

Consider a request to rezone 435, 445, 457, 473, 483 & 495 South Main Street and 282, 288, 294 & 298 South Liberty St (The Link Apartments)

Chair Baugh read the request and asked staff to review.

Ms. Dang said the applicant is requesting to rezone a +/- 2.75-acre site consisting of 10 parcels from R-3, Medium Density Residential District to B-1C, Central Business District Conditional. If the request is approved, the applicant plans to construct a 6-story apartment building consisting of a maximum of 265-units and a minimum of 2,000-square feet of commercial space with a parking garage with a minimum of 400 off-street parking spaces.

Proffers

The applicant has organized their proffer statement into five sections:

- I. Development Standards
- II. Transportation Improvements
- III. Parking/Access Improvements
- IV. Amenities
- V. Implementation

Please refer to the attached file “Application and supporting documents,” which includes a document with the page heading titled “Rezoning Request Proffer Statement” for the entire proffer statement.

Proffers within *Section I. Development Standards* control the layout and design of structures on the property, including general layout and architectural features. Additionally, with recent applications to rezone property to B-1, staff has encouraged applicants to consider proffering to prohibit drive-through facilities and that no parking lot would be located between any building and public streets. Both drive-throughs and parking lots between any building and public streets would be prohibited through the details of Proffer I.a., which requires that the development is in substantial conformance with the Concept Plan.

Among other details, the applicant has proffered a maximum of 265 units (Proffer I.b.), that a minimum of 25% of the units will consist of studio or one-bedroom apartments (Proffer I.c.), and that a maximum of 40% of the units will consist of 4-bedroom apartments (Proffer I.d.). At this time, the exact bedroom count and unit type composition has not been determined.

The applicant has also proffered sustainability features including, but not limited to, rough-in measures to allow for future installation of solar panels (Proffer I.h.), a minimum of 10 electrical vehicle (EV) charging stations (Proffer III.c.), a minimum of 90 secure indoor bicycle parking spaces, and a minimum of eight exterior bicycle parking spaces (Proffer III.d.). With regard to the building’s appearance, the applicant provided proffered details associated with some architectural

design details as well as exterior screening/decor features to the north facing wall of the parking garage.

Proffers related to the Downtown Park, Land Use, Transportation, and Parking are discussed in the following sections.

Downtown Park

Providing a downtown park in the area between the subject site and the Turner Pavilion (home to the Harrisonburg Farmers Market) has been discussed for a number of years. On September 24, 2024, City Council approved a conceptual plan for the park, which included a stage for performances. Later that year, on November 26th, City Council unanimously voted to accept a Downtown Park Donation Agreement, which was then executed between the City of Harrisonburg and Build Our Park's Board of Directors on December 10, 2024. The Agreement formally defines the process of constructing and operating the downtown park. Without getting into the details, general next steps for the park include fundraising, completing final design plans, and then securing a contractor for park construction.

With this rezoning request, Proffer III.e. includes commitments by the applicant to coordinate back-of-stage access and turnaround for the downtown park as generally shown on the Concept Plan and includes the dedication of an easement across the applicant's property to the park.

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.

Proffer I.b. states a maximum of 265 units on the +/- 2.75-acre property, putting the development at about 96 units per acre. For comparison, Urban Exchange, located at 238 East Water Street, is home to 194 apartments on +/- 2.63-acres, which is about 73 units per acre.

Staff believes that there is a high probability that college students would be interested in residing at this location. The applicant is planning for a mixture of 1-, 2-, and 4-bedroom apartments and has stated that the 4-bedroom units will be designed as 4-bedrooms/4-bathrooms. Staff encourages developers to provide a balanced mix of bedrooms per unit so that such buildings can serve a variety of needs. There can be disadvantages to providing too many 4-bedroom/4-bathroom units as they typically best serve college students and can be difficult to accommodate other users. However, staff also recognizes the advantages of providing student housing in close and walkable proximity (about ¼--mile) to the James Madison University campus as well as to the downtown area. Providing college housing in such locations can help reduce daily vehicle trips on City streets—especially Reservoir Street and Port Republic Road, off of which many college students currently reside and utilize.

With regard to non-residential uses, the applicant proffered a minimum of 2,000 square feet of commercial space to be on the southeast corner (Paul Street and South Main Street) of the building (Proffer I.e.). As a comparison with commercial spaces within Urban Exchange, Coffee Hound occupies about 1,600 square feet and Benny Sorrentino's occupies about 1,400 square feet. At this time, the proposed 6-story building is planned to be close to the maximum height allowed in the B-1 district of 75-feet, which also happens to be about the same height as Urban Exchange.

Staff believes that the proposed uses, with the submitted proffers, generally conforms with the Mixed Use area designation.

Additionally, the proposed development would support the Harrisonburg Downtown 2040 plan goal to “Grow Downtown as a Neighborhood.” The development would further support the following two action items from the same plan:

- #16: Encourage mixed-use and residential development in key clusters (page 58) and
- #17: In the long-term, seek opportunities to add density and improve the urban design at key Downtown sites (page 58).

The Harrisonburg Downtown 2040 plan describes that “[w]hile the number of housing units and residents have grown Downtown, there is need for more housing to support local businesses.”

Additionally, the subject property is within a key cluster area for potential residential development identified as “South Downtown.” The Harrisonburg Downtown 2040 plan is available at the following link: <https://www.harrisonburgva.gov/downtown-2040>.

Transportation and Traffic

A traffic impact analysis (TIA) was accepted by the Department of Public Works on March 31, 2025. TIA models “showed that both controlled delay and queueing increases minimally at all intersection movements within the study area, none of which were deemed to warrant mitigation to be borne by this development.” Additionally, the study noted that multiple movements within the study area have a level of service categorized as failing in the present day, even without the proposed development and that such movements may warrant further study by the City. These locations include: the westbound left-turn movement from East Grattan Street onto South Main Street, the westbound through movement from East Grace Street across the South Main Street intersection and then on the opposite side of the intersection the eastbound left-turn from West Grace Street onto South Main Street, and the westbound left-turn movement from Martin Luther King Jr. Way onto South Main Street.

