

Consider a request from Center for Health and Human Development to rezone 851 Madison Street

Consider a request from Center for Health and Human Development for a special use permit at 851 Madison Street

Chair Baugh read the request and asked staff to review.

Ms. Soffel said the applicant is requesting to rezone a +/- 12,944-square-foot property from R-2, Residential District to R-8, Small Lot Residential District. The property is addressed as 851 Madison Street and is identified as tax map parcels 41-K-5 and 6. If approved, the applicant plans to subdivide the property into three parcels, one of which would contain the existing single-family detached dwelling, and the remaining two parcels would be for a duplex structure containing one (1) dwelling unit on each parcel. In addition, the applicant is requesting a special use permit (SUP) pursuant to Zoning Ordinance (ZO) Section 10-3-59.4(9) to allow a reduction in the required number of vehicle parking spaces to zero spaces.

The existing two-story single-family detached dwelling on the parcel is nonconforming to the R-2 district's front and side yard setback regulations. The proposed rezoning to the R-8 district would make the existing front yard setback conforming. The minimum side yard setback for a two-story dwelling in the R-8 district is seven (7) feet. The house is approximately five (5) feet from the property line and would continue to be nonconforming to side yard setback regulations along the northwest property boundary.

The R-8 district's area and dimensional regulations require that each duplex unit be located on its own parcel. For a duplex, a minimum lot width of 25 feet per unit and a minimum lot depth of 60 feet are required. If rezoned to the R-8 district, the two new proposed duplex lots would have sufficient depth to be further subdivided, for a total of four (4) new lots. Should the applicant desire to further subdivide the lots in the future, they would have to come before the Planning Commission and City Council to request a variance from the Subdivision Ordinance because the lots would not have public street frontage.

It should be noted that a significant portion of this parcel is in floodplain. The proposed duplex would be located within the 100-year floodplain and subject to a higher risk of flooding, which may impact financing and insurance. The elevation of the lowest floor, including basement, of each dwelling must be at least 1-foot above the base flood elevation (BFE), and the development will require a floodplain development permit and elevation certificates. In addition, the Design and Construction Standards Manual section 1.3.1.13 requires an engineered comprehensive site plan (ECSP) for any development in the floodplain.

Proffers

There are no proffers with this request. The conceptual site layout is not proffered.

Special Use Permit

Per the ZO, one (1) parking space is required per dwelling unit for single-family detached and duplex dwellings within all zoning districts. The SUP, if approved, would allow for the reduction in the required number of vehicle parking spaces provided that an equivalent amount of open space is reserved on the property. This area would be required to remain available should it be needed at some time in the future to accommodate parking needs. In addition, the open space used for this purpose must be noted in a deed and not used to meet other requirements of the ZO. The applicant is requesting to reduce the required number of parking spaces to zero and has shown the reserved area on the conceptual layout.

If the SUP request is approved, and if the applicant further subdivides the property in the future, the SUP would apply to all future and existing dwellings located on the site. While staff does not object to the proposed reduction in parking for the duplex shown on the conceptual layout, staff believes that any additional subdivision and/or additional dwelling units should be evaluated for parking if/when such development is proposed. Therefore, staff recommends the following condition:

The special use permit shall apply only to the two planned dwelling units as shown on the conceptual layout.

Land Use

The Comprehensive Plan designates this site as Neighborhood Residential and states:

These areas are typically older residential neighborhoods, which contain a mixture of densities and a mixture of housing types, but should have more single-family detached homes than other types of housing. 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 desired character of the neighborhood.

The surrounding neighborhood is an established residential neighborhood composed of a mix of single-family detached, duplex, and small multi-family dwellings. The proposed duplex would be compatible with the existing neighborhood.

Transportation and Traffic

A traffic impact analysis (TIA) was not required for the rezoning request.

Public Water and Sanitary Sewer

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

Housing Study

The City's Comprehensive Housing Assessment and Market Study (Housing Study) places the subject property within Market Type D, which states:

Market type D has lower market activity as well as lower access to amenities. This could be because the areas are stable residential neighborhoods or because the area is less developed and therefore has fewer sales and fewer amenities. Strategies that would be appropriate in the latter case include concurrent development of the housing and economic opportunities through mixed-use developments to build commerce and housing centers across the City.

Staff believes that the requested rezoning to R-8 supports efforts to increase the availability of housing in the City.

Public Schools

The City contracted with the University of Virginia's Weldon Cooper Center for Public Service to complete a report titled "Population and School Enrollment Projects for the City of Harrisonburg" (April 2025). The report can be found at the following link: https://harrisonburgva.gov/sites/default/files/city-manager/HarrisonburgSchoolEnrollment_2025-04-30_Final.pdf. This report provides overall student enrollment projections through 2034 as well as estimated student generation by housing type for each elementary school attendance zone.

