



City of Harrisonburg

City Hall
409 South Main Street
Harrisonburg, VA 22801

Meeting Agenda Planning Commission

Wednesday, March 11, 2026

6:00 PM

Council Chambers

1. Call To Order

2. Roll Call/Determination of Quorum

3. Approval of Minutes

3.a. Minutes from the February 11, 2026 Planning Commission Meeting

Attachments: [Minutes](#)

4. New Business - Public Hearings

4.a. Consider a request from Katherine S Moran and Marcie E Harris to rezone (proffer amendment) 361 Franklin Street

Attachments: [Memorandum](#)
[Extract from Planning Commission](#)
[Application and supporting documents](#)
[Site Maps](#)
[Approved 2023 Proffers](#)
[PC Memorandum](#)
[CC Notice of Public Hearing 4-14-26](#)
[Surrounding Property Owners' Notice](#)
[Presentation](#)

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

Attachments: [Memorandum](#)
[Extract from Planning Commission](#)
[Application and supporting documents](#)
[Site Maps](#)
[PC Memorandum](#)
[CC Notice of Public Hearing 4-14-26](#)
[Surrounding Property Owners' Notice](#)
[Presentation](#)

4.c. Consider a request from Center for Health and Human Development for a special use

permit at 851 Madison Street

Attachments: [Memorandum](#)
[Extract from Planning Commission](#)
[Application and supporting documents](#)
[Site Maps](#)
[PC Memorandum](#)
[CC Notice of Public Hearing 4-14-26](#)
[Surrounding Property Owners' Notice](#)
[Presentation](#)

- 4.d. Consider a request from Trenton Inc. and Bernard LC to rezone 435, 445, 457, 473, 483 & 495 South Main Street and 282, 288, 294 & 298 South Liberty Street (The Link Apartments)

Attachments: [PC Memorandum](#)
[Site maps](#)
[Application and supporting documents](#)
[Facilitation Report - The Link Discussion Report](#)
[Proffer Analysis for Housing Affordability](#)
[Public comments received 12noon 3.6.26](#)
[Traffic Impact Analysis](#)
[TIA Supplement - Cut-Through Analysis](#)

5. New Business - Other Items

- 5.a. Planning Commission Annual Report 2025

Attachments: [Memorandum](#)
[Extract from Planning Commission](#)
[Report](#)
[Presentation](#)

- 5.b. Planning & Zoning Division Annual Report 2025

Attachments: [Report](#)

6. Public Comment

7. Report of Secretary & Committees

- 7.a. Rockingham County Planning Commission Liaison Report

- 7.b. City Council Report

8. Other Matters**8.a. Review Summary of next month's applications****9. Adjournment**

NOTE TO THE PUBLIC

Staff will be available at 4:00 p.m. on the Tuesday before the next Planning Commission meeting for those interested in going on a field trip to view the sites on the next agenda.

INTERPRETATION SERVICES

Language interpretation service in Spanish, Arabic and Kurdish is available for Planning Commission meetings. To ensure that interpreters are available at the meeting, interested persons must request the accommodation at least four (4) calendar days in advance of the meeting by contacting the City Clerk at (540) 432-7701 or by submitting a request online at: www.harrisonburgva.gov/interpreter-request-form

El servicio de intérpretes inglés-español está disponible para las reuniones públicas de la Comisión de Planificación. Para asegurar la disponibilidad de intérpretes, cualquier interesado deberá solicitar la presencia de un intérprete al menos cuatro (4) días calendarios antes de la reunión comunicándose con la Secretaría Municipal al (540) 432-7701 o por medio de la página por internet al:

<https://www.harrisonburgva.gov/interpreter-request-form>

NOTE TO THE PUBLIC

Residents/Media will be able to attend the meeting.

The Public can also view the meeting live on:

- The City's website, <https://harrisonburg-va.legistar.com/Calendar.aspx>
- Public Education Government Channel 1072

A phone line will also be live where residents will be allowed to call in and speak with Planning Commission during the Public Hearings and the Public Comments portion of the night's meeting. We ask those that wish to speak during the public comment period to not call in until after all the public hearings and public comment on those have been heard. This will avoid anyone calling on any other item from holding up the queue and then being asked to call back at a later time.

The telephone number to call in is: (540) 437-2687

Residents also may provide comment prior to the meeting by visiting this page:
www.harrisonburgva.gov/agenda-comments



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Legislation Text

File #: ID 26-067, **Version:** 1

Subject:

Minutes from the February 11, 2026 Planning Commission Meeting.

Presented By: Adam Fletcher, Director of Community Development

[Click here to enter the action/summary \(insert the summary from the memo here](#)

MINUTES OF HARRISONBURG PLANNING COMMISSION

February 11, 2026

The Harrisonburg Planning Commission held its regular meeting on Wednesday February 11, 2026, at 6:00 p.m. in the City Council Chambers, 409 South Main Street.

Members present: Richard Baugh, Chair; Councilmember Laura Dent; KC Kettler; Rob Jezior, and Randy Seitz. Shannon Porter, Vice Chair, and Heja Alsindi were absent. Also present: Adam Fletcher, Director of Community Development; Thanh Dang, Deputy Director of Community Development; Meg Rupkey, Planner; Wesley Russ, Deputy City Attorney; and Nyrma Soffel, Acting Secretary.

Chair Baugh asked if there were any corrections, comments or a motion regarding the January 14, 2026, Planning Commission meeting minutes.

Commissioner Kettler moved to approve the January 14, 2026, Planning Commission meeting minutes.

Commissioner Jezior seconded the motion.

The motion to approve the January 14, 2026, Planning Commission meeting minutes passed by voice vote (5-0).

New Business – Other Items

Consider a request from The Edge Realty Partners LLC for variances from the Subdivision Ordinance related to street design standards for an undeveloped portion of Franklin Street located between parcels addressed as 625 and 630 Franklin Street

Chair Baugh read the request and asked staff to review.

Ms. Rupkey said in March 2022, City Council approved a rezoning for 23 parcels from B-2 to R-5C. The applicant also received approval for a special use permit to allow for multi-family buildings with more than 12 units per building. During the rezoning, the applicant was informed that variances to the Subdivision Ordinance (SO) would be required to construct Franklin Street as a public street as was shown on the concept plan submitted with their rezoning request.

In July 2023, the applicant completed a minor subdivision to vacate the internal property lines and to create two parcels; one on either side of the undeveloped Franklin Street public street right-of-way. The applicant is now requesting variances to the SO and the Design and Construction Standards Manual (DCSM) associated with the vertical curvature and the width of the proposed street.

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.

Transportation and Traffic

The Determination of Need for a Traffic Impact Analysis (TIA) form (“TIA determination form”) for the proposed development was completed during the rezoning process and indicated that the project would not generate 100 or more peak hour trips, which is the threshold for staff to require a TIA.

Public Water and Sanitary Sewer

Staff has no concerns regarding water and sanitary sewer service availability for the proposed development.

Subdivision Ordinance Variance Requests

The applicant is requesting to deviate from the requirements of the SO Sections 10-2-61 (a) and 10-2-66, which are associated with public street design standards. Specifically, Section 10-2-61 (a) states that “[t]he subdivider is required to make all such improvements to streets, including grading, subgrade, surface, and curbs and gutters, in accord with the requirements of the city's

DCSM” while Section 10-2-66 states “[a]ll utility, street and alley improvements shall be provided in each new subdivision lying wholly or partly within the corporate limits of the city in accordance with standards and specifications of the city.” The SO deviations are needed because the applicant is specifically requesting to deviate from the DCSM Sections 3.6.2.4 and 3.6.4.1.

With regard to deviating from Section 3.6.2.4, the applicant is requesting a variance to the rate of the vertical curvature (the K value) used in calculating the minimum length of the sag vertical curve on a section of the proposed extension of Franklin Street. A sag vertical curve is the parabolic curve in a road that connects a change in grade along a street centerline. Proper design allows for smooth transitions for drivers, prevents changes in elevations that can create a rollercoaster effect, and helps provide adequate headlight sight distance at night. When the K value is larger, it produces a decreased rate of change of slope through the vertical curve, which is preferred. Less desirable is a lower K value, which creates an increased rate of change in the slope. Per Section 3.2.6.4, the minimum K value for a local street is 20. The applicant proposes a minimum K value of 15 and explains in their letter that “[t]he existing Franklin Street has an existing slope of 9.82%. In order to [provide] an accessible slope, throughout the property, we must flatten this slope as quickly as possible which creates a sag curve K value of less than 20.” Within the applicant’s supporting documentation, Exhibit 2 illustrates the existing and proposed street profile (slope and grades) and due to existing conditions, in this case, staff finds the request reasonable.

Section 3.6.4.1 of the DCSM requires for typical street sections to follow those specified in the DCSM’s Appendix F. Specifically for local streets, Appendix F requires a pavement width of 30 feet for local streets (34 feet face of curb to face of curb). However, the applicant proposes to construct Franklin Street at a width of 20 feet of street pavement, where parking is not permitted (24 feet face of curb to face of curb), and to allow 25 feet of street pavement, where parking is allowed on one side (29 feet face of curb to face of curb). The applicant’s variance request to Appendix F, specifically for a local street, are shown in the table below. These widths are acceptable to Public Works. Exhibit 3 illustrates the proposed street widths.

	Appendix F Requirement for Local Street	Requested Variance (No On-Street Parking)	Requested Variance (On-Street Parking One Side)
Pavement Width	30 ft	20 ft	25 ft
Face-of-Curb to Face-of-Curb Width	34 ft	24 ft	29 ft

Conclusion

Staff finds the requested minimum rate of vertical curvature, K value, of 15 along Franklin Street acceptable and recommends in favor of the variance only with the following condition:

- The K value used to calculate the minimum length of the sag vertical curve in DCSM Section 3.6.2.4 shall not be less than 15.

Additionally, staff finds the proposed street widths are acceptable as presented and recommends approval with no recommended conditions.

Chair Baugh asked if there any questions for staff.

Commissioner Kettler said I understand Public Works was fine with the street width. Did they have any additional comments or concerns about that, generally, or benefits to that kind of arrangement in the street?

Ms. Rupkey said they were comfortable with the proposed widths that were provided. In general, other questions I do not think...

Commissioner Kettler said I am just seeing a couple places, including in Old Town, where it is broken up, where the public parking is not all the same width. I was just wondering if they had general thoughts about that.

Mr. Fletcher said they did not provide any additional commentary.

Ms. Dang said I am not clear on what your question is. Is Public Works okay with the two options available for street widths, whether there is on street parking or not on street parking?

Commissioner Kettler said so in situations where there is the street width and there is going to be on street parking, when that is broken up by either concrete or something else so that a vehicle getting in would have to parallel park. It could not just go straight.

Ms. Dang said we call it a bump out. We will get into the design of the project in the next phase. If I am not mistaken, they typically like to see that at intersections because it provides a pedestrian refuge area for shorter crossing distance. If there is on street parking, then they would add a bump out for that purpose.

Councilmember Dent said as I recall, we had some discussion about traffic calming measures. I see on this diagram 10-foot-wide raised crosswalk. Is that it? Are there other crosswalks?

Ms. Rupkey said they are not in the site plan design stage, and additional things might be added in the future. The applicant can answer.

Commissioner Seitz said I have a question about the history. I understand the rezoning has been done. The special use permit has been done. This is just about the road. In your restatement of the history, the City said, "if you want to build this road as you have designed it..." Was there a discussion about the pros and cons of extending Franklin Street? Was this simply the developer's choice and plan all along? Or did the City have a position about the merits or the demerits of extending Franklin Street to Market Street?

Councilmember Dent said, yes, there was a discussion.

Mr. Fletcher said there was a lot of discussion during this project. You have to remember that Franklin Street the public street right of way was already in existence, so it was already there. Anyone can come in and propose to build within that space. Generally speaking, the Department of Public Works likes the opportunity for more connectivity, providing more opportunities to break up block lengths. There was quite a bit of conversation, pros and cons, about the extension and some of the design mechanisms of narrowing the street, with the bump out, with the pedestrian refuges, with the speed hump, all came into play with the idea that this would help deter some of the thoughts or concerns about cut-through traffic and speeds in this area.

Commissioner Seitz said that is why I ask. This neighborhood, it is interesting the houses that are immediately to the south of the development... It is uniquely isolated. You have Hawkins Street and Norwood [Street] that go through to the east of it. I think it is Hawkins [Street] that is one way to [Route] 33. People coming and going from this neighborhood have to go to Reservoir [Street] which can handle more traffic, and then down to traffic lighted intersections. I was just curious what the discussion was around extending it through. In general. I do think a narrower road helps with traffic calming, along with all the other devices, and we would hope that those get included in whatever the final design is. I understand that having the street is a done deal, but I was just kind of curious about the history.

Chair Baugh said I will just echo that there was considerable discussion on it. There may have even been, at least at Planning Commission, one vote against it. I know that commissioners seriously considered voting against it, and that was really kind of the driver. I ended up being with staff on the visit yesterday. It refreshed my memory that there was a representative from Public Works that came to the meeting. At least one or a couple of the commissioners took umbrage at the fact that the Public Works person got up to make a presentation and was talking affirmatively about what they looked at to have this go through and ways to do this and the importance of traffic calming in there. If it is a straight stretch like this, narrowing it is not going to encourage people to speed up. They took umbrage in the fact, they were put out that Public Works had approached it as to how to make this work. As in, why are we even assuming that you should try to make it work? We have these folks here at the end of a cul-de-sac right now, and why are we even assuming that we should be looking at it to push through. That did get discussed, and I think may have been the basis for at least one commissioner voting against it.

Commissioner Seitz said in full disclosure, I attend Ridgeway Mennonite Church, which is on Franklin Street, so I have spent a lot of time in this neighborhood. It is going to fundamentally change the character of that neighborhood. For better or for worse, is for people to decide. I think if you are a fan of new urbanist planning things and so on. Connectivity, narrower streets, all those types of things are good in the abstract, but when they are applied ad hoc it can create unintended consequences.

Councilmember Dent said to the point that this was already a right of way, it was already planned to be a street at some point.

Commissioner Seitz said I think you could find plenty of examples in the City where the fact that there was a platted right of way was not an obstacle to closing it. If you are a developer or the City saw the merit in doing so.

Councilmember Dent said that is usually a tough choice. By far the preference is to keep the right of way and keep the ability, and make the connections, as far as possible.

Commissioner Kettler said I think in a lot of places a modal filter achieves those goals in a way that not necessarily full traffic through... Allowing full traffic, like vehicle traffic, through an area is really the thing that is going to disrupt some areas in terms of there being a lot of activity that you cannot really use the street for anymore. It does not quite feel the same way. In this case it is [Route] 33, so realistically there is not going to be a lot of bike or walking traffic at least in the very near future along [Route] 33. It does still achieve those goals of connectivity to have that there.

Councilmember Dent asked modal filter?

Commissioner Kettler said if there are two streets that are connected and there is some kind of barrier where you can walk or you can bike, but you cannot drive a car through. There is not a lot of examples of that in the City right now that I can think of.

Commissioner Seitz said Dogwood [Drive] to Chicago Avenue.

Councilmember Dent said Smith Avenue that runs into itself but is blocked off in between.

Commissioner Kettler said I am not sure if that really would apply here. There are a lot of places in the City where that kind of thing would be very helpful.

Commissioner Seitz said it would be interesting to see if this development comes to pass what impact this will have. Because, right now, if you are in that neighborhood you need to go to Carlton [Street] or you need to go to the stoplighted intersections to get out of there. You have a lot of streets that I am sure people play in and use. Granted the right of way is there, but there is a habit and pattern of it not being a through-street. That is not what we are considering right now. We are considering, given that they have the right to do it, are we going to allow the use changes.

Councilmember Dent asked is there a plan for there to be a traffic light at this intersection?

Ms. Dang said no.

Councilmember Dent asked so will it be right in and right out on Market [Street]?

Commissioner Seitz said no, it is going to get heavily used as a pass through.

Ms. Dang said if I may just offer another point is that it was proffered with that rezoning that at the time of the development that the owner would build the street. It is not a question that they want to now. It is a proffered requirement for them to construct it.

Councilmember Dent said meaning once it is proffered and rezoned that is the law.

Mr. Fletcher said when they build the development.

Ms. Dang said correct.

Chair Baugh said some of this may be burdened a bit by having a larger arc of history. I think Councilmember Dent is correct that, right now, you do not typically want to be the one making the argument that the City ought to give up the right of way. That has not always been true. We actually went through a stretch where, if I recall correctly, there was actually some ebb and flow on that. We did not even get there in a straight line. In fact, at one time we probably tended to default the other way. It really was not that long ago. I think it is fair to say we had a stretch where we said we want to default to not giving them up. Then there was a little back track on that, but we have ended up here probably in the last five or six plus years. I do not hear a lot of rumbling saying that we ought to do that differently. We have shifted over to there is a default of not giving up these things. The burden is on the person or party that wants to make a show of why we should give it up.

Commissioner Seitz said I am not an advocate for the City giving up its right of ways. I think what this illustrates though about the pattern of development in Harrisonburg is that the decisions about what gets built on this very large site are only relevant to that site. There is no larger planning context. We have thankfully after all of these years have a Downtown Master Plan that gives some normative guidance to us making decisions about specific projects within a larger context. Gee I wonder when we are going to have to do that again. This makes the sense in terms of this particular development. It does not make sense in terms of the very specific and unique nature of the larger neighborhood.

Chair Baugh said I was really echoing your point that if we wanted to find examples of times where we have not done that or maybe pushed back on it, it would probably be fine. None recently. Anything else for staff?

Ms. Rupkey said the applicant is here if you have any questions.

Chair Baugh invited the applicant or applicant's representative to speak to their request.

Ryan Boshart, applicant's representative from Valley Engineering, came forward to speak to the request. I am here if you have questions for me. I really do not have anything else to chime in specifically, but I am happy to answer questions.

Councilmember Dent said these variances are very specific to the sag vertical. What was the other one?

Mr. Boshart said the street width.

Councilmember Dent said now what sections of this are parking on one side of the street? It looks like the whole thing is not...

Mr. Boshart said there is only three parking spaces there off to the side. As you are driving down through you, would not even really notice that those are there necessarily.

Councilmember Dent said the parking is mostly covered by lots within the development. So you do not need it on the street and that will help.

Mr. Boshart said correct. We cannot use those parking spaces anyways for meeting the zoning requirements for parking on the property there. Those spaces are there primarily for a planned dog park in that area, as well as for a mail center.

Councilmember Dent said for deliveries and short term, things like that.

Chair Baugh said the general public.

Commissioner Seitz asked are there other examples in the City of Harrisonburg of a condition that has a similar sag? I am thinking in particular like Dogwood Drive as you are heading south towards the entry to Hillandale [Park] and so on.

Ms. Dang said I think that is much worse. I do not know what the number is on that, but it is more abrupt.

Councilmember Dent said that sounds like that would meet code or whatever this is.

Mr. Fletcher said a lot of our streets in old town coming down West View [Street] and Paul [Street] those landing zones, I would think it would be considerably less than 15.

Ms. Dang said I do not know the numbers, but I agree.

Commissioner Kettler said I do not know the numbers, either, but I have been up it on a bike, and I do not like it.

Councilmember Dent said that is my least favorite hill in the City. Trying to get up from Hillandale [Park] up Dogwood [Drive] there. Even on my electric bike it is a struggle.

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

Councilmember Dent said now I get the picture of what this means. That abruptness.

Chair Baugh opened the public hearing and invited anyone in the room or on the phone wishing to speak to the request.

Ms. Dang noted that while this is not a public hearing, Planning Commission typically welcomes public input.

Sarah Showalter, 601 Franklin Street, came forward to speak to the request. She said just to share a little bit about myself, I have lived on Franklin Street for almost 10 years now. I love my

neighborhood and that is why I am here tonight. My family and I spend a lot of time specifically on Franklin Street where we live but also Hawkins [Street] and Norwood [Street]. I lead a walking school bus on these three streets to Spotswood Elementary. I hang out with kids from the neighborhood at kids club where I just came from at Ridgeway Mennonite. My family is just really invested in our neighborhood and getting to know our neighbors. I am really excited for a chance to just get to be a part of this conversation. That means a lot to me. I get really excited about talking about what is happening in my neighborhood.

I do not necessarily have really strong opinions about either of these variances. I have a couple of maybe curious questions and bigger picture questions. I was very involved four years ago when this initial rezoning was in place. I feel really proud that I had three of the five City Council members walk Franklin Street with me, that was really special to me. I know representative Dent you were there and Mayor Reed and Sal Romero all came and walked with me. That was really special to have you see our neighborhood and see some of those things. I just wanted to maybe speak a little bit to some of the conversation that was happening. For me it is still a little bit clear. I have not been bogged down with all of the other many things happening in Harrisonburg. It is just this specific thing.

Randy one of your questions, The Edge's original design was to close off Franklin Street that you could come in from [Route] 33 and not be able to pass through. The City wanted the connectivity and asked them to redesign so that it could be there. There was that conversation. I do not remember what the Planning Commission vote was, but City Council's vote was one "no." Sal Romero voted no, and Mayor Reed voted yes, with hesitations. I think it also just spoke to the complicated nature of it. Just to throw that out there.

I have a couple of questions, I feel like I am going to say a lot, so I apologize if it gets really wordy. My first question I think I already maybe heard the answer to was if this lower K value would slow down traffic at all? You are right, there was a lot of conversation about how we can do traffic calming. I think maybe from the conversation I heard, it would not necessarily slow it down significantly if it is not as bad as some of these places in old town. When we had the City Council discussion, a couple of the council members had asked Mr. Park, who was representing The Edge at the time, if he could add another raised speed hump on the west end sort of right where this K value is happening. They sort of asked, but then it never got specifically proffered. I was wondering if this K value would be enough that it would slow down traffic. It does not sound like it will be. I am curious if there is a point in this process where we could maybe slip that back in to ask for another speed hump there to be specifically proffered? A question about the reduced road width, just thinking about bikability, if and when we finally get the bike path on [Route] 33. I think this was envisioned that this could be a good connector into old town. I am curious with the narrowed width, there is not going to be room for a bike path. Is it an option that we could, I do not know

what the symbol is, where you paint the bike on the lane to show that bikes can use the full lane, if that is an option that would be there.

One thing that I remember from the conversation four years ago is that a Traffic Impact Analysis was not required because the development was not deemed to produce the 100 cars at peak hour. I still wish there was a way that could have been done differently because it did not take into account at all that this is creating a new through street. I did try to raise that question last time and sort of got told “oh people are not going to use this as a through street” but I have already heard say tonight it is. Almost every day, I see somebody drive down the street, get to the crest of the hill and go “oh” stare a little bit and turn around. There is going to be through traffic. I am just curious, who is accountable for that? It is not The Edge’s responsibility to account for that and do their Traffic Impact Analysis. How do we account for there is going to be a lot more traffic than just what The Edge is creating? Both intersections on either side have sight visibility issues. I am just curious who is accountable to watching how that is going to impact traffic?

My last question is just kind of a bigger picture question. I am curious as Planning Commission or as City Staff if you want to speak to it, What do you envision or what are your hopes for what relationships look like between these large developments and single family home owners who are adjacent? Just to speak a little bit from my experience, after it was rezoned Mayor Reed offered to facilitate a meeting between neighbors on Franklin Street and Mr. Park with The Edge to just help us talk together. We were really committed to wanting to be in conversation. I reached out to Mr. Park several times and never received a response. A representative from the HOA on Franklin Street, there is a twelve townhouse unit that borders The Edge, they were able to contact Mr. Park and get him on the phone and offered to buy lunch for his whole office if they could have a chance to talk and he turned them down. It has been really disappointing for us as we want to have a little bit of communication. I am just curious does that sound like unrealistic hopes? Is it laughable that we would want to have just meager communication even just with a representative? What would you envision as Planning Commission? I know you cannot force anything but just curious to what your hopes would be.

Chair Baugh said you are hardly the first person to come and essentially present questions rather than statements. It is really not our function right now to do that. I do have one thing I want to mention to you that I think we will address, but that is really not the purpose here. As you already know you, can reach us and the Councilmembers and staff members to the extent that you have questions about things. That is probably better directed there, than right here where we the only thing before us right now is does it make sense to grant these two variances. Let me just say this, I would not do this if we had a room full of people but if it is okay with everybody to take a few minutes on this. Obviously, some of this is still to be determined in terms of traffic calming because that is the work of the development going forward. I feel like I can comment on what happens after that. Is anybody in the position to really sort of speak to what folks in the neighborhood might be

look forward to? I think part of which she is saying is really opportunities for input and whether there would be anything like that. What do we envision as sort of the next stage? Is anybody sort of prepared to talk about that?

Mr. Fletcher said I am not sure what the question is.

Chair Baugh said the answer is, to be determined. Let me just jump ahead. Let us assume the development goes forward and various things go in, and you are still not happy and you would like to have more input into it. The City does have a neighborhood traffic calming program that even if you are not happy with it then... if there was, I would not call it a downside I think it is actually the right answer, but it is something that can be very frustrating if you are trying to muster support for something like that, is it is true that when you get into that neighborhood traffic calming program we are really looking for things where there is near consensus. These street designs is just not a process that aligns itself very well to put us in a place where we hold a referendum on whether to put this bump in or not and it passed by 52-48 margin. Now a bunch of people do not like it, and they are going to reelect some people to council who are going to knock it out and we go back and forth. It is intended to try to avoid that. I happen to live in a neighborhood that is a great unsuccessful story in doing it, but it has to do with configuration of the neighborhood and how it is difficult for people's interests to align. I am suspecting that may not be the case here. It may be that almost everybody who gets there would like the idea of minimizing cut-through on Franklin [Street] and so on so forth.

I guess in any case it sounds like you are familiar with this. Even if nothing happens where you feel like you are able to get any input, there is going to be that possibility at some point that you could try to do that. In fact, I will also weigh in just from experience, sometimes you just have to make these changes and see how they go. Our ability to predict ahead of time whether something is going to be a problem or not is not always that great. Not to mention the fact that I can cite numerous examples of things where there are changes and, a week in, people were just convinced that the change was horrible and was not going to work. The advice at that point is, let us give it four to six weeks and see if it settles out. The vast majority of the time is... One thing I carried away from that, is in many respects one of the most dangerous things you could ever do with streets is make a change of any kind. Anything you do that changes the expectations of people in an area is going to cause a near term difficulties. The question is not whether there is something bad that happens, a week in we try to do that. Once you get four or six weeks in, and it is not settling out that is something we are always willing to look at. That is something any neighborhood now could go do.

Councilmember Dent said I do not know, when you talk about the traffic calming program, I do not know if you are referring to the newly established one that involves much more data-driven analysis of a particular intersection or street, as opposed to who complains the loudest. Public

Works has established a rubric or scoring mechanism to prioritize the request and put them in a queue. It is sort of, get in line instead of just show up and demand it.

Ms. Dang said Chair Baugh maybe you were asking what can be done now as you were talking about after the project was constructed, but Ms. Showalter you coming out here this evening, your comments that you have shared here with these opportunities I will take the copy of the minutes, and I share them with the Public Works department. Mr. Boshart is here and he heard your comment as well, and they are in the process of working through the design of the project. Those conversations can be had through the design process. Also, narrowing the street widths, so this variance about narrowing the street widths, is part of traffic calming or contributes to traffic calming to lower speeds as opposed to the 30-foot-wide from face of curb to face of curb.

Mr. Fletcher said I will also add Ms. Showalter, make connection with Mr. Boshart. Get the contact information for the developer as well. If you were looking for another potential speed hump on the western side, they are in what we call their Preliminary Fire Review, so they have not actually entered into the Engineered Comprehensive Site Plan [Review] phase yet. Any changes that you would like to see, you want to get in on the front end of the design so that folks like Mr. Boshart can take those things into consideration. If Mr. Park wants to provide those amenities, they could do it on the front end so that they can design for it because it affects drainage and so many other things. It is easier to do it on the front end, than it is to come back and retrofit it. If it is something that he would be considering to provide, then it can be placed into the design. Then our folks at Public Works and on our Engineering staff can react to it to the evaluate whether it is an appropriate accommodation to make on the street. You calling Mr. Park probably goes a long way.

Ms. Showalter said that was I was just saying I tried a lot, and he would not talk to me. Maybe I can connect with Mr. Boshart.

Chair Baugh said this something I see often in a difference between normal people, and by that and I mean people who are sitting on your side of this thing, and the other people who are sitting up here you can do whatever you want. If you were asking my opinion do not get to worked up about the TIA and the history of stuff. It really goes to the point of what came up when this came up here, almost four years ago. The way I said there was a person from Public Works who almost got attacked from folks. I think it really does go back to this fundamental point, that whether you are talking about Public Works looking at a proposal and trying to figure out how you can make it work optimally, or whether you are talking about the City as part of its general street planning. What the TIA is really for is to make sure the City does not get blindsided by major developments that over stress things. It is commonly thought by normal people to be thought of as a mechanism by which somebody might look at it and say, "oh that is too many cars, we need to say no to this development," and that is not really how that works.

Ms. Showalter said I understand that I just think that there is going to be an impact that has not been looked at. To your point about the most dangerous thing we can do is change the street, that is why I want to be here and have these conversations so that they can be there from the beginning. I know that traffic calming program is in place and that is a big burden on people who are asking for a change.

Chair Baugh opened the matter for discussion.

Commissioner Seitz said I do have one general question. To the extent that there is going to be through traffic with this - It is great to see all the sidewalks and advocate for all of the traffic calming measures and so on - the reality is that the rest of Franklin Street from the southern end of this diagram to Reservoir [Street] does not have sidewalks. You have a neighborhood where people are used to walking in the street because there is not through traffic. Now you are going to have through traffic and in an ideal world there would be sidewalks all the way to Reservoir [Street]. My question is how do existing neighborhoods get sidewalks if they do not have them?

Mr. Fletcher said there are a few ways. Either Nyrma or Meg might be able to help me with this, in the last one or two sequences of SmartScale applications, the Department of Public Works work through data to determine whether or not they can apply for SmartScale funding for a project for providing the sidewalk of Franklin Street. This goes back to when Erin [Fisher] was still here because that was also discussed that there would be no sidewalk as part of this project. To answer Mr. Seitz's question, it is much more expensive to go back and retrofit to provide sidewalks. If the right of way is not in place, then that means the City is going to every individual property owner and hoping that, one, they either just give the property to the City, which is not typically the case, or the City has to buy the property from the private property owner. They are buying the private property and then they are designing the public sidewalk. Then you are putting curb and gutter which that means then you have to figure out what to do with the water. There are a lot of different things that come into play, much of which I know you are aware of. There is a program in the budget for improvements. I am trying to think how it is classified for sidewalks. I am not sure if it is like a sidewalk program, but applications are made through Community Development Block Grants. There are very few things in place to go in and retrofit a lot of existing public streets that do not have sidewalks. For those folks who are listening and paying attention, the reason why many of your streets do not have sidewalks are really two different reasons. One, either the City annexed those streets into the City and they were already in place and were built in the County during a time when the County did not require sidewalks, or which is also the case for many sidewalks in the City, the public streets were built by a developer during a time in which our Design and Construction Standards Manual or our subdivision regulations did not require sidewalks. Places like Sunset Heights, which were built in the 50s, the 60s and the 70s, did not require for sidewalks to be constructed when the street was constructed. It was a different mindset. Today's standards are not that way. In fact, you have to build sidewalks on both sides of the street.

Five feet of sidewalk, a two-foot grass strip, and obviously for curb and gutter. The reason why those streets do not have them is because it was not required when they were constructed. I am giving a long-winded response to your immediate question which was how do we get them built? It is trying to find and scrounge up funds to be able to do it. It is not just simply going out and digging a trench and putting in concrete because it is often times much more expensive and much more extensive than that.

Chair Baugh said the way I have come to think of coming from the other direction is that, while you are certainly right that there are a number of ways to do it, there is really only one easy way, relatively speaking. The easy way is if all of the property owners are willing to do it. They are all singing off the same page and saying they would like to do it and most if not all of them are willing to donate the right of way, that becomes something that I think could be done. In fact, you might know more than I do, but I am almost wondering if that budget item was not giving an option to deal with that contingency whether there might be some funds.

Mr. Fletcher said I started to walk back my comments because I was like there was time in which I thought there was a line-item for sidewalk improvements, and I do not know if it exists anymore. Maybe it is classified under a different program.

Chair Baugh said the thinking being if you get that, then it is a whole lot easier for City staff to gear up. Really the biggest obstacle, other than where you hit timing wise of workload, is do we have something in the budget right now. Even then that is typically the type of thing where, even if you could not do it right now because you just do not have any money in this year's budget, that is starting to look real attractive to find something to put into next year's budget because we know that everybody is there ready for it to go. Of course, as you can guess there are whole lot of places in the City where there are a lot of people on street that would like to see sidewalks put in, but not all of them.

Mr. Fletcher said Safe Routes to School is the grant opportunity that we take advantage of. What makes this a more attractive situation is that you end up with a segment of Franklin Street that has sidewalk that then dead ends without sidewalk when it connects with Reservoir Street. Because you are close to the school, there might be an opportunity there. It is worth a phone call to Public Works. We can speak outside of this time period, and we can get you the names and phone numbers of people who to contact and sort of brainstorm about whether this is an opportunity to apply for those types of grants.

Chair Baugh said while it seems counterintuitive, and it may not actually be true, it seems quite likely that it would be that if you could wave a magic wand and appear in the future and see that these sidewalks got built down here that do not connect to Reservoir [Street]. Given the proximity

to Spotswood Elementary School, it is actually the building of the sidewalks to know where very well might help your scoring for getting funding for that project.

Commissioner Kettler said you were talking about some funding programs, are you talking about SmartScale or other potential grant funding for sidewalks?

Mr. Fletcher said SmartScale is the really competitive one. Safe Routes to School is the other that we do sidewalks in. CDBG from time to time. You have to fit certain criteria to receive those federal dollars. We also require retrofitting sidewalks whenever people are subdividing or developing along a public street where a sidewalk ends at the property line. If somebody along Franklin Street, say this project gets built and sidewalks go in where the project is, and if somebody adjacent to the property then subdivides and wants to develop they have to extend the sidewalk. It always hurts a little bit when I hear somebody say, “oh a sidewalk was built to nowhere.” It takes a long time for some of these retrofits to come together and fit those pieces. That is how the community is able to obtain some of those sidewalks and get them back into place where they might not have existed had we not had that sidewalk built to nowhere at some point in the past. You will start to see some connectivity like along Evelyn Byrd [Avenue]. There were some sidewalks to nowhere out there but now the City is coming back and sort of filling in those gaps. I think that was a SmartScale project. They happen all across the City. You will see and wonder why that 200-foot segment of sidewalk was built and there are stories about a lot of them over the years.

Commissioner Kettler said I think one common thread that runs through a lot of the thinking about connecting these streets here is a recognition, whether we realize it or not, that when cars enter a space, it kind of gets worse for everyone. Whether it is people walking through the neighborhood or people living there and yet there are benefits to that connectivity. As it applies to this particular development, I think making sure that there is adequate traffic calming is probably the right move. I am pleased to see... I am not sure if bump outs is really quite the right way of putting it, just a narrower street by and large. I think things like modal filters and, simply in different points in the City, limiting where cars can go to encourage walk and bike traffic can be very helpful. To your point Commissioner Seitz, that is often best done when it is done as part of a larger plan rather than ad hoc.

Commissioner Seitz said I appreciate the Commission’s willing to diverge into this discussion, but for the sake of time I move that we approve the variances as recommended by staff.

Councilmember Dent seconded the motion.

Chair Baugh called for a roll call vote.

Commissioner Seitz	Aye
Commissioner Jezior	Aye
Councilmember Dent	Aye
Commissioner Kettler	Aye
Chair Baugh	Aye

The motion to recommend approval of the variance request passed (5-0). The recommendation will move forward to City Council on March 10, 2026.

Public Comment

None.