The Department of Public Works will change the intersection of South Main Street, Liberty Street, and East Grattan Street as part of the Liberty Street project. The Liberty Street Project proposes to transform one lane (starting at Noll Drive at Kratzer Avenue, moving south on Liberty Street to South Main Street) into two-way separated bicycle lanes protected by a median separating the bike lanes from traffic and to make other improvements along the corridor. The project is anticipated to begin construction in 2027. Changes associated with the Liberty Street Project were assumed as part of the completed TIA for this project for the future conditions. More information on the Liberty Street Project is available at the following link: <https://www.harrisonburgva.gov/transportation-projects#LibertyStreetProjectconstruction202728>.

The *Transportation Improvement* proffers II.a. and b. explain that the applicant would design and construct a public street extension of Paul Street between South Liberty Street and South Main Street, adding to the gridded street network encouraged by the Comprehensive Plan. The Paul Street extension would include sidewalks on both sides of the street. The applicant’s completion of proffers II.c. and d. would help improve the pedestrian experience with improved sidewalks along the development’s South Main Street and South Liberty Street frontages to match the width, material, and appearance of sidewalk fronting the adjacent City Hall and future downtown park properties. Sidewalks will also be provided from the development to the City Hall and future downtown park properties. These improvements will be complemented by pedestrian-scale lighting, street furniture, and landscaping (Proffers IV.b. and c.).

The applicant is aware that if the rezoning request is approved, they must submit a preliminary plat to dedicate public street right-of-way for the Paul Street extension and to request approval of any needed Subdivision Ordinance and Design & Construction Standards Manual (DCSM) variances. The applicant has identified on the Concept Plan that they intend to request a variance to Subdivision Ordinance Section 10-2-41 (a) to allow alternative street design for curb radii and access (entrance) spacing on the Paul Street extension. The Concept Plan illustrates a street width that does not meet DCSM standards, and a variance will also need to be requested for this. Staff will further evaluate these and any other variances at the time they are requested.

Parking

The applicant has proffered to provide a minimum of 400 structured parking spaces on the property (Proffer III.a.) and that they would enter into a Parking Agreement consistent with the attached Memorandum of Understanding to reserve up to 65 parking spaces for municipal/public uses in the parking garage (Proffer III.b.).

A parking occupancy count completed in April 2019 as part of the most recent Downtown Parking Study (April 2020) indicated that the midday count period for the Municipal Lot (identified as ID# 44B in the Study and described as “Harrisonburg Farmers Market” had an 80% utilization rate (145 parking spaces occupied out of 181 parking spaces). Utilization rates reflect the ability of a motorist to find convenient and available parking within a particular area. It is a generally accepted principle that a supply of parking operates at optimum efficiency when peak occupancy is at 85% to 95% of capacity.

The Downtown Parking Study evaluated 17 potential developments that could impact parking dynamics in the near future. Within the study, Figure 21, Long Term Peak Hour (long term being described as 6-10 years from 2020), illustrated a peak hour demand with greater than 95% utilization for Block 43, which constituted the subject site. The proposal for 265 apartment units and 2,000 square feet of commercial use on the subject site was not known and studied in 2020. Staff believes the applicant’s proffer to provide a minimum of 400 parking spaces on the property will assist in mitigating parking pressures resulting from this development and the surrounding area.

More information on the Downtown Parking study is available at the following link: <https://www.harrisonburgva.gov/transportation-planning#DowntownParkingStudycompletedin2020>.

On-street parking on the South Main Street and South Liberty Street frontages of the subject site has a 10-hour time limit. The on-street parking on South Liberty Street will be removed by the City as part of the South Liberty Street Project. If the proposed development is constructed, staff

recommends the City evaluate whether on-street parking on South Main Street should be converted to different time-limits.

Public Water and Sanitary Sewer

The applicant has been advised that they will be responsible for completing a study of the water and sanitary sewer capacity prior to submittal of an engineered comprehensive site plan. Any public system improvements required to meet the increased demands resulting from the project will be the responsibility of the developer.

Housing Study

The City's Comprehensive Housing Assessment and Market Study (Housing Study) has this property in a Census block group that is classified as "No Data" according to market types. This block group did not have any housing sales data at the time of the study. The Housing Study identified that there is strong demand for expanding rental housing inventory at the lowest and highest income spectrum because the number of households in the lowest and highest income groups significantly exceed the number of housing units available for and affordable to them.

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.

Based on the Weldon Cooper Center report's calculation, the proposed 265 apartment units are estimated to generate 88 K-12 students at full build-out. According to the School Board's current attendance boundaries, Keister Elementary School, Thomas Harrison Middle School, and Harrisonburg High School would serve the students residing in this development.

[Additional information not included in the staff report was presented by Ms. Dang regarding proffered number of units:]

Ms. Dang addressed a question that was asked at the previous day's site tour. If the maximum number of 265 units are constructed, then the range of possible number of units would be: studio/1-bedroom units could be between 67-265 units, 2- to 3-bedroom units could be zero to 198, and 4-bedroom units could be zero to 106 units.

[Additional information not included in the staff report was presented by Ms. Dang regarding public school student generation:]

Ms. Dang said keep in mind that the Weldon Cooer rates are based on a study of total population estimates, historical trends, and adjustments from JMU students' and they also look at school zone by school zone. Each of the school zones have a different school generation rate. Even if the development is identical, it will likely have two different generation rates in a different school zone. A better comparison would be to compare this development with a similar development. The applicant's attorney, Todd Rhea, asked me to reach out to City Public Schools to ask how many students live in Urban Exchange. Currently, for the 194 units at Urban Exchange there are a total of three elementary students residing there .

Conclusion

Staff believes rezoning the property to B-1C has more advantages than any disadvantages and it generally conforms with the City's Comprehensive Plan and the Harrisonburg Downtown 2040 plan.

Chair Baugh asked if there any questions for staff.

Vice Chair Finnegan said I was wondering if you can give any context to the parking that is currently on the municipal lot and the coming of the Build Our Park. I think you had made a reference that it may help mitigate or address some concerns with parking there. In this drawing, those parking spots that are currently in the municipal lot are gone.

