

Thanh Dang

From: Arthur Hamilton <ajhamilton49@gmail.com>
Sent: Friday, March 5, 2021 10:19 AM
To: Thanh Dang
Subject: Rezoning of 518 E. Market St.

WARNING: This email was sent from outside of your organization.

Dear Ms.Dang,

Thank you for all the time you spent with me on the telephone yesterday. I truly appreciate your professionalism, expertise and patience in explaining to me the language of the City Code and how this matter will move forward.

My residence is at 548 E. Elizabeth St. The rear of the subject property faces Elizabeth St. I am opposed to the rezoning under the current circumstance.

I believe a property owner who has been discovered to be in violation of the law and of her previous proffers regarding the use of the property and now seeks a form of forgiveness from the City should first be required to demonstrate to the City and her neighbors that she will do necessary and long overdue maintenance to the property.

For over 15 years the structure on the rear of the subject property which faces residences on Elizabeth Street has been a public nuisance. There is a very obvious and dry space for the occasional homeless person. The building itself is in bad repair and has an incomplete and unsightly paint job (One half of the north wall has been left unpainted for many years. The west wall has missing siding and is unpainted.)

When I received a recent appraisal of my property including pictures of the neighborhood featuring this dilapidated building it became clear to me that more than aesthetics is involved here. Property values in this neighborhood are being depressed by a building which could be substantially improved at a relatively small cost.

The applicant will enjoy higher revenues from this property if this request is granted. A small portion of this revenue will finance the needed repairs.

Will this letter be forwarded to the Planning Commission and City Council?

Thank you for your time and consideration.

Arthur Hamilton

--

Arthur J. Hamilton

March 9, 2021

Dear Planning Commission,

I write to oppose the rezoning request at 518 East Market Street. I have lived on East Elizabeth Street, within sight of this property, for over 5 years. I hope to live here for the rest of my life. My concern is that rezoning more houses in the neighborhood to allow occupancy by 4 unrelated individuals will increase noise and disturbances from parties while pricing families out of the housing market.

I want to begin by emphasizing that I want Harrisonburg's downtown and the northeast neighborhood to be diversely and densely populated, walkable, and vibrant. I also want our neighborhood to be a place where low- and middle-income families can afford to live. I support zoning that allows small lots and small homes as well as larger buildings with multiple housing units.

What I do not support is converting more old homes in this neighborhood into housing for 4 unrelated individuals. Although most of the blocks around me are zoned R2, many houses within earshot of me are already occupied by 4 or more unrelated people. My understanding is that some of them are grandfathered into that use.

My experience over the last 5 years has been that those houses are often difficult neighbors. The tenants are often students in fraternities. They are more likely to host large parties, with the accompanying traffic, door slamming, and car alarms late at night. They are more likely to play music outside, all afternoon, so loud I can hear the bass everywhere inside my home. And they are more likely to litter the neighborhood with beer cans and red cups. This is not a student problem -- it is an occupancy problem. I have practically never seen disruptive behavior or heard excessive noise at any property in the neighborhood occupied by no more than 2 unrelated individuals -- regardless of whether the occupants were students or families, young or old, renters or homeowners.

In the last 5 years, I have also seen young families try to find homes in my neighborhood, only to discover that the few houses to come on the market sell almost instantly at high prices. I have no doubt that the party-house rental market is a factor in driving up the price of housing and keeping houses off the market. After all, 4 or more unrelated tenants will often pay much more to rent a house than a family could afford.

I want to close with a recent example of these dynamics. One of the properties near me was previously rented to 4 unrelated tenants in a fraternity. The house had become run down, the grounds were poorly maintained, and there was often loud music and trash outside. Last year, the occupancy was found to be in violation of the zoning code, and the owner sold the house. The couple who purchased it are respectful neighbors who do not keep us up at night. They shovel their snow and take out their trash, and they have gotten to know their neighbors. It has been a refreshing change.

In my view, the proposed rezoning at 518 East Market Street is a step in the wrong direction for the neighborhood. I respectfully urge you to deny the request.

Thank you

From: Drwe32 <DrWayne32@comcast.net>
Sent: Wednesday, March 31, 2021 1:58 PM
To: Adam Fletcher <Adam.Fletcher@harrisonburgva.gov>
Subject: FW: Hearing for the rezoning of 518 East Market St

WARNING: This email was sent from outside of your organization.

Hi Adam, I just realized that I used the wrong spelling of counsel. I guess I have been in the therapy business too long, it just has become automatic 😊 I have corrected it below to print out when you give it to council! Thanks a lot, Wayne

From: Drwe32 <DrWayne32@comcast.net>
Sent: Wednesday, March 31, 2021 1:42 PM
To: adam.fletcher@harrisonburgva.gov
Subject: Hearing for the rezoning of 518 East Market St

March 31, 2021
Adam Fletcher
Director Planning and Community Development
City of Harrisonburg, Virginia

Dear Mr. Fletcher and Council Members,

Wayne Engel here, owner of the eastern adjacent properties, 538 East Market Street and 535 East Elizabeth Street. I share the Market Street access apron and property line with the property the City Council is considering to be rezoned for greater use/occupancy owned by Margaret Sheridan of Sheridan Real Estate.

The Council should know that many years ago, at the time of the widening of the street, the "double access" apron which was meant to serve both properties was improperly located. It was done without survey. The result of the present location is that cars accessing my property must cross the 518 property line to enter my property. In addition, the Sheridan paving that was done crosses the property line by a considerable amount to provide safe maneuvering of autos to the real estate offices and apartments. In good neighbor spirit, I have given permission for this as a safe and convenient temporary fix to the situation.

I understand that there will be an ample parking lot created behind the building with alley access past the old out building that faces East Elizabeth street, which would be the safe exit (or entrance) to the parking. However, the correct and safe apron access from Market Street really must be remedied ASAP and perhaps as a condition of the rezoning in wise expectation of greater traffic use as well as for welfare of the future property owners. The property has been surveyed and the pegs can easily be observed as the line is marked from the Elizabeth to Market boundaries.

As well, and for safety's sake, proper and safe street aprons with curbing certainly should be installed to both properties from Elizabeth Street. Exiting both properties using the problematic East Market Street apron is very dangerous because of the speed of the high traffic flow and the deep gutter at the apron access. Because of the danger, I installed a safe access drive way of sorts over my Elizabeth Street vacant lot for my tenants use which is highly used after several accidents trying to enter east bound traffic at this Market Street apron. This is also being used by the tenants of the property to be rezoned as the alley access there is blind and problematic .

I thank you and the council for serious consideration of these issues, and urge contingent actions to remedy these important and problematic issues for public safety reasons, as well as for the future general welfare of the neighborhood and our beautiful city. With this consideration, I recommend your affirmative action of the rezoning request at hand.

My very best to all,

Dr. Wayne Engel
547 East Market St., Harrisonburg, Va 22801
EngelWe@jmu.edu 540.246.3232