Report of Secretary & Committees

Rockingham County Planning Commission Liaison Report

Chair Baugh reported on the February 3, 2026 Rockingham County Planning Commission meeting. The following items were on the agenda:

- Public hearing request from Rockingham County staff to amend Section 17-1003.02 of the Rockingham County Code to allow three years for the commencement of solar projects, energy storage projects, and residential projects approved by Special Use Permit, as mandated by updates to Virginia State Code.-Approved (3-0)
- Public hearing request from Rockingham County staff to amend Table 17-606 and Section 17-607 of the Rockingham County Code to amend the supplemental standards for the use Large solar energy facility, and to amend the land use table for the uses Large solar energy and Large solar energy installed over impervious surfaces-Approved (3-0)
- Public hearing request from Rockingham County staff to amend Section 17-607 of the Rockingham County Code to amend the setback requirements for agricultural uses in and in the near vicinity to urban growth areas.-Approved (3-0)

City Council Report

Councilmember Dent reported that there were no public hearing items from Planning Commission that were presented to City Council on February 10, 2026. Ms. Dang added that Planning Commission items from January 14, 2026 will be presented to City Council on February 24.

Other Matters

Ms. Dang said if you remember a few months ago, we had some issues with scammers scraping information off of our agendas and impersonating our office to contact applicants and their representatives to demand payments. Fortunately, as far as I am aware, folks who have received

emails from people impersonating the City of Harrisonburg have called our office and talked to our staff and we have advised them not to make those payments. This is something that has been happening in other communities in Virginia and across the Country. To help reduce that type of thing happening, we are now redacting contact information from applications we are posting on Legistar. We are removing applicant and their representative's phone numbers, email addresses and physical addresses from the application. That information is still publicly available if somebody wants to call our office to get in contact with the developer. We can pass that information on to people who call our office. We just did not want to put that out there on the internet anymore where people can scrape that information. If you hear community members asking you questions about why they cannot read that information when they go to Legistar, let them know the reason and they can contact Community Development for the information.

Review Summary of next month's applications

Ms. Dang said in March we have three rezonings. One on Franklin Street. They have a proffer amendment they want to bring forth. There is a rezoning at 851 Madison Street that includes also a special use permit for that same property. Then The Link apartments will be back here in March for public hearing.

Chair Baugh said I assume that given how that went with the vast difference in public interest in the Planning Commission and the City Council, staff and everybody will be preparing for a sizable crowd.

Commissioner Kettler asked do we want to have the second meeting instead?

Ms. Dang said I would feel comfortable with just having one meeting to consider all four of these items.

Councilmember Dent said several of us went to the Virginia Municipal League Legislative Day and there was one bill that we are fairly horrified by that would essentially gut local authority for zoning. In the sense that they were saying that multifamily buildings would be allowed by right in at least 75% of all commercially zoned properties. What is the point of zoning anymore? What are we going to do in Planning Commission, if they do not have to come to us for approval? Our misgiving about this is, if any size multifamily could be built anywhere in commercial districts, what are developers going to do? Build student housing. So much for the push for affordability. We were, for once, really in sync with our representatives on this. This is going to have unintended consequences for us in Harrisonburg if it goes through. The whole legislative process is so back and forth. It goes from the Senate to the House and eventually to the Governor. So far it seems to be sailing through as is. I think that this would be a time to lean on the Governor's office because they have the option to amend it before signing it. I think, given the push for affordability and build as much housing as possible, it may well go through, as is. The catch is that it would go into effect as written January 1, 2027.

Mr. Russ said the commercial designation at least in the Senate version would capture any zoning district where a commercial use is permitted by right. R-3 where we allow professional offices by right. All of that falls into this category as well. It would not just be B-2 and B-1.

Councilmember Dent said maybe I was overstating it, saying it guts our zoning, but in some important ways it does, potentially.

Commissioner Kettler said sort of tangential to that... and I have heard about this. Part of my thinking is, I do not like not having that kind of local control that I think is helpful. The other part that I am thinking is that we have had some extremely restrictive zoning for at least three decades that has led to the position that we are in, and that is why that kind of thing can be incredibly popular. My question is do we have an update on the Zoning reform process for Harrisonburg?

Councilmember Dent said this could throw that into question too. Like what do we do about this if it goes through?

Commissioner Kettler said I believe there is also a proposed bill for ADUs [Accessory Dwelling Units] by right. I mean the state may well overtake us on a number of things.

Councilmember Dent said and manufactured housing. I can see the legitimate push behind it to get more housing out there. Where is the balance between local control and having a really strong push for housing? We are often fighting an uphill battle when there is opposition to housing that we need. My comment on this was that it seems like a sledgehammer when we need a screwdriver. Where is the balance? In the case of The Link, I think there has been a lot of benefit to the robust community engagement to improve the project overall. If we no longer have the option to do that, there would be no proffers, no special use permits, no kinds of controls that we could put on. Then we are losing the opportunity to improve the projects by community engagement. Where is the lid on that to make a community engagement beneficial overall, instead of obstructionist, which I think is what this bill is sort of over-reacting to.

Mr. Russ said it will be interesting to see how it all plays out during the legislative process. It moves very quickly and then slowly and then quickly again.

Councilmember Dent said I listened in and wrote in comments yesterday to a bunch of bills that are in committee about energy, like funding for data centers and making sure they pay for their own electricity. There were some wins and losses and disappointments and tabled. It is interesting being more in tune with the legislative process because there is a lot going on right now.

Commissioner Kettler said do we have an update on the zoning reform?

Mr. Fletcher said are you talking about the Zoning Ordinance Update Project?

Commissioner Kettler said yes.

Ms. Dang said we will share an update with you later if we could get through this next set of things that we are working on.

Richard Baugh, Chair

Anastasia Montigney, Secretary



City of Harrisonburg

City Hall
409 South Main Street
Harrisonburg, VA 22801

Legislation Text

File #: ID 26-069, **Version:** 1

Subject:

Consider a request from Katherine S Moran and Marcie E Harris to rezone (proffer amendment) 361 Franklin Street

Presented By: Adam Fletcher, Director of Community Development

[Click here to enter the action/summary \(insert the summary from the memo here\)](#)



April 14, 2026 City Council Meeting

Title

Consider a request to rezone (proffer amendment) 361 Franklin Street — Planning Commission and Adam Fletcher, Community Development

Summary

Project name	NA
Address/Location	361 Franklin Street
Tax Map Parcel	27-Q-1
Total Land Area	+/- 10,269 square feet
Property Owner	Katherine Moran and Marcie Harris
Owner's Representative	The Stratford Companies
Present Zoning	R-8C, Small Lot Residential District Conditional
Proposed Zoning	R-8C, Small Lot Residential District Conditional (Proffer Amendment)
Planning Commission	March 11, 2026 (Public Hearing)
City Council	April 14, 2026 (First Reading/Public Hearing) Anticipated April 28, 2026 (Second Reading)

Recommendation

Option 1. Staff and Planning Commission (6-0) recommended approval of the rezoning request.

Context & Analysis

The following land uses are located on and adjacent to the property:

Site: Vacant, zoned R-8C

North: Across Franklin Street, single-family detached dwellings, zoned R-1

East: Single-family detached dwelling, zoned R-1

South: Single-family detached dwelling, zoned R-1

West: Across Monticello Avenue, duplex, zoned R-1

The applicant is requesting to amend proffers for a +/- 10,269-square-foot parcel, zoned R-8C, Small Lot Residential District Conditional. The vacant parcel is addressed as 361 Franklin Street and is identified as tax map parcel 27-Q-1. If the request is approved, the applicant continues to propose to construct a single-family dwelling.

On August 22, 2023, City Council approved the applicant's request to rezone the property from R-1, Single-family Residential District to R-8C, Small Lot Residential District Conditional to construct a single-family dwelling that would have exceeded the R-1 district setback requirements. The rezoning included a proffer to establish a 20-foot minimum setback along Franklin Street. The applicant's architectural site plan (Architectural Site Plan Sheet A-003, dated 06 Feb 2026) shows their desire to construct a porch roof near the southwest corner of the building that projects five (5) feet into the 20-foot setback.

Zoning Ordinance (ZO) Sec. 10-3-110(a) allows architectural treatments and functional elements such as chimneys, moldings, rain gutters, downspouts, roof eaves, buttresses and bay windows to project up to two (2) feet, eight (8) inches into the required yard setback, provided they do not include additional floor space. Without the proffer amendment, the proposed porch roof could project up to two (2) feet, eight (8) inches into the 20-foot setback. The requested proffer amendment would allow the porch roof to encroach into the proffered setback as indicated on the referenced architectural site plan.

Additionally, ZO Sec. 10-3-110(d) allows for an open, unenclosed and uncovered porch to project up to one-third of the front yard setback. For a 20-foot setback, the allowed projection would be about six (6) feet, seven (7) inches. The applicant's architectural site plan illustrates an open, unenclosed and uncovered deck ("cantilever deck above") that projects six (6) feet, four (4) inches into the 20-foot setback along Franklin Street. In contrast, the proposed porch roof would project up to five (5) feet into the 20-foot setback along Franklin Street.

Proffers

The applicant has offered the following proffers (written verbatim):

1. More than one dwelling is prohibited.
2. The minimum setback along Franklin Street shall be 20 feet, except for the porch roof, which shall extend no further than 5 feet into the setback and shall be in the general location indicated on the Architectural Site Plan A-003 dated 06 Feb 2026.

Proffer #1 remains unchanged from the 2023 rezoning.

Proffer #2 would amend the previously approved 20-foot setback along Franklin Street by allowing the porch roof to encroach as indicated on the architectural site plan. Without the proffered 20-foot setback along Franklin Street, the R-8 district would have permitted a minimum front yard setback of 10 feet. Existing setbacks along this portion of Franklin Street generally range from 20 to 25 feet or more from the public right of way and are generally nonconforming. At the time of the original rezoning, the applicant proffered a minimum setback of 20 feet along Franklin Street to ensure compatibility with other dwellings on Franklin Street.

Land Use

The Comprehensive Plan designates this site as Low Density Residential and states:

These areas consist of single-family detached dwellings in and around well-established neighborhoods with a target density of around 4 dwelling units per acre.

The low density residential areas are designed to maintain the character of existing neighborhoods. It should be understood that established neighborhoods in this designation could already be above 4 dwelling units per acre.

The proffered number of dwellings and the density conform with the Low Density Residential designation, and the occupancy regulations of the R-8 district are the same as the occupancy regulations for the R-1 district.

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 proffer amendment will not impact housing because current zoning allows one single-family detached dwelling, and the new proffers continue to restrict the property to having only one dwelling unit.

Public Schools

The proposed proffer amendment does not change the existing number of buildable units allowed on property and does not impact the calculated student generation.

Conclusion

The proposed proffer amendment is narrowly tailored to allow the porch roof shown on the architectural plans to project no more than 5 feet into the 20-foot setback along Franklin Street. Staff does not believe that the request would have an adverse impact on the surrounding properties; therefore, staff recommends approval of the proffer amendment request.

Options

1. Approve the rezoning request.
2. Deny the rezoning request.

Attachments

- Extract from Planning Commission
- Site maps
- Application and supporting documents
- Approved 2023 Proffers



CITY OF HARRISONBURG COMMUNITY DEVELOPMENT

409 SOUTH MAIN STREET, HARRISONBURG, VA 22801

OFFICE (540) 432-7700 • FAX (540) 432-7777

March 31, 2026

**TO THE MEMBERS OF CITY COUNCIL
CITY OF HARRISONBURG, VIRGINIA**

SUBJECT: *Consider a request from Katherine S Moran and Marcie E Harris to rezone (proffer amendment) 361 Franklin Street*

**EXTRACT FROM THE DRAFT MINUTES OF HARRISONBURG PLANNING
COMMISSION MEETING HELD ON: March 11, 2026**

Chair Baugh read the request and asked staff to review.

Ms. Soffel said the applicant is requesting to amend proffers for a +/- 10,269-square-foot parcel, zoned R-8C, Small Lot Residential District Conditional. The vacant parcel is addressed as 361 Franklin Street and is identified as tax map parcel 27-Q-1. If the request is approved, the applicant continues to propose to construct a single-family dwelling.

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Conclusion

The proposed proffer amendment is narrowly tailored to allow the porch roof shown on the architectural plans to project no more than 5 feet into the 20-foot setback along Franklin Street. Staff does not believe that the request would have an adverse impact on the surrounding properties; therefore, staff recommends approval of the proffer amendment request.

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

Matthew Roberston, the applicant's representative from The Stratford Companies, came forward to speak to the request. He said we are the design and building company for this residence representing the Morans. Nyrma did a great job presenting the information. I am here to answer any questions you might have about the proffer amendments or the architecture that supports it.

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

Vice Chair Porter said just a brief question about the decision to have the porch extend so far just what the design purpose was or what your rationale was.

Mr. Roberston said the Zoning Ordinance allows the uncovered balcony to project into this setback further than what this porch roof can project. We initially had this porch roof as a balcony and those two planes align in their projection towards Franklin Street. The decision to not make this a balcony and only have it a porched roof as nonaccessible was a part of the design process but at the end result having those alignments of those two planes along Franklin Street, the balcony and the porch roof was what we are looking for.

Vice Chair Porter said have you already built the porch overhang?

Mr. Robertson said no, we have not broken ground on the house yet.

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. Hearing none, he closed the public hearing and opened the matter for discussion.

Councilmember Dent said I would like to just recall when we approved this back in August 2023 part of the rationale of this place as I recall is to have one floor living for aging in place and that is part of why it needed the rezoning for smaller setbacks to have enough space on that one floor.

Vice Chair Porter said I will go ahead and call the question please.

Chair Baugh said that is a motion to approve as presented, is that correct?

Vice Chair Porter said that is correct, so moved.

Commissioner Kettler 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 the rezoning request passed (6-0). The recommendation will move forward to City Council on April 14, 2026.



**CITY OF HARRISONBURG
COMMUNITY
DEVELOPMENT**

**Change of Zoning District
(Rezoning) Application**
www.harrisonburgva.gov/zoning

PROPERTY INFORMATION

361 Franklin St. Harrisonburg, VA 27-Q-1 10,269 acres or sq.ft.
 Property Address Tax Map Parcel/ID Total Land Area (circle)

Existing Zoning District: R-8C Proposed Zoning District: _____

Existing Comprehensive Plan Designation: LOW DENSITY RESIDENTIAL

PROPERTY OWNER INFORMATION

Kathy Moran
 Property Owner Name Telephone _____

Street Address E-Mail _____

City _____ State _____ Zip _____

OWNER'S REPRESENTATIVE INFORMATION

The Stratford Companies / Matt Robertson
 Owner's Representative Telephone _____

Street Address E-Mail _____

City _____ State _____ Zip _____

CERTIFICATION

I certify that the information supplied on this application and on the attachments provided (maps and other information) is accurate and true to the best of my knowledge. In addition, I hereby grant permission to the agents and employees of the City of Harrisonburg to enter the above property for the purposes of processing and reviewing this application. I also understand that, when required, public notice signs will be posted by the City on any property.

Kathy Moran 07/26/2026
 PROPERTY OWNER DATE

REQUIRED ATTACHMENTS

- Letter explaining proposed use & reasons for seeking change in zoning.
- Statement on proffers, if applying for conditional rezoning.
- Survey of property or site map.
- Traffic Impact Analysis (TIA) Determination Form OR Traffic Impact Analysis (TIA) Acceptance Letter signed by Public Works Department. Applicant is responsible for coordinating with Public Works prior to submitting this application. For more information, visit www.harrisonburgva.gov/traffic-impact-analysis.

TO BE COMPLETED BY PLANNING & ZONING DIVISION

2-6-2026 Total Fees Due: \$ 580
 Date Application and Fee Received Application Fee: \$550.00 + \$30.00 per acre

Norma Soffel
 Received By



T H E
STRATFORD
C O M P A N I E S

05 March 2026

Planning Commission, Staff and all whom it concerns,

Our clients would like to maintain the existing proffer that states the setback along Franklin St. to be 20 feet.

They would like to add a proffer allowing the porch roof to extend no further than 5 feet into the setback and located generally as indicated on the Architectural Site Plan A-003 dated 06 Feb 2026.

The porch roof overhang in question provides balance to the facade, as well as shelter over a portion of the means of egress from the front porch. The porch roof overhang extends 2'-4" further into the setback that what is currently allowed.

We are happy to answer questions about this rezoning application at any time.

Thank you,

Matthew Robertson
Owner, The Stratford Companies
123 Cross Keys Rd
Penn Laird, VA 22801



T H E
STRATFORD
C O M P A N I E S

Statement of Proffered Conditions for the proposed single family detached home at 361 Franklin St.

In connection with the rezoning request for the property located at 361 Franklin Street and identified as tax map parcel 27-Q-1, I hereby proffer that the use and development of the subject property shall be in strict accordance with the conditions set forth in this submission.

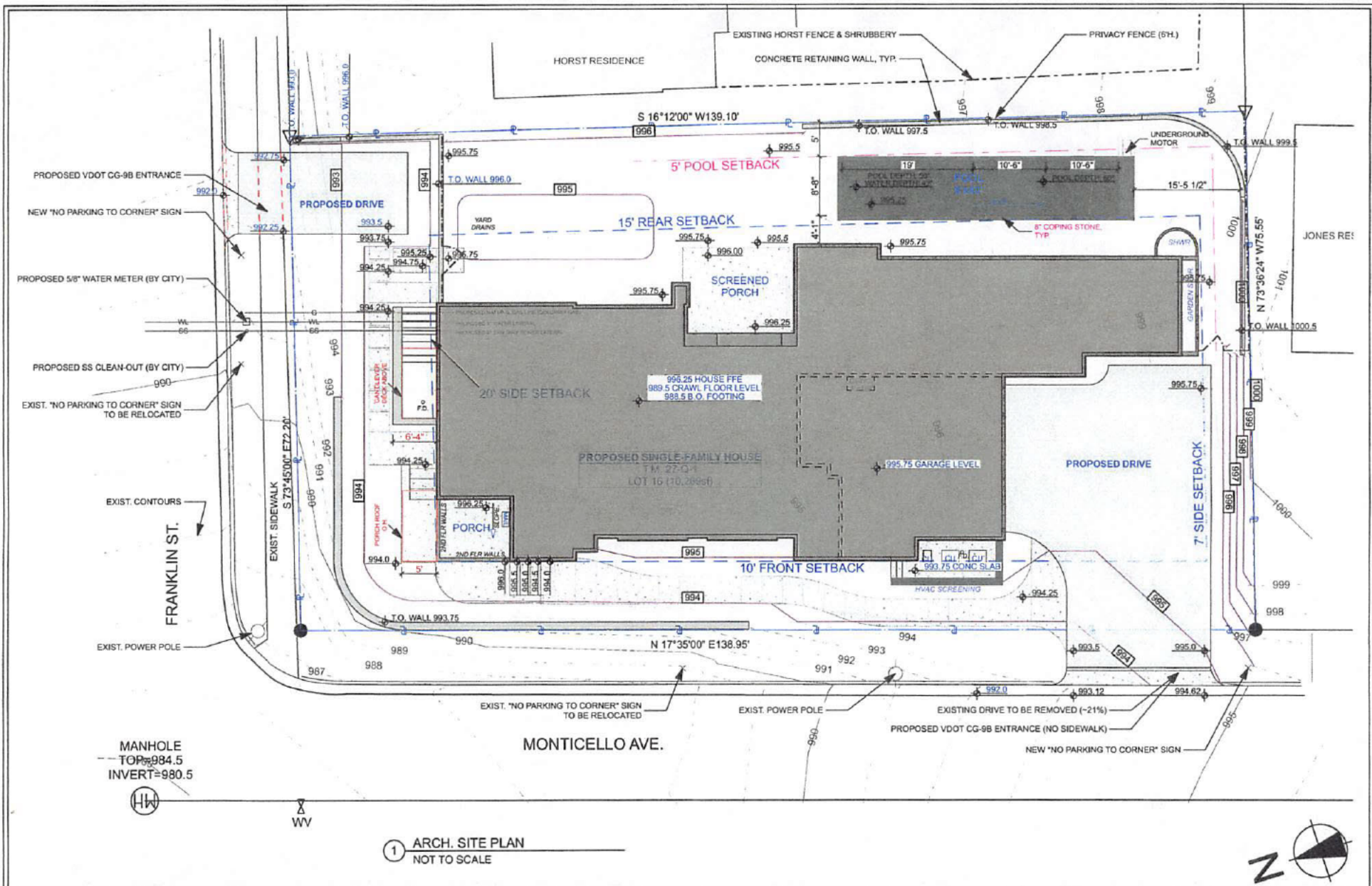
1. More than one dwelling is prohibited.
2. The minimum setback along Franklin Street shall be 20 feet, except for the porch roof, which shall extend no further than 5 feet into the setback and shall be in the general location indicated on the Architectural Site Plan A-003 dated 06 Feb 2026.

Kathy Moran
Kathy Moran (owner)

3-6-2026
Date

Marcie Moran
Marcie Moran (owner)

3-6-2026
Date



1 ARCH. SITE PLAN
NOT TO SCALE



ALL IDEAS, DESIGNS, AND PLANS INDICATED OR REPRESENTED BY THE DRAWINGS ARE THE PROPERTY OF THE STRATFORD COMPANIES, INC. AND ARE CREATED AND DEVELOPED FOR USE IN CONNECTION WITH THE SPECIFIC PROJECT, NONE OF THE IDEA, DESIGN OR PLANS SHALL BE USED BY OR DISCLOSED TO ANY PERSON, FIRM OR CORPORATION FOR ANY PURPOSE WITHOUT THE WRITTEN PERMISSION OF THE STRATFORD COMPANIES, INC.

WRITTEN DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS. CONTRACTORS SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB AND SHALL NOTIFY THE STRATFORD COMPANIES OF ANY VARIATION FROM THE DIMENSIONS AND CONDITIONS SHOWN IN THESE DRAWINGS. IF THERE ARE DISCREPANCIES BETWEEN ANY ELECTRONIC FILES AND THE ORIGINAL, THE SEALED ORIGINAL SHALL GOVERN.

COPYRIGHT: 2023

REV.	DATE	COMMENTS

Contractor: Matt Robertson, (540)
Class A Contractor # 2705-106037A
Landscape Architect #0406-000897
Designer: Matt Robertson - Stratford
Architectural Services.



06 FEB 2026
SITE PLAN

THE MORAN
RESIDENCE
361 FRANKLIN ST
HARRISONBURG VA
22801

A-003

E:\moran\Cypress\Current Office Projects\The Moran Residence\Design\Architectural\CADD Files\Moran_023.dwg



For inclusion in an application for Planning Commission review (for Special Use Permit, Rezoning or Preliminary Plat), this form must be submitted to the Public Works Department at least 5 business days prior to the Planning Commission application deadline.

Contact Information	
Consultant Name: Telephone: E-mail:	Stefan Novosel
Owner Name: Telephone: E-mail:	Kathy Moran and Marcie Harris
Project Information	
Project Name:	361 Franklin St
Project Address: TM #:	361 Franklin Street 27-Q-1
Existing Land Use(s):	Vacant
Proposed Land Use(s): (if applicable)	Single Family Home
Submission Type:	Comprehensive Site Plan <input type="radio"/> Special Use Permit <input type="radio"/> Rezoning <input checked="" type="radio"/> Preliminary Plat <input type="radio"/>
Project Description: (Include site plan or preliminary sketch and additional details on land use, acreage, access to site, etc)	Construct a single family home on the vacant lot
Peak Hour Trip Generation (from row 15 on the second page)	
AM Peak Hour Trips:	1
PM Peak Hour Trips:	1

(reserved for City staff)

TIA required? Yes _____ No JM

Comments:

Accepted by: Zenetta Mason

Date: 6/13/2023

Peak Hour Trip Generation by Land Use

Row	ITE Land Use		ITE Land Use Code	Unit	Quantity	AM Peak Hour of Adjacent Street Traffic	PM Peak Hour of Adjacent Street Traffic
1	Proposed #1	Single Family Home (Detached)	210	Dwelling Unit	1	1	1
2	Proposed #2						
3	Proposed #3						
4	Proposed #4						
5	Proposed #5						
6	Proposed #6						
7	Total New Trips						
8	Existing #1	Vacant	N/A				
9	Existing #2						
10	Existing #3						
11	Existing #4						
12	Existing #5						
13	Existing #6						
14	Total Existing Trips						
15	Final Total (Total New – Total Existing)					1	1

Instructions

Determination of trip generation rates shall be in conformance with ITE guidelines.

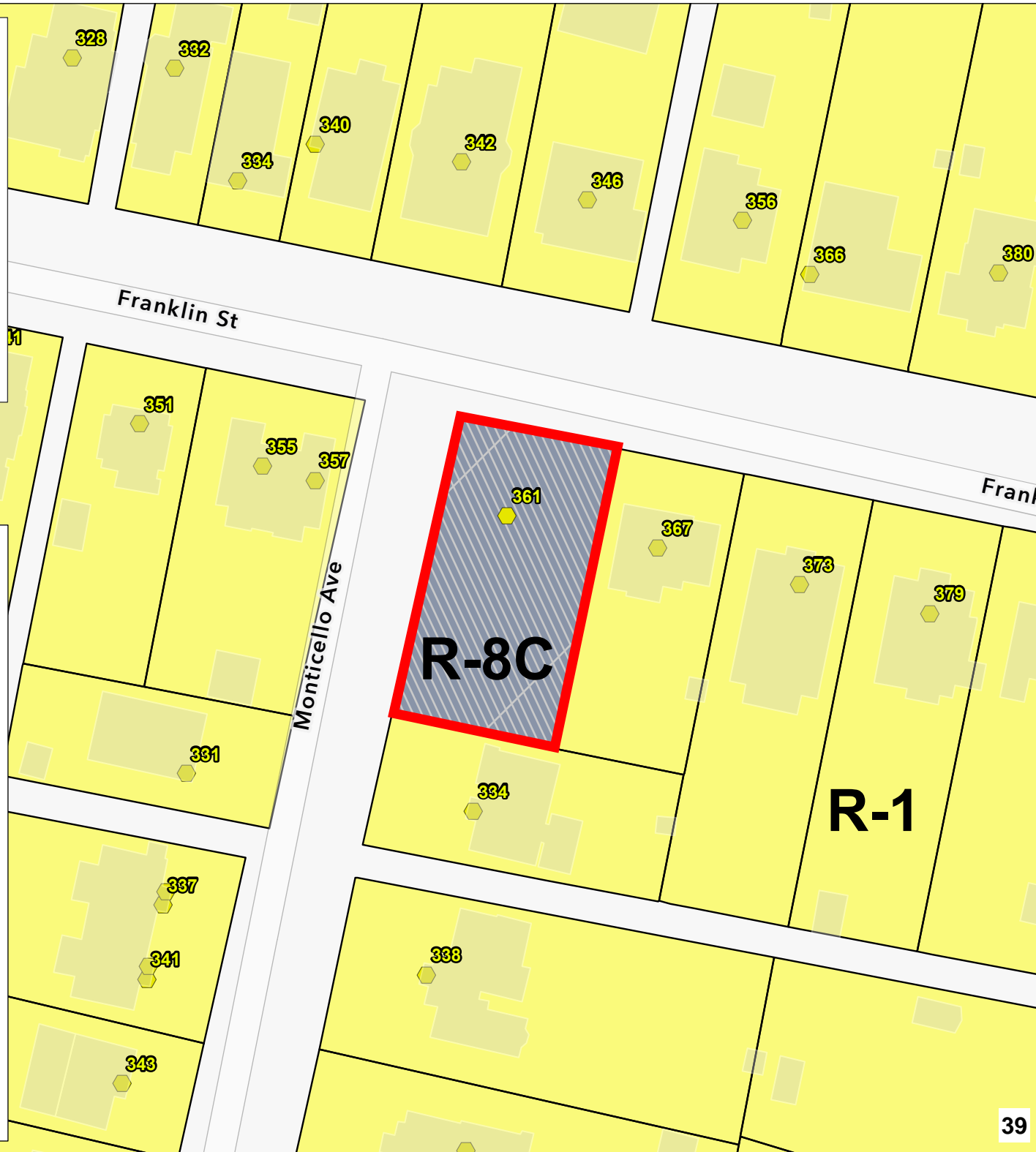
1. Based on the intended use(s), calculate the AM Peak and PM Peak trip generation using the AM and PM Peak Hour of Adjacent Street Traffic rates from the most current version of the ITE Trip Generation Manual (rows 1-6). Attach additional sheets as necessary for more uses.
2. Sum up all of the trips generated for the new uses in the Total New Trips row (row 7).
3. If the development has any existing uses, calculate the AM Peak and PM Peak trip generations using the AM and PM Peak Hour of Adjacent Street Traffic rates from the most current version of the ITE Trip Generation Manual (rows 8-13). Attach additional sheets as necessary for more uses.
4. Sum up all of the trips generated for the existing uses in the Total Existing Trips row (row 14).
5. Subtract the total existing trips from the total new trips to get the final total number of trips generated by the development (row 15). Enter these numbers on the first page.

Revised Date: December 2019

CITY OF HARRISONBURG

Rezoning
(R-8C Proffer amendment)
361 Franklin Street
Tax Map Parcel: 27-Q-1
+/- 10,269 square feet

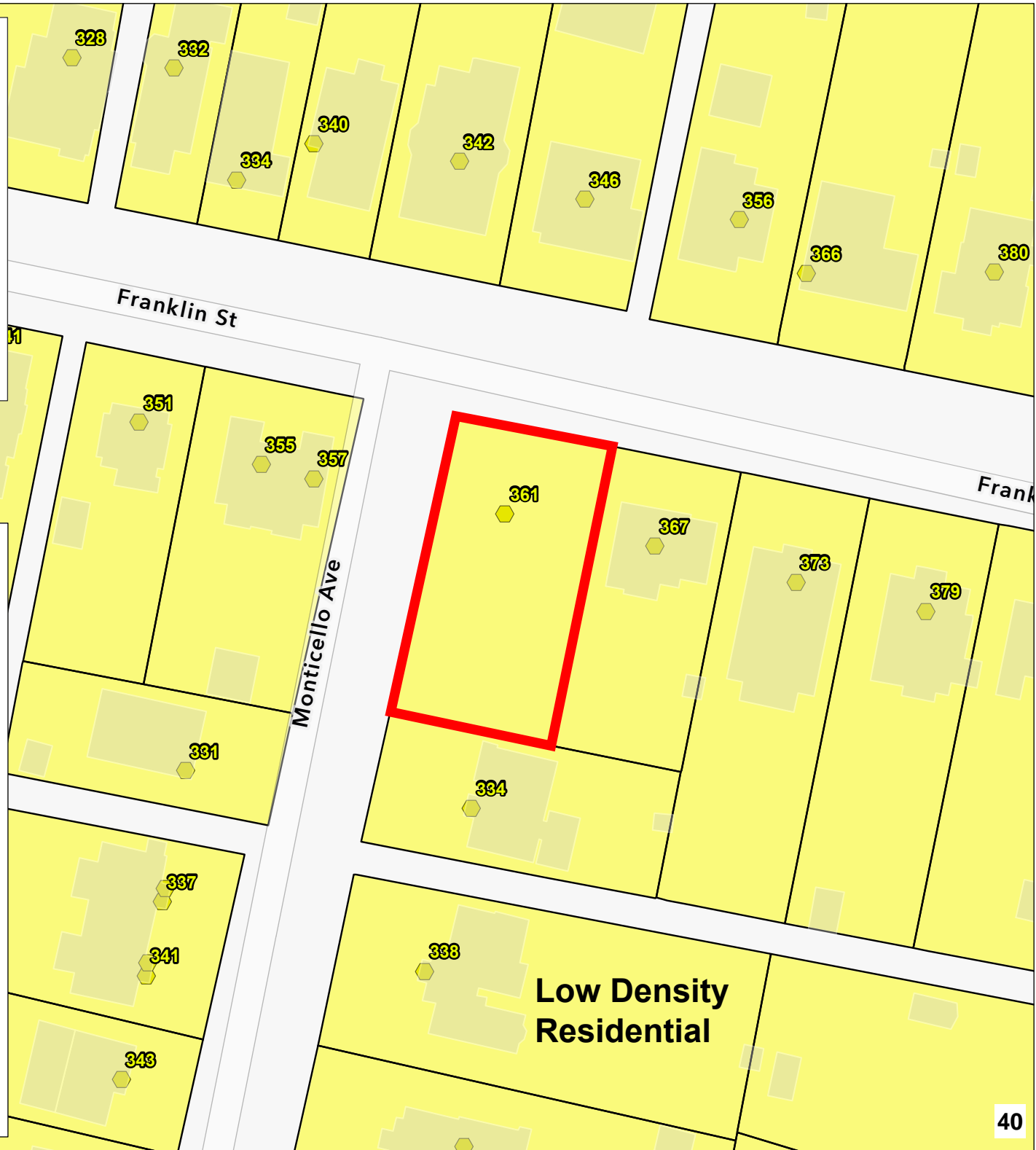
ZONING



CITY OF HARRISONBURG

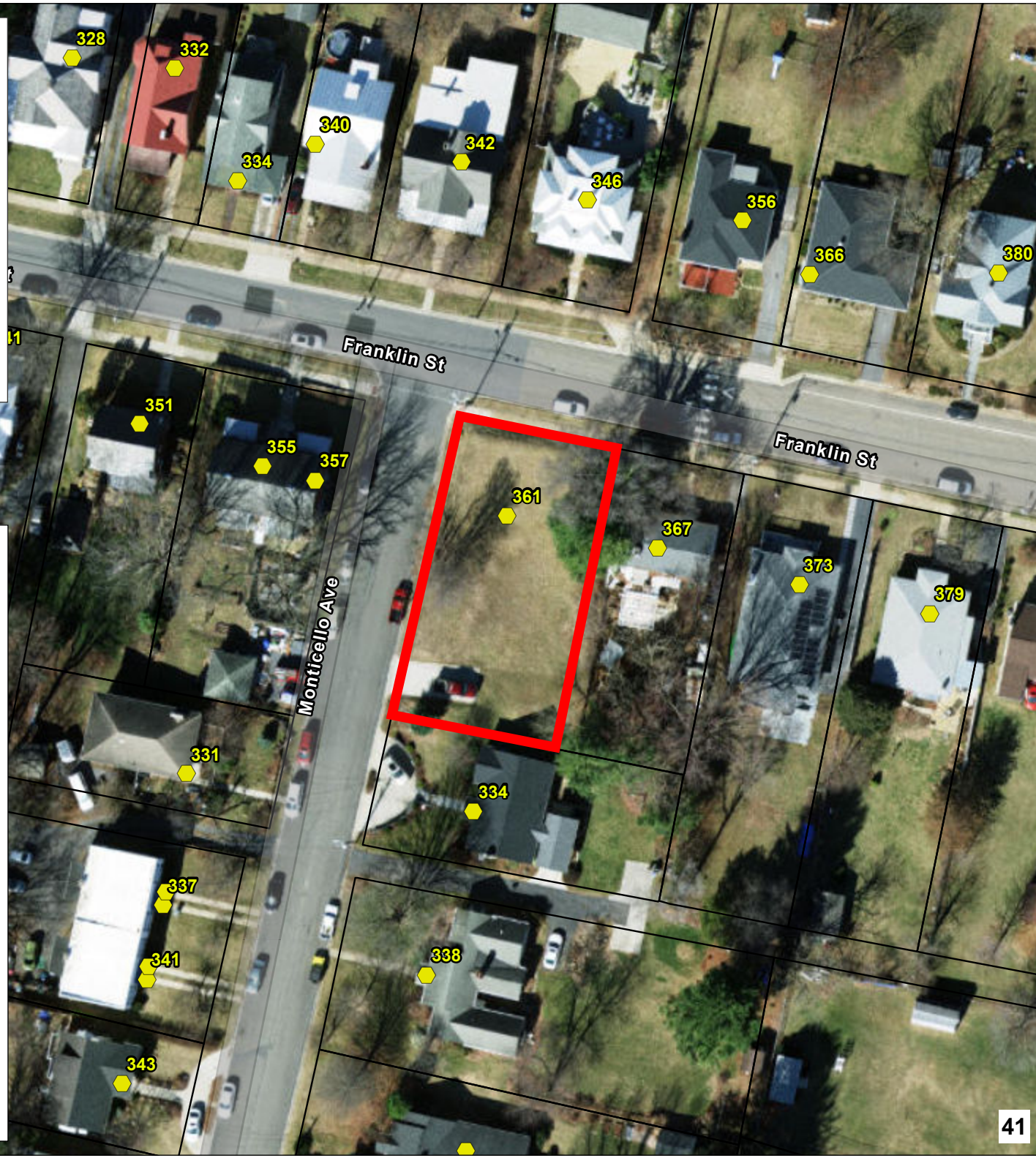
Rezoning
(R-8C Proffer amendment)
361 Franklin Street
Tax Map Parcel: 27-Q-1
+/- 10,269 square feet

(FUTURE) LAND USE GUIDE



CITY OF HARRISONBURG

Rezoning
(R-8C Proffer amendment)
361 Franklin Street
Tax Map Parcel: 27-Q-1
+/- 10,269 square feet





In connection with the rezoning request for the property located at 361 Franklin Street and identified as tax map parcel 27-Q-1, I hereby proffer that the use and development of the subject property shall be in strict accordance with the conditions set forth in this submission.