Ms. Dang said that is correct. I wish had a number of how many spaces that would be lost in front of the pavilion and the gravel lot. Those spaces would be removed.

Commissioner Porter asked how did we arrive at the number of 65 spaces that would be reserved for public use?

Ms. Dang said to be honest I was not a part of those conversations. I would ask the applicant's representative who worked on that.

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.

Todd Rhea, Clark & Bradshaw, applicant's representative, came forward to speak to the request. He said since this is a fairly complex project, you have heard a comprehensive report by staff. We have about a 12-minute presentation to make if we would have leave from the Chair to have the leeway to make that presentation, we will commence. Again, with me this evening is Seth Roderick with Monteverde Engineering. You all know him well. He is the design engineer of the project. Project principal John Hoover and our architects team out of Syracuse, New York, QPK architects are online holding in case there are questions that need to be asked of them this evening. As a team, we are proud to present The Link project to you all. The Commission, of course, has heard a detailed presentation of the application from City Staff. Staff in City departments have been reviewing this proposed project for the better part of a year. The nature of the staff report makes it

obvious of the thorough vetting that the proposal has received from both staff and affected City departments.

From a land use standpoint, the requested rezoning from R-3 to B-1C is in accord with the current Comprehensive Plan and the goals and objectives of the 2040 Downtown Plan. The rezoning represents a logical extension of the existing Downtown B-1 Central Business District. To encompass the subject parcels immediately contiguous to the southern end of the existing B-1 district between South Main and South Liberty Streets. This is really a simple rezoning request. It requires neither a Comprehensive Plan Land Use Map amendment, nor are there any special use permit requests along with the application. Additional voluntary proffers have been submitted which demonstrate commitments by the applicant to transportation, design, parking, and other features which were identified as City and community priorities during our collaborative preapplication and outreach process.

The Lindsey family who owns this site has been planning for the redevelopment of these parcels for over 15 years. The current funeral home is on a short-term lease, and they are aware of the redevelopment efforts for the property. The property was first marketed in 2023. Mr. Hoover whose wife is a JMU graduate, that is the connection that Timberwolf has to developing this site, identified and contracted with the site in early 2024 as Timberwolf's next development. They have recently completed two similar developments. One in Williamsburg, Virginia, and the second in Syracuse, New York. Those opened in 2022 and 2024 respectively. They have experience in building through the challenges presented by Covid and various supply and contracting issues.

The starting point for the planning of The Link project in early 2024 was a study of the 2040 Downtown Plan. I will begin by highlighting a few key sections of that plan. An overarching goal of the Downtown 2040 Plan is the pressing need to increase population within walkable distance of the City center through density initiatives. Simply stated and as stated in the plan itself, the Downtown needs more residents. Further, more residential density is needed to help Downtown feel more like a neighborhood and to support local businesses, as staff pointed out in their report. South Downtown specifically containing the Lindsey property is highlighted as one of the targeted areas ripe for reinvestment. You can see an excerpt from the planned areas in yellow, south Downtown towards the bottom of the page. The highlighted text reads this redevelopment would accommodate the goal of encouraging mixed use in residential development in key "clusters of underutilized" space. Even more specifically, in zooming in closer to south Downtown in the 2040 plan, the plan calls for integrating new housing close to City Hall to activate the south side of the Farmers Market at Turner Pavillion. This plan specifically shows B-1 scale residential buildings on the Lindsey site and stresses the need for parking to serve such new developments.

The Lindsey property was highlighted by the City's Economic Development team as a targeted site for redevelopment in a 2024 Economic Development awards presentation related to the 2040 Downtown Plan. It was crystal clear from the outset what the City and 2040 Plan participants wanted for South Downtown. Our team set out to design and provide it. The Link project represents the first large new build project in Downtown in over a decade. Urban Exchange was completed in 2009 and likely represents the largest single economic investment ever made in downtown Harrisonburg.

A concept plan and integrated layout was developed and refined over the course of the last year by our architectural and engineering team. The final version of which is proffered as described by staff and shown in this slide. The building has been designed to fit under existing B-1 district regulations. The building height aligns with existing signature downtown structures including Hotel Madison, the two bank buildings on Court Square, the Urban Exchange property and the public safety building. The site has natural separation and buffering on both the east and west from the wide Main and Liberty Street improvements. On the north side, by the existing City Hall parking lot and open area south of Turner Pavilion, and on the north side from the existing Baptist Church parking lot and the adjacent planned installation of the Paul Street extension.

The applicant team has conducted extensive stakeholder engagement to elicit and integrate community and City input into its building design. The end product provides dimensions, materials and coloring to lighten the structure and pay respect to the graystone materials used traditionally in Harrisonburg. We feel very good about where the project has landed in terms of design and how our active engagement process improved the final exterior design elements and feel of the building. Staff has already shown these slides, but again, you can see the gray and black, the more traditional windows, the varied roof lines both horizontally and vertically contained in this building. I do not want to name too many specific names, but we did have a lot of really good active engagement with downtown focused civic groups that we inputted into our process in arriving at these designs, which are proffered in a general sense because the City should not be surprised by what is built there from what is being presented this evening on such a significant project.

I will now highlight five key areas of beneficial impact from The Link project. Number one, transportation improvements. The development solves a significant downtown east-west transportation circulation issue by proffering to install a new public street extension of Paul Street to provide a connection between South Main and South Liberty [Streets]. The new public street would allow the City to replace or repurpose the current substandard Warren and Grattan east-west public street connections. The Paul Street connection also provides improved entrance and circulation options for the neighboring Harrisonburg Baptist Church parking lot. The property construction timeline also aligns with the completion of the Liberty Street cycle track and integrates with it through providing ample, secure resident bike storage, outdoor bike parking, and direct bike path connections from the building to the cycle lane. There are existing transit stops on both South Main and South Liberty Streets in close proximity to the site served by several existing HDPT lines.

