

Council OKs Amendment

Posted 2007-07-25

By [Jeff Mellott](#)

HARRISONBURG — City Council, by a 4-1 vote Tuesday, tentatively approved a zoning amendment that requires developers to get a special-use permit to build apartments on parcels zoned as R-3 medium-density residential.

The change, if given final approval, would take effect in three years to give developers a chance to complete projects in the pipeline under the current regulations.

Critics of the change have complained the change would reduce property values, while supporters have said the proposal protects neighborhoods.

'Not Broken'

Mayor Rodney Eagle was the lone dissenting vote.

"I feel strongly that R-3 is not broken," Eagle told the council before the vote.

He noted that James Madison University recently announced plans to increase enrollment by 4,100 students by 2013.

According to JMU, its enrollment is expected to reach more than 21,500 students in the next six years, a 24 percent increase from last fall.

More faculty and staff will accompany the additional students, Eagle said.

"With the influx, we are going to need housing. We are going to need housing quickly," he said.

But Councilman Charles Chenault said the city is nearly prepared, given the amount of new housing already approved for construction.

"We're really close to meeting that 4,000-student threshold," Chenault said.

Neighborhood Protection

The expected demand for housing added urgency to approving the zoning amendment for Councilwoman Carolyn Frank.

Single-family homeowners who live on or next to R-3 property needed protection from apartment buildings springing up next to them, Frank said.

The R-3 zone is a catchall residential district, which allows various types of homes, apartments and professional offices to be built.

According to city officials, the city has 1,779 acres on 3,628 parcels of R-3 zoned land.

The intent of the change is to reduce the conflict between the types of housing now permitted in R-3 zoning, city officials have said.

The change in the zoning ordinance requires builders to go through a public hearing process before the Planning Commission and the City Council, which would have to approve the special-use permit.

Builders, Eagle said, have no certainty that their special-use permit request would be approved.

Legal Standing

Vice Mayor George Pace had leaned toward a proposal by Chenault.

As a compromise, Chenault had suggested the zoning amendment affect R-3 parcels inside the pre-1983 annexation boundary.

But Pace said a look at a city map that noted R-3 parcels convinced him that any change should affect all the land zoned for medium-density residential.

Pace said applying the change to all R-3 parcels would give the city a stronger legal position, if challenged.

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