1. More than one dwelling is prohibited.
2. The minimum setback along Franklin Street shall be 20 feet.

Kathy Moran
 Kathy Moran (owner)

7/11/2023
 Date

Marcie Harris
 Marcie Harris (owner)

7/11/2023
 Date



March 11, 2026 Planning Commission Meeting

Title

Consider a request to rezone (proffer amendment) 361 Franklin Street — Nyrma Soffel, Community Development

Summary

Project name	NA
Address/Location	361 Franklin Street
Tax Map Parcel	27-Q-1
Total Land Area	+/- 10,269 square feet
Property Owner	Katherine Moran and Marcie Harris
Owner’s Representative	The Stratford Companies
Present Zoning	R-8C, Small Lot Residential District Conditional
Proposed Zoning	R-8C, Small Lot Residential District Conditional (Proffer Amendment)
Planning Commission	March 11, 2026 (Public Hearing)
City Council	Anticipated April 14, 2026 (First Reading/Public Hearing) Anticipated April 28, 2026 (Second Reading)

Recommendation

Option 1. Recommend approval of the rezoning request.

Context & Analysis

The following land uses are located on and adjacent to the property:

- Site: Vacant, zoned R-8C
- North: Across Franklin Street, single-family detached dwellings, zoned R-1
- East: Single-family detached dwelling, zoned R-1
- South: Single-family detached dwelling, zoned R-1
- West: Across Monticello Avenue, duplex, zoned R-1

The applicant is requesting to amend proffers for a +/- 10,269-square-foot parcel, zoned R-8C, Small Lot Residential District Conditional. The vacant parcel is addressed as 361 Franklin Street and is identified as tax map parcel 27-Q-1. If the request is approved, the applicant continues to propose to construct a single-family dwelling.

On August 22, 2023, City Council approved the applicant's request to rezone the property from R-1, Single-family Residential District to R-8C, Small Lot Residential District Conditional to construct a single-family dwelling that would have exceeded the R-1 district setback requirements. The rezoning included a proffer to establish a 20-foot minimum setback along Franklin Street. The applicant's architectural site plan (Architectural Site Plan Sheet A-003, dated 06 Feb 2026) shows their desire to construct a porch roof near the southwest corner of the building that projects five (5) feet into the 20-foot setback.

Zoning Ordinance (ZO) Sec. 10-3-110(a) allows architectural treatments and functional elements such as chimneys, moldings, rain gutters, downspouts, roof eaves, buttresses and bay windows to project up to two (2) feet, eight (8) inches into the required yard setback, provided they do not include additional floor space. Without the proffer amendment, the proposed porch roof could project up to two (2) feet, eight (8) inches into the 20-foot setback. The requested proffer amendment would allow the porch roof to encroach into the proffered setback as indicated on the referenced architectural site plan.

Additionally, ZO Sec. 10-3-110(d) allows for an open, unenclosed and uncovered porch to project up to one-third of the front yard setback. For a 20-foot setback, the allowed projection would be about six (6) feet, seven (7) inches. The applicant's architectural site plan illustrates an open, unenclosed and uncovered deck ("cantilever deck above") that projects six (6) feet, four (4) inches into the 20-foot setback along Franklin Street. In contrast, the proposed porch roof would project up to five (5) feet into the 20-foot setback along Franklin Street.

Proffers

The applicant has offered the following proffers (written verbatim):

1. More than one dwelling is prohibited.
2. The minimum setback along Franklin Street shall be 20 feet, except for the porch roof, which shall extend no further than 5 feet into the setback and shall be in the general location indicated on the Architectural Site Plan A-003 dated 06 Feb 2026.

Proffer #1 remains unchanged from the 2023 rezoning.

Proffer #2 would amend the previously approved 20-foot setback along Franklin Street by allowing the porch roof to encroach as indicated on the architectural site plan. Without the proffered 20-foot setback along Franklin Street, the R-8 district would have permitted a minimum front yard setback of 10 feet. Existing setbacks along this portion of Franklin Street generally range from 20 to 25 feet or more from the public right of way and are generally nonconforming. At the time of the original rezoning, the applicant proffered a minimum setback of 20 feet along Franklin Street to ensure compatibility with other dwellings on Franklin Street.

Land Use

The Comprehensive Plan designates this site as Low Density Residential and states:

These areas consist of single-family detached dwellings in and around well-established neighborhoods with a target density of around 4 dwelling units per acre. The low density residential areas are designed to maintain the character of existing neighborhoods. It should be understood that established neighborhoods in this designation could already be above 4 dwelling units per acre.

The proffered number of dwellings and the density conform with the Low Density Residential designation, and the occupancy regulations of the R-8 district are the same as the occupancy regulations for the R-1 district.

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 proffer amendment will not impact housing because current zoning allows one single-family detached dwelling, and the new proffers continue to restrict the property to having only one dwelling unit.

Public Schools

The proposed proffer amendment does not change the existing number of buildable units allowed on property and does not impact the calculated student generation.

Conclusion

The proposed proffer amendment is narrowly tailored to allow the porch roof shown on the architectural plans to project no more than 5 feet into the 20-foot setback along Franklin Street. Staff does not believe that the request would have an adverse impact on the surrounding properties; therefore, staff recommends approval of the proffer amendment request.

Options

1. Recommend approval of the rezoning request.
2. Recommend denial of the rezoning request.

Attachments

- Site maps
- Application and supporting documents
- Approved 2023 Proffers

NOTICE OF PUBLIC HEARING

The Harrisonburg City Council will hold public hearings in the City Council Chambers, 409 South Main Street, Harrisonburg, VA on Tuesday, April 14, 2026, at 7:00 p.m., to consider the following:

Rezoning – 361 Franklin Street (Proffer Amendment, R-8C)

A request from Katherine S Moran and Marcie E Harris to amend proffers for a +/- 10,269 square foot parcel zoned R-8C, Small Lot Residential Conditional. The property is addressed as 361 Franklin Street and is identified as tax map parcel 27-Q-1.

Rezoning – 851 Madison Street (R-2 to R-8)

A request from Center for Health and Human Development to rezone a +/- 12,330 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 parcel 41-K-5 & 6.

Special Use Permit – 851 Madison Street (To reduce the required parking areas in R-8)

A request from Center for Health and Human Development for a special use permit per Section 10-3-59.4(9) to reduce the required parking areas to fewer than the required number of vehicle parking spaces for any use, provided that an amount of open space equal to the amount of space that would have been used for the required number of vehicle parking spaces is left available for parking in the R-8, Small Lot Residential District. The +/- 12,330 square foot property is addressed as 851 Madison Street and is identified as tax map parcel 41-K-5 & 6.

Applications and other information are available for review by contacting the Department of Community Development, 409 South Main Street, Monday through Friday, 8:00 a.m. to 5:00 p.m. Please call (540) 432-7700 to obtain a copy by email or by appointment. More information is available at www.harrisonburgva.gov/public-hearings. Interested parties will be able to attend the meeting and to watch the meeting on Public Education Government Channel 1072, and the City's website at www.harrisonburg-va.legistar.com/Calendar.aspx.

Publication dates:

Wednesday, April 1, 2026

Wednesday, April 8, 2026

**STATE OF VIRGINIA
CITY OF HARRISONBURG, to with:**

I, Pamela Ulmer, city clerk, certify that the Harrisonburg City Council will be addressed on Tuesday, April 14, 2026 at 7:00 p.m., or as soon as the agenda permits, to consider the following:

Rezoning – 361 Franklin Street (Proffer Amendment, R-8C)

A request from Katherine S Moran and Marcie E Harris to amend proffers for a +/- 10,269 square foot parcel zoned R-8C, Small Lot Residential Conditional. The property is addressed as 361 Franklin Street and is identified as tax map parcel 27-Q-1.

Rezoning – 851 Madison Street (R-2 to R-8)

A request from Center for Health and Human Development to rezone a +/- 12,330 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 parcel 41-K-5 & 6.

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Applications and other information are available for review by contacting the Department of Community Development, 409 South Main Street, Monday through Friday, 8:00 a.m. to 5:00 p.m. Please call (540) 432-7700 to obtain a copy by email or by appointment. More information is available at www.harrisonburgva.gov/public-hearings. Interested parties will be able to attend the meeting and to watch the meeting on Public Education Government Channel 1072, and the City’s website at www.harrisonburg-va.legistar.com/Calendar.aspx.

Given under my hand this 27 day of March, 2026



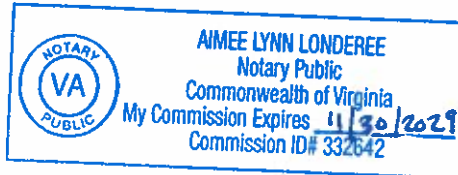
City Clerk

Subscribed and sworn to before me this 27th day of March, 2026 a Notary Public in and for the Commonwealth of Virginia.



Notary

My commission expires 11/30/2029



CRAIG GEORGE W TINA M
821 MADISON ST
HARRISONBURG VA 22802

CENTER FOR HEALTH AND HUMAN
DEVELOPMENT
340 MARYLAND AVE
HARRISONBURG VA 22801

GUIVAS JOSE L
861 MADISON ST
HARRISONBURG VA 22802

CHARSTON CE AGUILUZ & KRISTEL
AGUILUZ
131 ASHBY AVE
HARRISONBURG VA 22802

SPITZER MYRNA E
141 ASHBY AVE
HARRISONBURG VA 22802

CITY OF HARRISONBURG
409 S MAIN ST
HARRISONBURG VA 22801

LONEWOLF ACQUISITIONS LLC
737 E MARKET ST
HARRISONBURG VA 22801

SNYDER LARRY E DEBORAH
1000 N MAIN ST
HARRISONBURG VA 22802

CNL INVESTMENTS LLC
7156 WELL HOLLOW RD
SINGERS GLEN VA 22850

TAYLOR CHARLES E III
1678 SHERRY LA
HARRISONBURG VA 22801

LINSEY WOOD CLARKE & CHIPLEY
JONES CLARKE
331 MONTICELLO AVE
HARRISONBURG VA 22801

HORST NATHAN D LARA RESSLER
367 FRANKLIN ST
HARRISONBURG VA 22801

THRONE DAVID R & HOLLY M
346 FRANKLIN ST
HARRISONBURG VA 22801

NORA L ANDERSON & JAMES C
ANDERSON
356 FRANKLIN ST
HARRISONBURG VA 22801

JONES STEPHEN R SARAH F
334 MONTICELLO AVE
HARRISONBURG VA 22801

RVACHMBERLAYNE LLC
8401 MAYLAND DR STE S
RICHMOND VA 23294

MORAN KATHERINE S & MARCIE E
HARRIS
3420 LAKE POINTE DR
HARRISONBURG VA 22801

AVERY

5160

DART SHEILA SHERMAN
271 S LIBERTY ST
HARRISONBURG VA 22801

HARRISONBURG BAPTIST CHURCH
501 S MAIN ST
HARRISONBURG VA 22801

J-M APARTMENTS LC
265 CHESAPEAKE AVE
HARRISONBURG VA 22801

BERNARD LC
PO BOX 130548
HOUSTON TX 77219

TRUSTEES BPO ELKS LODGE 450
482 S MAIN ST
HARRISONBURG VA 22801

Easy Peel™ Address Labels
Bend along line to expose Pop-up Edge

LIBERTY TOWNES LLC
PO BOX 1584
HARRISONBURG VA 22803

BOYERS OTHO A KAYE H
293 S LIBERTY ST
HARRISONBURG VA 22801

UNION FIRST MARKET BANK
4355 INNSLAKE DR SUITE 325
GLEN ALLEN VA 23060

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Use Avery template 5160

BOX NINE LLC
202 N LIBERTY ST SUITE 101
HARRISONBURG VA 22802

SMITH D CRAIG SUE W
594 SOUTH MAIN ST
HARRISONBURG VA 228018628

TRENTON INC
7706 CARLTON PLACE
MCLEAN VA 22102

512 S MAIN INTERMEDIARY LLC
512 S MAIN ST
HARRISONBURG VA 22801

RICOCHET LLC
412 S MAIN ST
HARRISONBURG VA 22801

Rezoning – 361 Franklin Street (Proffer Amendment)



Rezoning – 361 Franklin Street (Proffer Amendment)

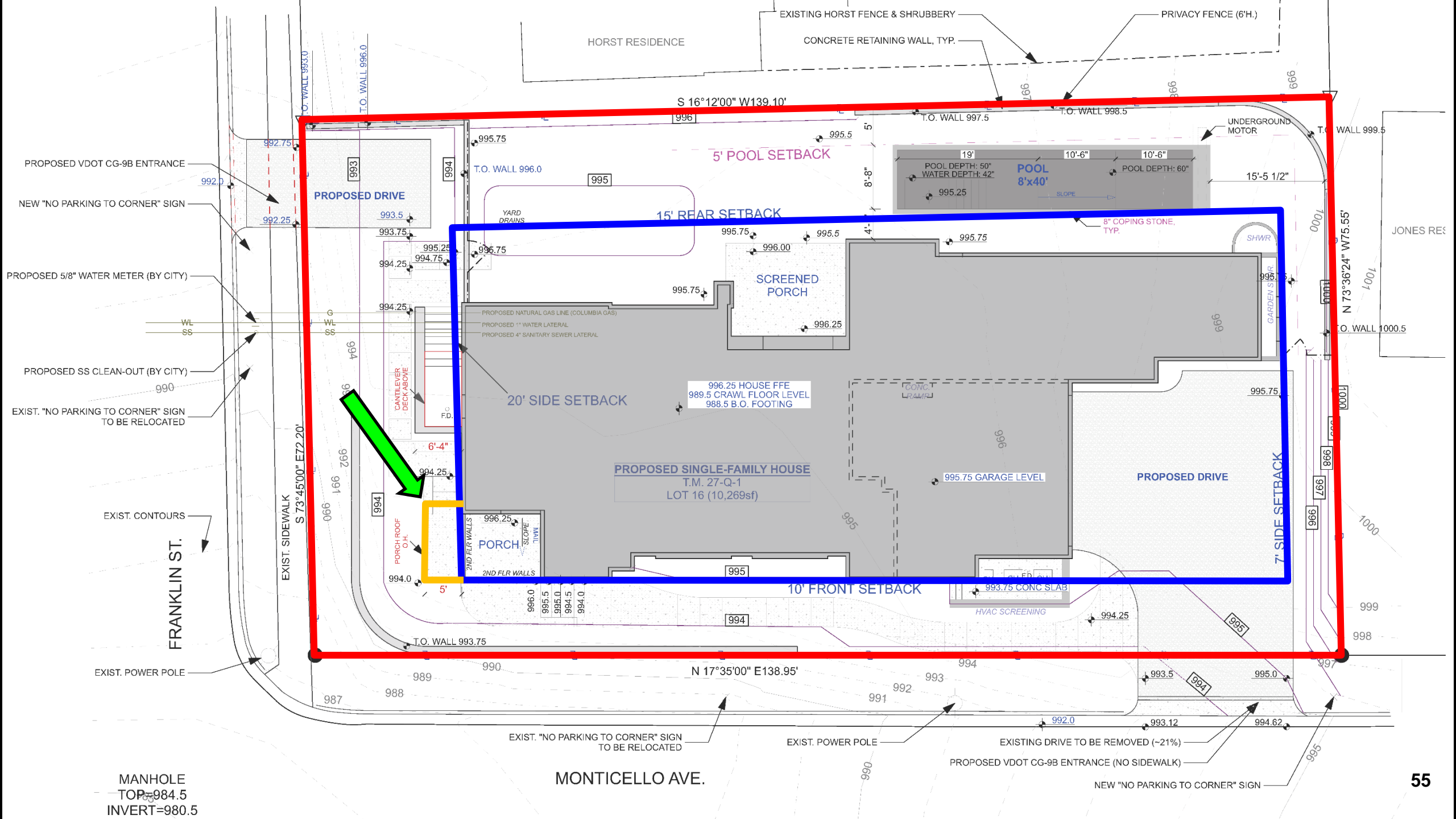


Rezoning – 361 Franklin Street (Proffer Amendment)



Proffers

1. More than one dwelling is prohibited.
2. The minimum setback along Franklin Street shall be 20 feet



PROPOSED VDOT CG-9B ENTRANCE

NEW "NO PARKING TO CORNER" SIGN

PROPOSED 5/8" WATER METER (BY CITY)

PROPOSED SS CLEAN-OUT (BY CITY)

EXIST. "NO PARKING TO CORNER" SIGN TO BE RELOCATED

EXIST. CONTOURS

EXIST. POWER POLE

FRANKLIN ST.

EXIST. SIDEWALK S 73°45'00" E72.20'

HORST RESIDENCE

EXISTING HORST FENCE & SHRUBBERY

CONCRETE RETAINING WALL, TYP.

PRIVACY FENCE (6'H.)

S 16°12'00" W139.10'

5' POOL SETBACK

15' REAR SETBACK

20' SIDE SETBACK

PROPOSED SINGLE-FAMILY HOUSE
T.M. 27-Q-1
LOT 16 (10,269sf)

SCREENED PORCH

POOL
8'x40'

POOL DEPTH: 50"
WATER DEPTH: 42"

POOL DEPTH: 60"

8" COPING STONE, TYP.

996.25 HOUSE FFE
989.5 CRAWL FLOOR LEVEL
988.5 B.O. FOOTING

995.75 GARAGE LEVEL

PROPOSED DRIVE

7' SIDE SETBACK

PORCH

10' FRONT SETBACK

N 17°35'00" E138.95'

EXIST. "NO PARKING TO CORNER" SIGN TO BE RELOCATED

EXIST. POWER POLE

EXISTING DRIVE TO BE REMOVED (~21%)
PROPOSED VDOT CG-9B ENTRANCE (NO SIDEWALK)

NEW "NO PARKING TO CORNER" SIGN

MONTICELLO AVE.

MANHOLE
TOP=984.5
INVERT=980.5

Recommendation

Staff and Planning Commission (6-0) recommends approval of the proffer amendment.



City of Harrisonburg

City Hall
409 South Main Street
Harrisonburg, VA 22801

Legislation Text

File #: ID 26-071, **Version:** 1

Subject:

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

Presented By: Adam Fletcher, Director of Community Development

[Click here to enter the action/summary \(insert the summary from the memo here\)](#)



April 14, 2026 City Council Meeting

Title

Consider rezoning and special use permit requests for 851 Madison Street — Planning Commission and Adam Fletcher, Community Development

Summary

Project name	NA
Address/Location	851 Madison Street
Tax Map Parcels	41-K-5 and 6
Total Land Area	+/- 12,944 square feet
Property Owner	Center for Health and Human Development
Owner’s Representative	Sam Nickels
Present Zoning	R-2, Residential District
Proposed Zoning	R-8, Small Lot Residential District
Special Use Permit Request	Section 10-3-59.4(9) to allow a reduction in the required number of vehicle parking spaces
Planning Commission	March 11, 2026 (Public Hearing)
City Council	April 14, 2026 (First Reading/Public Hearing) Anticipated April 28, 2026 (Second Reading)

Recommendation

Option 1. Staff recommended approval of the rezoning and special use permit requests with the following condition:

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

Planning Commission recommended approval of the rezoning (6-0) and special use permit (6-0) with a different condition. Staff will seek clarification from the Planning Commission at their April 8, 2026 meeting and will present an update at City Council’s April 14 meeting.

Context & Analysis

The following land uses are located on and adjacent to the property:

- Site: Single-family detached dwelling, zoned R-2
- North: Across the undeveloped alley, City-owned vacant property and single-family detached dwelling, zoned R-2
- East: Across the undeveloped alley, Single-family detached dwellings, zoned R-2

South: Across Madison Street, duplex dwellings, zoned R-2

West: Single-family detached dwelling, zoned R-2

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.

Options

1. Approve the rezoning and special use permit requests with staff's recommended condition.
2. Approve the rezoning and special use permit requests with other condition(s).
3. Approve the rezoning and special use permit requests as submitted by the applicant (without conditions).
4. Approve the rezoning request and deny the special use permit request.
5. Deny both the rezoning and special use permit requests.

Attachments

- Extract from Planning Commission
- Site maps
- Application and supporting documents



CITY OF HARRISONBURG COMMUNITY DEVELOPMENT

409 SOUTH MAIN STREET, HARRISONBURG, VA 22801

OFFICE (540) 432-7700 • FAX (540) 432-7777

March 31, 2026

**TO THE MEMBERS OF CITY COUNCIL
CITY OF HARRISONBURG, VIRGINIA**

SUBJECT: *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

**EXTRACT FROM THE DRAFT MINUTES OF HARRISONBURG PLANNING
COMMISSION MEETING HELD ON: March 11, 2026**

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.

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The Weldon Cooper Center report states that "[s]ample sizes were too small to reliably 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.



**CITY OF HARRISONBURG
COMMUNITY
DEVELOPMENT**

Special Use Permit Application

www.harrisonburgva.gov/zoning

PROPERTY INFORMATION

851 Madison Street, Harrisonburg VA 22802 41 K 5 6 12944 sq ft acres or sq.ft.
 Property Address Tax Map Total Land Area (circle)

Existing Zoning Classification: R2, changing to R8

Special Use being requested: Exemption from requirement to build parking spaces.

PROPERTY OWNER INFORMATION

Center for Health and Human Development
 Property Owner Name Telephone
Sam Nickels
 Street Address E-Mail

 City State Zip

OWNER'S REPRESENTATIVE INFORMATION

Sam Nickels same
 Owner's Representative Telephone
same same
 Street Address E-Mail

 City State Zip

CERTIFICATION

I certify that the information supplied on this application and on the attachments provided (maps and other information) is accurate and true to the best of my knowledge. In addition, I hereby grant permission to the agents and employees of the City of Harrisonburg to enter the above property for the purposes of processing and reviewing this application. I also understand that, when required, public notice signs will be posted by the City on any property.

Sam Nickels 2/25/26
 PROPERTY OWNER DATE

REQUIRED ATTACHMENTS

- Site or Property Map
- Letter explaining proposed use & reasons for seeking a Special Use Permit.
- Traffic Impact Analysis (TIA) Determination Form OR Traffic Impact Analysis (TIA) Acceptance Letter signed by Public Works Department. Applicant is responsible for coordinating with Public Works prior to submitting this application. For more information, visit www.harrisonburgva.gov/traffic-impact-analysis. This requirement is waived for the following SUPs: major family day homes, reducing required parking areas, reduction in required side yard setback, wireless telecommunication facilities, wall and fences, and short-term rentals. To prevent delays in reviewing your application, please consult with Planning staff to confirm your application does not require a TIA Determination Form or TIA Acceptance Letter.

Note: If applying for a Wireless Telecommunications Facility allowed only by SUP, then also submit a wireless telecommunications facility application.

TO BE COMPLETED BY PLANNING & ZONING DIVISION

_____ Total Fees Due: \$ _____
 Date Application and Fee Received Application Fee: \$425.00 + \$30.00 per acre

Received By _____

From: Center for Health & Human Development (CHHD)

To: City of Harrisonburg

Re: Letter explaining proposed use and reasons for seeking change in zoning and special use permit

2/25/26

Dear City of Harrisonburg,

CHHD seeks an approval to rezone 851 Madison Street, Harrisonburg VA 22802, from R2 to R8. This is necessary so we can build a duplex on the property.

We are also seeking approval of a special use permit (SUP) to exempt CHHD from having to build a parking area on the property in front of the proposed duplex. While we will keep land available for that purpose, should it be needed or desired at any time in the future, at this time we will not need the parking. This is because the target population of only 1 family per unit in the 2 efficiency units will be formerly homeless persons who are very low income (<30% AMI) and who thus rarely have cars or other vehicles needing parking space.

Best regards,

Sam Nickels
Director, CHHD



CHHD Zoning Proposal: R2 to R8

851 Madison Street
Harrisonburg, VA 22802



PROPOSED
NOT FOR CONSTRUCTION

Structural Engineer
JZ ENGINEERING

Developer
CHHD

CHHD Zoning Proposal
851 Madison Street
Harrisonburg, VA 22802



DATE: 02-25-26

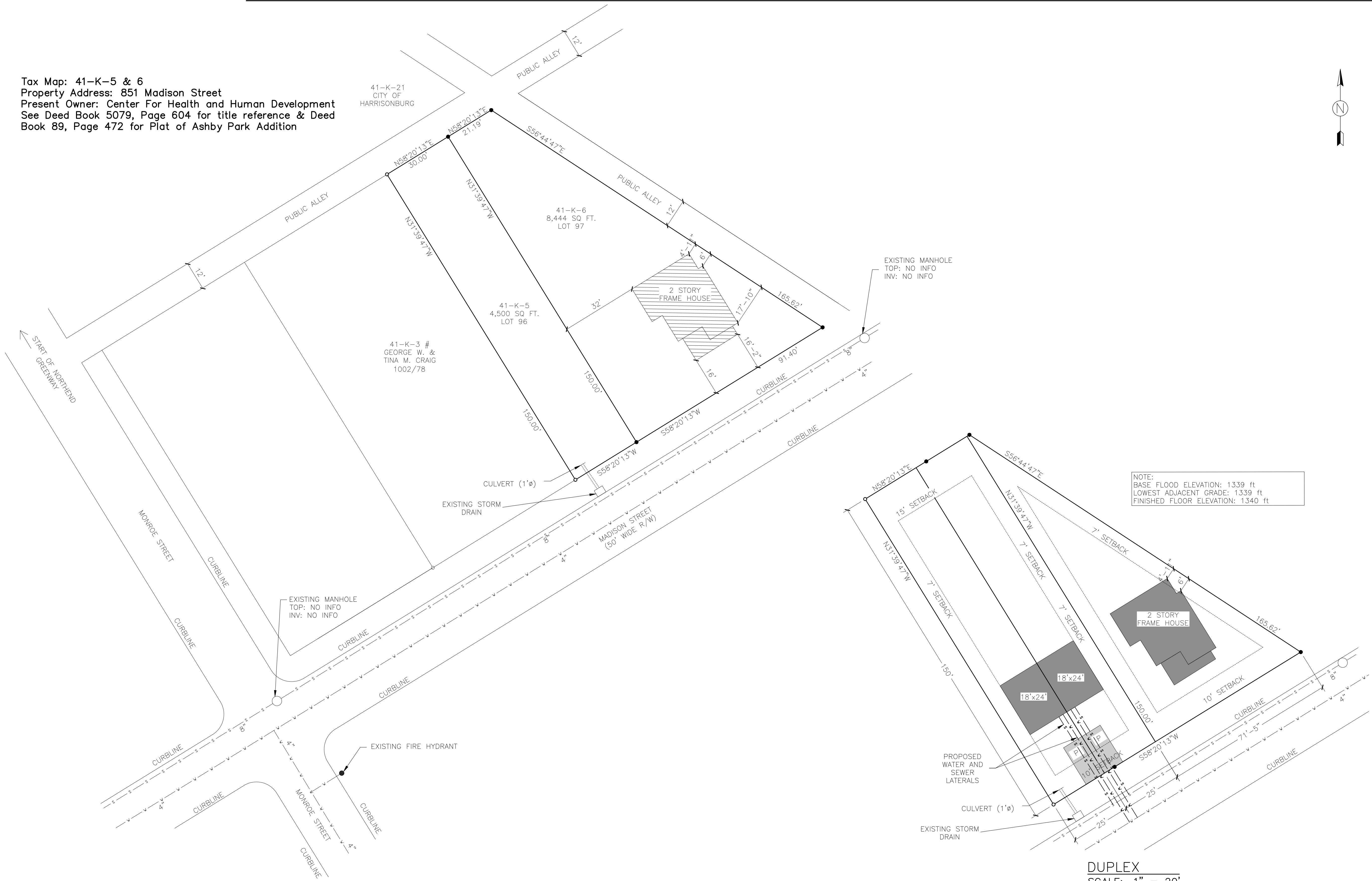
SCALE:
As Shown

DRAWN BY:
MA/AB

SHEET TITLE:
LOTS 96 & 97

SHEET NO.
1

Tax Map: 41-K-5 & 6
 Property Address: 851 Madison Street
 Present Owner: Center For Health and Human Development
 See Deed Book 5079, Page 604 for title reference & Deed
 Book 89, Page 472 for Plat of Ashby Park Addition



EXISTING BOUNDARY SURVEY
 SCALE: 1" = 20'

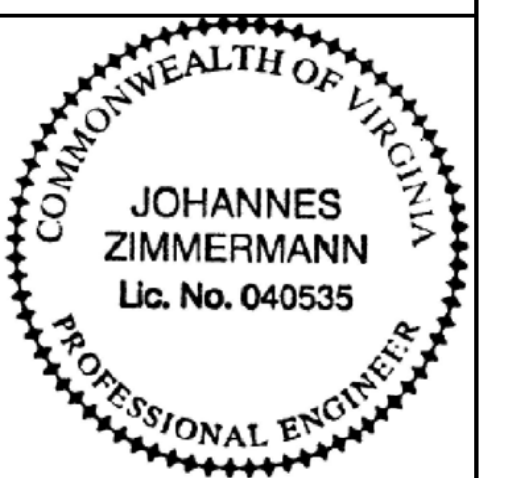
DUPLEX
 SCALE: 1" = 20'

PROPOSED
 NOT FOR CONSTRUCTION

Structural Engineer
JZ ENGINEERING

Developer
 CHHD

CHHD Zoning Proposal
 851 Madison Street
 Harrisonburg, VA 22802



DATE: 02-25-26

SCALE:
 As Shown

DRAWN BY:
 MA/AB

SHEET TITLE:
 LOTS 96 & 97

SHEET NO.
 2



For inclusion in an application for Planning Commission review (for Special Use Permit, Rezoning or Preliminary Plat), this form must be submitted to the Public Works Department at least 5 business days prior to the Planning Commission application deadline.

Contact Information			
Consultant Name: Telephone: E-mail:			
Owner Name: Telephone: E-mail:	Sam Nickels		
Project Information			
Project Name:			
Project Address: TM #:	851 Madison St 041 K 5 & 6		
Existing Land Use(s):	Residential single-family detached, zoned R-2		
Proposed Land Use(s): (if applicable)	Duplex, zoned R-8		
Submission Type:	Comprehensive Site Plan <input type="radio"/>	Special Use Permit <input type="radio"/>	Rezoning <input checked="" type="radio"/> Preliminary Plat <input type="radio"/>
Project Description: (Include site plan or preliminary sketch and additional details on land use, acreage, access to site, etc)	Rezone & subdivide property to construct a duplex.		
Peak Hour Trip Generation (from row 15 on the second page)			
AM Peak Hour Trips:	2		
PM Peak Hour Trips:	2		

(reserved for City staff)

TIA required? Yes _____ No

Comments:

Accepted by: Zenetta Mason Date: 02/05/2026

Peak Hour Trip Generation by Land Use

Row	ITE Land Use		ITE Land Use Code	Unit	Quantity	AM Peak Hour of Adjacent Street Traffic	PM Peak Hour of Adjacent Street Traffic
1	Proposed #1	Single Family Detached	210	Dwelling Unit	1	1	1
2	Proposed #2	Single Family Attached	215	Dwelling Unit	4	2	2
3	Proposed #3						
4	Proposed #4						
5	Proposed #5						
6	Proposed #6						
7	Total New Trips					3	3
8	Existing #1	Single Family Detached	210	Dwelling Unit	1	1	1
9	Existing #2						
10	Existing #3						
11	Existing #4						
12	Existing #5						
13	Existing #6						
14	Total Existing Trips					1	1
15	Final Total (Total New – Total Existing)					2	2

Instructions

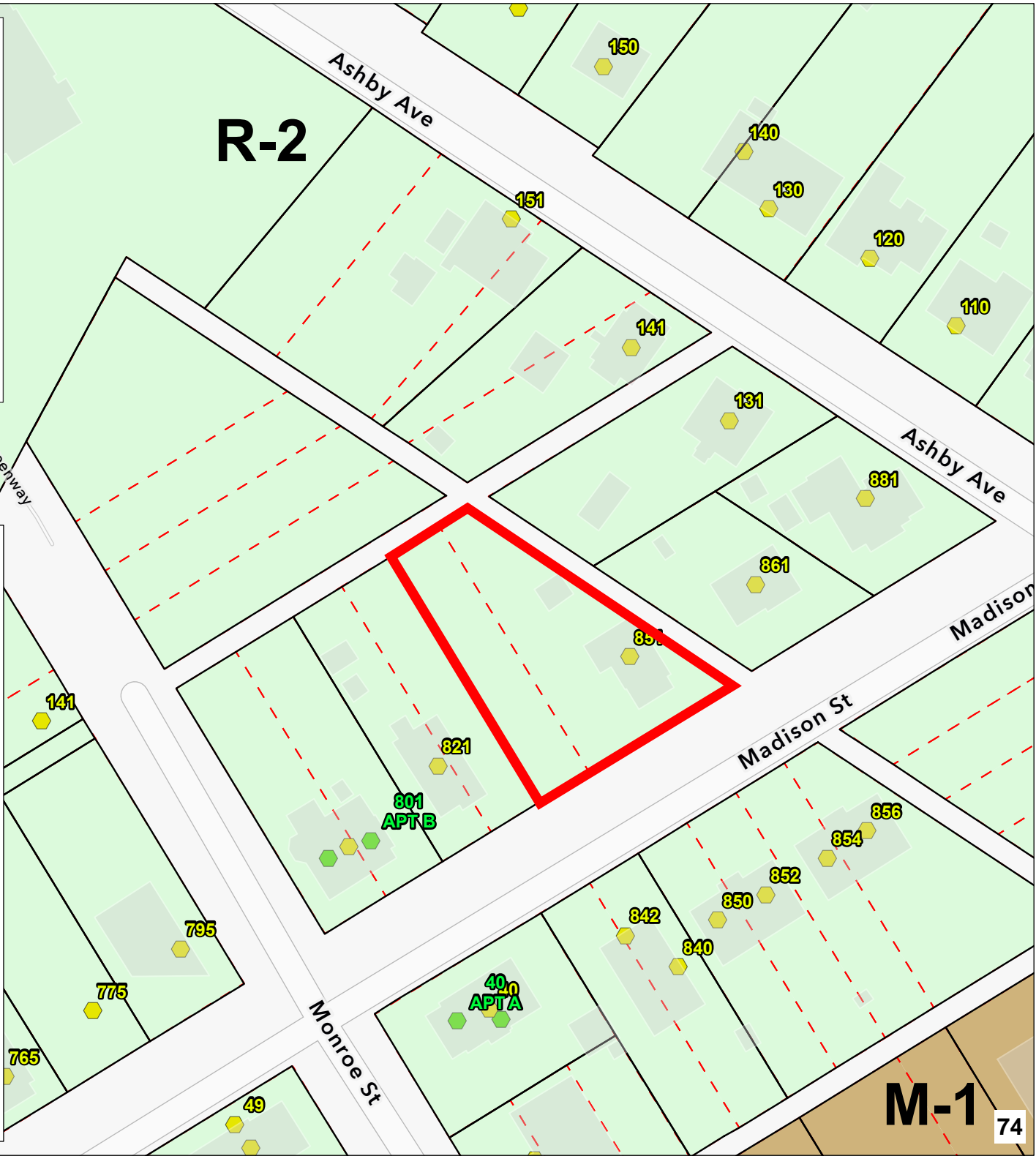
Determination of trip generation rates shall be in conformance with ITE guidelines.