Two, parking. When we first met with the City, parking was the topic of our conversation. The Link is designed to meet all of its resident parking needs within an onsite parking structure. The developer plans to charge separately for parking as an economic incentive to encourage residents to consider walk, bike transit or car-light options. The project also addresses City municipal parking resource needs. This is particularly important as the development of the Build Our Parks space will result in the loss of, by my calculations, about 38 parking spaces, and as the City Hall completes its renovation of the historic City Hall structure and potentially houses additional City staff or other civic meetings in the downtown core. The applicant has proffered below market rate parking for up to 65 spaces at the entrance level of that parking structure where these municipal parking spaces would be located. It would be under City control, so the City could offer that as municipal night and weekend parking for times when it was not being used by City employees or

civic visitors. The planned structure parking garage will be built over what is today largely surface parking which would greatly increase the efficient use of that space. We can put 425 spaces where there are about 40, today. The structured parking facility will also offer a minimum of ten level two EV (electric vehicle) charging stations for resident and City use, and that is in line with City EV charging standards for City projects.

Third, civic space synergy. The Link has been purposefully integrated with the Build Our Park design as a complementary use connecting a vibrant, new public commons to an urban residential back drop. The project provides multiple points of pedestrian connection to the park, as well as the proffered back-of-house vehicular access to the parks proposed sound stage. Additionally, the developers are committed to collaborating on murals, green wall screening, creative lighting and other art installations on its planned parking structure to create supportive visual integration both with the adjacent concert venue and with City Hall.

Fourth, community cohesion. The project ties JMU to downtown as a visual waypoint. It is equidistant between Hotel Madison and Court Square. It fills in a current economic and public activity dead zone identified and present in South Downtown in the 2040 Plan. The redevelopment would bring a large cohort of residents as potential retail workers and customers within easy walking distance of downtown retail and restaurant establishments, without the need for these workers and shoppers to drive to downtown and find a parking space in order to shop or work. They are already here. The property will likely contain a student population component, which is easily walkable, bikeable and transit convenient to the JMU campus. As pointed out in the written staff report, this would reverse the trend in recent decades of locating student housing on the Port [Republic] Road and Reservoir Street corridors and out into the periphery of Rockingham County. For walking and biking to campus over three miles of congested and autocentric roadways is neither safe nor realistic.

Fifth, fiscal benefits. Finally, the project will be highly fiscally [unintelligible] to the City, with anticipated resident demographics that would generate few public-school students. As staff pointed out at the comparable Urban Exchange property, 194 apartments generated a total of 3 public-school students. A rezoning of the Lindsey site for the B-1 Link project would yield an excess of \$15 million per acre in assessed value with very little offsetting public expense. Providing net tax revenues sufficient to cover the annual budget of a modestly sized City department. This is the Strong Towns model of building in where you already have existing infrastructure in place. Utilizing that infrastructure and creating an asset that can provide City dollars to fund other City priorities without eating it up with its own needs. As a policy statement, the high value rezoning of The Link would also be a catalyst for the area between Warren [Street] and MLK [Boulevard], between Federal and High Streets which currently languishes far below potential of the current R-3 zoning classification. B-1 is one heck of lot more valuable; you all saw that in the geo-accounting presentation of May of 2003. All of those spikes in that map are downtown. They peter out as soon as B-1 ends.

Thank you for your time and attention to our presentation. No 15-minute presentation can hope to cover all the details of a project of this scope. As evidence from the detail of both staff presentation, our presentation this evening, and our submitted materials, we have done our homework. I am confident that the development team will be available and able to answer any questions that the

Commission or public may have this evening. We enthusiastically ask the Commission for endorsement of the application for approval to City Council, in accordance with the City's planning documents, and staff's recommendation for approval.

Chair Baugh asked if there were any questions for the applicant's representative.

Vice Chair Finnegan said the question that I had was already answered. I did want to, as a matter of disclosure, at the applicant's request, I did meet with the applicant on March 17 to give feedback and that was my question, is the rent bundled with the parking? I just wanted to underscore what you had said earlier. I know it is not a proffer, but if I rent a one-bedroom apartment, it does not come with a parking space.

Mr. Rhea said that is correct. You will save money by not having a car.

Councilmember Dent said I will follow with another disclosure. I also met with the applicant and had a similar discussion. I also wanted to know the math of how many of the proposed residents or units would have access to parking and it was about two-thirds, is it units or residents? Some of the units are four-bedroom.

Mr. Rhea said looking at it on a per bedroom basis, as we map out a logical number of bedrooms to this property at about 550, we end up at about 360 parking spaces for those 550 bedrooms. With the other 65 spaces out of 425 being reserved under the municipal agreement for City use. That is about 2 parking spaces for every three bedrooms.

Councilmember Dent said that means, however it might be resolved among people trying to live there, are there available parking spaces? Is it first-come, first-served? It is up to them. That encourages at least a third of the residents who would not want or need a car downtown.

Mr. Rhea said if there is anywhere in Harrisonburg where you could live, work and go to school without a car, this is about the spot.

Commissioner Alsindi said one of the most catching statements, and I would like to praise you on that, is when you said it reverses the students living [unintelligible]. Launching from there my question is more strategic,, number one, project and delivers other values. Roughly speaking, just strategically, how much is it residential...? I am asking this question because the project is here. It has significance that it is downtown, not elsewhere. From your point of view, how much is it residential and how much does it serve downtown, as well? I see a café on the left, and I see screens and the decorations that you mentioned. I am interested in knowing if that was considered from the engineering, the concept point of view. How it will serve more and close that dead spot.

Mr. Rhea said it creates a focal point. We have seen a lot of redevelopment in the Ice House and the Daily News-Record building across the street. A lot of strategic thinking has gone into the Build Our Park plans and the Farmers Market pavilion. Once you sort of get south of there it is a dead zone. There is not a lot that goes on this property, currently. By putting another 500 residents into the mix there, it creates a lot of energy. It creates a lot of people in place. One of the goals of that 2040 Plan was to double the downtown residents from 3,400 over the next 20 years. We had

not made much progress on this, but this takes a big chunk out of that. In terms of the retail space, that was an intentional discussion. We talked with HDR. We talked with downtown business owners. There is a lot of existing sort of underutilized retail space downtown. It is not like there is a lack of retail space, like there are a lack of residences. That pushed us to focus more on the residential part which gives those businesses more customers, more foot traffic on nights and weekends, especially when everyone is not driving downtown to work and that benefits the downtown retail scene.