The Weldon Cooper Center report states that "[s]ample sizes were too small to reliability calculate duplex yields for Keister, Smithland, Stone Spring, and Waterman [attendance boundaries]," and therefore, the duplex student generation rate for the aforementioned attendance boundary is zero. For this reason, staff used the Weldon Cooper Center report's student generation rate for single-family detached dwelling units, and thus a development proposal for two single-family detached dwelling units is estimated to generate one K-12 student at full build-out. According to the School Board's current attendance boundaries, Waterman Elementary School, Thomas Harrison Middle School, and Harrisonburg High School would serve the students residing in this development.

Conclusion

The requested rezoning from R-2 to R-8 is generally consistent with the Comprehensive Plan and allows for the development of additional housing in a mixed-density neighborhood. Staff recommends approval of the rezoning. Staff also recommends approval of the SUP request with the following condition:

The special use permit shall apply only to the two planned dwelling units as shown on the conceptual layout.

Ms. Soffel asked if there any questions.

Councilmember Dent said if they were to subdivide further in the future is that what this is about? Because they would have to address the parking somehow. Perhaps some kind of easement for a driveway to the back.

Ms. Soffel said there is a public alley in the back so they would have access.

Commissioner Jezior said who is responsible for developing that alley if that does go back?

Ms. Soffel said if it requires development the applicant would be required to make any changes to [the alley].

Chair Baugh asked if there were any more questions for staff. Hearing none, he invited the applicant or applicant's representative to speak to their request.

Sam Nickels, the applicant, came forward to speak to the request. He said I am a board member with the Center for Health and Human Development. We are the ones who currently own the property and our intent is to subdivide it and then provide affordable low-cost housing via a small duplex on that property. Our design team, Adam Butler is here. He is with JZ Engineering. They have been working with us through the whole process as have the staff of the City. Thank you Nyrma and others. That is basically what we are doing. The floodplain was mentioned so I will just say that our intent is to provide a solid cement base foundation with accessible access to that and it would be two feet above the flood stage. More than what is required by guidelines.

Councilmember Dent said I just wanted to commend you once again for planning to build housing for formerly homeless people and understand that they do not have the need for the cars; so that is good thinking.

Chair Baugh opened the public hearing and invited anyone in the room or on the phone wishing to speak to the request. Hearing none, he closed the public hearing and opened the matter for discussion.

Commissioner Kettler said I would also like to thank you for coming forward with this project. I always love to see more housing for folks that need it and this is a great project. I also appreciate the request for the reduction of parking. One of many reasons why parking minimums cannot always be terribly effective is folks, and particularly folks who were formerly homeless, do not

necessarily need a car and therefore needing that additional parking will often increase the development costs. I appreciate you for recognizing that.

Vice Chair Porter said I will also join the admiration society. I really sincerely appreciate this. You know that this population is extremely near and dear to my heart and I want to thank you all personally for the work that you are doing to create this opportunity. This community needs this type of housing so desperately and I assume that I could have asked the question when you were up there and you do not have to do anything other than nod, but will you be providing supportive services as well for these folks? He said yes. I am truly appreciative and I would certainly ask more questions about the parking spaces, but I understand exactly why the request is the way it is so thank you for what you are doing.

Commissioner Kettler said I could not quite hear it. Providing what services?

Vice Chair Porter said supportive services. I would take these would be folks that have been recently homeless or in the process of kind of transitioning. Obviously, Mr. Nickels has some experience in this area so I am quite certain that they will do a wonderful job welcoming these folks.

Vice Chair Porter said I would like to go ahead and make a motion to accept the staff's recommendation to approve the special use permit with the special condition regarding the prohibition of subdividing the lot further.

Chair Baugh said let me just make a suggestion here. I think we can take one vote together. Do you mean that for both items?

Vice Chair Porter said if we could get away with that, absolutely.

Chair Baugh said I will basically say if anybody is not okay with that or would want to split their vote indicate that. Otherwise, I think as long we are clear we can take them both together.

Commissioner Seitz seconded the motion.

Chair Baugh called for a roll call vote.

Commissioner Seitz	Aye
Commissioner Jezior	Aye
Councilmember Dent	Aye
Commissioner Kettler	Aye
Vice Chair Porter	Aye

Chair Baugh

Aye

The motion to recommend approval of both the rezoning and special use permit request passed (6-0). The recommendation will move forward to City Council on April 14, 2026.