- Based on the intended use(s), calculate the AM Peak and PM Peak trip generation using the AM and PM Peak Hour of Adjacent Street Traffic rates from the most current version of the ITE Trip Generation Manual (rows 1-6). Attach additional sheets as necessary for more uses.
- Sum up all of the trips generated for the new uses in the Total New Trips row (row 7).
- If the development has any existing uses, calculate the AM Peak and PM Peak trip generations using the AM and PM Peak Hour of Adjacent Street Traffic rates from the most current version of the ITE Trip Generation Manual (rows 8-13). Attach additional sheets as necessary for more uses.
- Sum up all of the trips generated for the existing uses in the Total Existing Trips row (row 14).
- Subtract the total existing trips from the total new trips to get the final total number of trips generated by the development (row 15). Enter these numbers on the first page.

CITY OF HARRISONBURG

Rezoning
(R-2 to R-8)
Special Use Permit
(Reduce parking in the R-8)
851 Madison Street
Tax map parcel: 41-K-5 & 6
+/- 12,330 square feet

ZONING



M-1 74

CITY OF HARRISONBURG

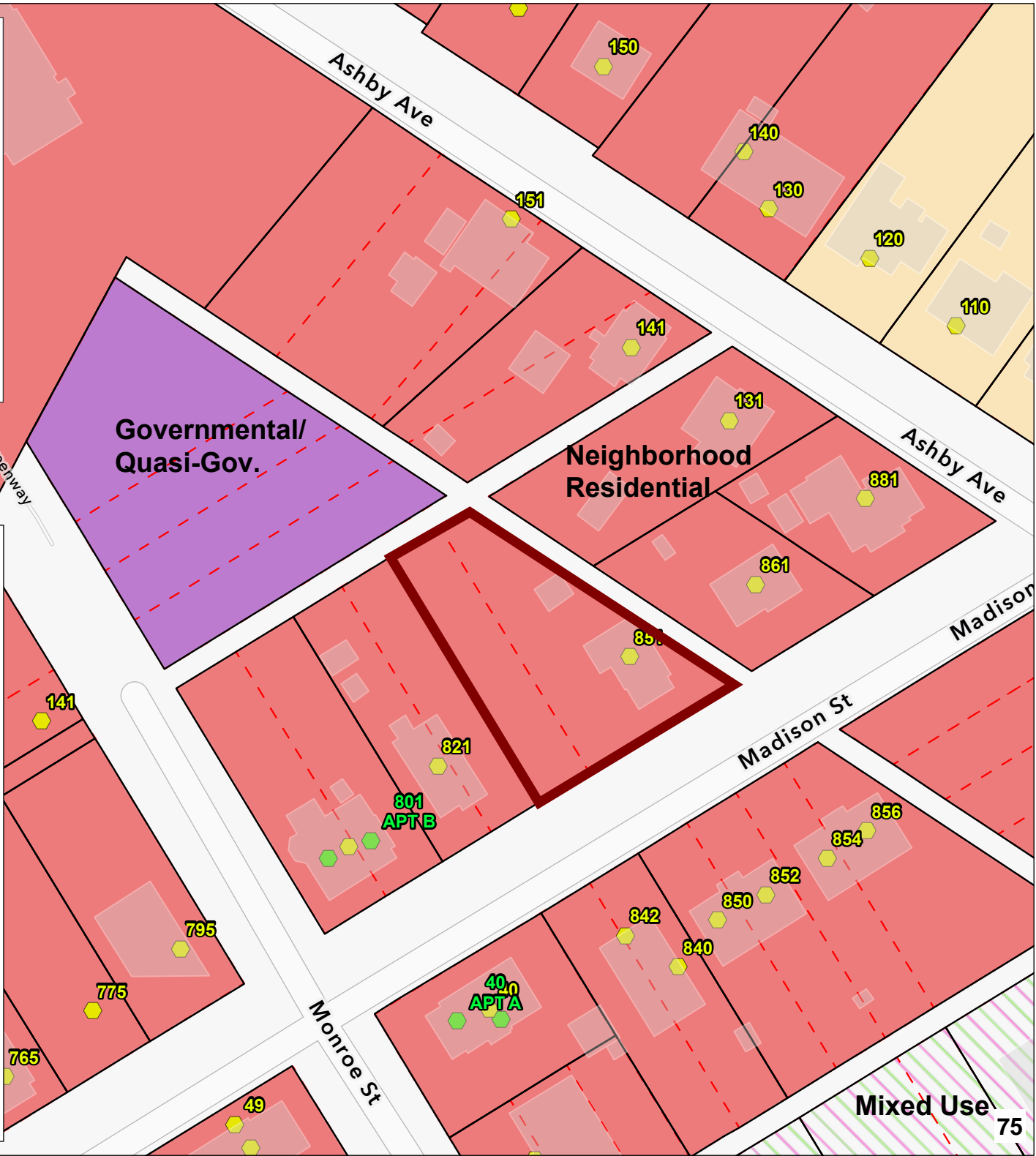
Rezoning
(R-2 to R-8)

Special Use Permit
(Reduce parking in the R-8)

851 Madison Street

Tax map parcel: 41-K-5 & 6
+/- 12,330 square feet

(Future) Land Use Guide



CITY OF HARRISONBURG

Rezoning
(R-2 to R-8)
Special Use Permit
(Reduce parking in the R-8)
851 Madison Street
Tax map parcel: 41-K-5 & 6
+/- 12,330 square feet





March 11, 2026 Planning Commission Meeting

Title

Consider rezoning and special use permit requests for 851 Madison Street — Nyrma Soffel, Community Development

Summary

Project name	NA
Address/Location	851 Madison Street
Tax Map Parcels	41-K-5 and 6
Total Land Area	+/- 12,944 square feet
Property Owner	Center for Health and Human Development
Owner’s Representative	Sam Nickels
Present Zoning	R-2, Residential District
Proposed Zoning	R-8, Small Lot Residential District
Special Use Permit Request	Section 10-3-59.4(9) to allow a reduction in the required number of vehicle parking spaces
Planning Commission	March 11, 2026 (Public Hearing)
City Council	Anticipated April 14, 2026 (First Reading/Public Hearing) Anticipated April 28, 2026 (Second Reading)

Recommendation

Option 1. Recommend approval of the rezoning and special use permit requests with the recommended condition.

Context & Analysis

The following land uses are located on and adjacent to the property:

- Site: Single-family detached dwelling, zoned R-2
- North: Across the undeveloped alley, City-owned vacant property and single-family detached dwelling, zoned R-2
- East: Across the undeveloped alley, Single-family detached dwellings, zoned R-2
- South: Across Madison Street, duplex dwellings, zoned R-2
- West: Single-family detached dwelling, zoned R-2

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.

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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.

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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.

Options

1. Recommend approval of the rezoning and special use permit requests with the recommended condition.
2. Recommend approval of the rezoning and special use permit requests with other condition(s).
3. Recommend approval of the rezoning and special use permit requests as submitted by the applicant.
4. Recommend approval of the rezoning request and denial of special use permit request.
5. Recommend denial of the rezoning and special use permit requests.

Attachments

- Site maps
- Application and supporting documents

NOTICE OF PUBLIC HEARING

The Harrisonburg City Council will hold public hearings in the City Council Chambers, 409 South Main Street, Harrisonburg, VA on Tuesday, April 14, 2026, at 7:00 p.m., to consider the following:

Rezoning – 361 Franklin Street (Proffer Amendment, R-8C)

A request from Katherine S Moran and Marcie E Harris to amend proffers for a +/- 10,269 square foot parcel zoned R-8C, Small Lot Residential Conditional. The property is addressed as 361 Franklin Street and is identified as tax map parcel 27-Q-1.

Rezoning – 851 Madison Street (R-2 to R-8)

A request from Center for Health and Human Development to rezone a +/- 12,330 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 parcel 41-K-5 & 6.

Special Use Permit – 851 Madison Street (To reduce the required parking areas in R-8)

A request from Center for Health and Human Development for a special use permit per Section 10-3-59.4(9) to reduce the required parking areas to fewer than the required number of vehicle parking spaces for any use, provided that an amount of open space equal to the amount of space that would have been used for the required number of vehicle parking spaces is left available for parking in the R-8, Small Lot Residential District. The +/- 12,330 square foot property is addressed as 851 Madison Street and is identified as tax map parcel 41-K-5 & 6.

Applications and other information are available for review by contacting the Department of Community Development, 409 South Main Street, Monday through Friday, 8:00 a.m. to 5:00 p.m. Please call (540) 432-7700 to obtain a copy by email or by appointment. More information is available at www.harrisonburgva.gov/public-hearings. Interested parties will be able to attend the meeting and to watch the meeting on Public Education Government Channel 1072, and the City's website at www.harrisonburg-va.legistar.com/Calendar.aspx.

Publication dates:

Wednesday, April 1, 2026

Wednesday, April 8, 2026

STATE OF VIRGINIA
CITY OF HARRISONBURG, to with:

I, Pamela Ulmer, city clerk, certify that the Harrisonburg City Council will be addressed on Tuesday, April 14, 2026 at 7:00 p.m., or as soon as the agenda permits, to consider the following:

Rezoning – 361 Franklin Street (Proffer Amendment, R-8C)

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Given under my hand this 27 day of March, 2026



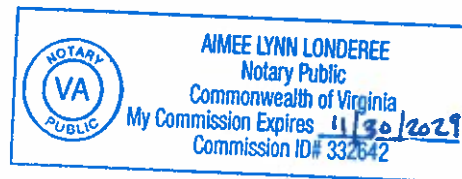
 City Clerk

Subscribed and sworn to before me this 27th day of March, 2026 a Notary Public in and for the Commonwealth of Virginia.



 Notary

My commission expires 11/30/2029



CRAIG GEORGE W TINA M
821 MADISON ST
HARRISONBURG VA 22802

CENTER FOR HEALTH AND HUMAN
DEVELOPMENT
340 MARYLAND AVE
HARRISONBURG VA 22801

GUIVAS JOSE L
861 MADISON ST
HARRISONBURG VA 22802

CHARSTON CE AGUILUZ & KRISTEL
AGUILUZ
131 ASHBY AVE
HARRISONBURG VA 22802

SPITZER MYRNA E
141 ASHBY AVE
HARRISONBURG VA 22802

CITY OF HARRISONBURG
409 S MAIN ST
HARRISONBURG VA 22801

LONEWOLF ACQUISITIONS LLC
737 E MARKET ST
HARRISONBURG VA 22801

SNYDER LARRY E DEBORAH
1000 N MAIN ST
HARRISONBURG VA 22802

CNL INVESTMENTS LLC
7156 WELL HOLLOW RD
SINGERS GLEN VA 22850

TAYLOR CHARLES E III
1678 SHERRY LA
HARRISONBURG VA 22801

LINSEY WOOD CLARKE & CHIPLEY
JONES CLARKE
331 MONTICELLO AVE
HARRISONBURG VA 22801

HORST NATHAN D LARA RESSLER
367 FRANKLIN ST
HARRISONBURG VA 22801

THRONE DAVID R & HOLLY M
346 FRANKLIN ST
HARRISONBURG VA 22801

NORA L ANDERSON & JAMES C
ANDERSON
356 FRANKILIN ST
HARRISONBURG VA 22801

JONES STEPHEN R SARAH F
334 MONTICELLO AVE
HARRISONBURG VA 22801

RVACHMBERLAYNE LLC
8401 MAYLAND DR STE S
RICHMOND VA 23294

MORAN KATHERINE S & MARCIE E
HARRIS
3420 LAKE POINTE DR
HARRISONBURG VA 22801

AVERY

5160

DART SHEILA SHERMAN
271 S LIBERTY ST
HARRISONBURG VA 22801

HARRISONBURG BAPTIST CHURCH
501 S MAIN ST
HARRISONBURG VA 22801

J-M APARTMENTS LC
265 CHESAPEAKE AVE
HARRISONBURG VA 22801

BERNARD L C
PO BOX 130548
HOUSTON TX 77219

TRUSTEES BPO ELKS LODGE 450
482 S MAIN ST
HARRISONBURG VA 22801

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Bend along line to expose Pop-up Edge

LIBERTY TOWNES LLC
PO BOX 1584
HARRISONBURG VA 22803

BOYERS OTHO A KAYE H
293 S LIBERTY ST
HARRISONBURG VA 22801

Union First Market Bank
4355 Innslake Dr Suite 325
Glen Allen VA 23060

UNION FIRST MARKET BANK
4355 INNSLAKE DR SUITE 325
GLEN ALLEN VA 23060

Go to avery.com/templates
Use Avery template 5160

BOX NINE LLC
202 N LIBERTY ST SUITE 101
HARRISONBURG VA 22802

SMITH D CRAIG SUE W
594 SOUTH MAIN ST
HARRISONBURG VA 228018628

TRENTON INC
7706 CARLTON PLACE
MCLEAN VA 22102

512 S MAIN INTERMEDIARY LLC
512 S MAIN ST
HARRISONBURG VA 22801

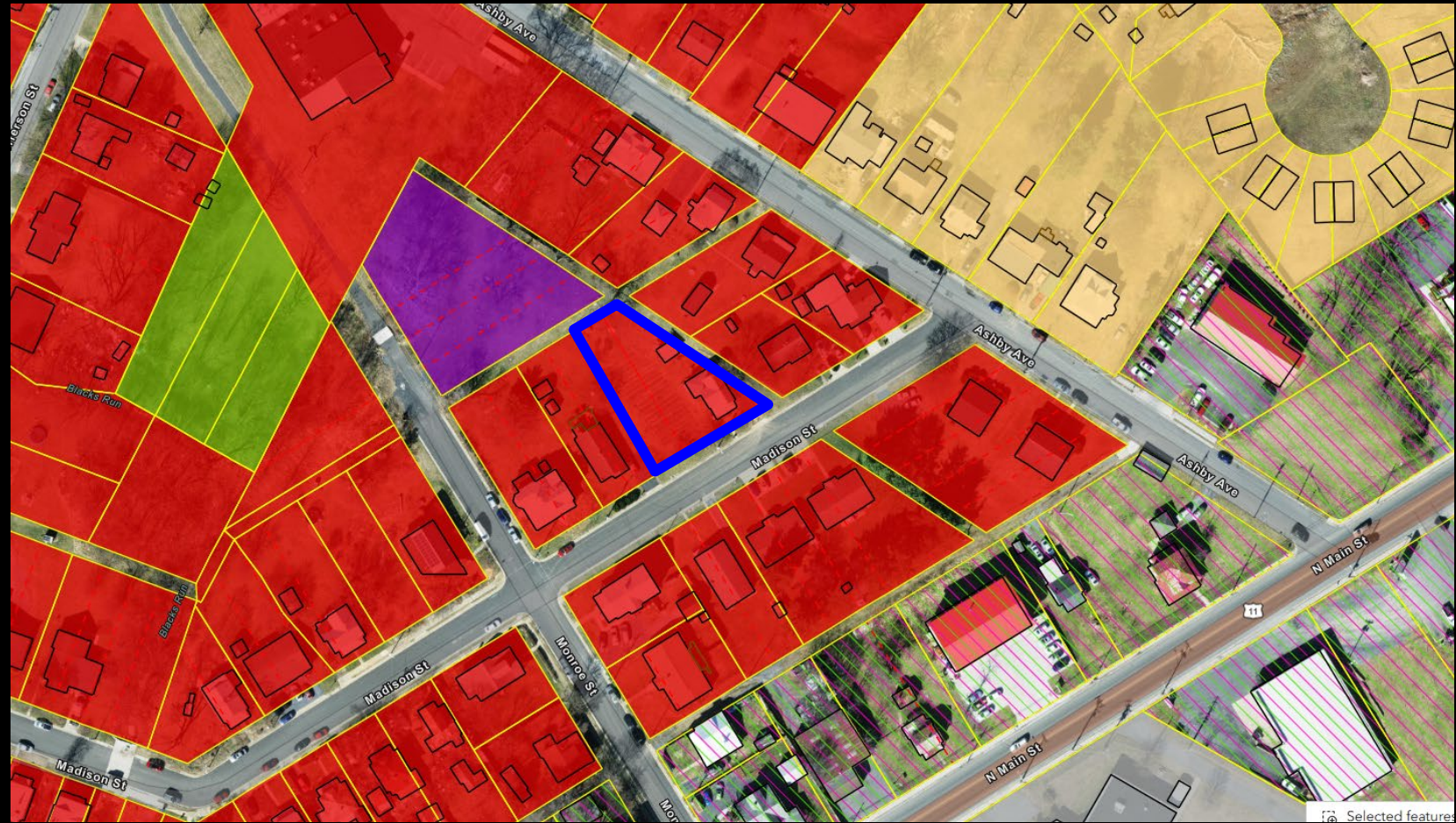
RICOCHET LLC
412 S MAIN ST
HARRISONBURG VA 22801

Rezoning – 851 Madison Street (R-2 to R-8) Special Use Permit – Reduced Parking



Selected features

Rezoning – 851 Madison Street (R-2 to R-8) Special Use Permit – Reduced Parking

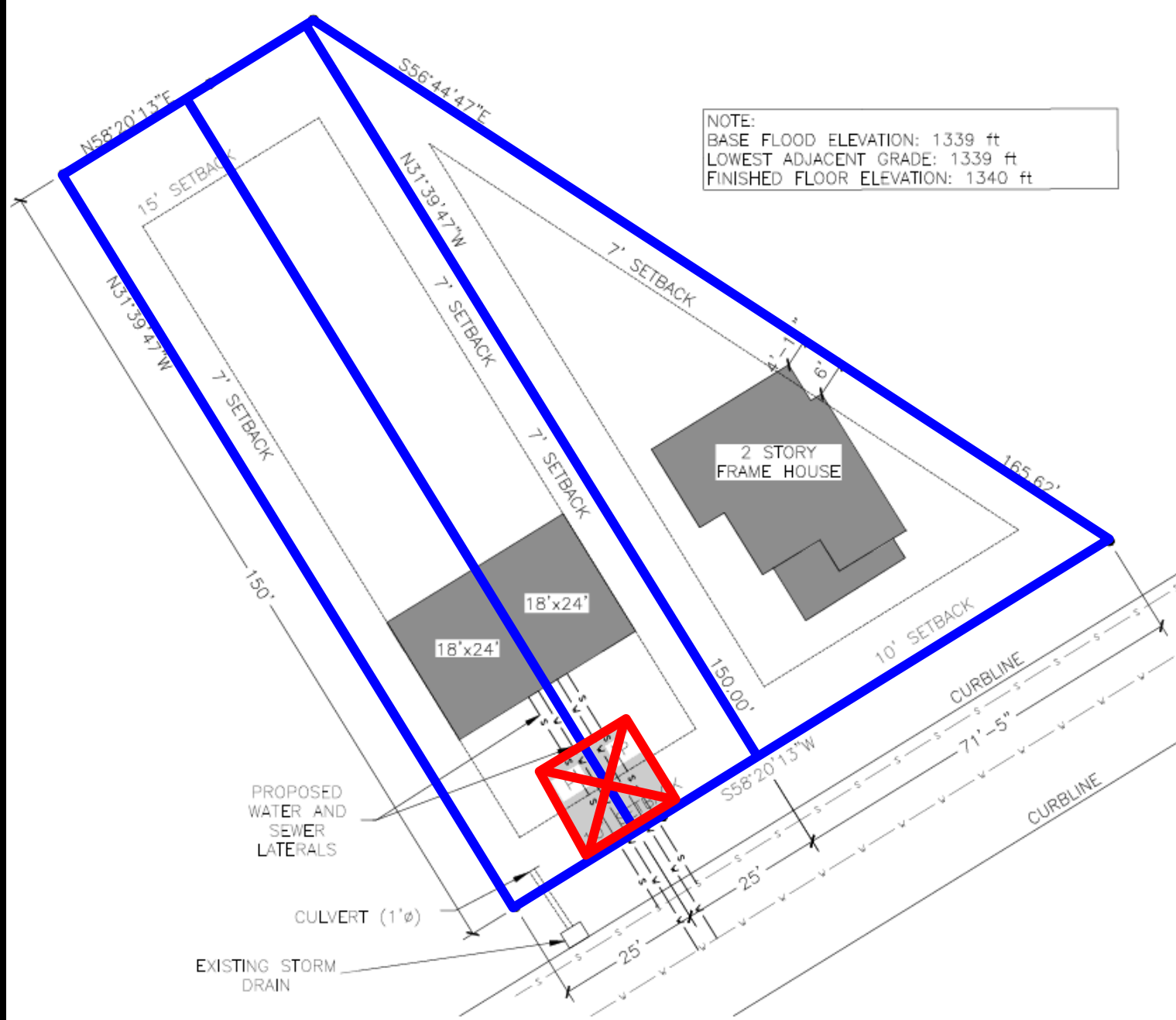


Rezoning – 851 Madison Street (R-2 to R-8) Special Use Permit – Reduced Parking



Selected features

Rezoning
R-2 to R-8



DUPLEX
SCALE: 1" = 20'

SUP
10-3-59.4 (9)
Reducing
Required
Parking
Areas

Staff's Recommended Condition

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



Zone AE

Ashby Ave

Madison St

Madison St

Monroe St

91

Recommendation

Staff and Planning Commission (6-0) recommends approval rezoning request.

Staff and Planning Commission (6-0) recommends approval of the SUP request with the condition.



City of Harrisonburg

City Hall
409 South Main Street
Harrisonburg, VA 22801

Legislation Text

File #: ID 26-078, **Version:** 1

Subject:

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

Presented By: Adam Fletcher, Director of Community Development

[Click here to enter the action/summary \(insert the summary from the memo here\)](#)



April 14, 2026 City Council Meeting

Title

Consider rezoning and special use permit requests for 851 Madison Street — Planning Commission and Adam Fletcher, Community Development

Summary

Project name	NA
Address/Location	851 Madison Street
Tax Map Parcels	41-K-5 and 6
Total Land Area	+/- 12,944 square feet
Property Owner	Center for Health and Human Development
Owner’s Representative	Sam Nickels
Present Zoning	R-2, Residential District
Proposed Zoning	R-8, Small Lot Residential District
Special Use Permit Request	Section 10-3-59.4(9) to allow a reduction in the required number of vehicle parking spaces
Planning Commission	March 11, 2026 (Public Hearing)
City Council	April 14, 2026 (First Reading/Public Hearing) Anticipated April 28, 2026 (Second Reading)

Recommendation

Option 1. Staff recommended approval of the rezoning and special use permit requests with the following condition:

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

Planning Commission recommended approval of the rezoning (6-0) and special use permit (6-0) with a different condition. Staff will seek clarification from the Planning Commission at their April 8, 2026 meeting and will present an update at City Council’s April 14 meeting.

Context & Analysis

The following land uses are located on and adjacent to the property:

Site: Single-family detached dwelling, zoned R-2

North: Across the undeveloped alley, City-owned vacant property and single-family detached dwelling, zoned R-2

East: Across the undeveloped alley, Single-family detached dwellings, zoned R-2

South: Across Madison Street, duplex dwellings, zoned R-2

West: Single-family detached dwelling, zoned R-2

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.

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Conclusion

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

Options

1. Approve the rezoning and special use permit requests with staff's recommended condition.
2. Approve the rezoning and special use permit requests with other condition(s).
3. Approve the rezoning and special use permit requests as submitted by the applicant (without conditions).
4. Approve the rezoning request and deny the special use permit request.
5. Deny both the rezoning and special use permit requests.

Attachments

- Extract from Planning Commission
- Site maps
- Application and supporting documents



CITY OF HARRISONBURG COMMUNITY DEVELOPMENT

409 SOUTH MAIN STREET, HARRISONBURG, VA 22801

OFFICE (540) 432-7700 • FAX (540) 432-7777

March 31, 2026

**TO THE MEMBERS OF CITY COUNCIL
CITY OF HARRISONBURG, VIRGINIA**

SUBJECT: 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

**EXTRACT FROM THE DRAFT MINUTES OF HARRISONBURG PLANNING
COMMISSION MEETING HELD ON: March 11, 2026**

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.

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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

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Transportation and Traffic

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Conclusion

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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.



**CITY OF HARRISONBURG
COMMUNITY
DEVELOPMENT**

Special Use Permit Application

www.harrisonburgva.gov/zoning

PROPERTY INFORMATION

851 Madison Street, Harrisonburg VA 22802 41 K 5 6 12944 sq ft acres or sq.ft.
 Property Address Tax Map Total Land Area (circle)

Existing Zoning Classification: R2, changing to R8

Special Use being requested: Exemption from requirement to build parking spaces.

PROPERTY OWNER INFORMATION

Center for Health and Human Development
 Property Owner Name Telephone
Sam Nickels
 Street Address E-Mail

 City State Zip

OWNER'S REPRESENTATIVE INFORMATION

Sam Nickels same
 Owner's Representative Telephone
same same
 Street Address E-Mail

 City State Zip

CERTIFICATION

I certify that the information supplied on this application and on the attachments provided (maps and other information) is accurate and true to the best of my knowledge. In addition, I hereby grant permission to the agents and employees of the City of Harrisonburg to enter the above property for the purposes of processing and reviewing this application. I also understand that, when required, public notice signs will be posted by the City on any property.

Sam Nickels 2/25/26
 PROPERTY OWNER DATE

REQUIRED ATTACHMENTS

- Site or Property Map
- Letter explaining proposed use & reasons for seeking a Special Use Permit.
- Traffic Impact Analysis (TIA) Determination Form OR Traffic Impact Analysis (TIA) Acceptance Letter signed by Public Works Department. Applicant is responsible for coordinating with Public Works prior to submitting this application. For more information, visit www.harrisonburgva.gov/traffic-impact-analysis. This requirement is waived for the following SUPs: major family day homes, reducing required parking areas, reduction in required side yard setback, wireless telecommunication facilities, wall and fences, and short-term rentals. To prevent delays in reviewing your application, please consult with Planning staff to confirm your application does not require a TIA Determination Form or TIA Acceptance Letter.

Note: If applying for a Wireless Telecommunications Facility allowed only by SUP, then also submit a wireless telecommunications facility application.

TO BE COMPLETED BY PLANNING & ZONING DIVISION

_____ Total Fees Due: \$ _____
 Date Application and Fee Received Application Fee: \$425.00 + \$30.00 per acre

_____ Received By



CITY OF HARRISONBURG
**COMMUNITY
DEVELOPMENT**

**Change of Zoning District
(Rezoning) Application**
www.harrisonburgva.gov/zoning

PROPERTY INFORMATION

851 Madison St. Harrisonburg VA 22802 041 K 5 6 12,944 acres or sq.ft.
Property Address Tax Map Parcel/ID Total Land Area (circle)

Existing Zoning District: R2 Proposed Zoning District: R8

Existing Comprehensive Plan Designation: Neighborhood Residential

PROPERTY OWNER INFORMATION

Center for Health and Human Development
Property Owner Name Telephone

Street Address E-Mail
Harrisonburg VA 22801
City State Zip

OWNER'S REPRESENTATIVE INFORMATION

Sam Nickels same
Owner's Representative Telephone
same same
Street Address E-Mail

City State Zip

CERTIFICATION

I certify that the information supplied on this application and on the attachments provided (maps and other information) is accurate and true to the best of my knowledge. In addition, I hereby grant permission to the agents and employees of the City of Harrisonburg to enter the above property for the purposes of processing and reviewing this application. I also understand that, when required, public notice signs will be posted by the City on any property.

Sam Nickels 2/25/26
PROPERTY OWNER **DATE**

REQUIRED ATTACHMENTS

- Letter explaining proposed use & reasons for seeking change in zoning.
- Statement on proffers, if applying for conditional rezoning.
- Survey of property or site map.
- Traffic Impact Analysis (TIA) Determination Form OR Traffic Impact Analysis (TIA) Acceptance Letter signed by Public Works Department. Applicant is responsible for coordinating with Public Works prior to submitting this application. For more information, visit www.harrisonburgva.gov/traffic-impact-analysis.

TO BE COMPLETED BY PLANNING & ZONING DIVISION

Date Application and Fee Received Total Fees Due: \$
Application Fee: \$550.00 + \$30.00 per acre

Received By

From: Center for Health & Human Development (CHHD)

To: City of Harrisonburg

Re: Letter explaining proposed use and reasons for seeking change in zoning and special use permit

2/25/26

Dear City of Harrisonburg,

CHHD seeks an approval to rezone 851 Madison Street, Harrisonburg VA 22802, from R2 to R8. This is necessary so we can build a duplex on the property.

We are also seeking approval of a special use permit (SUP) to exempt CHHD from having to build a parking area on the property in front of the proposed duplex. While we will keep land available for that purpose, should it be needed or desired at any time in the future, at this time we will not need the parking. This is because the target population of only 1 family per unit in the 2 efficiency units will be formerly homeless persons who are very low income (<30% AMI) and who thus rarely have cars or other vehicles needing parking space.

Best regards,

Sam Nickels
Director, CHHD



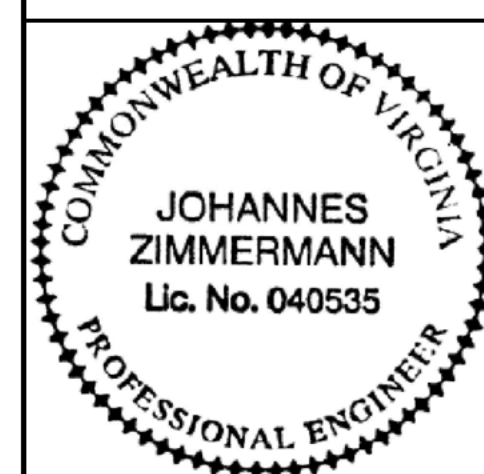
CHHD Zoning Proposal: R2 to R8

851 Madison Street
Harrisonburg, VA 22802

Structural Engineer
JZ ENGINEERING

Developer
CHHD

CHHD Zoning Proposal
851 Madison Street
Harrisonburg, VA 22802



DATE: 02-25-26

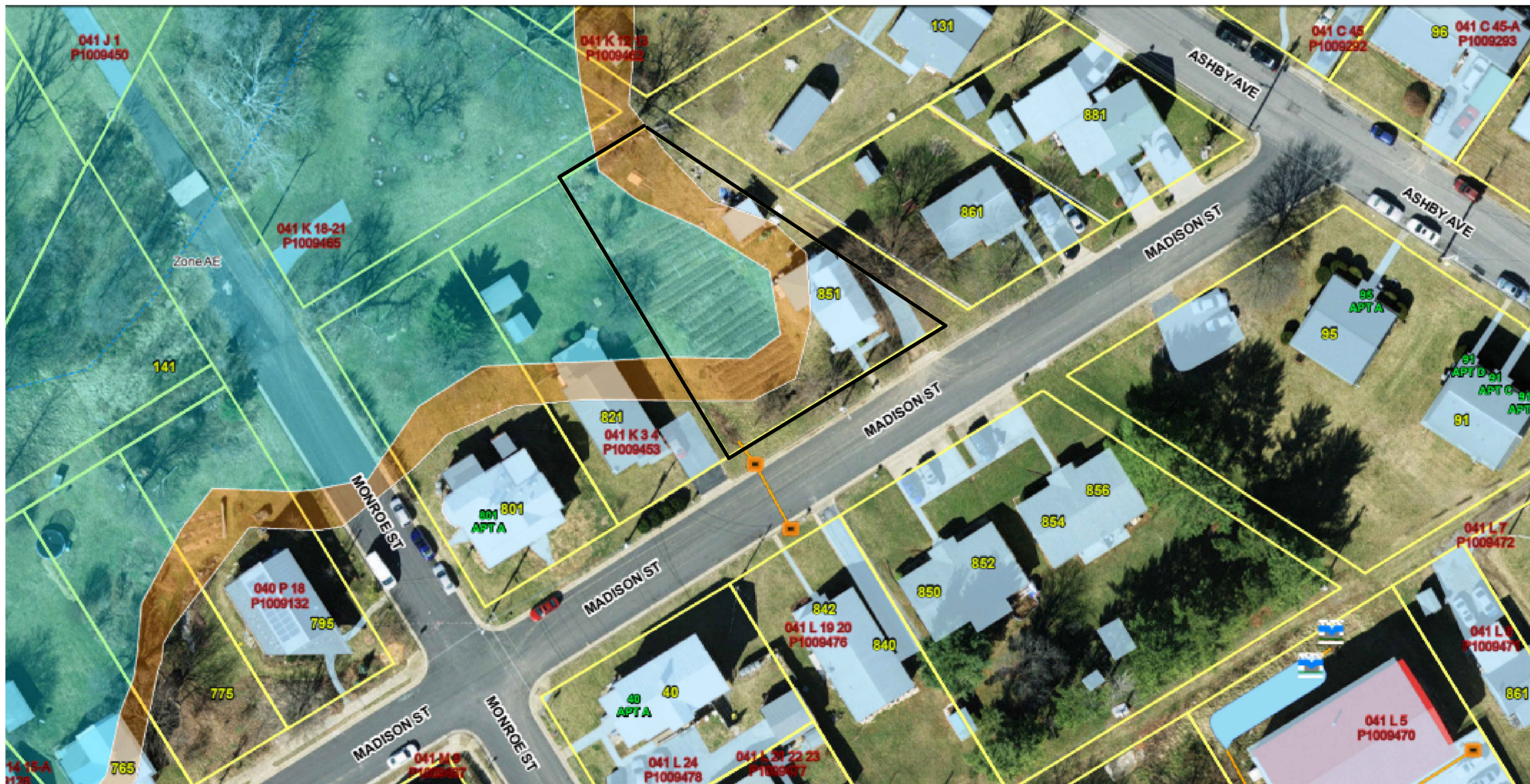
SCALE:
As Shown

DRAWN BY:
MA/AB

SHEET TITLE:
LOTS 96 & 97

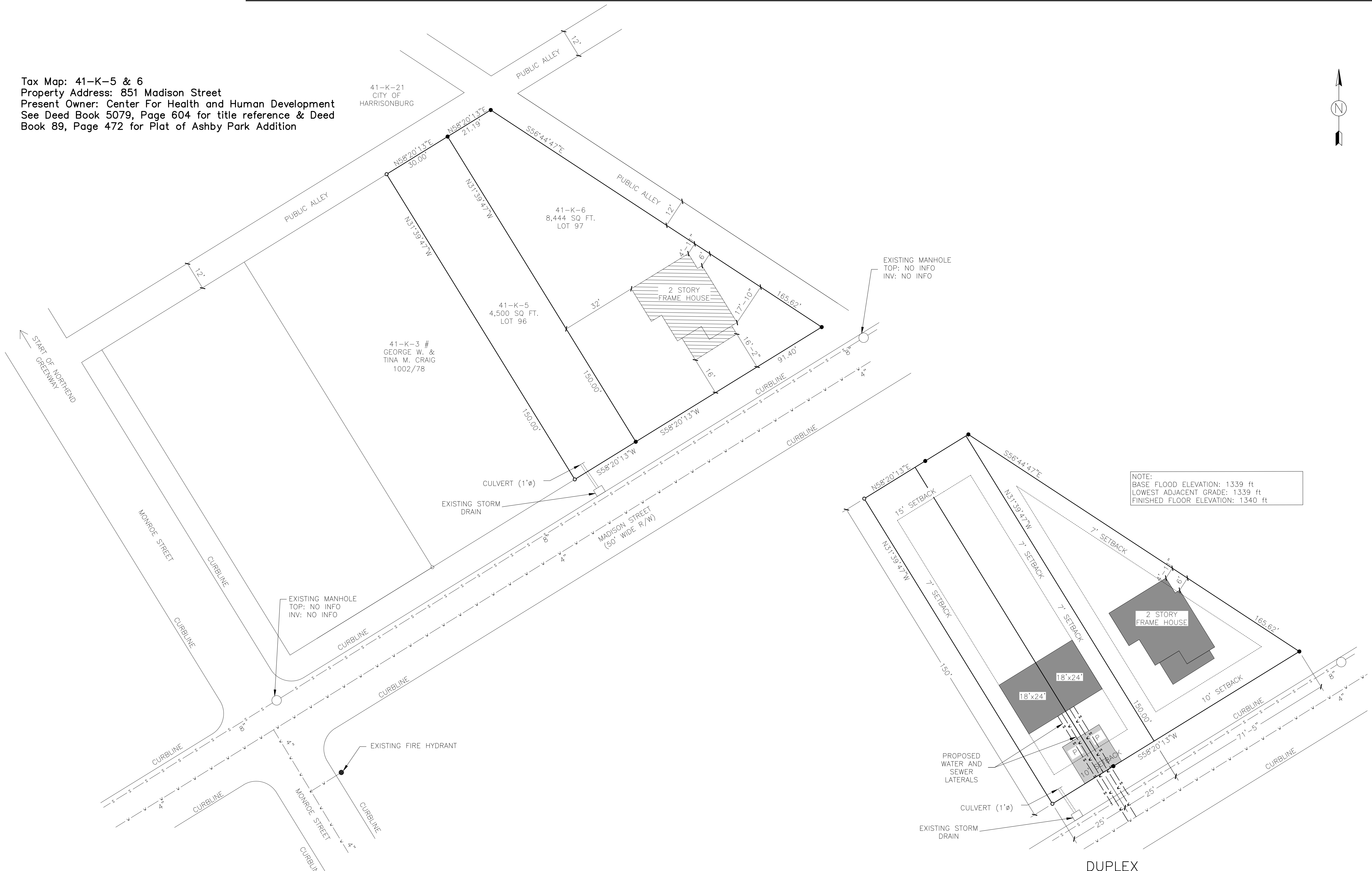
SHEET NO.
1

FULL SIZE SHEET: 22"x34"



PROPOSED
NOT FOR CONSTRUCTION

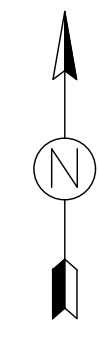
Tax Map: 41-K-5 & 6
 Property Address: 851 Madison Street
 Present Owner: Center For Health and Human Development
 See Deed Book 5079, Page 604 for title reference & Deed
 Book 89, Page 472 for Plat of Ashby Park Addition



EXISTING BOUNDARY SURVEY
 SCALE: 1" = 20'

DUPLEX
 SCALE: 1" = 20'

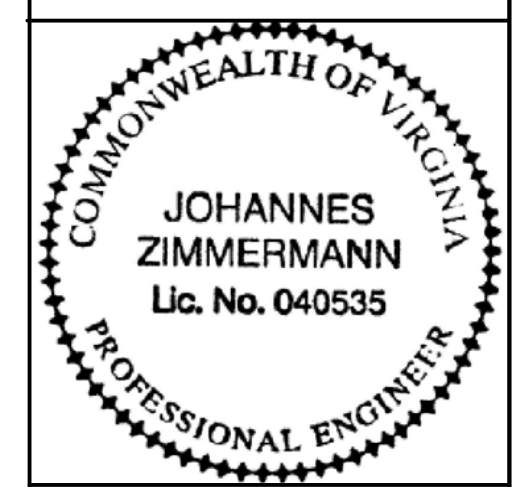
PROPOSED
 NOT FOR CONSTRUCTION



Structural Engineer
JZ ENGINEERING

Developer
 CHHD

CHHD Zoning Proposal
 851 Madison Street
 Harrisonburg, VA 22802



DATE: 02-25-26

SCALE:
 As Shown

DRAWN BY:
 MA/AB

SHEET TITLE:
 LOTS 96 & 97

SHEET NO.
2



For inclusion in an application for Planning Commission review (for Special Use Permit, Rezoning or Preliminary Plat), this form must be submitted to the Public Works Department at least 5 business days prior to the Planning Commission application deadline.