Commissioner Alsindi said if there was a plaza in the complex instead of in the middle of the parking over there and then you consider the garage in a different way, would that not add more value to what the project brings to downtown and the dead zone in that sense, hypothetically at least?

Mr. Rhea said that is a great question Commissioner Alsindi and let me go back again, a little bit of a behind the scenes information. When we first investigated this project, we wanted to utilize those City lots that are part of the Build Our Park space. We backed away from that. The Build Our Park vision was in place and that creates our plaza that is integrated right within the confines and outlines of our property. It was a win-win situation between the park folks and our folks. We moved our parking structure and put it where it ended up and made space for that park and that is our plaza and pavilion. It is not just that gravel parking lot where the trucks are parked today, but it is that whole area between Turner Pavilion which now contains half of Warren Street which presumably gets converted into a much more pedestrian and civic space than it is today.

Commissioner Porter said this is probably going to be more commentary than it is questions, so please forgive me. I do agree with you, downtown does need more residents, although I am of the opinion that we need more local residents. I am just curious, why the decision to focus so much on the student population when you are allotting 40 percent of the units to the four-bedroom model of renting by the bedroom. That pretty much tells me that you are targeting students as your primary tenant base. I would be concerned about the person that you are talking about working in that retail space being able to afford to live in the building. How do I feel better about the fact that this is yet another development that is primarily targeting students? Is renting by the bedroom, which in my opinion is a model that is damaging our local renting market. This seems like a very thoughtful presentation and a well-designed project. I guess my only thing that I would quibble with it is this issue of primarily targeting students. I understand the linkages to JMU, but it is very frustrating to watch the market continue to absolve JMU of its responsibility of building adequate student housing on campus.

Mr. Rhea said that is a question that is near and dear to all of us in Harrisonburg of how JMU handles its students on and off campus. I will say this, from the east campus residential facilities to the very large Grace Street dormitory, which has fairly recently been built. The large new Village dormitory that replaced and tripled the capacity on campus and the further redevelopment of the Village. JMU is not perfect, but I would not say they are doing nothing in that regard. Part of why we need some student component in this building is the economics of it being built and affording it in today's economic environment. Some of those students pay a higher margin for some of those per bedrooms, but it allows a property to be built that adds 265 apartments that do not otherwise exist in Harrisonburg. Maybe they pull students out of existing housing in

neighborhoods and into a more modern amenitized and central location to where those units then become available for the type of housing that Commissioner Porter is talking about. I do not want to deflect or hide from that question, but it is a mix of economics, the location of the property, and the ability to have the type of investment being made in the City. Again, it is not only just for the people living there, it is for the tax dollars that it generates to make it into a reality.

Commissioner Porter said will this be managed locally or will someone from Timberwolf be managing that?

Mr. Rhea said it will be professionally managed. Again, the question has come up in talking to staff and stakeholders about this is a big building and there could potentially be students there. If you look at it, the police do not get called to Urban Exchange for big parties. They get called to the little houses in Old Town or Elizabeth Street or Old South High [Street]. That is where the unmanaged student congregation problems and parties generally occur. You do not make this type of investment and just leave it to run amuck. It will be very carefully managed. There are a lot of amenities in here, too. You do not want people throwing things into the pool or messing up the exercise equipment or bike storage.

Commissioner Porter said in terms of the design, will the four-bedroom units be segregated to a certain portion? You have a couple of wings to work with here. I would really like to see a circumstance where potentially a mother of two kids working downtown who was able to get a voucher would be able to access this property and be able to live in it, be able to work and walk downtown. Is there a way that student population could be more focused towards one portion of the building versus another?

Mr. Rhea said it probably could. There are parts of that building that are square, that are sort of designed for the four-bedroom model. They are not sort of intermixed randomly throughout the building, so there will be some concentration of those units.

Commissioner Nardi said the design is like all of the other buildings that you see built around the country. These new builds of 100 to 200 units. While you mentioned the Bluestone, I am not seeing an eye toward the fact that we are in the historic district. The architectural representation and what change that brings to the landscape, that is a concern.

Mr. Rhea said let me respond to that. If you see, there is a graystone fascia at all pedestrian levels of this building which is the predominant... This is not Staunton. In downtown Harrisonburg, when you walk around downtown Harrisonburg, you look at the jail and the courthouse, and some of these old sandstone buildings, there are some brick buildings, there is not really a unifying architectural feature. We were very intentional about getting feedback on this design. It changed from what it started with and changed throughout this process based on community feedback. We did not come up with this design and present it to the City as a fait accompli. We did elicit and incorporate stakeholder feedback in what is being presented and proffered here.

Councilmember Dent said I just wanted to second Commissioner Porter's concerns about the student population. When I first heard about this, you sort of lost me at students, but I understand the reasoning and The Link concept that this would be the closest development to JMU and link

them to downtown for the business and so on. What I would hope for is that this could become a hub for young professional City employees even. The point is that those people would need to have jobs, so there is a conversation with Economic Development. I guess that raises the question of the sort of integration of working people, small families and the students not to be a sort of student party complex. I appreciate the comments and the thinking about not having a segregated student section, but presumably they would be at the ends of the wings, for instance, where you have a four-bedroom space or some such. I know of retired people living in Urban Exchange or young professionals and so on. I am hoping that could have that all ages kind of flavor to it instead of it being strictly students.

Mr. Rhea said everyone will have an opportunity to live there. It is a market rate project. It is not a subsidies project. We are not asking for government money to make this project happen. We are simply asking for this rezoning approval with the type of feedback that we think has been thoughtfully given to it to that end. If you look at Urban Exchange, if you look at the Ice House, if you look at the Keezell building, there are a mixture of students and non-students living there. It is primarily a younger population but there are some older folks living there. Given its proximity to downtown... working on the Denton building, the mixture of people in efficiencies. It runs the gamut of what you would expect to see in a college town, with the hub opening up here and having more coworking spaces downtown. It would be an opportunity to live and work meaningfully without a car and live in the downtown core. This is an opportunity to make that happen in a meaningful way.

