include non-transient dwelling units within the M-1, General Industrial District. The +/- 1.5-acre property is located at 785 Acorn Drive and is identified as tax map parcel 56-E-20B.

Special Use Permit – 1451 Hillcrest Drive (Short-Term Rental)

Public hearing to consider a request from John and Janet Hostetter for a special use permit per Section 10-3-40(8) of the Zoning Ordinance to allow short-term rental within the R-2, Residential District. A short-term rental is defined in the Zoning Ordinance as “[t]he provision of a dwelling unit, a bedroom or accommodation space within the dwelling unit, or any accessory building that is suitable or intended for transient occupancy for dwelling, sleeping, or lodging purposes and is offered in exchange for a charge for the occupancy.” Short-term rentals are regulated by Article DD of the Zoning Ordinance. The +/- 14,800 sq. ft. property is addressed as 1451 Hillcrest Drive and is identified as tax map parcel 51-K-17 and 18.

Special Use Permit – 341 South Willow Street (Short-Term Rental)

Public hearing to consider a request from Richard Scott Asbell, III and Jacqueline Mae Asbell for a special use permit per Section 10-3-34(7) of the Zoning Ordinance to allow short-term rental within the R-1, Single Family Residential District. A short-term rental is defined in the Zoning Ordinance as “[t]he provision of a dwelling unit, a bedroom or accommodation space within the dwelling unit, or any accessory building that is suitable or intended for transient occupancy for dwelling, sleeping, or lodging purposes and is offered in exchange for a charge for the occupancy.” Short-term rentals are regulated by Article DD of the Zoning Ordinance. The +/- 11,700 sq. ft. property is addressed as 341 South Willow Street and is identified as tax map parcel 24-D-30.

Special Use Permit – 981 Summit Avenue (Short-Term Rental)

Public hearing to consider a request from Glen Stoltzfus for a special use permit per Section 10-3-40(8) of the Zoning Ordinance to allow short-term rental within the R-2, Residential District. A short-term rental is defined in the Zoning Ordinance as “[t]he provision of a dwelling unit, a bedroom or accommodation space within the dwelling unit, or any accessory building that is suitable or intended for transient occupancy for dwelling, sleeping, or lodging purposes and is offered in exchange for a charge for the occupancy.” Short-term rentals are regulated by Article DD of the Zoning Ordinance. The +/- 21,000 sq. ft. property is addressed as 981 Summit Avenue and is identified as tax map parcel 48-C-12.

Rezoning – 1385 Wine Drive (R-3C to B-2C)

Public hearing to consider a request from Kathy Ulrich to rezone a +/- 36,000 sq. ft. area zoned R-3C, Multiple Dwelling Residential Conditional to B-2C, General Business District Conditional. The +/- 36,000 sq. ft. area is part of a +/- 41,944 sq. ft. parcel, where +/- 5,944 sq. ft. is located in Rockingham County. The Zoning Ordinance states that the R-3, Multiple Dwelling Residential District is intended for medium-to high-density residential development and other uses intended to respect the residential character, which are aesthetically compatible within the district by means of architectural expression, landscaping, and restrained traffic flow. The residential density ranges for R-3 are single-family, 6,000 sq. ft. minimum; duplex, 4,000 sq. ft. minimum/unit; multifamily, 3,000 sq. ft. minimum/unit; townhouses, 2,000 sq. ft.

minimum/unit; and other uses, 6,000 sq. ft. minimum. The B-2, General Business District is intended to provide sufficient space in appropriate locations for a wide variety of retail shopping, commercial, automotive, miscellaneous recreational, and service activities. No minimum lot size restrictions exist in the B-2, General Business District. The Comprehensive Plan designates this area as Limited Commercial. These areas are suitable for commercial and professional office development but in a less intensive approach than the Commercial designation. These areas need careful controls to ensure compatibility with adjacent land uses. The maintenance of functional and aesthetic integrity should be emphasized in review of applications for development and redevelopment and should address such matters as: control of access; landscaping and buffering; parking; setback; signage; and building mass, height, and orientation. It is important that development within Limited Commercial areas does not incrementally increase in intensity to become similar to the Commercial designation. Efforts should be made to maintain the intent as described. The +/- 36,000 sq. ft. area located in the City is addressed as 1385 Wine Drive and is identified as tax map parcel 88-I-8.

Rezoning – 706, 710, and 714 Greenbriar Drive (R-1 to R-3C)