Contact Information				
Consultant Name: Telephone: E-mail:				
Owner Name: Telephone: E-mail:	Sam Nickels			
Project Information				
Project Name:				
Project Address: TM #:	851 Madison St 041 K 5 & 6			
Existing Land Use(s):	Residential single-family detached, zoned R-2			
Proposed Land Use(s): (if applicable)	Duplex, zoned R-8			
Submission Type:	Comprehensive Site Plan <input type="radio"/>	Special Use Permit <input type="radio"/>	Rezoning <input checked="" type="radio"/>	Preliminary Plat <input type="radio"/>
Project Description: (Include site plan or preliminary sketch and additional details on land use, acreage, access to site, etc)	Rezone & subdivide property to construct a duplex.			
Peak Hour Trip Generation (from row 15 on the second page)				
AM Peak Hour Trips:	2			
PM Peak Hour Trips:	2			

(reserved for City staff)

TIA required? Yes _____ No

Comments:

Accepted by: Zenetta Mason

Date: 02/05/2026

Peak Hour Trip Generation by Land Use

Row	ITE Land Use		ITE Land Use Code	Unit	Quantity	AM Peak Hour of Adjacent Street Traffic	PM Peak Hour of Adjacent Street Traffic
1	Proposed #1	Single Family Detached	210	Dwelling Unit	1	1	1
2	Proposed #2	Single Family Attached	215	Dwelling Unit	4	2	2
3	Proposed #3						
4	Proposed #4						
5	Proposed #5						
6	Proposed #6						
7	Total New Trips					3	3
8	Existing #1	Single Family Detached	210	Dwelling Unit	1	1	1
9	Existing #2						
10	Existing #3						
11	Existing #4						
12	Existing #5						
13	Existing #6						
14	Total Existing Trips					1	1
15	Final Total (Total New – Total Existing)					2	2

Instructions

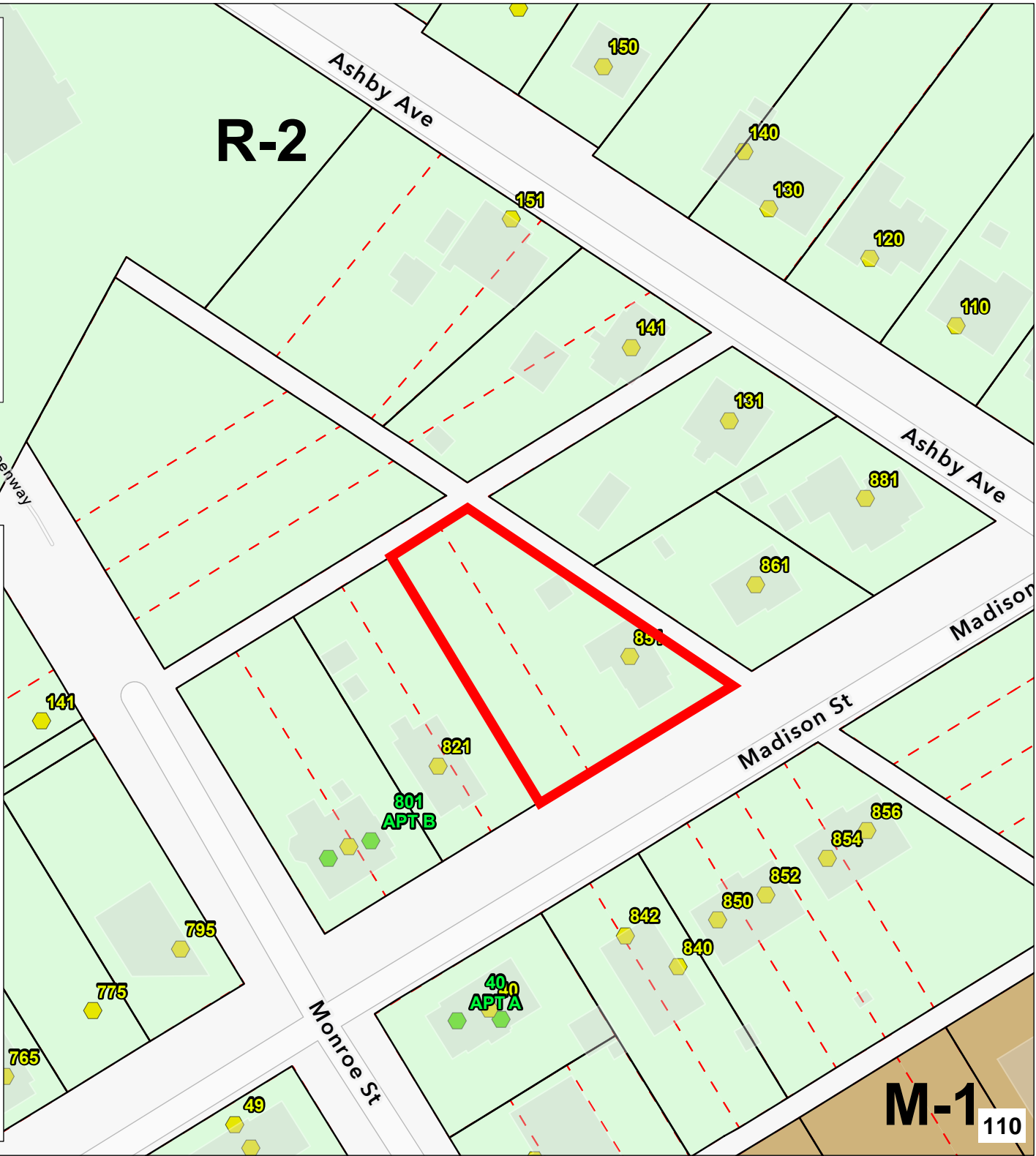
Determination of trip generation rates shall be in conformance with ITE guidelines.

- Based on the intended use(s), calculate the AM Peak and PM Peak trip generation using the AM and PM Peak Hour of Adjacent Street Traffic rates from the most current version of the ITE Trip Generation Manual (rows 1-6). Attach additional sheets as necessary for more uses.
- Sum up all of the trips generated for the new uses in the Total New Trips row (row 7).
- If the development has any existing uses, calculate the AM Peak and PM Peak trip generations using the AM and PM Peak Hour of Adjacent Street Traffic rates from the most current version of the ITE Trip Generation Manual (rows 8-13). Attach additional sheets as necessary for more uses.
- Sum up all of the trips generated for the existing uses in the Total Existing Trips row (row 14).
- Subtract the total existing trips from the total new trips to get the final total number of trips generated by the development (row 15). Enter these numbers on the first page.

CITY OF HARRISONBURG

Rezoning
(R-2 to R-8)
Special Use Permit
(Reduce parking in the R-8)
851 Madison Street
Tax map parcel: 41-K-5 & 6
+/- 12,330 square feet

ZONING



CITY OF HARRISONBURG

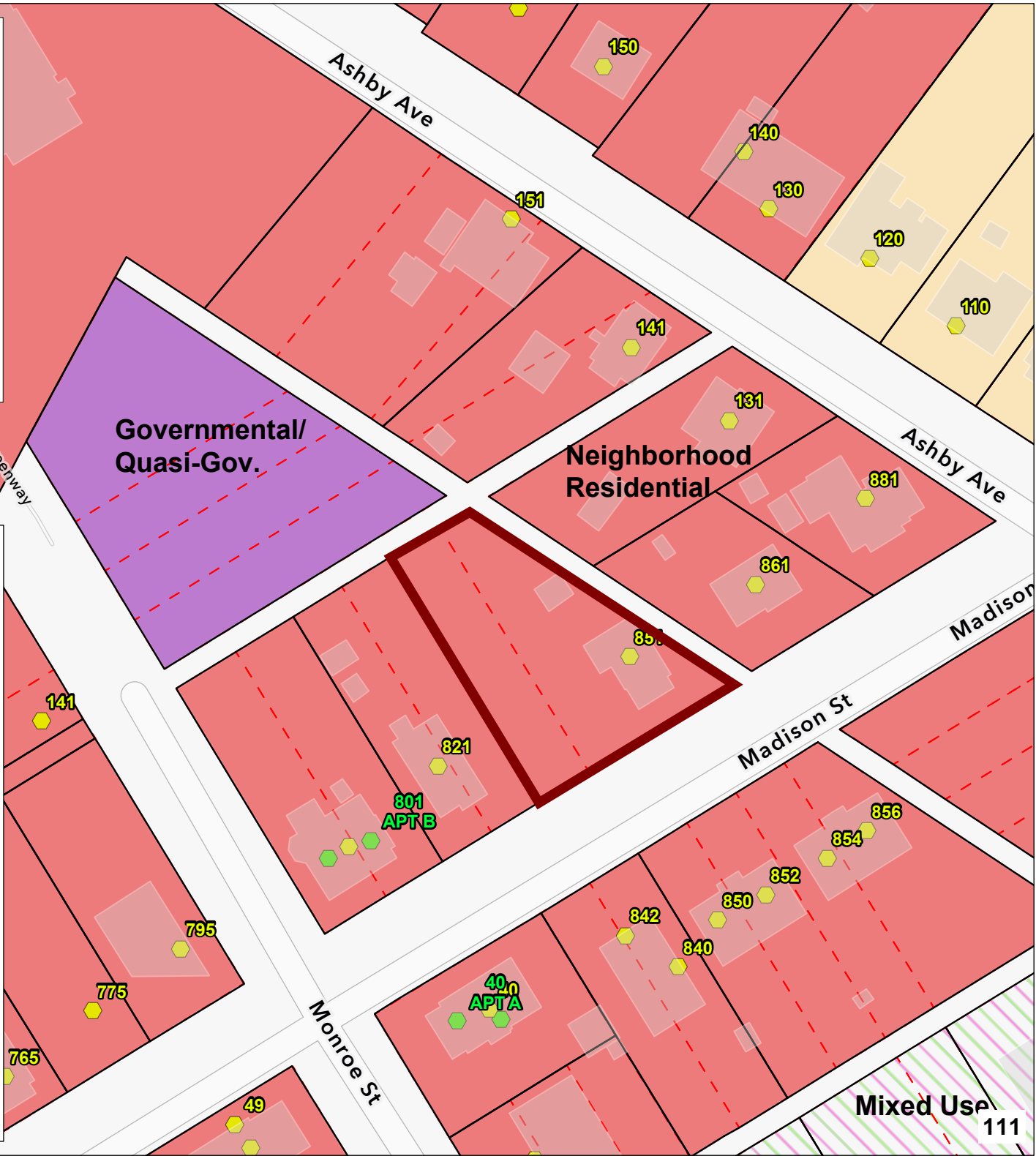
Rezoning
(R-2 to R-8)

Special Use Permit
(Reduce parking in the R-8)

851 Madison Street

Tax map parcel: 41-K-5 & 6
+/- 12,330 square feet

(Future) Land Use Guide



CITY OF HARRISONBURG

Rezoning
(R-2 to R-8)
Special Use Permit
(Reduce parking in the R-8)
851 Madison Street
Tax map parcel: 41-K-5 & 6
+/- 12,330 square feet





March 11, 2026 Planning Commission Meeting

Title

Consider rezoning and special use permit requests for 851 Madison Street — Nyrma Soffel, Community Development

Summary

Project name	NA
Address/Location	851 Madison Street
Tax Map Parcels	41-K-5 and 6
Total Land Area	+/- 12,944 square feet
Property Owner	Center for Health and Human Development
Owner’s Representative	Sam Nickels
Present Zoning	R-2, Residential District
Proposed Zoning	R-8, Small Lot Residential District
Special Use Permit Request	Section 10-3-59.4(9) to allow a reduction in the required number of vehicle parking spaces
Planning Commission	March 11, 2026 (Public Hearing)
City Council	Anticipated April 14, 2026 (First Reading/Public Hearing) Anticipated April 28, 2026 (Second Reading)

Recommendation

Option 1. Recommend approval of the rezoning and special use permit requests with the recommended condition.

Context & Analysis

The following land uses are located on and adjacent to the property:

- Site: Single-family detached dwelling, zoned R-2
- North: Across the undeveloped alley, City-owned vacant property and single-family detached dwelling, zoned R-2
- East: Across the undeveloped alley, Single-family detached dwellings, zoned R-2
- South: Across Madison Street, duplex dwellings, zoned R-2
- West: Single-family detached dwelling, zoned R-2

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.

Options

1. Recommend approval of the rezoning and special use permit requests with the recommended condition.
2. Recommend approval of the rezoning and special use permit requests with other condition(s).
3. Recommend approval of the rezoning and special use permit requests as submitted by the applicant.
4. Recommend approval of the rezoning request and denial of special use permit request.
5. Recommend denial of the rezoning and special use permit requests.

Attachments

- Site maps
- Application and supporting documents

NOTICE OF PUBLIC HEARING

The Harrisonburg City Council will hold public hearings in the City Council Chambers, 409 South Main Street, Harrisonburg, VA on Tuesday, April 14, 2026, at 7:00 p.m., to consider the following:

Rezoning – 361 Franklin Street (Proffer Amendment, R-8C)

A request from Katherine S Moran and Marcie E Harris to amend proffers for a +/- 10,269 square foot parcel zoned R-8C, Small Lot Residential Conditional. The property is addressed as 361 Franklin Street and is identified as tax map parcel 27-Q-1.

Rezoning – 851 Madison Street (R-2 to R-8)

A request from Center for Health and Human Development to rezone a +/- 12,330 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 parcel 41-K-5 & 6.

Special Use Permit – 851 Madison Street (To reduce the required parking areas in R-8)

A request from Center for Health and Human Development for a special use permit per Section 10-3-59.4(9) to reduce the required parking areas to fewer than the required number of vehicle parking spaces for any use, provided that an amount of open space equal to the amount of space that would have been used for the required number of vehicle parking spaces is left available for parking in the R-8, Small Lot Residential District. The +/- 12,330 square foot property is addressed as 851 Madison Street and is identified as tax map parcel 41-K-5 & 6.

Applications and other information are available for review by contacting the Department of Community Development, 409 South Main Street, Monday through Friday, 8:00 a.m. to 5:00 p.m. Please call (540) 432-7700 to obtain a copy by email or by appointment. More information is available at www.harrisonburgva.gov/public-hearings. Interested parties will be able to attend the meeting and to watch the meeting on Public Education Government Channel 1072, and the City's website at www.harrisonburg-va.legistar.com/Calendar.aspx.

Publication dates:

Wednesday, April 1, 2026

Wednesday, April 8, 2026

**STATE OF VIRGINIA
CITY OF HARRISONBURG, to with:**

I, Pamela Ulmer, city clerk, certify that the Harrisonburg City Council will be addressed on Tuesday, April 14, 2026 at 7:00 p.m., or as soon as the agenda permits, to consider the following:

Rezoning – 361 Franklin Street (Proffer Amendment, R-8C)

A request from Katherine S Moran and Marcie E Harris to amend proffers for a +/- 10,269 square foot parcel zoned R-8C, Small Lot Residential Conditional. The property is addressed as 361 Franklin Street and is identified as tax map parcel 27-Q-1.

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Given under my hand this 27 day of March, 2026



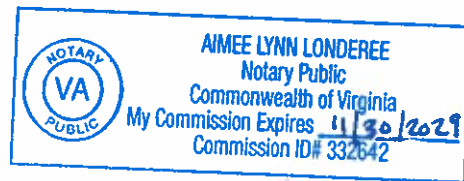
City Clerk

Subscribed and sworn to before me this 27th day of March, 2026 a Notary Public in and for the Commonwealth of Virginia.



Notary

My commission expires 11/30/2029



CRAIG GEORGE W TINA M
821 MADISON ST
HARRISONBURG VA 22802

CENTER FOR HEALTH AND HUMAN
DEVELOPMENT
340 MARYLAND AVE
HARRISONBURG VA 22801

GUIVAS JOSE L
861 MADISON ST
HARRISONBURG VA 22802

CHARSTON CE AGUILUZ & KRISTEL
AGUILUZ
131 ASHBY AVE
HARRISONBURG VA 22802

SPITZER MYRNA E
141 ASHBY AVE
HARRISONBURG VA 22802

CITY OF HARRISONBURG
409 S MAIN ST
HARRISONBURG VA 22801

LONEWOLF ACQUISITIONS LLC
737 E MARKET ST
HARRISONBURG VA 22801

SNYDER LARRY E DEBORAH
1000 N MAIN ST
HARRISONBURG VA 22802

CNL INVESTMENTS LLC
7156 WELL HOLLOW RD
SINGERS GLEN VA 22850

TAYLOR CHARLES E III
1678 SHERRY LA
HARRISONBURG VA 22801

LINSEY WOOD CLARKE & CHIPLEY
JONES CLARKE
331 MONTICELLO AVE
HARRISONBURG VA 22801

HORST NATHAN D LARA RESSLER
367 FRANKLIN ST
HARRISONBURG VA 22801

THRONE DAVID R & HOLLY M
346 FRANKLIN ST
HARRISONBURG VA 22801

NORA L ANDERSON & JAMES C
ANDERSON
356 FRANKLIN ST
HARRISONBURG VA 22801

JONES STEPHEN R SARAH F
334 MONTICELLO AVE
HARRISONBURG VA 22801

RVACHMBERLAYNE LLC
8401 MAYLAND DR STE S
RICHMOND VA 23294

MORAN KATHERINE S & MARCIE E
HARRIS
3420 LAKE POINTE DR
HARRISONBURG VA 22801

AVERY

5160

DART SHEILA SHERMAN
271 S LIBERTY ST
HARRISONBURG VA 22801

HARRISONBURG BAPTIST CHURCH
501 S MAIN ST
HARRISONBURG VA 22801

J-M APARTMENTS LC
265 CHESAPEAKE AVE
HARRISONBURG VA 22801

BERNARD LC
PO BOX 130548
HOUSTON TX 77219

TRUSTEES BPO ELKS LODGE 450
482 S MAIN ST
HARRISONBURG VA 22801

Easy Peel™ Address Labels
Bend along line to expose Pop-up Edge

LIBERTY TOWNES LLC
PO BOX 1584
HARRISONBURG VA 22803

BOYERS OTHO A KAYE H
293 S LIBERTY ST
HARRISONBURG VA 22801

UNION FIRST MARKET BANK
4355 INNSLAKE DR SUITE 325
GLEN ALLEN VA 23060

Go to avery.com/templates
Use Avery template 5160

BOX NINE LLC
202 N LIBERTY ST SUITE 101
HARRISONBURG VA 22802

SMITH D CRAIG SUE W
594 SOUTH MAIN ST
HARRISONBURG VA 228018628

TRENTON INC
7706 CARLTON PLACE
MCLEAN VA 22102

512 S MAIN INTERMEDIARY LLC
512 S MAIN ST
HARRISONBURG VA 22801

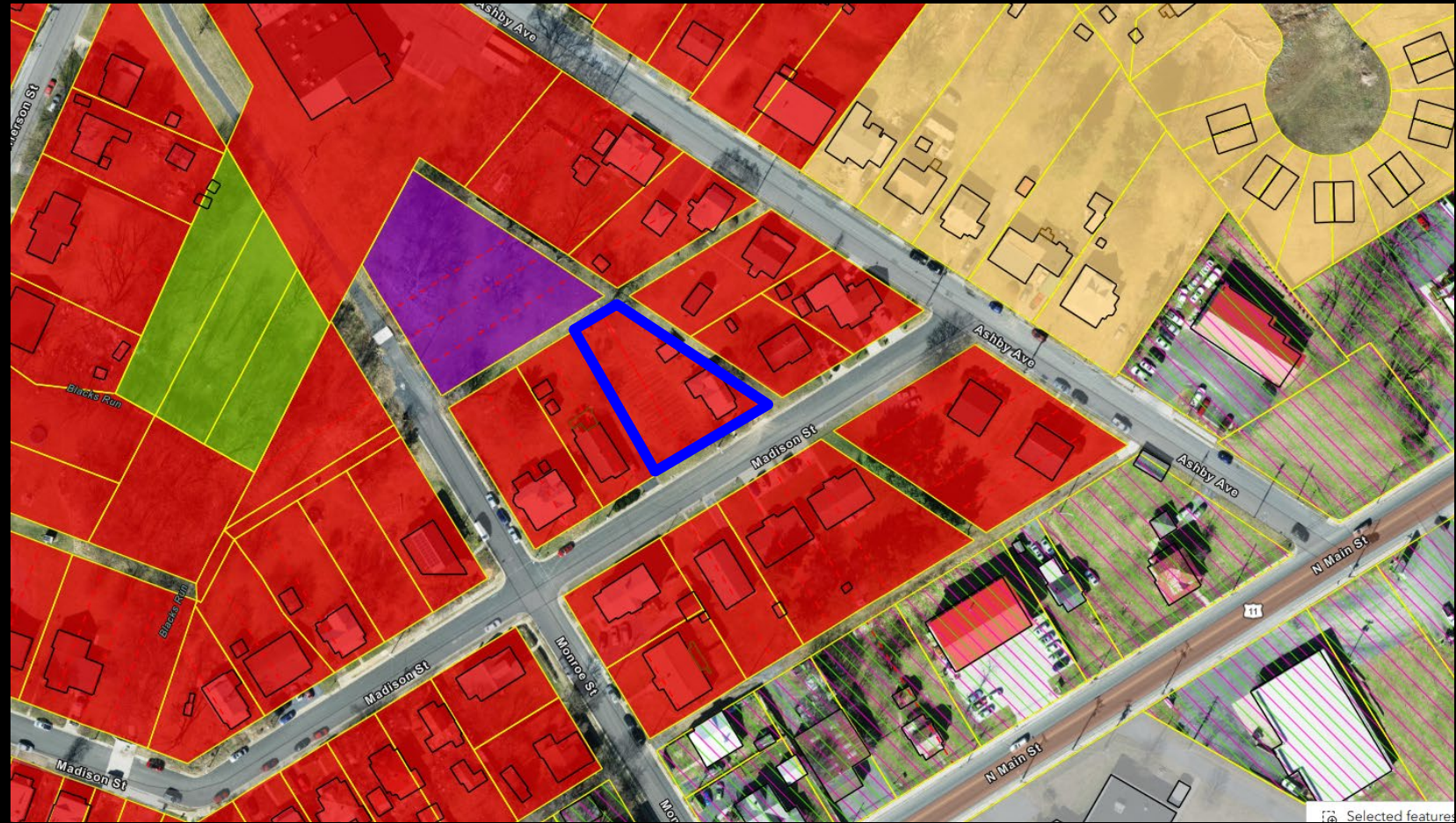
RICOCHET LLC
412 S MAIN ST
HARRISONBURG VA 22801

Rezoning – 851 Madison Street (R-2 to R-8) Special Use Permit – Reduced Parking



Selected features

Rezoning – 851 Madison Street (R-2 to R-8) Special Use Permit – Reduced Parking

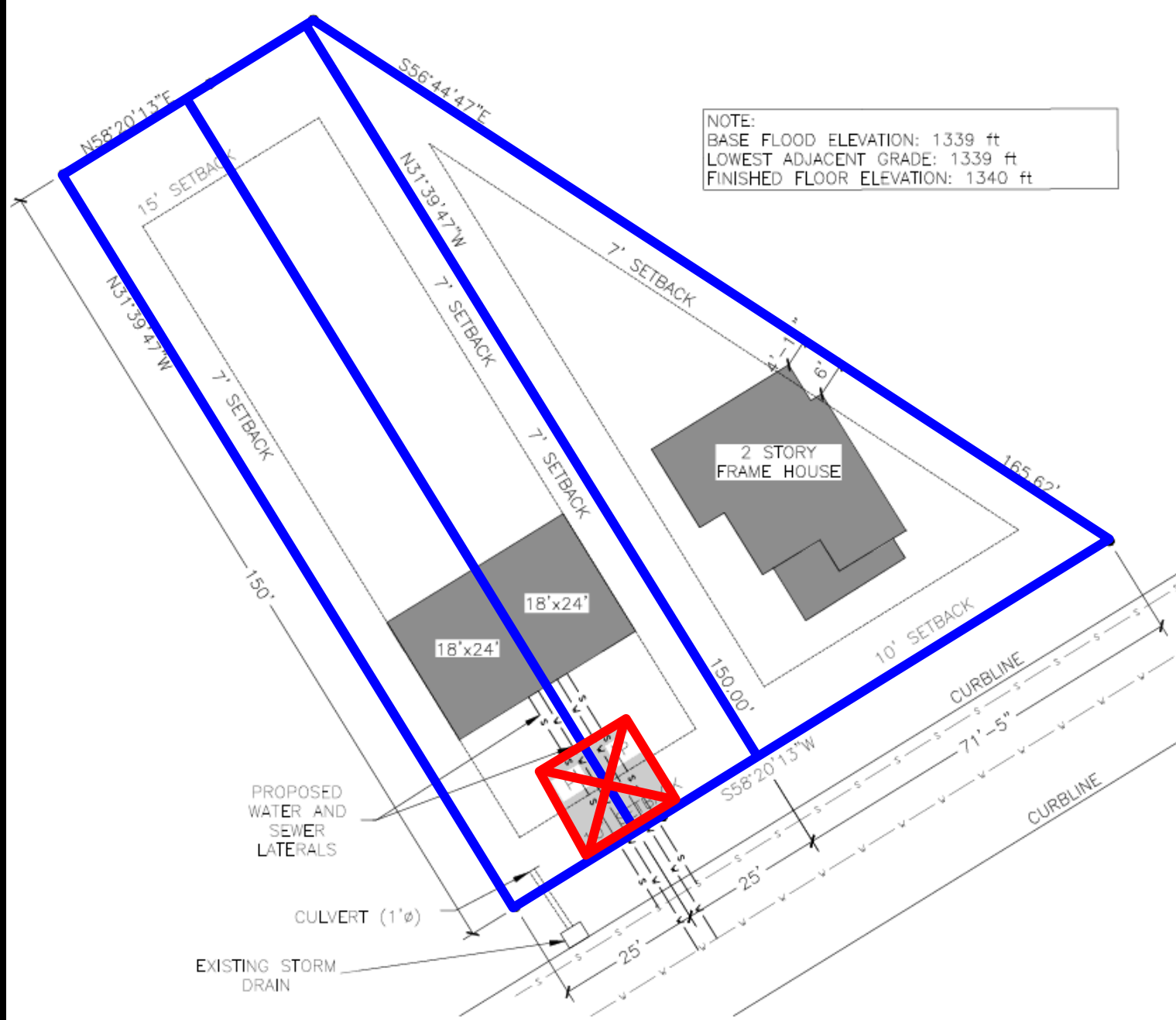


Rezoning – 851 Madison Street (R-2 to R-8) Special Use Permit – Reduced Parking



Selected features

Rezoning
R-2 to R-8



NOTE:
BASE FLOOD ELEVATION: 1339 ft
LOWEST ADJACENT GRADE: 1339 ft
FINISHED FLOOR ELEVATION: 1340 ft

DUPLEX
SCALE: 1" = 20'

SUP
10-3-59.4 (9)
Reducing
Required
Parking
Areas

Staff's Recommended Condition

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



Zone AE

Ashby Ave

Madison St

Madison St

Monroe St

127

Selected features

Recommendation

Staff and Planning Commission (6-0) recommends approval rezoning request.

Staff and Planning Commission (6-0) recommends approval of the SUP request with the condition.



City of Harrisonburg

City Hall
409 South Main Street
Harrisonburg, VA 22801

Legislation Text

File #: ID 26-080, **Version:** 1

Subject:

Consider a request from Trenton Inc. and Bernard LC to rezone 435, 445, 457, 473, 483 & 495 South Main Street and 282, 288, 294 & 298 South Liberty Street (The Link Apartments)

Presented By: Adam Fletcher, Director of Community Development

[Click here to enter the action/summary \(insert the summary from the memo here\)](#)



March 11, 2026 Planning Commission Meeting

Title

Consider a request to rezone at 435, 445, 457, 473, 483 & 495 South Main Street and 282, 288, 294 & 298 South Liberty Street — Thanh Dang, Community Development

Summary

Project name	The Link Apartments
Address/Location	435, 445, 457, 473, 483 & 495 South Main Street and 282, 288, 294 & 298 South Liberty Street
Tax Map Parcels	25-J-2, 3, 4, 5, 6, 7, 15, 16, 17 and 18
Total Land Area	+/- 2.75-acres
Property Owner	Trenton Inc. and Bernard L C
Owner’s Representative	Timberwolf Capital Partners LLC
Present Zoning	R-3, Medium Density Residential District
Proposed Zoning	B-1C, Central Business District Conditional
Planning Commission	July 9, 2025 (Invalid Public Hearing Date) March 11, 2026 (Public Hearing)
City Council	August 12, 2025 (Invalid First Reading/Public Hearing) Anticipated April 14, 2026 (First Reading/Public Hearing) Anticipated April 28, 2026 (Second Reading)

Recommendation

Option 1. Recommend approval of the rezoning request.

Context & Analysis

The following land uses are located on and adjacent to the property:

- Site: Lindsey Funeral Home and vacant office building, zoned R-3
- North: City Hall, Turner Pavilion, parking lots, zoned B-1
- East: Across South Main Street, commercial properties, zoned B-1C and B-2C
- South: Harrisonburg Baptist Church, zoned R-3
- West: Across South Liberty Street, residential uses, zoned R-3

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 250 units and 2,000 to 5,000 square feet of commercial space, with a parking garage consisting of a minimum of 480 off-street parking spaces.

Planning Commission reviewed a request to rezone the subject property on July 9, 2025. Due to an error in advertising for the July 2025 Planning Commission public hearing, a new public hearing must be held for the request. Before staff realized there was an advertising error, City Council held a public hearing on August 12, 2025, where they tabled the request and directed staff to facilitate a process in engaging the applicant and residents for discussion of the project. Previous staff reports, application materials, and public comments are available at: <https://harrisonburg-va.legistar.com/LegislationDetail.aspx?ID=7507770&GUID=BCCA5060-6091-4F84-B392-674CDE97EBE5&Options=&Search=>.

Since August 2025, the applicant worked with facilitators to engage with community members, updated the Traffic Impact Analysis (TIA), completed a cut-through analysis of Paul Street, and updated the rezoning application.

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 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 and screening on the parking garage’s north facing wall and west facing building plane (Proffer I.a., I.g., and I.i.). 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 substantially conforms with the Concept Plan.

The applicant has proffered sustainability features including, but not limited to, rough-in measures to allow for future installation of solar panels (Proffer I.j.), a minimum of 14 electrical vehicle

(EV) charging stations (Proffer III.c.), a minimum of 120 secure indoor bicycle parking spaces, and a minimum of 16 exterior bicycle parking spaces (Proffer III.d.).

Proffers related to the Downtown Park, Land Use, Transportation, Parking, and Cash Proffers 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. General next steps for the park include fundraising, completing final design plans, and 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 a vehicle turnaround for the downtown park as generally shown on the Concept Plan and includes the dedication of an ingress and egress 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. restricts the number of dwelling units on the property to a maximum of 250 units putting the development at about 91 units per acre. The table below compares Lineweaver Apartments, The Colonnade, Urban Exchange, and The Link Apartments:

Apartment Name	Acres	Units	Units/Acre(rounded up)	Bedrooms	Bedrooms/Acre (rounded up)
Lineweaver, 265 North Main Street	+/- 1.98	121	62	121	62
The Colonnade, 351 North Mason Street	+/- 2.20	60	28	126	58
Urban Exchange, 238 East Water Street	+/- 2.63	196	75	407	155
The Link Apartments	+/- 2.75	250 (max. Proffered)	91	555 (max. Proffered)	202

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-, 3-, 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.

The applicant has proffered a minimum of 110 studio or one-bedroom apartments (Proffer I.c.), a maximum of 85 four-bedroom units (Proffer I.d.), and that no units will consist of more than 4-bedrooms (Proffer I.d). While the exact bedroom count and unit type composition is not known at this time, if there are 110 one-bedroom units and 85 four-bedroom units, then the remaining 55 units would be made up of a combination of 2 or 3-bedroom units. However, there could be other combinations if there are more than 110 one-bedroom units or less than 85 four-bedroom units.