Vice Chair Finnegan said what is the cost per parking space estimated, including land value?

Mr. Rhea said that is a good question, it is less than what it would cost to put it under the building due to excavating costs. My sense is, and the architects and engineers can kick me, but I think it is about \$35,000 a space. Maybe a little bit less, getting some efficiencies going up to the height of the structure as presented. Say \$30,000 to \$35,000 per space. The City is getting an opportunity to rent 65 spaces for about the cost it would cost the City to build one space per year. It would take 50 to 60 years to build this kind of parking at its own dime for what it is running per year for those 65 spaces.

Commissioner Porter asked do you have an idea of what type of retail you are looking to put in there?

Mr. Rhea said that is probably going to be a restaurant, pizza shop, coffee shop, something that is pedestrian oriented that you would typically find.

Commissioner Porter said no vape shop, right?

Mr. Rhea said no vapes.

Councilmember Dent said one other slight concern, in the back with the parking garage that we would be looking at out of City Hall. I understand there are plans to have a green wall or mural or whatever because otherwise that is kind of a bulky eyesore from the City Hall's point of view.

Mr. Rhea said no one wants to look at an unfinished backside of a parking garage. During our meetings with the City in discussing this project, we sat upstairs in that conference room in the City Manager's office and looked out at the site. We had this conversation on many occasions. The intention is, and the proffer is, to decorate tastefully the rear wall of that structure in collaboration with the folks who work here in City Hall with the Arts Council, with HDR to come up with something that alleviates those concerns and creates an interesting backdrop and not a bunch of concrete.

Councilmember Dent said come to think of it, that is what you would see from the park as well. It is unfortunate that the parking is there, but it is well thought out. As you say, it is a more efficient use of space. At least it is not acres of asphalt and so on.

Vice Chair Finnegan said the alternative would be to put it on the other side, which that is the gateway to downtown, if you are coming in on Main Street.

Mr. Rhea said another idea was to put it over on the Liberty Street side but that would have made the park change their plans and move the park. There has been civic involvement in that project that we did not want to do that. This is the resulting orientation which does hide it and there are strategies in place to make it as attractive as possible where it is located.

Councilmember Dent said you said something to the effect of "the conceptual design is proffered." This is probably a question for staff. It is worded to be "substantially in accordance with" for the just the overall layout but the details are to be determined with the site plan and so on. That is unusual, we usually hear that the layout is not proffered. In this case the general concept is proffered.

Ms. Dang said correct. In the staff report, we even described, for example, in the rezoning we heard prior to this there was a proffer that there would be no drive throughs, no parking lots between the building and the public street. Because of the proffer that was presented by this applicant for The Link that says "substantially [in accordance with]" the concept plan and proffers together are going to prohibit the ability to have the drive throughs and the parking in front of any future building. We are going to look for something pretty close to that.

Councilmember Dent said the extension of Paul Street could do a lot to alleviate some of the downtown gnarly little curves and such like Grattan Street and to connect across is a really good offer from the development. Overall, I like it a lot. The sort of student population is here, and it is part of what makes a vibrant downtown. I just hope that it is a larger population scope than that.

Chair Baugh asked if there were any questions for the applicant's representative. Hearing none, he opened the public hearing and invited anyone in the room or on the phone wishing to speak to the request.

Vice Chair Finnegan said while we are waiting for a call, I do want to say that one of the reasons why a lot of these buildings look the same, to Commissioner Nardi's point, is that the stair requirements, the building code. If you want to build a five- or six- story building, there is a reason

why. We used to have fire escapes, and now that is not allowed. I am hopeful for reform in that building code.

Councilmember Dent asked to allow fire escapes again or what?

Vice Chair Finnegan said yes, or other options so you do not have to have the dual stairs going through the middle.

Councilmember Dent said I would imagine it is also served by elevators. It would have to be for ADA.

Vice Chair Finnegan said it is the stairs that make them go like that.

Chair Baugh closed the public hearing and opened the matter for discussion.

Vice Chair Finnegan said I will say I think this is a thoughtful project. I agree with Commissioner Porter's comments about affordability. I think when it comes to market rate projects, unless there is a subsidy or some way to subsidize the more affordable units, we are kind of at the mercy of the market unless there are either millionaires or billionaires that want to make affordable housing or some kind of government subsidy or private subsidy. I will say that two things to Commissioner Porter's point. I do agree with you that James Madison University has an obligation and a responsibility to this community to build more on campus housing, and they have not done that. In fact, they are building something like 27,000 new car parking spaces on campus as opposed to housing. I am just entering that into the conversation because I think there is an abdication of responsibility on part of the University to do what Virginia Tech has done or what the University of Virginia has done. Virginia Tech built more on campus housing. The University of Virginia I think donated some land to an affordable housing project. I have not seen that same sort of stepping up to the plate from my employer James Madison University, and I think that is shameful.

Commissioner Porter said if the Provost is going to write down that we are going to bring in 500 additional students and there will be some sort of plan to house those additional 500 students. Again, this seems like a very thoughtful project. I am not making this point specifically about this project. I do have significant problem with the four-bedroom rent by the bedroom model. I think that it has done a lot of damage. It has probably made some money for some folks but, in reality, what it has done is it has impacted our fair market rents in our community by depressing the fair market rents that people who can get subsidies for a one-bedroom unit because these are reported as one-bedrooms. I have made this point many times, but the reality is that it does impact people who would receive a subsidy or Section 8 because of the fact that they are reported as one-bedrooms even though they are essentially an independent bedroom with access to a common area. They are cheaper because of that. At the end of the day, I would be really excited about this project if there was not the four-bedroom component to it because what this says to me is that we want to attract students, that this is going to be student housing. I understand the concept of The Link. I appreciate the thoughtfulness of the connection between JMU and downtown. The reality is when I read the 2040 Plan for downtown, at some point you need people who live and work here. I have yet to see anybody step into the gap to be able to fill that. I think we as a community need to be more thoughtful about how we address this. It is hard because, again, when you have a project like