Public hearing to consider a request from Delaware Bay, LLC, Robert L. and Carolyn W. Frank, and Johann Vargas with representatives Johann Vargas and Julian Pena to rezone three parcels together totaling 1.06 +/- acres from R-1, Single-Family Residential District to R-3C, Medium Density Residential District Conditional. The Zoning Ordinance states that the R-1, Single-Family Residential District is intended for low-density, relatively spacious single-family residential development. The residential density ranges from 1 to 4 units per acre, with a minimum lot size of 10,000 sq. ft. The R-3, Medium Density Residential District is intended for medium density residential development and other uses intended to respect the residential character, which are aesthetically compatible within the district by means of architectural expression, landscaping, and restrained traffic flow. The density ranges for R-3 are single-family, 6,000 sq. ft. minimum; duplex, 4,000 sq. ft. minimum/unit; townhouses, 2,000 sq. ft. minimum/unit; other uses, 6,000 sq. ft. minimum and by special use permit multi-family, 3,000 sq. ft. minimum/unit. The Comprehensive Plan designates this area as Low Density Residential. These areas consist of single-family detached dwellings in and around well-established neighborhoods with a target density of around 4 dwelling units per acre. The low density residential areas are designed to maintain the character of existing neighborhoods. It should be understood that established neighborhoods in this designation could already be above 4 dwelling units per acre. The first parcel containing 17,975 +/- sq. ft. is owned by Delaware Bay, LLC, is addressed as 706 Greenbriar Drive, and is identified as tax map parcel 12-I-1. The second parcel containing 13,736 +/- sq. ft. is owned by Robert L. and Carolyn W. Frank, is addressed as 710 Greenbriar Drive, and identified as tax map parcel 12-I-2. The third parcel containing 14,258 +/- sq. ft. is owned by Johann Vargas, is addressed as 714 Greenbriar Drive, and is identified as tax map parcel 12-I-3.

Zoning Ordinance Amendment – To Establish and Add a New Zoning District to the Zoning Ordinance titled R-8 Small Lot Residential District, To Amend Off-Street Parking Regulations for Dwelling Units, and To Add a Definition to the Zoning Ordinance to define a building “Story”

Public hearing to consider a request from Richard Blackwell to amend the Zoning Ordinance by adding a new zoning district titled R-8 Small Lot Residential District. The purpose of the district is described as “intended for medium- to high-density residential together with certain governmental, educational, religious, recreational and utility uses subject to restrictions and requirements necessary to ensure compatibility with residential surroundings. Residential development includes single-family detached, duplex, and in special circumstances townhouse development. Vehicular, pedestrian and bicycle transportation is facilitated through a connected system of roads, sidewalks and shared use paths, so as to provide many choices with regard to mode and route, and to provide a safe and comfortable pedestrian environment that promotes walkability for residents and visitors.” A new article titled Article L.4. – R-8 Small Lot Residential is proposed with sections titled: General, Purpose of District, Uses permitted by right, Uses permitted only by special use permit, Area and dimensional regulations, and Other regulations. The proposed density ranges for R-8 are single-family, 2,800 sq. ft. minimum; duplexes, 1,800 sq. ft.

minimum/unit; other uses, 6,000 sq. ft. minimum and by special use permit townhouses, 1,800 sq. ft. minimum/unit. Amendments are also proposed to Section 10-3-110(f), which currently allows reduced side yard setbacks for lots of record that are less than 60 feet in width. The amendment is to clarify that properties zoned R-8 are not afforded the reduced setback flexibility provided by Section 10-3-110(f). In addition, amendments also include adding a definition for “story” to Section 10-3-24 of the Zoning Ordinance. A “story” would be defined as “[e]xcluding basements, a portion of a building for living between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, the space between the floor and the ceiling next above it.” Also proposed are amendments to Section 10-3-25(7) of the Zoning Ordinance to amend the minimum off-street parking spaces for dwelling units. The amendments include changing the regulations for duplexes from requiring two parking spaces per unit to requiring only one parking space for each duplex unit, and to amend the minimum off-street parking spaces for townhomes and multifamily units constructed within the R-6, R-7, and MX-U districts by eliminating the approach that requires parking spaces based upon the number of bedrooms and replacing the regulation so that townhomes and multifamily units are required to provide a minimum of one parking space for each dwelling unit. Townhomes constructed in the R-8 district would require one parking space per unit. The amendments would clarify that townhouse and multifamily units within the R-3, R-4, and R-5 districts would still be required to provide 1.5 spaces for each dwelling unit with one bedroom, 2.5 spaces for each dwelling unit with two or three bedrooms, and 3.5 spaces for each dwelling unit with four or more bedrooms. Furthermore, the modifications would allow townhouses and multifamily units within R-3, R-4, and R-5 districts, where occupancy has been restricted on a conditionally zoned property to only provide one space for each dwelling unit or as may be conditioned by the property owner at the time of rezoning.

Zoning Ordinance Amendment – Off-Street Parking Regulations to Allow Community Centers Associated with Housing Developments to Have No Minimum Off-Street Parking Requirements

Public hearing to modify Section 10-3-25(14) of the Zoning Ordinance, which currently specifies that community centers, libraries, museums, and other similar facilities are to provide one parking space for each 250 square feet of building gross floor area. The modification of Section 10-3-25(14) would eliminate minimum off-street parking requirements for community centers associated with housing developments, where the use of such space is primarily for the use of residents of the housing development.

Applications, maps, and other information are available for review in the Department of Planning & Community Development, 409 South Main Street, 2nd Floor, Monday through Friday, 8:00 a.m. to 5:00 p.m. All persons interested will have an opportunity to express their views at these public hearings. Any individual requiring auxiliary aids, including signers, in connection with the public hearing shall notify the Planner at 540-432-7700 at least five days prior to the date of the meeting. More information is available at www.harrisonburgva.gov/public-hearings.

Publication dates:

Saturday, May 25, 2019 and
Monday, June 3, 2019