Additionally, the applicant has proffered restrictions on occupancy; that studio and one-bedroom units may be leased to a family or no more than two unrelated individuals and that all other residential units may be leased to a family or no more than one unrelated individual per bedroom (Proffer I.f.). In the B-1 district, without proffers, zoning occupancy regulations allow a family or no more than four individuals in each dwelling unit. While staff can accept the occupancy related proffer, we have concerns that such a proffer can be overly restrictive. The proffered constraint, applied to two- or three- bedroom units, could limit choices for non-student, non-family households such as a married couple and their friend seeking a two-bedroom unit, or a three-person family that wishes to include a roommate seeking a 3-bedroom unit. For market-rate rentals, these types of shared housing scenario may be what makes housing costs affordable and attainable for Harrisonburg’s non-student population.

With regard to non-residential uses, the applicant proffered a minimum of 2,000 square feet and a maximum of 5,000 square feet of commercial space to be on the southeast corner (Paul Street and South Main Street) of the building (Proffer I.e.). The proffered 5,000-square-foot maximum reflects the largest commercial space evaluated in the TIA. 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 is about the same height as Urban Exchange. The applicant has proffered that the fifth and sixth floors of the building will contain stepped back elevations along the South Liberty Street and South Main Street frontages as generally shown in the exhibits provided (Proffer I.h.).

Staff believes that the proposed uses, with the submitted proffers, generally conform 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 first accepted by the Department of Public Works on March 31, 2025. Since August 2025, the TIA was revised to account for changes to proffered conditions (namely, reducing the unit count from 290 to 265 – which has been proffered to be lower at 250 - and increase the commercial space to 5,000 square feet). A new acceptance letter was issued by the Department of Public Works on January 12, 2026.

The 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 under current traffic conditions, 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
- The eastbound left turn from West Grace Street onto South Main Street.

Since the August 2025 City Council presentation, the applicant completed a cut-through analysis of Paul Street to evaluate concerns raised by community members. The cut-through analysis “[found] no evidence that any significant traffic will opt for the cut-through route over the existing, traditional route” and “[t]he existing traffic calming measures on Paul St are expected to continue in their effectiveness to deter cut-through traffic.”

The Department of Public Works will be making changes to 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 of South Liberty Street in the downtown area (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 2028. 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#LibertyStreetProject>.

The *Transportation Improvement* proffer II.a. explains 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 and staff. The Paul Street extension would include sidewalks on both sides of the street. Proffer II.b. describes how the Paul Street extension could accommodate new entrances from the existing Harrisonburg

Baptist Church (HBC) parking lot to the new street. While the applicant has been in communications with representatives from HBC, HBC has not formally committed to this change and completion of this proffer will require HBC's approval during the engineered comprehensive site plan (ECSP) phase of the project. Proffer II.b. also includes the installation of street bump-outs (curb extensions) along South Main Street by the applicant. Street bump-outs have many safety benefits including, but not limited to, improving pedestrian visibility and reducing crossing distance, prohibiting vehicle parking close to the intersection, and reducing vehicle speeds (both for through and turning vehicles). While at this time, staff does not foresee waiving the requirement for the applicant to complete the bump-outs, staff requested language in the proffer to allow the Department of Public Works to waive the requirement in case there were unforeseen reasons why the bump-outs should not be constructed in the future.

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. These improvements will be complemented by pedestrian-scale lighting, street furniture, and landscaping (Proffers IV.b. and c.). The applicant has also proffered a minimum of two sidewalk connections from the project site to City Hall and to the future Downtown Park (Proffer II.d.).

The applicant is aware that if the rezoning request is approved, they must request approval from City Council for any needed Subdivision Ordinance and Design & Construction Standards Manual (DCSM) variances prior to the Department of Public Works' approval of an ECSP for extending Paul Street. 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 thus a variance would be needed for such a design. 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 480 structured parking spaces on the property (Proffer III.a.). Proffer III.a. includes language that the structured parking spaces shall be "substantially completed" and open for public use prior to the first issuance of any Certificate of Occupancy (or Temporary Certificate of Occupancy) for the property. "Substantial completion" is a term used in construction to describe a milestone occurring when a project is sufficiently complete for its intended use, even if minor "punch list" items remain. For the parking garage, this means that it is safe and can be open for use as determined by the Building Official and Zoning Administrator, but there is minor work to be completed prior to overall project completion.

Proffer III.b. states that the applicant would enter into a Parking Agreement with the City consistent with the attached Memorandum of Understanding to reserve up to 65 parking spaces for municipal/public uses in the parking garage.

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 to 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 250 apartment units and 2,000 to 5,000 square feet of commercial space on the subject site was not known or studied in 2020. Staff believes the applicant’s proffer to provide a minimum of 480 parking spaces on the property will assist in mitigating parking pressures resulting from this development, the Downtown Park, and the surrounding area.

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

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.

Cash Proffers

The Applicant has proffered cash contributions for

- Proffer II.c. Traffic calming (\$30,000),
- Proffer III.f. Parking enforcement (\$30,000), and
- Proffer V. Affordable housing (\$93,738).

The applicant commissioned a report completed by Virginia Proffer Solutions titled “Proffer Analysis for Housing Affordability, The Link Project, City of Harrisonburg, VA” (January 2026). The report details impact to affordable housing in the City related to the project. The applicant has based the amount of the affordable housing cash proffer on the report.

Staff notes that parking enforcement and affordable housing fall outside of the specific categories of cash contributions for off-site infrastructure under Virginia Code Section 15.2-2303.4. Additionally, the Traffic Impact Analysis (TIA) and cut-through analysis submitted for the project did not identify a specific need for transportation mitigations.

The Applicant submits these proffers pursuant to Virginia Code Section 15.2-2303.4(D)(1), which states that an applicant may submit any offsite proffer they "deem reasonable and appropriate, as conclusively evidenced by the signed proffers" and the Applicant has "conclusively evidenced" their belief that these are reasonable by signing the proffer statement.

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

Matters related to housing have been discussed in the *Land Use* section of this report. Additionally, 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 Projections 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 250 apartment units are estimated to generate 83 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.

Conclusion

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

Options

1. Recommend approval of the rezoning request.
2. Recommend denial of the rezoning request.

Attachments

- Site maps
- Application and supporting documents
- Traffic Impact Analysis (TIA) report, December 2025
- TIA Supplement Cut-Through Analysis, January 2026
- Public comments

CITY OF HARRISONBURG

Rezoning
(R-3 to B-1C)

435, 445, 457, 473, 483 &
495 South Main Street and
282, 288, 294 & 298

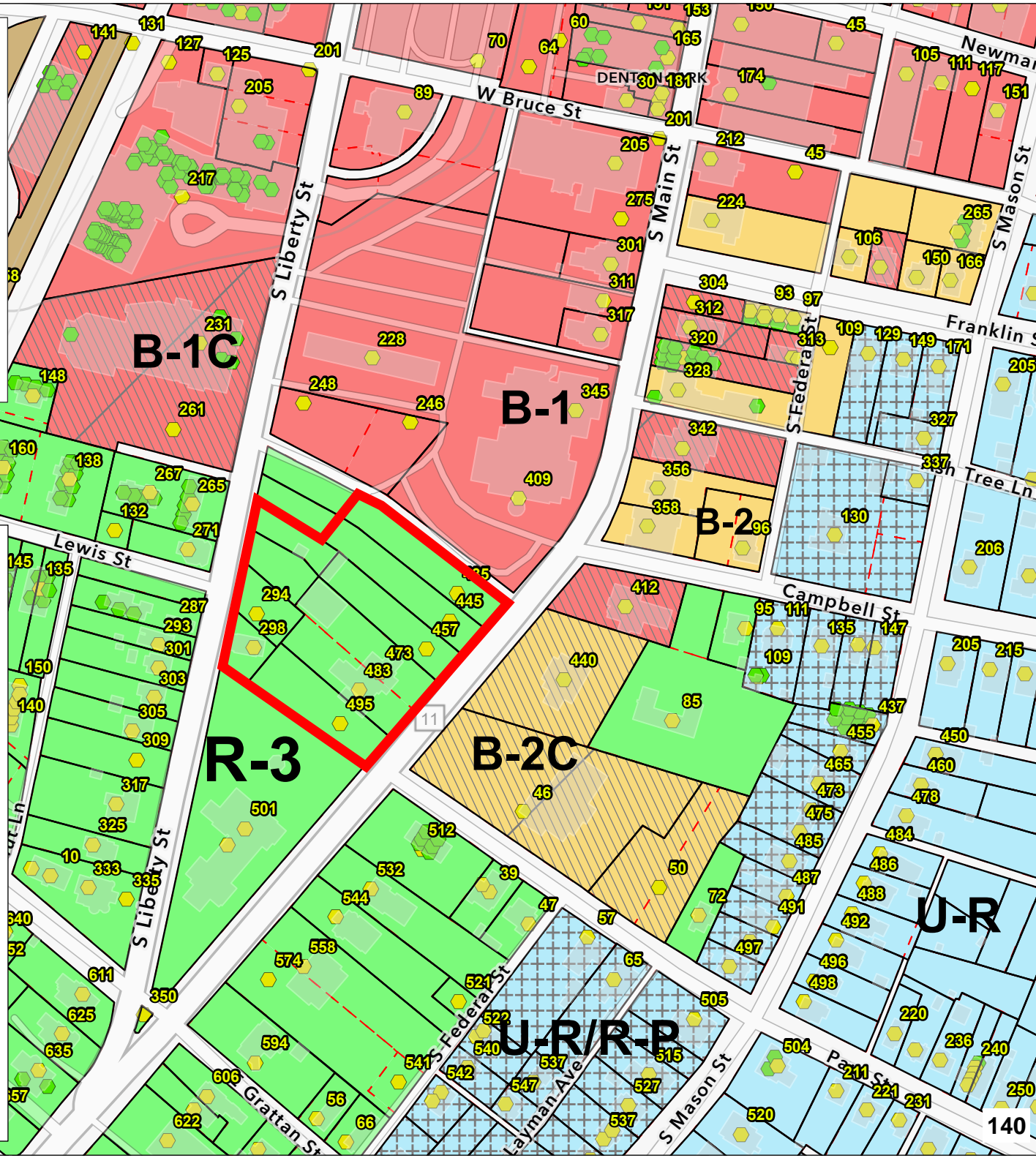
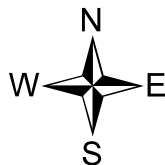
South Liberty St

Tax Map Parcels:

25-J-2, 3, 4, 5, 6, 7,
15, 16, 17 and 18

+/- 2.75-acres

ZONING



CITY OF HARRISONBURG

Rezoning (R-3 to B-1C)

435, 445, 457, 473, 483 &
495 South Main Street and
282, 288, 294 & 298

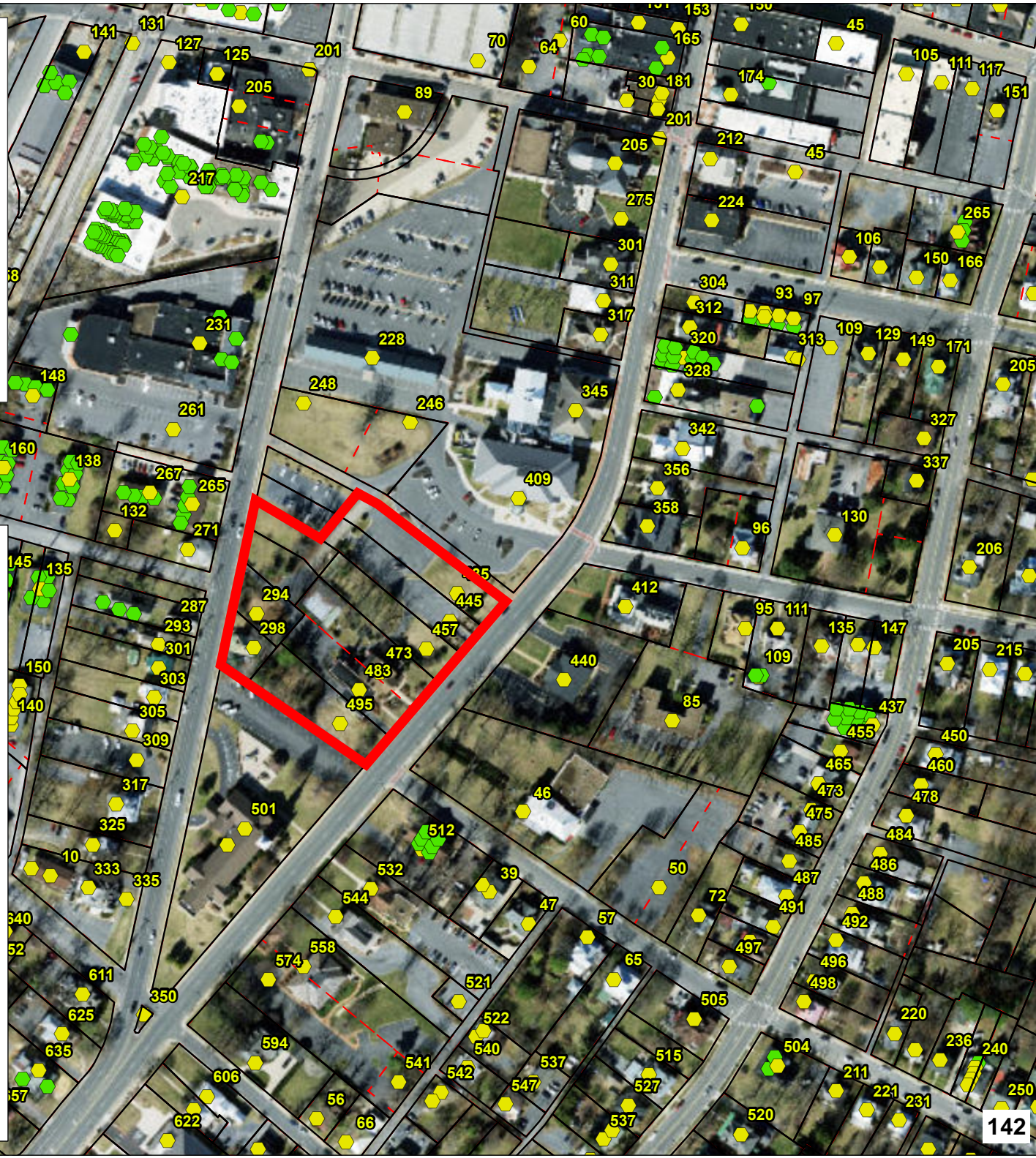
South Liberty St

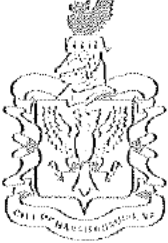
Tax Map Parcels:

25-J-2, 3, 4, 5, 6, 7,

15, 16, 17 and 18

+/- 2.75-acres





**CITY OF HARRISONBURG
COMMUNITY
DEVELOPMENT**

**Change of Zoning District
(Rezoning) Application**
www.harrisonburgva.gov/zoning

PROPERTY INFORMATION

473 South Main Street, Harrisonburg, VA 22801 025 J 2,3,4,5,6,7,15,16,17,78 (circle) or sq. ft.
 Property Address Tax Map Parcel/ID Total Land Area (circle)
 Existing Zoning District: R-3 Proposed Zoning District: B-1C
 Existing Comprehensive Plan Designation: Mixed Use

PROPERTY OWNER INFORMATION

Trenton, Inc. & Bernard, LC (c/o Dr. William Lindsey) [Redacted]
 Property Owner Name Telephone
 473 S. Main Street [Redacted]
 Street Address E-Mail
 Harrisonburg VA 22801
 City State Zip

OWNER'S REPRESENTATIVE INFORMATION

Todd Rhea [Redacted]
 Owner's Representative Telephone
 92 North Liberty Street [Redacted]
 Street Address E-Mail
 Harrisonburg VA 22802
 City State Zip

CERTIFICATION

I certify that the information supplied on this application and on the attachments provided (maps and other information) is accurate and true to the best of my knowledge. In addition, I hereby grant permission to the agents and employees of the City of Harrisonburg to enter the above property for the purposes of processing and reviewing this application. I also understand that, when required, public notice signs will be posted by the City on any property.

Dr. William Lindsey 6/5/2025
 PROPERTY OWNER DATE

REQUIRED ATTACHMENTS

- Letter explaining proposed use & reasons for seeking change in zoning.
- Statement on proffers, if applying for conditional rezoning.
- Survey of property or site map.
- Traffic Impact Analysis (TIA) Determination Form OR Traffic Impact Analysis (TIA) Acceptance Letter signed by Public Works Department. Applicant is responsible for coordinating with Public Works prior to submitting this application. For more information, visit www.harrisonburgva.gov/traffic-impact-analysis.

TO BE COMPLETED BY PLANNING & ZONING DIVISION

6/5/25 Total Fees Due: \$ 640 Paid
 Date Application and Fee Received Application Fee: \$550.00 + \$30.00 per acre
[Signature]
 Received By

CLARK & BRADSHAW, P.C.

ATTORNEYS AND COUNSELORS AT LAW

TODD C. RHEA
MATTHEW C. SUNDERLIN
BRADLEY J. MOYERS
QUINTON B. CALLAHAN
KAREN L. ROWELL
KATHERINE M. MANN
KEVIN M. WHEELER

92 North Liberty Street
Harrisonburg, Virginia 22802
Post Office Box 71
Harrisonburg, Virginia 22803-0071

AMY L. RUSH, C.P.A.
NOT AN ATTORNEY

Web Site: www.clark-bradshaw.com

March 2, 2026

City of Harrisonburg
Community Development
Attn: Adam Fletcher, Director
409 South Main St.
Harrisonburg, VA 22801

Re: Change of Zoning District (Rezoning) Application
City Tax Map Parcels: 025 J 2, 3, 4, 5, 6, 7, 15, 16, 17, 18
Owners: Bernard, LC and Trenton, Inc.
Developer: TCP Link Harrisonburg, LLC
Project Address: 473 S. Main Street, Harrisonburg, VA 22801

Dear Mr. Fletcher,

On behalf of the property Owners and Developer (referred to jointly herein as “Applicant”), this updated Zoning Justification Letter will replace the previously filed letter dated July 1, 2025, which was submitted along with a Change of Zoning District (“Rezoning”) Application, Proffer Statement, survey, Concept Plan, and application fee. The Applicant seeks a Rezoning from R-3 (Medium Density Residential District) to B-1C (Central Business District with proffered conditions) to allow for the development of a primarily residential mixed-use project with structured parking on the approximately 2.75 acre site comprised of ten tax parcels located at 473 S. Main Street, Harrisonburg, VA 22801, bearing City Tax Map numbers 025 J 2, 3, 4, 5, 6, 7, 15, 16, 17, 18 (“Subject Property”).

This supplemental Zoning Justification Letter will discuss and highlight several important additions to the revised Proffer Statement submitted in connection with the rezoning application in response to community and citizen feedback on the Project. The Applicant participated in a facilitated engagement process in the fall and winter of 2025 with a formal report dated December 5, 2025, and titled “Facilitation Report: The Link Discussion” being issued by the facilitation team which identified key Project concerns and involved a discussion regarding Project features and proffers surrounding those items. These areas of impact and comments included architectural design and materials, building step-backs, parking impacts, transportation impacts and housing affordability. A copy of the facilitation report is filed as an exhibit to this Zoning Justification Letter. The Report contains a detailed narrative description of the facilitated engagement process, participants, primary issues and suggestions received by the Applicant.

The parcels making up the Subject Property total 2.758 acres, all currently zoned R-3, with eight parcels owned by Trenton, Inc. and two parcels (025 J 3 & 4, 0.69 acres) owned by Bernard, LC. The current use of the Subject Property includes vacant land and surface parking, a funeral home business, garages, and a vacant single-family structure. A current survey of the Subject Property prepared by Balzar and Associates was submitted along with the rezoning application.

The requested Rezoning of the Subject Property from R-3 to B-1C is in accord with the current Mixed Use designation for the Subject Property found in the City Land Use Guide Map found in the Comprehensive Plan and the goals and objectives found in the Downtown 2040 Plan presented to City Council in 2021. The Rezoning represents a logical extension of the downtown B-1 Central Business District to encompass the Subject Parcels immediately contiguous to the southern end of the B-1 Central Business District between South Main and South Liberty Streets. This Rezoning requires neither a Comprehensive Plan Map Amendment nor Special Use Permit request. A revised Proffer Statement has been submitted which demonstrates commitments by the applicant to transportation, design, parking and other features which were identified as City and community stakeholder and citizen priorities during the facilitated engagement and review process.

This Subject Property was highlighted in the Downtown 2040 Plan both in concept and stated goals on the excerpted and previously submitted pages 16, 59 and 60 of the Plan under “Downtown Needs More Residents”, “Potential Residential Development” and “South Downtown” Plan goals and directives. The Subject Property was also highlighted by HDR and City Economic Development for potential redevelopment, consistent with the Downtown 2040 Plan in a 2024 VEDA Community Economic Development Award presentation. Plan and Presentation excerpts were previously filed with the City along with the rezoning documents.

The Subject Property has frontage on both South Main Street and South Liberty Street, with existing infrastructure including water, sanitary, and storm utilities available. An illustrative and updated Concept Plan with certain committed elements as defined in the proffers was prepared by Monteverde Engineering & Design Studio and submitted along with the Rezoning application for reference, with an updated Concept Plan submitted with the revised Proffer Statement. The revised Concept Plan is referenced herein as a guide to certain elements of the Project.

The Project will be known as “The Link” or “The Link Apartments”. The Project will provide up to 250 apartment style residential units for rent and between 2,000-5,000 square feet of first floor commercial space with integrated indoor and outdoor amenity areas for residents and a parking garage (the “Project”). The designation of The Link is meant to highlight the role of the proposed development in linking South Downtown more meaningfully to the northern end of the James Madison University campus in the Hotel Madison area, in linking South Main and South Liberty Streets with a highly valuable new east-west public street connection, and linking the City Hall, Build Our Park and Turner Pavilion with a vibrant and modern residential structure filling in a current economic and civic/public activity “dead zone” at the gateway to South Downtown.

Key benefits of approving the B-1C Rezoning proposal include:

Transportation Improvements: The Project 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, as well as to serve all

deliveries and ride-share needs of the proposed development. This 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 an option for the neighboring Church parking lot to improve two-way functionality and add parking spaces by entering off the new Paul Street extension. The Paul Street extension would ultimately result in the reduction of entrances onto South Main Street and Liberty Street thus reducing vehicular conflict points on the two most-prominent thoroughfares of the City's Downtown district. The Rezoning and redevelopment of the Subject Property also aligns with the timeline of the Liberty Street cycle track project and integrates with it via location of on-site interior bike storage and direct bike path connection from the building to South Liberty Street. Design and construction of the Paul Street extension is anticipated to require two design variances, one for reduced curb radii to allow for the road's alignment to avoid conflicts with the neighboring property, and another for reduced entrance spacing to allow for the church's entrances to be relocated off of S Main St and Liberty St; both anticipated variances are itemized on the Concept Plan for clarity of intent. The Applicant has provided a voluntary cash proffer related to traffic calming measures which may be approved under the City's existing Neighborhood Traffic Calming program for potential impacts to Paul Street (and connecting public streets) between South Main Street and Martin Luther King, Jr. Way.

Parking Solutions: The Project addresses City municipal parking resource needs, particularly important as the development of the Build our Park initiative will result in the loss of over thirty existing parking spaces in close proximity to City Hall, with additional on-street parking likely to be lost with the completion of the Liberty Street cycle track project. The Applicant has proffered below market parking for up to 65 spaces at ground level for municipal/public use with the further opportunity of that ground level parking to be used for night and weekend public parking. The Subject Property is designed to meet all of its resident parking needs on-site, though the Developer plans to charge market rates for parking separately from base rents to encourage residents to consider walk/bike/transit, ride share or car light options. The Project would construct structured parking over what is today largely surface parking, greatly increasing the efficiency of that space in line with the Downtown 2040 Plan. The structured parking facility will also offer a minimum of 14 proffered Level 2 EV charging stations (with at least 4 in the public/municipal leased parking area) for resident and City use in line with City project EV standards. The Applicant has also provided a voluntary cash proffer to offset the costs of supplemental parking enforcement or public parking program technology enhancements which may be caused by parking impacts from the Project.

Fiscal Benefits: The Project will be highly fiscally accretive to the City, with anticipated resident demographics that will generate few public school students, while adding over 500 new residents to the downtown area in direct accord with the Downtown 2040 Plan "Downtown Needs More Residents" directive. A preliminary analysis of R-3 zoned properties proximate to the Subject Property along South Main and South Liberty streets indicates current average improved assessed values in the \$1.5-2 million dollars per acre range. A Rezoning of the Subject Property and redevelopment as a B-1 property consistent with the Concept Plan would likely yield in excess of \$15 million dollars per acre in assessed value and approximately \$600,000 annually in recurring real estate tax revenues given anticipated assessed values and current City tax rates. Substantial City revenues would also be generated from permitting and construction activities and increased meals and sales taxes from both businesses located in the Project and from increased retail/restaurant activity in the downtown core generated from over 500 new downtown Link residents.

Community Cohesion: The Project ties JMU to Downtown both as a visual waypoint and through stronger pedestrian connections between the campus and downtown communities. The redevelopment would also bring a large cohort of residents as potential retail workers and retail customers within easy walking distance of downtown retail and restaurant establishments (without the need to drive and park to work or shop downtown). The productive redevelopment of the Subject Property also serves to reduce a significant south downtown economic activity “dead zone” identified in the Downtown 2040 Plan. The Project would contain a student component which is easily walkable, bikeable and transit convenient to the JMU campus (less than 0.5 miles to most of the main campus). This would reverse the trend of locating student housing remotely on the Port Road and Reservoir Street corridors and out into Rockingham County where walking and biking over 2-3 miles of congested and auto-centric roadways are not realistic options.

Open Space Synergy: The redevelopment concept for the Subject Property has been closely integrated with the Build Our Park design (endorsed by the City in 2024) as a complementary use, connecting a vibrant public commons to an urban residential backdrop. The Project provides multiple points of pedestrian connection to the Park, as well as back-of-house vehicular access to the Park’s proposed sound stage. Additionally, the Developer is committed to collaborating on murals, green wall screening, creative lighting and other art installations on its planned parking structure to create supportive visual integration with both the adjacent Park and neighboring City Hall.

Affordable Housing. The Applicant recognizes that housing affordability is a high priority for the City given low vacancy rates and the lack of housing supply as evidenced in recent City and regional studies of the local housing market. These priorities were clearly shared with the Applicant during the facilitated community engagement process for the Project. The Applicant commissioned and has filed a Proffer Analysis from Virginia Proffer Solutions detailing impacts (both positive and negative) to affordable housing in the City related to the Project. Consistent with this Proffer Analysis, the Applicant has provided a voluntary cash proffer to offset net negative impacts to housing affordability in the City related to the Project.

The vision for the Project stems from Timberwolf Capital Partners' proven track record of creating sustainable, community-focused developments across the Mid-Atlantic region. With over 125 years of collective experience in planning and development, Timberwolf has assembled a team uniquely qualified to transform the Subject Property into a vibrant mixed-use destination that will serve as a catalyst for continued investment and revitalization in Downtown Harrisonburg. Timberwolf has most recently completed and opened similar projects in Williamsburg, VA (Midtown Row, 2022) and Syracuse, NY (CODA, 2024).

The building height aligns with existing downtown signature structures, including Hotel Madison, the Student Success Center (former RMH site), two bank buildings on Court Square, Urban Exchange, and the Public Safety Building. The site has natural separation and buffering from bordering both Main and Liberty Streets, the large existing surface parking lots at City Hall and the Baptist Church surface parking lot and new Paul Street extension. The Applicant has also elicited and integrated community stakeholder, citizen and City input into its exterior architectural design to provide vertical and horizontal dimensions and materials and coloring consistent with more traditional architecture and exterior materials found in downtown Harrisonburg. These include enhanced cornices, modified balconies and pedestrian scale, varied foundational elements at street

level responsive to public input and suggestions. The Applicant has also revised and proffered substantial changes to its building design to provide sixth (6th) floor step-backs along South Main and South Liberty Streets (with smaller fifth (5th) floor step-backs also proffered) to lessen the vertical height appearance of the structure from those streets. These features are demonstrated on the revised elevation views (3 pages) and Level 5 and Level 6 plans (2 pages) prepared by QPK Design and filed with the revised Proffer Statement for the Project.

The Project incorporates sustainable design principles, including energy-efficient building systems, LED lighting, enhanced sound separation between units, stormwater management features, and pedestrian-friendly spaces that will reduce vehicle dependency and promote a healthier urban environment. The Project will offer access and climate-controlled bike storage at LEED recommended levels with direct access to the new Liberty Street bike lane. The Project location also provides an opportunity for e-bike and similar sharing programs to facilitate non-vehicular transit between downtown and the JMU campus. There are also existing HDPT transit stops on both S. Main and S. Liberty streets in close proximity to the Subject Property.

This Rezoning represents a significant opportunity to transform an underutilized property into a valuable community asset that aligns with the City's long-term planning goals. It is the first large new-build residential structure in the Downtown area since the 2009 completion of Urban Exchange, and likely represents the largest single investment in Downtown in current dollars. The project will create jobs during construction and operation phases, significantly increase Downtown housing supply, tie the JMU and downtown communities together visually to enhance Downtown economic activity, and generate substantial tax revenue that will benefit the City for decades to come. The Rezoning request to B-1C aligns with any logical extension of the existing B-1 District filling the full width between Main and Liberty Streets in the downtown core. Finally, the Applicant has made significant investments in community engagement and has responded meaningfully to community priorities and concerns regarding Project impacts raised during this process as reflected in the revised Proffer Statement for the Project.

Thank you for your assistance and cooperation. If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Todd C. Rhea', with a long horizontal flourish extending to the right.

Todd C. Rhea, Esq.

REZONING REQUEST PROFFER STATEMENT, AS
(Conditions for this Rezoning Request)

Applicant/Developer:
TCP Link Harrisonburg LLC
2400 Liberty Street, Suite 300
Harrisonburg, VA 22801

Owners:
Bernard, LC
Tax Map Parcel: 025 J 3 & 4
0.69 acres
473 S. Main Street
Harrisonburg, VA 22801

Trenton, Inc.
Tax Map Parcels: 025 J 2, 5, 6, 7, 15, 16, 17, 18
2.01 acres
473 S. Main Street
Harrisonburg, VA 22801

Total Acreage: 2.75 +/-

Dated: June 4, 2025; Revised July 1, 2025; Revised February 10, 2026; Revised March 2, 2026;
Revised March 4, 2026

TO THE MEMBERS OF THE COUNCIL OF THE CITY OF HARRISONBURG

Property Information

The Applicant (also referred to herein as “Developer”) and the Owners of the above-described parcels, containing approximately 2.75 acres +/- of land (the “Property”), have petitioned the City of Harrisonburg, Virginia (the “Council”) for a Change of Zoning District (“Rezoning”) from R-3 (Medium Density Residential District) to B-1C (Central Business District with proffered conditions) to allow for the development of a primarily residential mixed-use project (“Project”) as shown on the Concept Plan prepared by Monteverde Engineering dated February 6, 2026 (“Concept Plan” or “CP”) which depicts the Property delineated in the Rezoning application filed with the City.

Proffers

In furtherance of the requested Rezoning, the Applicant and Owners hereby proffer that in the event the Council approves the Rezoning of the Property from R-3 (Medium Density Residential District) to B-1C (Central Business District with proffered conditions), then the development on the Property shall be done in conformity with the terms and conditions as set forth herein, except to the extent that such terms and conditions may be subsequently amended or revised

by the Applicant and Owners and such be approved by the Council in accordance with Virginia law. These Proffers shall be binding upon Applicant, Owners, and their legal successors or assigns and shall run with the Property. The Applicant and Owners hereby agree that the proposed Rezoning itself gives rise to the need for these Proffers, that the Proffers have a reasonable relation to the proposed Rezoning, and that all conditions are in substantial conformity with the City's Comprehensive Plan. This Proffer Statement shall supersede and replace in full any previously filed Proffer Statement(s) for the Property in connection with the Application.

The Applicant and Owner hereby voluntarily proffer that, if the Council acts to rezone the Property as requested, the Applicant and Owners shall develop the Property in general accord with the following proffers pursuant to Sections 15.2-2303 and 15.2-2303.4, et al., of the Code of Virginia, 1950 as amended, and pursuant to Section 10-3-123, et al., of the City Of Harrisonburg Code of Ordinances, the Applicant and the Owners, or their successors and assigns, will provide the following:

I. Development Standards:

a. The development of the Property in terms of primary building structure location, parking garage location, and public street access points shall be in substantial conformance with the Concept Plan. The Concept Plan may be modified during site plan review as needed to meet applicable local, state, and federal requirements and otherwise deemed necessary/beneficial during the Comprehensive Engineered Site Plan ("Site Plan") approval process with approval by the Department of Community Development.

b. The maximum number of residential dwelling units on the Property shall not exceed 250 units. The maximum number of bedrooms on the Property shall not exceed 555.

c. A minimum of 44% of the maximum proffered residential dwelling units (as provided in proffer I.b. above) will consist of studio or one-bedroom apartments (for clarity, a minimum of 110 studio or one-bedroom apartments).

d. A maximum of 34% of the maximum proffered residential dwelling units (as provided in proffer I.b. above) will consist of four (4) bedroom apartments (for clarity, a maximum of 85 four (4) bedroom apartments). No dwelling units will consist of more than four (4) bedrooms.

e. A minimum of 2,000 square feet and a maximum of 5,000 square feet of commercial space shall be completed on the southeast corner of the first floor of the primary structure and along the Paul Street and South Main Street frontages. Commercial tobacco, smoke or vape shops uses shall be prohibited on the Property.

f. Studio and one-bedroom residential dwelling units may be leased to a family or no more than two unrelated individuals. All other residential dwelling units may be leased to a family or no more than one unrelated individual per bedroom.

g. The Project shall be designed to include many architectural features intended to scale down the massing of the building by incorporating materials of various styles and elevations and by articulating the façade both vertically and horizontally with elements such as fluctuating parapet heights and depths, and containing multiple building projections including unit balconies, cornices, trim, sun shades in general conformance with the building elevations titled “Proposed Housing Development Project – 473 South Main Street, Harrisonburg, VA – View 1, View 2, View 3” (3 pages), dated January 26, 2026 and filed with these Proffers. Final colors, finishes, materials and exact exterior specifications shall be subject to final construction documents, Site Plan approval, and material availability.

h. The fifth (5th) and sixth (6th) floors of the structure will contain stepped back elevations along the South Liberty Street and South Main Street frontages generally as shown on the “Proposed Housing Development Project – 473 South Main Street, Harrisonburg, VA – Level 5 Plan, Level 6 Plan” (2 pages) dated January 26, 2026 and filed with these Proffers. No public or resident access will be provided to the sixth (6th) floor rooftop area.

i. The parking garage’s north facing wall and west facing building plane will contain at least one of the following exterior screening/décor features: a green wall (living plants), screening trees, mural art, sculptural screens, installed landscaping, lighting and other screening and exterior décor features. The gross coverage area of each of the north and west facing garage walls will be at a minimum of 60% surface coverage. For any tree plantings or living wall installations being counted as part of the minimum screening coverage ratio, detailed planting types and screening dimensions at levels of maturity will be submitted for review and approval by the Zoning Administrator as a supplement to the Site Plan.

j. The primary structure will include design elements and rough-in measures to allow for future installation of solar panels on a portion of the roof of the main building structure. Such measures include structural support considerations, electrical conduits, and placement of rooftop HVAC units.