this, it is well thought out and there has been a lot of effort to work with the City. There are a lot of positive things about this. The one thing that I keep coming back to is the fact that this has been conceptualized as student housing from the very beginning. I would have less of a problem with it if it was luxury or high-end housing that could bring working professionals downtown. Just because of the fact that we have so much of that in the mix right now, I am not even entirely sure we looked at the amount of student units that are available in the City and the County how that even equates to what the student population is right now. A lot of the student units do not age well and then, when they fall back into the broader housing stock for the community, these things are not configured to be able to accept or work with families. They are generally not fairing well because a lot of times they are not always built with the best materials. What you see is substandard housing and blighted housing coming in after the students decide that it is no longer the place to live. Not saying that is what this is going to be. I do believe that this is a problem that we as a community have to start addressing thoughtfully. We talk a lot about it, but at the end of the day we continue to approve student housing one after another. At some point I feel like we have to find a plan that gives people that live here an opportunity to live here at a rate that they can afford. It also provides more opportunities to take some of the pressure off of the housing market. I realize that is a point that was made about this is that it will take some pressure off of the housing market. More units is a good thing. The fact that it is clearly targeted to students does not really give us the relief that we are looking for.

Vice Chair Finnegan said I think those are valid points and I just wanted to respond by saying I do appreciate that they did proffer a maximum of 40 percent of the units being those quad apartments. It is not addressing fully your point, but I know a number of people that have lived at Urban Exchange that never went to JMU. I do think you get young professionals. It is going to be up to the management of this property to create the environment that young professionals would want to come and take some of those one-bedroom studio apartments.

Commissioner Porter said that is why I had asked the question about the configuration because again I would probably want to live in a place like this, even if there were some students in the complex. I would not want to live in the middle of the quad units because of the nature of what that looks like.

Councilmember Dent said I was surprised to learn that the quad units actually have four bedrooms and four bathrooms. Each bedroom has its own bathroom.

Vice Chair Finnegan said it has its own lease.

Councilmember Dent said that is, as you say, cheating in a way that calls it a one bedroom when it is actually a part of a suite, right? There is a front door and then your bedroom door. That is certainly not how it was when I was in college. There was a bathroom for four of us.

Vice Chair Finnegan said while we are on this topic, I do want to say that I have looked at the student growth projection at JMU and it is pretty flat. It does not mean it will remain flat. It could drop. It could go up. The projections that have been presented to the Board of Visitors have been flat. I know that there is a demographic cliff that we are about to go off for the people applying to

college. I would be surprised if there was significant student population growth at JMU over the next ten years.

Councilmember Dent said what does that mean? More of the existing student housing will roll off to families as you say and become substandard? If this is more of a magnet to move students downtown instead of into the neighborhoods or out on Port Republic Road, housing in the neighborhoods becoming available is a good thing. Out Port Republic Road, what is going to happen there? Who is going to want to live there with the traffic?

Commissioner Alsindi said again, I think it is a thoughtful project, at least the idea of having a project downtown like this is absolutely good. I really like the name, The Link, but I also have my concerns about how much does it satisfy the word "link." To the observations made as well, yes, is it more of a student dorm or is it a link? That is why I was pushing for how much. Is it like 90 percent residential and 10 percent the example more to the City bringing activities and activating the functions of the City? Being more of an additive to the functionality. Practically speaking, that is the fact of Harrisonburg. Without students, largely speaking, there will be less chances of activating economic development in the downtown. Even as a transition, the interim, to have students here and then hopefully JMU builds more residences on the campus, that will happen one day, this will be good. Going back to The Link and to even the building from the aesthetics point of view. I went through B-1C and yes it talks about housing. It talks about residents and the Downtown Plan, as well, talks about houses, but then I look at this and not to be sarcastic... is housing and the plan, is it this? When we actualize the word does it become this big building or housing in a different sense for Harrisonburg and how we want the downtown to look now and in the future? That also concerns me, generally, but I am also in the favor of the project generally speaking.

Commissioner Nardi said I would have to agree that aesthetically I am not in favor of it. I understand economic boost. I understand underutilized space, fiscal benefits, cohesion, civic synergy, transportation improvements, all of those things; it is the size and the architecture in this particular location. Along with the other comments that have been made about the skew in how projects like this make in the general housing market and more of the same in JMU not coming to the table in a way that would be more beneficial to the community as a whole.

Councilmember Dent said I keep thinking what is the last student housing I will vote for? This might be it?

Chair Buagh said, along those lines, one of the prime reasons that pushes me towards supporting this is... we are like the courts. When you do not like what the courts are doing it is easy to complain about the courts, and then you talk about an overreach in the courts. One thing about the courts, the courts do not create the cases they come to them. We are asked to evaluate proposals that are brought to us. We have really no ability to proactively require stuff. Again, that is a higher-level discussion for another time. It is tough to hold somebody to standards that, at best, are aspirational up here and do not even reflect any consensus. A long-winded way of saying, if this was in another part of town, I might feel differently. We say all these things about JMU, but by golly it sure is close to JMU. The reality is going to be somewhere between what we fear and what we hope. There is no such thing as a rental office that has a sign up that says only students are

welcome. The rental office wants to rent to anybody who shows up. Obviously, this was going to pull in a certain direction.

Commissioner Porter said I would only say that I wish that, what you were saying is true, I just wish that it actually de facto reality works that way. It does not work that way for a lot of people in this community. The reality is that there are certain properties that... and again they do not say you cannot be here because you are not a student, but what they can say is "what you need is a cosigner" and "you need certain qualifications to be able to qualify for this unit" that in most cases are generally targeted towards someone whose parents are going to be signing a cosign agreement.