II. Transportation Improvements:

a. A public street extension of Paul Street shall be designed and constructed as generally shown on the Concept Plan with sidewalks on both sides of the street and designed to accommodate 2-way traffic. Final width and configuration of this new public street extension will be reviewed and approved by Public Works during Site Plan approval.

b. The new Paul Street public street extension will be dedicated to the neighboring property line of Harrisonburg Baptist Church (“HBC”). The street will be designed and installed to accommodate entrances from the existing HBC parking lot onto the public street extension with locations shown on the Concept Plan and to be reviewed and approved by City Public Works during Site Plan approval, and with the approval of HBC. Upon HBC request and City approval, Developer will install curb, gutter and sidewalk extensions

consistent with the installations on the Subject Property across the former (closed) Main and Liberty Street entrances to the HBC parking lot. Street bump-outs along South Main Street will be designed and installed as approved by Public Works during Site Plan approval in the locations as generally depicted on the Concept Plan. Public Works may, in its sole discretion, waive, in whole or in part, the completion of bump-outs.

c. At a minimum, sidewalks shall be constructed to conform with City standards along all public street frontages of the Property. The South Main Street and Liberty Street sidewalks along the length of the subject property shall be designed and constructed to match the width, material, and appearance of the sidewalk fronting the adjacent City Hall and Build Our Park properties, respectively, to be reviewed and approved by Public Works during the Site Plan approval process. Where new sidewalk width exceeds existing rights-of-way, public pedestrian access easements shall be granted to the City.

d. A minimum of two sidewalk connections will be made from the north property line of the Property connecting to adjacent City-owned parcels with a minimum of one sidewalk connection to the planned park (City tax map numbers 25-J-19, 20, 21 or 22) and a minimum of one sidewalk connection to the City Hall parcel (City tax map parcel 25-J-10). The specific locations of these connections shall be determined in consultation with and approved by the City during the Site Plan approval process. These two proffered north boundary pedestrian connections are in addition to, and do not include, the existing sidewalk connections fronting South Main and South Liberty Streets.

e. A cash contribution shall be provided to the City upon request in the amount of Thirty Thousand Dollars (\$30,000.00) for traffic calming improvements to Paul Street and/or connecting streets. The City may request this funding for any traffic calming improvements that are selected through the City's Neighborhood Traffic Calming Program on Paul Street (or connecting streets) between South Main Street and Martin Luther King, Jr. Way. The cash contribution may be requested by the City after the issuance of any Certificate of Occupancy for the Property and shall be provided within 180 days of the City request. The City shall make any request for a cash contribution under this proffer within five (5) years of the issuance of any Certificate of Occupancy for the Property (and may make multiple requests up to the aggregate cash contribution amount).

f. All proffered Transportation Improvements in this section II, unless specifically provided otherwise, shall be substantially complete prior to the issuance of any Certificate of Occupancy.

III. Parking/Access Improvements:

a. A minimum of 480 structured parking spaces shall be provided on the Property. The structured parking spaces shall be substantially completed and open for public use prior to the first issuance of any Certificate of Occupancy (or Temporary Certificate of Occupancy) for the Property.

b. A Parking Agreement with the City shall be entered into consistent with the Memorandum of Understanding (“Parking MOU”) filed herewith reserving up to 65 parking spaces for municipal/public uses to be located on the entrance level(s) of the structured parking garage on the Property on terms consistent with the Parking MOU. The Parking Agreement will provide for a review of actual usage and demand for parking after two years of the issuance of a Certificate of Occupancy for the Property for leased space adjustments based on demand and a history of parking space uses.

c. A minimum of fourteen (14) Level 2 or better (or equivalent to current Level 2 technology or better) electric vehicle charging stations shall be installed and maintained within the structured parking deck. A minimum of four (4) EV charging stations will be installed and maintained on the level leased for municipal/public parking.

d. Secure indoor bicycle storage for a minimum capacity of one hundred twenty (120) bikes shall be installed and maintained on the Property. A minimum of sixteen (16) exterior bike parking spaces shall be installed and maintained on the Property.

e. Coordinated back of stage access and turnaround as generally shown on the Concept Plan will be designed and installed in coordination with the timing of installation of adjacent Park improvements as constructed by the City or a third party. An ingress and egress easement shall be granted to the City or appropriate Park authority for this Park access within ninety (90) days of Site Plan approval or City request associated with Park construction needs, whichever first occurs, with the simultaneous release of the existing City access easement (found recorded at Deed Book 5542 at Page 793) located over a portion of the Property.

f. A cash contribution will be made to the City for parking enforcement or enhancements to the City’s public permit parking programs in the amount of Thirty Thousand Dollars (\$30,000.00) in order to offset parking related impacts from the Project. Such cash contribution shall be delivered to the City within thirty (30) days of the issuance of any Certificate of Occupancy for the Project.

IV. Amenities:

a. A minimum of 10,000 square feet of indoor amenity space on the Property, and a minimum of 15,000 square feet of outdoor amenity space (including an outdoor pool / hot tub containing a combined minimum of 1,400 square feet) will be installed and maintained on the Property in the locations generally depicted on the Concept Plan.

b. The development shall incorporate pedestrian-scale lighting, street furniture (minimum of six (6) separate outdoor seating locations), and landscaping along public street frontages of the Property. Street furniture shall include, at a minimum, trash receptacles and varied seating options. Landscaping shall include, at a minimum, one (1) large deciduous tree or two (2) small deciduous trees or combination thereof at same ratios, planted for each 50 linear feet of street frontage of the Property. Up to 50% of the large tree requirement may be substituted with ten (10) shrubs or ornamental grasses, or any

combination thereof at the same specified ratios. Trees and shrubs may be clustered. All improvements and installations contained in this section (including pedestrian area refuse management) shall be completed prior to the issuance of any Certificate of Occupancy for the Property or bonded for completion within 180-days of Certificate of Occupancy issuance.

c. The development shall incorporate pedestrian-scale lighting and landscaping along the northern property lines. Lighting may be limited where necessary to avoid light trespass in excess of City standards, unless otherwise permitted via City Council waiver. Landscaping shall include, at a minimum, one (1) large deciduous planted tree for each 50 linear feet of property line north of the development. Up to 50% of required large deciduous trees may be substituted (per tree) with two (2) small deciduous or evergreen trees, ten (10) shrubs or ornamental grasses, or any combination thereof at the same specified ratios. Trees and shrubs may be clustered. Any trees or other landscaping placed to satisfy this proffer may also count towards screening requirements provided in Proffer I.i. above. All improvements and installations contained in this section shall be completed prior to the issuance of any Certificate of Occupancy for the Property or bonded for completion within 180-days of Certificate of Occupancy issuance.

d. The Zoning Administrator may allow reduction or modification of tree and landscaping commitments contained in this article to meet public safety requirements from applicable City departments including Harrisonburg Fire Department, Harrisonburg Police Department and Public Works. The applicant shall demonstrate to the Zoning Administrator that alternatives to meet requirements have been explored and exhausted before the Zoning Administrator approves reduction or modification.

V. Affordable Housing:

a. A cash contribution to the City to fund affordable housing or housing programs or initiatives in the amount of Ninety-Three Thousand Seven Hundred and Thirty-Eight Dollars (\$93,738.00) to offset impacts to City housing affordability from the Project. Such cash contribution shall be delivered to the City at the time of the issuance of any Certificate of Occupancy for the Project. This voluntary proffer is supported by the Proffer Analysis dated January 27, 2026, prepared by Virginia Proffer Solutions on behalf of the Applicant and filed along with this revised Proffer Statement.

VI. Implementation:

These proffers shall take effect upon approval of the rezoning by the City Council. We hereby proffer that the development of the subject property on this application shall be in strict accordance with the conditions set forth in this submission.

In witness whereof, the Applicant/Owner has caused these Proffers to be executed as follows:

APPLICANT:
TIMBERWOLF CAPITAL PARTNERS LLC

By: DocuSigned by:
John T. Hoover III
7BAE9A41CB4C47B... (SEAL)
John T. Hoover, III, Managing Partner

Date: 3/4/2026

OWNER:
BERNARD, LC

By: DocuSigned by:
Dr. William Lindsey
9638B66467D6426... (SEAL)
Dr. William Lindsey, Manager

Date: 3/4/2026

OWNER:
TRENTON, INC.

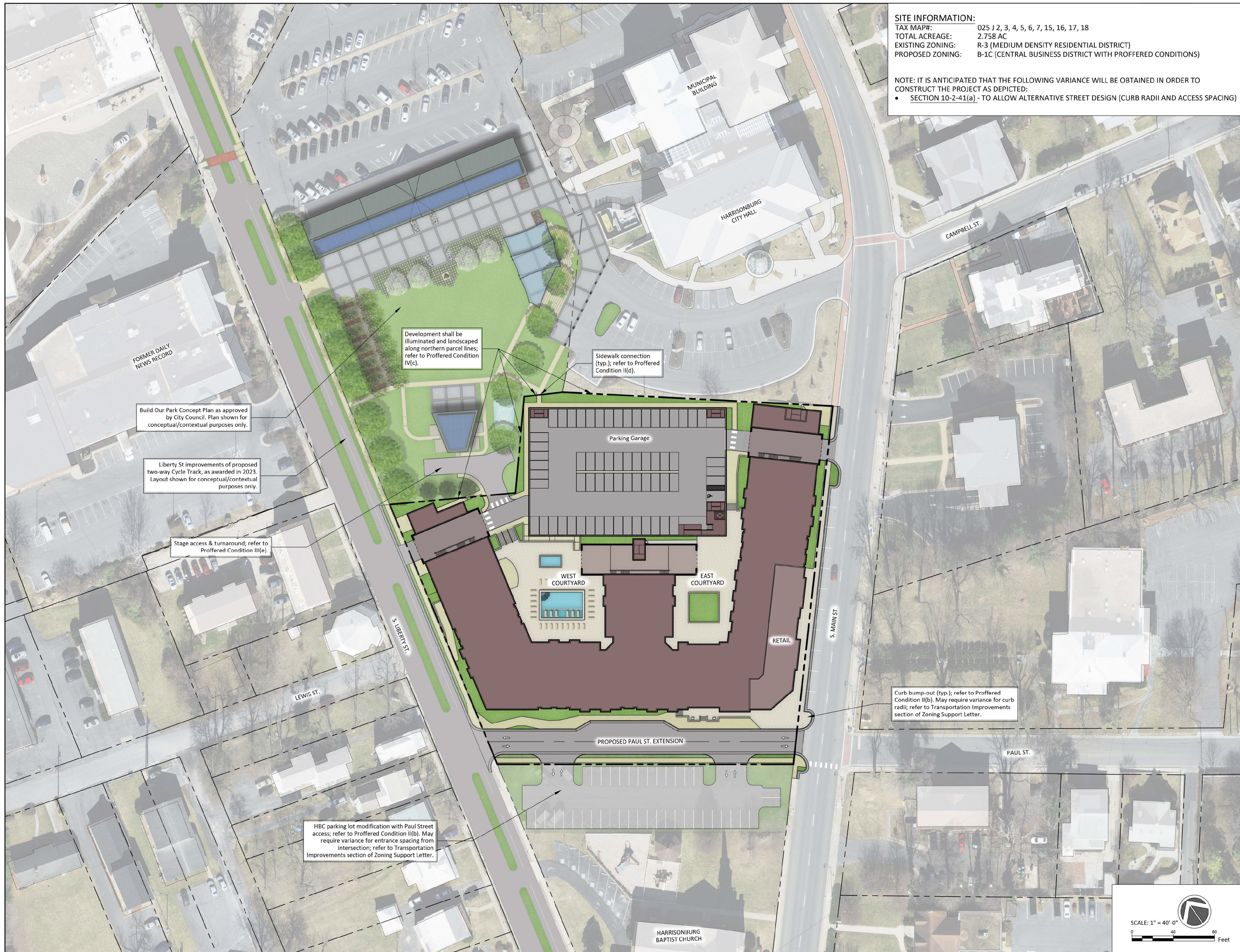
By: DocuSigned by:
Dr. William Lindsey
9638B66467D6426... (SEAL)
Dr. William Lindsey, President

Date: 3/4/2026

SITE INFORMATION:
 TAX MAP#: 025 J 2, 3, 4, 5, 6, 7, 15, 16, 17, 18
 TOTAL ACREAGE: 2.758 AC
 EXISTING ZONING: R-3 (MEDIUM DENSITY RESIDENTIAL DISTRICT)
 PROPOSED ZONING: B-1C (CENTRAL BUSINESS DISTRICT WITH PROFFERED CONDITIONS)

NOTE: IT IS ANTICIPATED THAT THE FOLLOWING VARIANCE WILL BE OBTAINED IN ORDER TO CONSTRUCT THE PROJECT AS DEPICTED:

- SECTION 10-2-41(a) - TO ALLOW ALTERNATIVE STREET DESIGN (CURB RADII AND ACCESS SPACING)



Development shall be illuminated and landscaped along northern parcel lines; refer to Proffered Condition IV(c).

Sidewalk connection (typ.); refer to Proffered Condition II(d).

Build Our Park Concept Plan as approved by City Council. Plan shown for conceptual/contextual purposes only.

Liberty St improvements of proposed two-way Cycle Track, as awarded in 2023. Layout shown for conceptual/contextual purposes only.

Stage access & turnaround; refer to Proffered Condition III(e).

HBC parking lot modification with Paul Street access; refer to Proffered Condition II(b). May require variance for entrance spacing from intersection; refer to Transportation Improvements section of Zoning Support Letter.

Curb bump-out (typ.); refer to Proffered Condition II(b). May require variance for curb radii; refer to Transportation Improvements section of Zoning Support Letter.

PLAN OF DEVELOPMENT
LINDSEY PROPERTIES
 473 S. MAIN STREET, HARRISONBURG, VA 22801

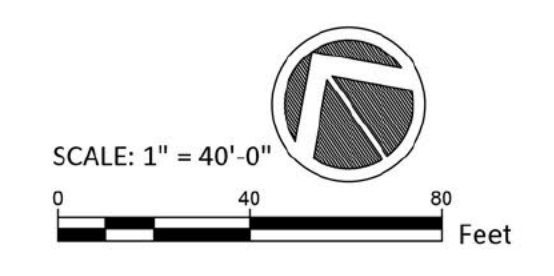
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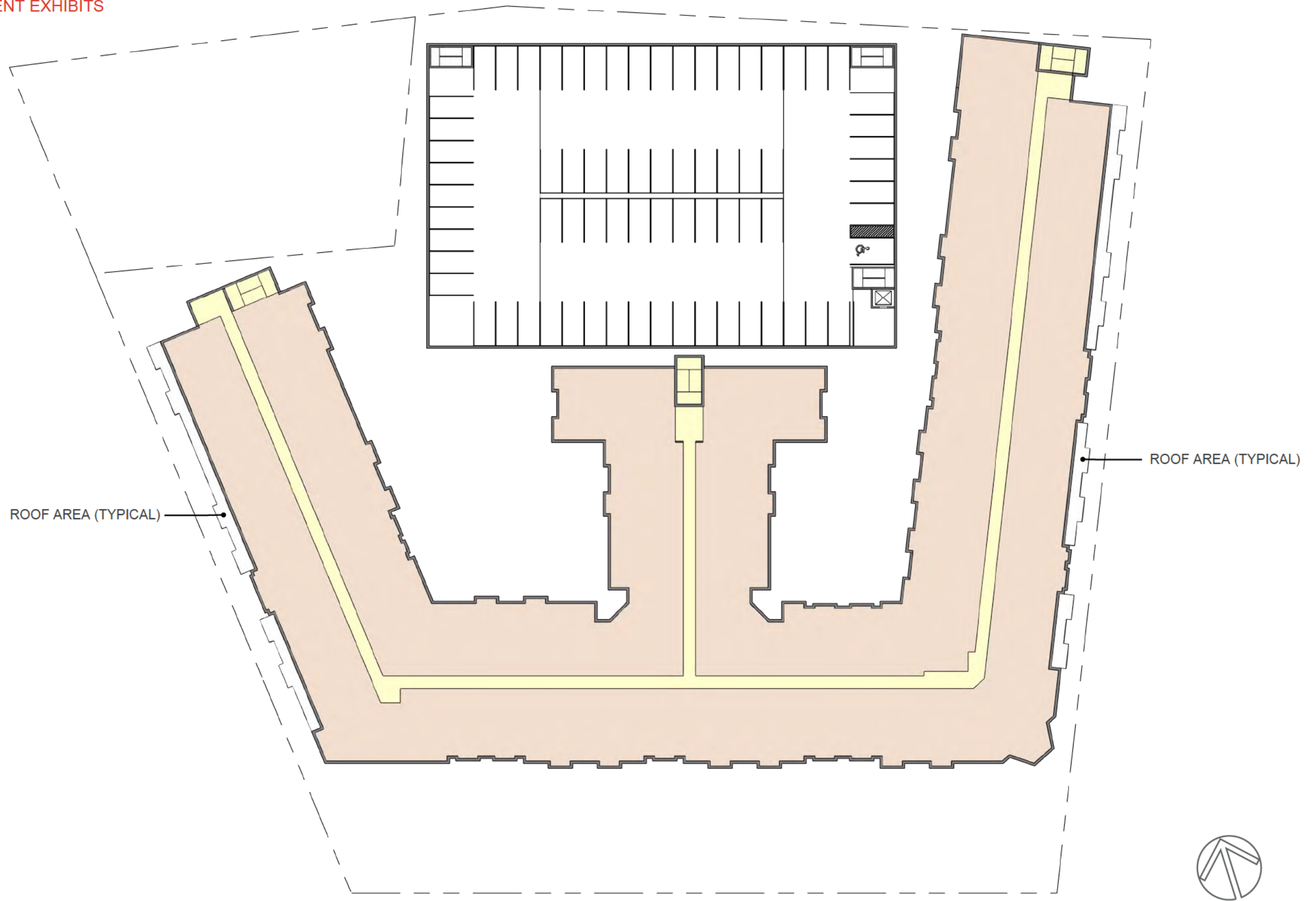
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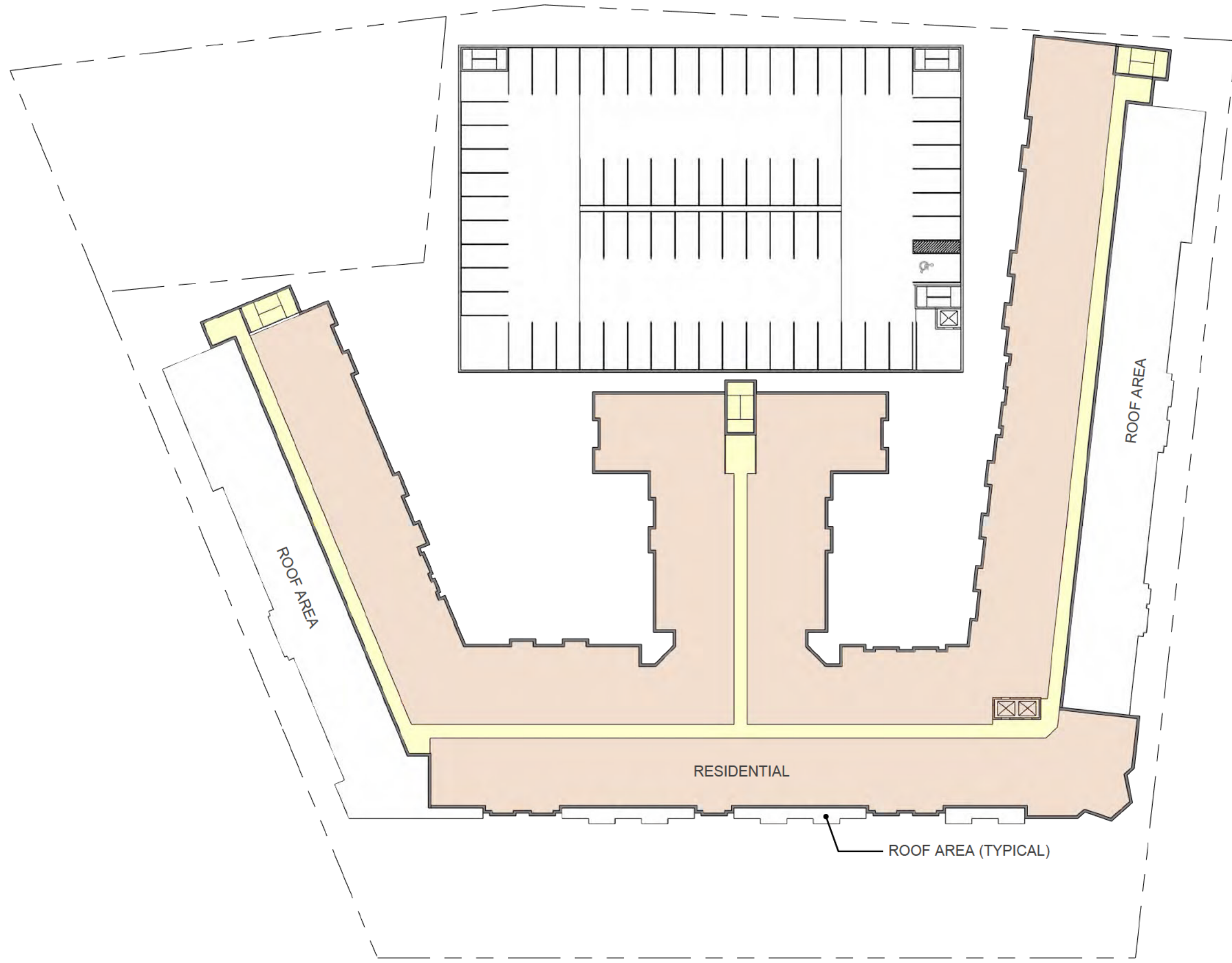
PRELIMINARY ISSUE
 NOT FOR CONSTRUCTION

CONCEPT PLAN

Project number: 24024C
 Date: FEBRUARY 06, 2026
 Drawn by: OP
 Checked by: SOR









PROPOSED HOUSING DEVELOPMENT PROJECT | 473 S. MAIN STREET | HARRISONBURG VA

01 | 26 | 2026

VIEW 1

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PROPOSED HOUSING DEVELOPMENT PROJECT | 473 S. MAIN STREET | HARRISONBURG VA

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VIEW 2

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PROPOSED HOUSING DEVELOPMENT PROJECT | 473 S. MAIN STREET | HARRISONBURG VA

01 | 26 | 2026

VIEW 3

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Memorandum of Understanding (“MOU”) among of City of Harrisonburg and TCP Link Harrisonburg, LLC

City of Harrisonburg
Attn: Ande Banks, III, City Manager
409 South Main Street
Harrisonburg, VA 22801

This Memorandum of Understanding ("MOU") is submitted as an exhibit to the Revised Proffers related to the Project as of the **2nd day of March, 2026**, by and between the **City of Harrisonburg**, an independent City located in the Commonwealth of Virginia (hereinafter, the "**City**"), and **TCP Link Harrisonburg, LLC**, a Wyoming limited liability company, or its assigns (hereinafter, "**TCP**" and, together with the City, the "**Parties**").

This MOU is filed in connection with the entitlement applications and potential acquisition and development of certain real property located at **473 S. Main Street, Harrisonburg, VA** (the "**Project**").

1. PROJECT BACKGROUND

TCP is in the process of securing rezoning and entitlements for the Project, which is planned to be a six-story mixed-use residential complex comprising:

- No more than 250 dwelling units;
- 2,000-5,000 square feet of ground-floor retail space; and
- A structured parking garage of no fewer than six stories, providing a minimum of 480 parking spaces (estimated at 500 total parking spaces).

2. PURPOSE

The purpose of this MOU is to establish the Parties' intent for the Developer (TCP) to lease **sixty-five (65) parking spaces (“Leased Spaces”)** on the first floor of the proposed parking garage to the City at a *discounted, below-cost lease rate*, subject to the terms outlined below.

3. LEASE TERMS

- **Initial Term:** Five (5) years, commencing on date of issuance of a Certificate of Occupancy for the Project and availability of Leased Spaces.
- **Lease Rate:** \$55 per parking space per month for the first five (5) years (“Initial Term”) with an option to renew for five (5) successive three-year (3) renewal terms thereafter.
- **Escalation Clause:** The monthly lease rate per space shall increase by 10% on the first day of the sixth year of the lease and shall increase by 10% every three (3) years following the initial term (i.e. on the first day of the ninth lease year, twelfth lease year).
- **Total Monthly Lease Payment (Initial Term):** \$3,575 per month ($\55×65 spaces), equating to \$42,900 per year.
- **Renewal Option:** The City may negotiate a renewal under mutually agreeable terms upon expiration of each lease term. See the renewal options above
- **Use of Spaces:** The City shall utilize the leased spaces exclusively for municipal or public parking purposes. Resale or subletting of the spaces is expressly prohibited.

4. RESPONSIBILITIES

4.1 Developer (TCP) Responsibilities

- Ensure the continuous availability of the leased parking spaces for the City.
- Maintain the structural integrity, lighting, security, and general upkeep of the parking garage in accordance with standard commercial practices. Developer may control access to the garage for safety and commercial reasons but shall facilitate access to Leased Spaces consistent with this MOU.

4.2 City Responsibilities

- Timely payment of all lease amounts as specified.
- Ensure the proper use and upkeep of the leased parking spaces in accordance with municipal guidelines.

5. NON-BINDING NATURE

This MOU reflects the Parties' mutual understanding and intent but is not legally binding. The Parties agree to negotiate in good faith to execute a formal lease agreement that incorporates the terms outlined herein.

6. TERMINATION

This MOU shall remain in effect until the earlier of:

- The execution of a formal lease agreement; or
- Terminated earlier by mutual written consent of both Parties.
- The denial or withdrawal of rezoning and site plan approval applications for the Project.

7. GOVERNING LAW

This MOU shall be governed by and construed in accordance with the laws of the **Commonwealth of Virginia**.

8. REPRESENTATIONS & WARRANTIES

Each Party represents and warrants that:

- It has full legal authority to enter into this MOU and execute its obligations hereunder.
- The execution and performance of this MOU do not conflict with any existing contract, legal duty, or obligation to which the Party is bound.

9. ENTIRE AGREEMENT

This MOU constitutes the entire understanding between the Parties concerning the subject matter hereof and supersedes all prior discussions, representations, and agreements.

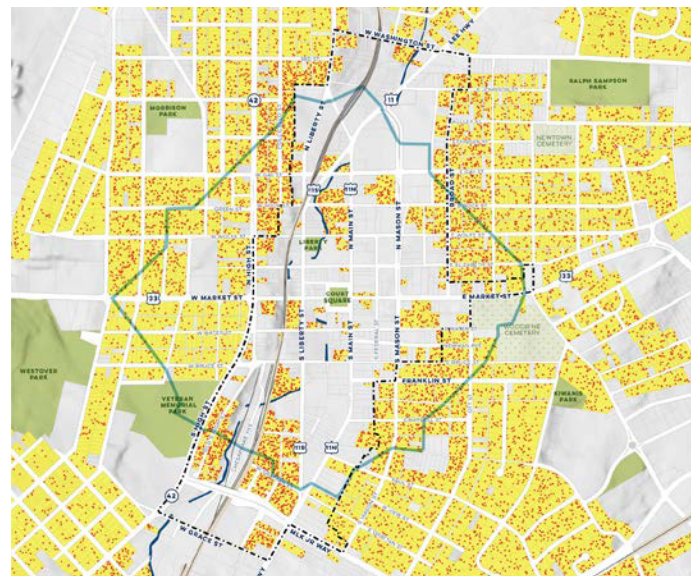


Downtown needs more residents.

Much of Downtown's residential growth has been accommodated through the conversion of older buildings into residential lofts. However, Downtown is running out of old buildings to reuse, and new approaches are needed to create more housing Downtown. Today, there are almost 2,600 housing units in Downtown. 3,400 people (6% of the City's population) live within a 10-minute walk of Court Square, though much of Downtown's housing is scattered in specific buildings. More residential density is needed to help Downtown feel more like a neighborhood and to support local businesses.

Catering primarily to younger and relatively more affluent residents, the availability of housing and the range of housing types in Downtown are severely limited. Many of the units are loft-style apartments available at higher price points than can be found in other sections of the City. At the same time, Downtown has the largest concentration of low-income housing in Harrisonburg, with 181 units (21% of the City's subsidized units) within a one-block radius.⁷ The Downtown real estate market has one of the highest rates of housing purchased as investment properties, and research confirms that buyers with more income are looking for housing, not finding options on the upper end of their budgets, and effectively squeezing the housing options for lower-income residents. In addition, the student market and higher rents they can pay puts further pressure on existing housing when the rental vacancy rate citywide is already low - below 3.5%.⁸

DOWNTOWN POPULATION



--- STUDY AREA
1 DOT = 5 PEOPLE
RESIDENTIAL, MIXED USE, AND GROUP QUARTERS
10-MINUTE WALKING RADIUS FROM COURT SQUARE

Sources: City of Harrisonburg, ESRI

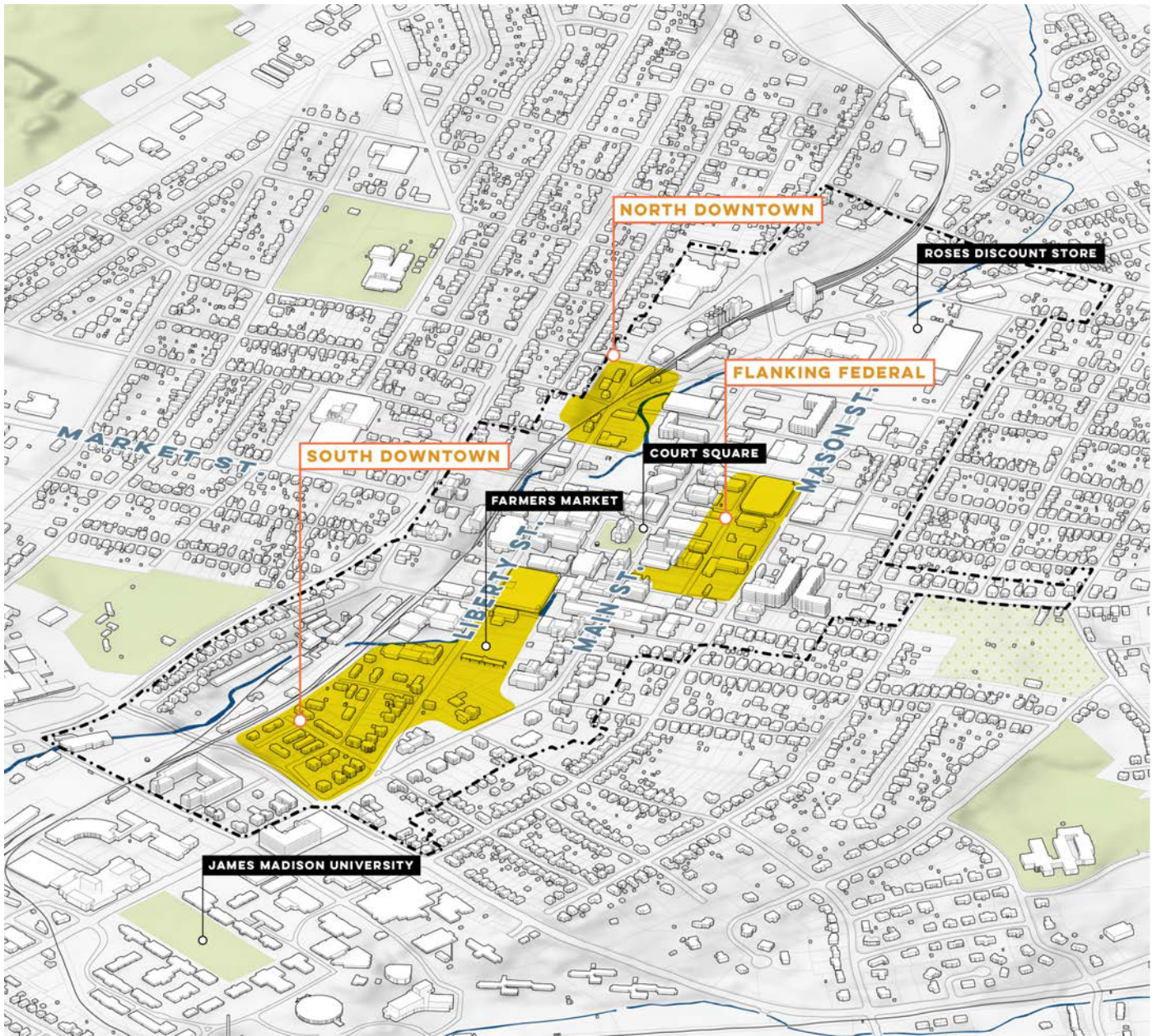
Roughly **3,400 people** - **6% of the total City population**, live within a 10-minute walk of Court Square

EXHIBIT 1

⁷ City of Harrisonburg Housing Assessment & Market Study, 2021

⁸ City of Harrisonburg Housing Assessment & Market Study, 2021

POTENTIAL RESIDENTIAL DEVELOPMENT



16

Encourage mixed-use and residential development in key clusters of currently underutilized space

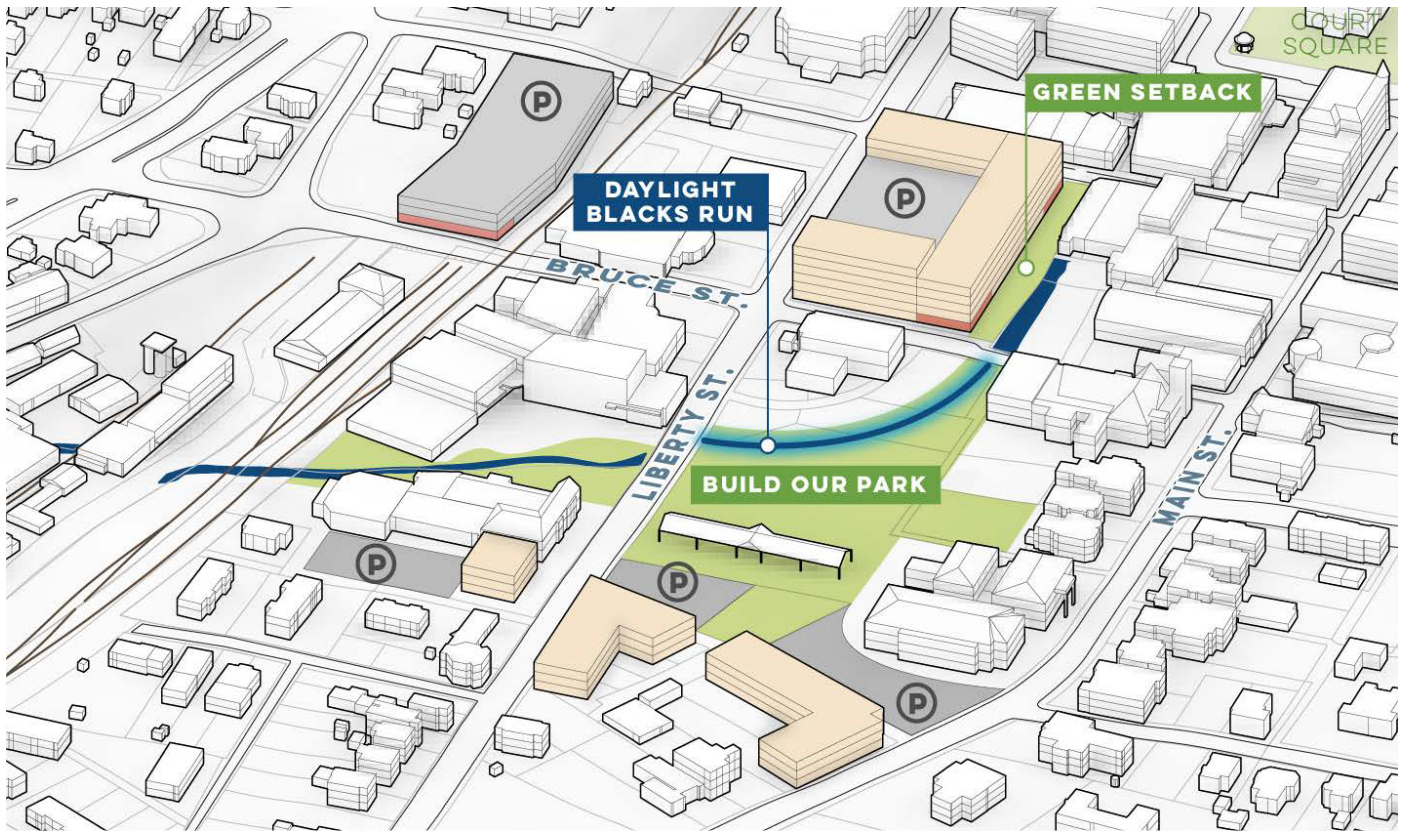
While there are potential opportunities to develop housing across Downtown, there are two areas where there are clusters of underutilized property ripe for reinvestment. Both of these areas are around the existing City-controlled parking decks that are in need of redevelopment. Redevelopment in these two pockets of Downtown alone could bring 580 new homes to Downtown, 50,000 square feet of new commercial space and an additional 300 parking spaces.