Chair Baugh said or otherwise has the resources to pay the market rate. Which, as we have said in our examples, we have some of that. I think what we also know is when Urban Exchange was being built, we were totally going for young professionals, and we are not going to do students. I am not saying this to be critical of them because the reality is that project came on-line at what historically may have been about the worse time for it to ever come on line. The part of the market that needed housing and was willing to pay the rates was students. We start going down the list right now there is... maybe I am just making the general comment of how tough it is to predict the future. We can sit here now and say we want this housing mix, or we do not want that housing mix. There are certainly things you can do to incentivize some things or others. As I said I would be considerably more troubled by this... I can think of one particular development that was proposed some years ago that was more on the outskirts of the City. The thing we talked about at the last meeting about, whatever you say about the problems on Port [Republic] Road, it also consolidates if there is some infrastructure there. There was some planning that was in that direction, at least there are some pros and cons there. I think you can say the same thing about properties like this that are physically located close to JMU. If it was not, I think it could be a lot nicer, and I could probably be persuaded not to support it. At least we would have to hear some different arguments about it. The other thing that has not come up is that it has an R-3 zoning. It has our old friend R-3. I think there is a lot of market reasons that... if you say no to this, are they really going to rethink this and see how many townhouses they can cram into it and do it as a by right development. I can see the argument to say, "let's hold their feet to the fire." Then it comes back to the other point that I was saying. If I had a better sense of what I was holding their feet to the fire to do, that might be another question, but we do not have that. There is some very cookie cutter nondescript residential that could go there right now. If you asked me the question, "do I like this better than that?" Yes, I like this better than that.

Commissioner Porter said let us be clear, there is a lot to like about this project. [Directing his comment to Todd Rhea] You are getting some unfriendly fire because of what I think is a systemic issue, from my perspective. Todd, I know you are a very thoughtful guy, and I am sure you understand why I have the perspective that I do. I also understand that there has been a lot of work to make this a good development. I understand the concept of what you are trying to go for. I wish you had not put those four-bedroom units in there. I would have liked to have seen the market just be able to get more one-bedroom and efficiency units in there, as opposed to that, just because it does not age well or fall back into the general housing stock as well as other configurations, but I understand. I take note that the other two developments are in Williamsburg and Syracuse, New York, probably both college towns. It is probably a part of the business model to a certain extent. I think that this will be a well-done development. I think that there has been a lot of thought that

has been put into it. I really like some of the things that have been proffered and included in it. I do think that it does provide an access to downtown that is going to be beneficial economically for downtown businesses. There is a lot to like about this, just to be fair about that. It would sure be nice if we would start thinking about folks, other than JMU students, and how we can best house them. That is not necessarily your responsibility.

Commissioner Nardi said there is a lot to like with the connectivity and thoughtfulness with the neighbors and the planning that went on. It is clear that it will change the character and the vibe.

Councilmember Dent said I actually like the aesthetics. It is big and monolithic. What it reminds me of is, when I am walking around DC, and I mean that in a good way. It is block after block of these five over ones where you can tell that people live, shop and work nearby. It starts to look like a City. I think in this respect, to this scale and location, I think that could be a good thing.

Chair Baugh said you articulated well a sense that I have with this. I also recognize that at this point we are starting to get a little subjective. There could very well be other people saying, the very things that we find attractive, they would say that is exactly what I am sick of seeing or I do not want to see anymore. One of these events that we have that you would have thought got started in 1979, and it only got started it would have been either 2011 or 2012, is the JMU Block Party in the 'Burg. I know it was 2011 or 2012 because I did the first one. I remember walking it with the, then relatively new, President Alger. As we were standing on the corner, where Hotel Madison is now, about to step off of the JMU property and go there, and again just talking about how perspectives change. That was still at the end of the era where one of the conventional wisdom things that you heard all the time was people will walk to things that they can see. I think it has changed since then. We now know that people will walk further. One of the things that came up in the old parking debates was well, you have to build this parking because people will not want to walk further if they cannot see it. I remember standing on that corner and he is literally new enough to town that he is not even quite sure where we are walking. He knows it is in that direction. I remember looking up Main Street and saying "there is this saying that people will walk to what they can see. The bad news is that we cannot see it from here, but it is right behind what you cannot see." This whole sense of, it is really not that far. Now these days we see pedestrian traffic all the time. This is kind of the spot that everybody walks by to get to the destination. You may like it. You may not like it. I think I am more on the side of, I like the idea overall of seeing that become the space that is integrated into that walk. Not just the space that you have to get to the other side of.

Vice Chair Finnegan said notably the tallest building in downtown is a grain elevator. It is the most viable thing in downtown for better or for worse. I know it is not in the proffers, but to me the most significant element of this is that the rent is being broken out from the parking, they are not bundled together. I think that is the direction that we need to head in. The last time that we voted on a large student-oriented complex, I voted against approval. It came down to the parking, not the number of units, but the parking and this idea that every resident of Harrisonburg must come in a car sized package. There is not a bright future for Harrisonburg unless we can break away from that idea and allow people the choice, make it car-optional. If you would like to pay extra, you can do that, or you can save that money and walk or bike. We also saw, a couple of years ago, another request that the parking that was built in 2008 at 865 East was too much and now City Council approved

a building that would go over top of that. To me, the central piece of this is the parking and the way that it is being addressed. With that, I will move to approve the rezoning request.

Councilmember Dent seconded the motion.

Councilmember Dent continued I just wanted to echo that I really like that there is now a precedent for extra pay for the parking. Some of the developers have said, “oh we have to provide parking or nobody will live there.” Well, then you are building in the wrong place.

Vice Chair Finnegan said to that point, it is the Zoning Ordinance that forces developers outside of downtown to build that parking. I am hopeful that as you all look for how to revise the Zoning Ordinance, keep this in mind and allow developers to offer less parking and charge separately for it.

Councilmember Dent asked could we even require them to have parking charged? I know in big cities people have to rent a parking space. My friends in Philadelphia rent a parking space for \$300 a month. We are not there yet, but might there become an industry of rented parking spaces once we build more downtown?

Chair Baugh said not if you keep building enough decks for everybody to go into to which is back to the larger point about JMU. Not that you do not need this one here for this project.

Councilmember Dent said I like that a third of the people will not have cars.

Chair Baugh called for a roll call vote.

Commissioner Nardi	Aye
Vice Chair Finnegan	Aye
Councilmember Dent	Aye
Commissioner Alsindi	Aye
Commissioner Porter	Aye
Chair Baugh	Aye

The motion to recommend approval of the rezoning request passed (6-0). The recommendation will move forward to City Council on August 12, 2025.