EXHIBIT 2

Conceptual site plan for:

SOUTH DOWNTOWN

residential commercial parking open space



A
 Create more activity south of Water Street - The Ice House has brought new life in Downtown south of the concentration of restaurants along Water and Main Streets. Currently, the Farmers Market anchors what is now a large surface parking lot. The recent parking study indicates the Water Street parking deck should be redeveloped given its age and condition. Redevelop the deck as a new mixed-use structure with housing wrapping a new parking deck. Activate Water Street and Blacks Run with new space for commercial uses. Step the new

building back from Blacks Run as well to create a linear park along the creek to help connect this area south toward the Farmers Market and the proposed park. Integrate new housing close to City Hall to activate the south side of the Farmers Market, encouraging green building solutions, such as solar energy and recycled or sustainable materials. Coordinate with nearby private property owners about the possibility of creating new parking just to the west of Liberty Street intended to serve a range of developments and businesses.

New Parking:	1,040 spaces
Net New Parking:	270 spaces
New Residential:	270 units
New Commercial:	13,000 square feet
New Park Space:	2 acres

EXHIBIT 3

Lindsey Redevelopment Site





Midtown Row

Williamsburg, Virginia

With the development team winning the 2022 Best Multi-Family/Commercial Housing Project Award of Excellence, Bonstra Haresign Architects provided architectural, geotechnical and structural engineering, landscape and interior design services for Midtown Row and Current Midtown Apartments, a project consisting of four modern five-story mixed-use residential building of approximately 340,000 residential GSF and 56k GSF retail/office. Located at the corner “Main and Main” of Williamsburg, VA (Monticello Avenue & Richmond Road), current Midtown has 240 residential units with a mix of studio 1-, 2-, 3-, and 4-bedroom apartments.

Current Midtown offers its residents a variety of amenities including group and private study areas, private video gaming rooms, two-story sports bar, coffee bar, co-working areas, numerous study hubs, fitness facilities and yoga studio, tiered theater room, and a year-round heated pool with two adjacent hot tubs. Also, there is a two-story structured parking garage for both residents and retail guests.



TIMBERWOLF

CAPITAL PARTNERS LLC

EXHIBIT 5

TIMBERWOLF CAPITAL PROPERTIES, LLC
CODA Residential Building



LOCATION

Syracuse, NY

COMPLETION

2023

SIZE

300,000 sf

COST

Withheld

PROJECT TYPE

New Construction

SUMMARY

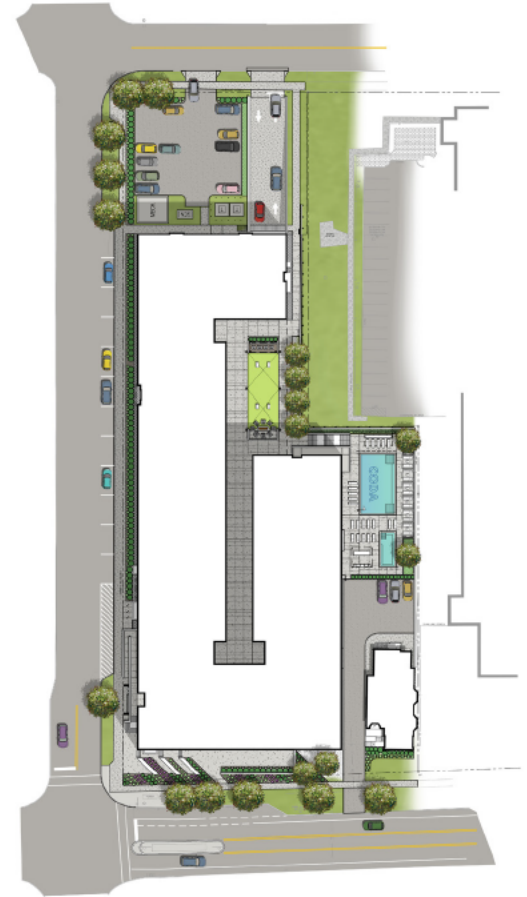
QPK Design provided architectural, geotechnical and structural engineering, landscape and interior design services for CODA, a modern six-story mixed-use residential development project of approximately 300,000 SF situated in the greater university area located at the corner of East Genesee Street and South Crouse Avenue providing 282 residential units with a mix of studio 1-, 2-, and 3-bedroom apartments. The project also includes the renovation and reuse of an historically designed Ward Wellington Ward structure located on site.

CODA offers its residents a variety of amenities including group and private work hubs, fitness facilities, yoga studio, gaming and TV viewing rooms, indoor cafe, and a podcast/media room. A year-round heated pool with hot tub and cabana facilities, an outdoor cooking area, and recreational courtyard with fire-pit locations are also provided.

REFERENCE

Timberwolf Capital Properties, LLC

CODA Residential Building (continued)





CITY OF HARRISONBURG
**PUBLIC
WORKS**

320 EAST MOSBY ROAD, HARRISONBURG, VA 22801

OFFICE (540) 434-5928 • FAX (540) 434-2695

January 12th, 2026

Seth Rodrick, PE
Monteverde Engineering & Design Studios
250 E Elizabeth St, Ste 114
Harrisonburg, VA 22801

RE: Link Apartments Traffic Impact Analysis

Mr. Rodrick,

Harrisonburg Public Works has reviewed the Traffic Impact Analysis submitted in January 2026. City staff consider this analysis to accurately represent both existing and future conditions of the transportation network surrounding the proposed development site.

Thank you,

Timothy Mason
City of Harrisonburg – Public Works



FACILITATION REPORT: THE LINK DISCUSSION

DECEMBER 5, 2025

Submitted by
Eric Schmucker
Amy Knorr
Jess Cochran



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Background and Context for the Facilitation

On Tuesday, August 12, 2025 Harrisonburg City Council considered a request to rezone 435, 445, 457, 473, 483 & 495 South Main Street and 282, 288, 294 & 298 South Liberty St from R-3 to B-1C, which would allow Timberwolf Capital Partners LLC (hereafter referred to as “The Developer”) to construct a six-story apartment building, called The Link, on the site of the existing Lindsey Funeral Home. City staff and Planning Commission (6-0) had recommended approval of the request. This proposed rezoning drew a large number of people to the council meeting (many attendees were unable to enter due to insufficient room capacity) with around 60 attendees providing public comment. Some key points from the public comment included concerns about The Link's aesthetic/appearance, size, location, and the potential impact on downtown traffic and parking. Additional concerns regarding the proposal included the mix of unit types (specifically the number of units and the proportion of 4-bedroom units designed for student occupancy), the amount of retail space available, and the six story height of the building.

Prior to the August 12th City Council meeting, The Developer had created a series of voluntary proposals to change The Link development (proffers) in response to these concerns. According to Todd Rhea, local attorney for The Developer, these proffers were unable to be brought before City Council at the August 12th meeting for technical/legal reasons.

In response to the extensive public comments, City Council voted unanimously to table this rezoning request and “direct[ed] staff to facilitate a process in engaging the developer and residents for discussion of this project” (August 12, 2025 City Council Meeting Minutes). After the August 12th City Council meeting, The Developer began looking for local facilitators to help lead a discussion regarding the proposed Link development, eventually enlisting a facilitation team composed of Eric Schmucker, Amy Knorr, and Jess Cochran.

Facilitation Scope and Framing

Roles

Defining the scope and framing of the discussion was complicated as it was initially unclear what roles the various parties (City Staff, City Council, Developer, etc.) were assuming. Ultimately, it was determined that The Developer was to be the convener, responsible for organizing and funding a discussion involving community representatives. Members of City Council declined to be involved in the planning process, or participate in the discussion (it is worth noting that some discussion participants requested that a member of City Council come as an observer). City staff did not participate in the discussion; however, they assisted the discussion through logistical support (providing meeting space, a staff member to address logistical issues during the discussion, and staff for pre-discussion set-up and technical support).

Given the atmosphere of distrust and the emotional nature of the issue, the developer as convener generated some suspicion among groups opposed to the development. Some worried that the facilitation was just a formality, that their concerns would not be addressed. As facilitators, we worked to create an authentic process to give people the opportunity to share concerns, hear one another, and ideate together.

Nature of the Discussion

Initially there were different understandings and expectations among interested civic groups regarding the nature of the discussion. These varied from visions of open conversations to opportunities to debate the issue to direct mediation between specific civic groups and The Developer. Part of this confusion likely stemmed from some parties interchangeably using the words discussion and mediation when initially calling for and describing the process. To clarify the nature of the discussion we utilized the below chart from the newDemocracy Foundation to introduce the conversation as, what the chart describes as, dialogue.

Debate	Dialogue	Deliberation
Compete Argue Promote opinion Seek majority Persuade Dig in Tight structure Express Usually fast Clarifies Win/lose	Exchange Discuss Build relationships Understand Seek understanding Reach across Loose structure Listen Usually slow Clarifies No decision	Weigh Choose Make choices Seek overlap Seek common ground Framed to make choices Flexible structure Learn Usually slow Clarifies Common ground

This discussion (described as dialogue above) was not about arguing for or against competing perspectives, nor was it about making definitive decisions; it was about exchanging ideas and perspectives, seeking understanding, and listening across groups in response to the proffers.

Framing

With The Developer as the convener of the discussion, the scope and focus centered on reviewing the proffers The Developer created using the initial guiding question: *Thinking of yourself, your neighbors, and the city: If there were to be a six-story apartment building in this space, how could it best meet our needs and maintain quality of life? What are some important considerations?*

Facilitation Report: The Link Discussion

The specific proffers and community concerns discussed included

1. Appearance and design of the building
2. Paul St. safety and traffic
3. Parking availability and impacts

Some proffers and concerns (below) were not included in the discussion as economic and design parameters limited further changes.

1. The mix of units
 - a. Maximum Number of 4-bedroom Units reduced from 40% to 33%
 - b. Increased the Minimum number of One-Bedroom/Efficiency Units from 25% to 40%
2. The amount of retail space available
 - a. Increased the commercial space from 2,000 square feet to a maximum of 5,000 square feet and prohibited tobacco, smoke, vape businesses in the commercial spaces.
3. The six story height of the building necessitating a rezoning to B-1 [though not a universal concern among representatives of interested civic groups]

Additional Discussion Possibilities

The Link development and proposed rezoning brought up many different underlying resident concerns and important discussion possibilities that the Harrisonburg community could have. Our initial meetings revealed that some opposed groups felt concerned with the way the proposed development had been processed by City Staff, and were distrustful of City Council. For many groups and people, The Link was important because it embodied people's hopes, fears, and concerns for the future of the city. Potential discussions that would be appropriate to be convened by City Staff or City Council, not a developer, were surfaced in focus group meetings, including:

Concerns about growing sustainably and responsibly while safeguarding identity

How does the city continue to meet changing needs and plan for the future? How do we, as a community, want to grow while maintaining what is important and unique about us? What is the Harrisonburg we want to see? What policies/codes/procedures do we need as a city to achieve this?

Concerns about transparency in city processes, trust, and accountability

How can we build public engagement and participation earlier into city processes so that residents have a voice while also recognizing the technical expertise of City Staff? What standards do we want to maintain? How can we best disseminate information and solicit input? How can we make city processes more conducive to mutual listening?

Concerns about the externalities of being a university town

How do we see local university students as members of the community during their time in school and afterwards? How should the city and local universities ideally grow together?

Statement of Facilitation Purpose

Through this conversation, concerned civic groups in Harrisonburg will have an opportunity to learn about and provide feedback on the proffers The Developer has offered on The Link development. Participants will be able to share together as a community, hear different perspectives, and ideate together in response to the proffers.

Methodology

As a facilitation team we began by convening small focus groups—meeting with representatives of interested civic groups individually—and then built towards a larger conversation between group representatives together. Focus group meetings started on October 1, 2025 and wrapped up on November 11, 2025.

Focus Group Meetings

Interested Civic Groups that we met with included:

- No to B1-C
- Harrisonburg Downtown Renaissance
- Liveable Harrisonburg
- Shenandoah Valley Bicycle Coalition
- Harrisonburg Baptist Church
- Build Our Park
- Northeast Neighborhood Association
- Harrisonburg Farmers Market
- Chabad of The Shenandoah Valley

These groups were selected for being representatives of the most vocal groups during the August 12 City Council meeting, those with connections to downtown or representing downtown interests, proximity to the proposed development, or for being representative of an important city interest group. A facilitation team member met with Vice Mayor Dany Fleming to provide a general overview of the process, identify goals, and answer questions. Additionally the team met with a past City Council member, a previous Planning Commission member, and a local community organizer.

Our goals in these meetings were first and foremost to listen and learn from the groups, and then to clarify expectations for the multi-group conversation we were going to have together. We wanted to be very transparent with the groups about who we were and what the facilitation would be (ie not a mediation).

Larger Conversation Between Group Representatives

Each of the interested civic groups were invited to send representatives to a larger conversation which happened on November 13, 2025 from 5:30 - 8:45pm in the Harrisonburg City Public Works building. Harrisonburg Downtown Renaissance sent information regarding the conversation to downtown business owners inviting any to join.

Attendees

Eric Schmucker Amy Knorr Jess Cochran Lori Britt Jamila Gaskins	Facilitation Team
Caleb Christen	Support for logistics and participants
John T. Hoover <i>(Founder of the development company)</i> Todd Rhea <i>(Attorney for the developer)</i> Seth Roderick <i>(Monteverde Engineering and Design Studios)</i> Salem "Sal" Richard LaHood <i>(Architect with QPK Design)</i> Michael P. O'Shea <i>(Architect with QPK Design)</i>	Development Team
Representatives of the following interested civic groups (25 total representatives)	
Old Town Residents	Harrisonburg Downtown Renaissance
Liveable Harrisonburg	Shenandoah Valley Bicycle Coalition
Build Our Park	Harrisonburg Baptist Church
Downtown Businesses	Northeast Neighborhood Association
Harrisonburg Farmers Market	Past Planning Commission Member

Members of No to B1-C, a group opposed to the development as proposed, were frustrated and concerned by the specificity of the discussion scope (not including a discussion of the height of the building and the rezoning). Members of No to B1-C felt that, due to the scope of the discussion and their position against the specific rezoning, which allows for a six-story building, participating in the discussion would be seen as implicitly supporting the six-story development, which they do not. Instead, relevant attendees participated as Old Town Residents, not representing the No to B1-C group.

Discussion Design

Participants were pre-organized into four small table groups, each with a professional facilitator. Members of the various interested civic groups were dispersed among the tables to provide a diversity of perspective. Table facilitators guided small group discussions and activities, and a lead facilitator guided full group reporting and discussion. Development team members were situated at their own table to listen and learn, and were available to answer technical questions if a group became stuck on specifics during the discussion. One half of the room was dedicated to table groups, the other half was filled with large renderings of The Link with the updated architecture.

This conversation progressed as follows:

(1) Welcome, Introductions, Purpose

After introductions, John, the developer, gave a brief welcome that clarified his role and the role of the members of the development team was to listen, learn, and answer any technical questions preventing groups from moving forward in discussion. We then reviewed the purpose and framing of the discussion.

(2) Surfacing group ideals for development

In an effort to ground and frame our conversation, we had a discussion around the priorities and values that were important to keep in mind when considering development in downtown Harrisonburg. These values and priorities, generated by the group, were the scaffolding within which participants were invited to reflect on the questions in subsequent rounds and respond to the developer's proffers.

- *Thinking of yourself, your neighbors, and the city: If there were to be a 6 story apartment building in this space, how could it best meet our needs and maintain quality of life? What are some important considerations?*
- *What are the priorities or values that are important to us as a group when we think about development in Harrisonburg?*



(3) Discussion of the updated architecture / Presentation by Salem “Sal” Richard LaHood

Architect Salem “Sal” Richard LaHood presented the updated architecture, using 12 large renderings depicting the building at different angles. After the presentation and a brief question and answer time, participants were invited to move around and react to the new designs, followed by table group discussions.



- *What are some of your initial reactions to these images?*
- *What comes up for you when you view these images, considering what we identified as important to us?*
- *What do you like, what's missing, what could be possible changes be?*
- *This is one vision, what is your vision?*

(4) Discussion of Parking and Paul St. Traffic/Safety concerns and proffers

This section began with a presentation from Seth Roderick on the traffic study that was conducted. Tables were then divided between those that would discuss Parking concerns and proffers, and those that would discuss Paul St. Traffic/Safety concerns and proffers. Participants were invited to select the issue they were most concerned about and move to that table for a discussion.

- *How does this proffer align with, or not, our list of priorities and values?*
- *What possible solutions can you imagine to address our concerns?*

Key Items and Themes from the Discussion

Surfacing group ideals for development

Framework Created Through Full Group Discussion

These points formed the group framework through which we discussed the proffers

- Any building in that space must encourage outward involvement, be inviting, and connect the community. A building in that space must create and add to the community not colonize it or exist as an island within it. [**This was a key point from numerous tables**] Ex. A through corridor; a way to walk through from Liberty St. to Main St.
- Given the importance of the specific property (represents “the gateway” to downtown) the amount of investment in the property must match the community value of the property.
- The architecture needs to fit in with current downtown architecture and match who we are and what we value as a community. The building should integrate well with downtown, while also emphasizing elements unique to us.
- Need to think about how light and shadow from the building will affect the surrounding community
- A building should have room for green space for people and for nature (ex. space for people off of the road and a Pollinator Corridor)
- A building shouldn't have a net negative impact on the city
- There should be onsite management of the building
- Anchor residents or businesses should be selected with intentionality

Table Group Discussion Themes

Responses prioritized development that is integrated, inclusive, sustainable, and supportive of downtown vibrancy, valuing a building that strengthens the neighborhood (economically, socially, and aesthetically) while mitigating strain on infrastructure, maintaining the character, and supporting the livability of Harrisonburg.

1. Community-Serving Businesses and Economic Vitality in the Commercial Space

- Desire for unique, non-duplicated businesses that add something new.
- Businesses should attract people downtown and address unmet needs.
- Retail should complement residential spaces and create a reason to live or visit downtown.
- Development should support existing businesses, not compete harmfully with them.

2. Architectural Integration and Aesthetics

- The building should fit Harrisonburg's character and "age gracefully."
- Visual cohesion with surrounding areas and avoiding jarring changes to the landscape.
- Thoughtful façade, sun/shade analysis, and long-term durability.
- As a gateway property, it must "be done right" and reflect community values.

3. Public Realm, Outdoor Space and Walkability

- Wide sidewalks, benches, outdoor seating, sidewalk planters.
- Spaces that encourage outdoor engagement and a sense of community.
- Inclusion of green space, especially for families and children.
- Creation of 3rd spaces (informal gathering areas).
- Designing for flow and connectivity—movement through and around the building.

4. Housing Needs and Resident Mix

- Housing should reflect community needs, including affordable options.
- Desire for age and socioeconomic diversity.
- Preference for long-term, invested residents rather than transient populations.
- Concern about an influx of students shifting downtown culture

5. Parking, Transportation and Mobility

- Balance needed between sufficient but not excessive parking.
- Interest in underground parking to reduce visual impact.
- Reduce car trips to campus; promote biking, walking, and public transit.
- Integration with existing transportation systems and bike lanes.
- Concern about traffic impacts, safety, and enforcement.

6. Environmental Sustainability and Infrastructure Capacity

- Managing stormwater runoff, waste, noise, and greenspace impacts.
- Interest in sustainable systems (composting, waste management).
- Avoiding added stress on utilities and city infrastructure (water, sewer, emergency services).
- Desire for no net negative impact on city systems.

7. Community Cohesion and Social Integration

- Building should create community, not isolate residents.
- Publicly accessible spaces that signal "community welcome."
- Should serve as a bridge between campus and the wider community.
- Support and strengthen existing initiatives, e.g., Farmers Market.

8. Safety, Enforcement and Quality of Life

- Noise restrictions and maintaining a family-friendly environment.
- Safety considerations: traffic, bike lanes, liability (e.g., pool), sufficient lighting.
- Need for effective parking, safety, and noise enforcement.
- Concern about how increased activity will affect neighbors.

9. Planning, Collaboration and Long-Term Vision

- Collaboration needed with city, county, JMU, and local businesses.
- Coordinated comprehensive planning around development, traffic, and parking.
- Need clarity on funding for spillover costs (parking, bike lanes, infrastructure).
- Development should serve as a model of intentional, well-planned growth.

Discussion on Updated Architecture

Group feedback reflected a desire for architecture that is contextual, inclusive, and deeply integrated into Harrisonburg's cultural and physical fabric. While many aspects of the revised design received strong positive feedback, concerns remain regarding public realm integration, greenspace, and accurate representation.



Table Group Discussion Themes

1. Positive Architectural Feedback

Groups identified numerous improvements compared to earlier designs. Highlights included a stronger alignment with the Harrisonburg aesthetic, greater integration with bicycle and pedestrian networks, attractive treatment of the parking deck (including public art), and a less imposing appearance from several vantage points. Elements such as the marquee-style sign, improved spacing between buildings, and enhanced ground-level programming were well received.

2. Inclusivity and Social Signaling

Overall, there is a desire for architectural choices that communicate inclusivity, diversity, and a stronger relationship to the city center, including façade treatments, public entrances, and orientation conveying openness and integration with downtown.

3. Public Cost and Infrastructure Impacts Reflected in Design

A number of comments expressed concerns about who will bear the cost for streetscape elements, including lighting, traffic-calming devices, and signage. Some concerns about public safety, noise, and the limited capacity of existing streets, especially Paul Street. There was a desire to minimize burden on public infrastructure and incorporate clear strategies for safe circulation, and noise mitigation.

4. Scale, Massing, and Accuracy of Visual Representations

Group members at several tables noted that the scale depicted in the renderings did not seem accurate. Some participants expressed a preference for a building height of 4–5 stories instead of six.

5. Desire for Additional Greenspace and Setbacks

Many comments emphasized the desire for more green infrastructure. Participants noted a lack of dog space, shade trees, mature landscaping, and outdoor seating. One comment preferred recessed balconies instead of protruding ones, as well as upper-floor setbacks to lighten the building's presence.

6. Architectural Style, Character, and Fit with Harrisonburg

Another major theme was the building's stylistic relationship to downtown and the broader Harrisonburg identity. Requests included incorporating more historical detailing, using bluestone or other local materials, adding ornamentation at rooflines, and breaking up the façade to appear as several smaller connected structures. Participants wanted the building to reflect the value of its prime location.

7. Street-Level Activation and Public Space Integration

Comments frequently addressed how the building meets the ground and interacts with public space. Participants valued the bike lanes, sidewalks, benches, and trees but requested more gathering areas along Main Street, wider sidewalks, and additional street trees. Several asked for clearer visuals of how the parking garage will appear from key community sites, especially the Farmer's Market and Turner Pavilion. There was also concern that the building could become inward-facing, limiting public engagement or community building.

Specific Responses

Positives

- Great improvements in design
- Like the bike lane, sidewalks, benches and trees
- Doesn't look so close to/imposing on city hall (this is an improvement if accurate)
- Love the artwork/mural on the parking deck. Makes it feel not like a parking garage.
- Like the marquee style sign to match others and distinguish downtown
- Trees between the property and the church are an improvement
- There appears to be plenty of space between the church and The Link
- Like the ability to traverse the corner
- Love the integration of the park and garage and building

Would still like

- Even more nods to the historical downtown
- More ornamental details at the very top similar to other downtown buildings (several mentioned this)
- Can it look less like one big building and look like several connected buildings (like Urban Exchange)
- Ensure that Gig and RideShare volume of a student-centric community can be supported without impacts on traffic flow.
- Incorporate Bluestone in design
- More vertical differentiation (row-house like)
- Need a grocery store (even a small one) in retail space
- More shade trees around outdoor seating
- Could there be more gathering areas on Main Street (greater width of sidewalk?)
- Plant trees in the median between cars and bikes
- Materials and design do not reflect "investment" or "value" in prime real estate
- Paul Street extension needs a bike lane
- Can we prevent cars from turning left off Liberty onto the Paul Street extension?

Discussion Paul St. Traffic/Safety Concerns and Proffers

Previously Identified Concerns Prior to the Discussion

- There is a desire to decrease car traffic downtown and there is a concern that The Link will increase traffic
- Safety concerns about how traffic will be routed
- Paul St. has been cited as an already dangerous road because cars drive very fast over the hill and lose control
- Not all of the neighboring roads have sidewalks for pedestrians making increased traffic potentially dangerous

Discussed Proffer

Added funding for Paul Street safety and traffic improvements. Provides resources to implement future improvements which meet City Public Works parameters in coordination with neighborhood residents.

Discussion Summary

- Need to be realistic about the traffic impact and the number of cars this will add
- Block off Paul Street with a bollard or make it one way
- Be realistic about the impacts on Paul Street, Franklin and Ott which may have trickle down impacts on school buses that traverse through this area (as buses are shared across elementary, middle and high school and already have trouble staying on schedule and serving all of these needs. Additional traffic in this neighborhood will make this worse,)
- As a city we need to be moving away from cars
- Install traffic cameras which will be a bigger deterrent than other traffic calming measures (although admittedly will have negative impacts on immigrant communities whose license plates may be tracked by cameras)
- Need a traffic impact analysis based on the number of “beds”
- The traffic analysis presented was done in the summer – needs to be done while school is in session.
- Add blinking pedestrian lights and raised pedestrian crosswalks on Paul St.

Note: This group suggested that all proffers be run through VPS – Virginia Proffer Solutions – to make them legally binding.

Discussion of Parking Concerns and Proffers

Note—this was the issue that most participants chose to discuss when moving to the topic specific tables.

Previously Identified Concerns Prior to the Discussion

- There won't be enough parking—concern that Link residents may fill up street parking
 - For current city residents or visitors to downtown
 - For neighboring institutions (ex. Harrisonburg Baptist Church needs spots for congregation and visitors- don't want to be the church that tows! Wants to “be a good neighbor”)
- There aren't enough spaces for bike parking for encouraging more non-motorized modes of transportation especially with the installation of the Liberty Street cycle lane project

Discussed Proffers

Increased parking garage capacity from 425 designed (Minimum 400 Proffered) to 500 designed (Minimum 480 Proffered). The garage is designed in concept for the higher spaces, the slightly lower proffered numbers intended to provide final design flexibility.

- Respond to concerns received regarding sufficient parking for residents and provides an opportunity to increase future public parking in the south downtown area.

Increased secure bike parking from 90 to 120 spaces and outdoor bike parking from 8 to 16 spaces.

- Respond to Stakeholder and Citizen feedback to increase and encourage cycling resources at the property and encourage non-motorized modes of transportation with the installation of the Liberty Street cycle lane project.

Discussion Summary

Concerns

- Parking study done in 2021—Outdated? Still relevant?
- Garage capacity
 - Not addressing parking overflow into surrounding area
 - Does it take into consideration visitors to residents?
- Concerns for the City to address
 - The parking garage will have a large number of spaces designated for city employees—why can't city employees use other, underutilized existing parking structures?
 - How will the city monitor and protect ground level parking for city staff & public use?
- Concerns about uber-eats, delivery drop offs blocking traffic (and the impact on the church next door)—need sufficient off-street access for deliveries and ride sharing.

Suggestions

- The added proffers were helpful for parking spaces
- Suggesting a Community Board online for residents to offer ride shares or car pool
- Creating a transportation demand management plan
- Distributing parking information to new residents
- Consider offering a shuttle for students to JMU
- Lower price point parking for lower income residents
- Preserving existing municipal spots surrounding the Link
- Adding time limits on street parking?
- Increasing parking enforcement- \$\$ talks!
- Increasing public transportation: Ex putting a bus stop in front of the building to encourage public transit (in talking to the table, John, the developer, mentioned it might be possible to add a bus stop next to/near the building)

Conclusion

The facilitated process provided an opportunity for interested civic groups to engage directly with the developer's updated proffers and design revisions. The discussion generated meaningful insights into community priorities and specific improvements related to architecture, and traffic / parking issues. The discussion atmosphere was positive and constructive.

The themes identified reflect a collective desire for intentional, integrated, community-serving development that strengthens downtown Harrisonburg, minimizes negative impacts, and reflects the values and identity of the city. The process also highlighted the need for future city-led conversations about growth, policies, and procedures.

Acknowledgements

To host a conversation with many interested civic groups is no small feat. We are profoundly grateful to all who participated in the many aspects leading up to the larger facilitated conversation. We recognize all the individuals and community groups (mentioned specifically above) who engaged in preliminary conversations and brainstorming of what might be possible. We are grateful to the Harrisonburg City Staff who assisted with the logistics of where to host the meeting and those who stayed late until the large meeting ended.

With deep gratitude,

Jess, Eric, and Amy

Proffer Analysis for Housing Affordability

The Link Project
City of Harrisonburg, VA
January 27, 2026



Submitted by Timberwolf Capital Partners, LLC

**Prepared by Virginia Proffer Solutions™
a division of Impact Analysis, LLC**

**Providing Data Driven Proffer Analysis Utilizing the
ProfferPro System™**

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Introduction

For the last seven years, Virginia Proffer Solutions (VPS) has been preparing proffer impact analysis reports that evaluate methods that can be utilized as a basis for proffers by analyzing the impacts of a specific project and evaluating possible mitigation of those impacts. Fundamental to the report is VPS' deep understanding of the legal basis for proffers under Virginia and Federal Law, including the enabling legislation and applicable legal limitations. This is combined with the experience VPS has in locating and utilizing project and location specific data and information. Timberwolf Capital Partners, LLC, has retained VPS to evaluate the impacts its proposed multifamily project will have on housing affordability in Harrisonburg, VA, and establish a range for a cash proffer to mitigate that impact.

The Role of Virginia Proffer Solutions

VPS is committed to providing independent analyses of development impacts and potential mitigating proffers. We believe this is particularly important given the complexity of developing a proffer for housing affordability in light of the Virginia enabling legislation, Timberwolf's rights under the U.S. and Virginia Constitutions as interpreted by the U.S. and Virginia Supreme Courts, the potential for proffers being subsequently voided, and the potential liability faced by a jurisdiction arising from requesting or suggesting excessive proffers.

As a matter of policy, local governments seek to obtain monetary contributions from developers to help pay for the impacts that will be generated by the development. These contributions may take the form of voluntary proffers, specific conditions imposed by the government, or impact fees. Virginia Proffer Solutions, a division of Impact Analysis, LLC, specializes in providing developers and local governments with a rigorous analysis of the land use impacts of specific real estate developments located in that jurisdiction.

While the courts and Virginia legislature have recognized the need for and legality of the contributions, the courts and state governments have imposed limits on what contributions can be offered and accepted. Examples of this include the United States Supreme Court *Koontz* case and its progeny in Virginia, Section 15.2-2303.4 of the Code of Virginia. These limits require that the contributions must relate to the specific impacts of a particular development and must not be greater than is necessary to mitigate those impacts. Consequently, for contributions to be valid, they should be based upon verifiable data and predictive analytics.

The importance of a factual basis for proffers is amplified by Section 15.2-2208.1 of the Code of Virginia that imposes liability on jurisdictions that violate constitutional rights. Virginia Proffer Solutions reports are intended to help protect local jurisdictions from this liability, to protect jurisdictions from proffers that are later found to be unenforceable and to protect applicants from demands for excessive proffers by providing the in-depth, high-quality analysis that we believe is required by the *Koontz* case and the applicable proffer legislation.

Virginia Proffer Solutions gathers the necessary data and uses predictive analysis to determine the impacts of each development upon a locality. For each Virginia Proffer Solutions

engagement, the data that is gathered and the predictive analysis that is conducted takes into consideration the legal and policy constraints and requirements applicable to the project. The result is a detailed and substantiated *Proffer Analysis for Housing Affordability* that will permit Timberwolf to scientifically present the impacts of its development and the level of mitigation that is appropriate and defensible to the City of Harrisonburg where the project is located. In this case, much of the data utilized is from two studies prepared for the city of Harrisonburg: The City of Harrisonburg Comprehensive Housing Assessment and Market Study, (published in 2021) (The Housing Study) and “The Central Shenandoah Regional Housing Study Technical Report” (published in 2025) prepared by the Central Shenandoah Planning District Commission (the CSPDC report).

This report sets forth our opinion as analysts. However, we do not provide legal advice, and to the extent such advice is needed, it should be provided by legal counsel for Timberwolf and the City Attorney for the City of Harrisonburg. Our role is to provide information, data and analysis that can be utilized by Timberwolf, the City of Harrisonburg, and their respective counsel during the rezoning process. As part of that process, we will set forth our opinion as to a reasonable range of proffer amounts. This is done for two reasons: First, predictive analytics is not an exact science that can provide a precise answer. Secondly, as explained later in this report, an affordability proffer is voluntary, and the amount is to be determined solely by the applicant and owner after taking into consideration the economics of a particular project.

The VPS Team

The Virginia Proffer Solutions team combines the talents of outstanding individuals in the areas of law, land use planning, analytics, fiscal impacts and research. Mike Vanderpool has been a zoning and land use attorney in Virginia for more than 50 years and has handled numerous rezonings, special use permits and variances.¹ He has represented both developers and local governments, including serving as a Deputy City Attorney, and he is a Martindale Hubble AV rated attorney. For nine years, he was an adjunct professor at George Mason University, teaching in the Master of Real Estate Development program, where he taught the program's law class. He was recognized as faculty member of the year in that program in three of those years. Virginia Business Magazine and other publications have recognized him for many years as a Legal Elite business and real estate attorney. Mike is a Phi Beta Kappa graduate of Penn State University and earned his law degree from the Georgetown University Law School where he was a member of one of the Law Reviews.

Mike has participated in a Virginia Local Governments Attorneys panel discussion on proffer reform, led the presentation of a webinar on how to deal with the proffer law to over 200 local Virginia government attorneys and planners, testified before the Virginia Senate Subcommittee on Local Laws, written a published article on the topic, advised several jurisdictions and the mayors and chairs in Northern Virginia with regard to the law and presented a seminar on proffers at the 2019 Virginia Planning Association annual meeting

Chris Garcia, PhD, is an Associate Professor in the College of Business at The University of Mary Washington. He is a specialist in analytics and big data and has published works in the areas of computational economics. He specializes in providing advanced analytics consulting and technology development. Chris is responsible for vetting and improving the Proffer Pro™ computational model developed by Impact Analysis, LLC and reviewing the computations set out in the reports on an as needed basis. He said, "I have been teaching advanced analytics and consulting in the field for several years. I am excited to bring that experience and my expertise to Virginia Proffer Solutions." Chris received his B.S. degree from Old Dominion University and holds Masters' degrees from NOVA Southeastern University and Florida Institute of Technology; his doctorate degree is from Old Dominion University. Dr. Garcia has published articles in the journals *International Series in Operations Research and Management Science*, *Engineering Optimization*, *AIS Educator Journal*, and *Computational Economics*

Eileen Settlemyer is a Phi Beta Kappa graduate of The University of Mary Washington, where she double majored in Business Administration and English. As an undergraduate, she completed two research-oriented internships, one in Shanghai, China, with Web2Asia, and one with TechInt Solutions Group in Virginia. Upon graduation, she was accepted into a dual master's program at the McIntire School of Commerce at The University of Virginia. Through this

¹While Mike Vanderpool is a licensed Virginia attorney, his role regarding this report is solely that of an analyst. He has not entered into an attorney-client relationship with the Applicant or the city.

innovative program, involving attendance at three universities around the world, Eileen earned a master's degree in Global Commerce from The University of Virginia, a master's degree in Global Strategic Management from ESADE University in Barcelona, Spain, and a certificate in International Management from Lingnan University in Guangzhou, China. As the former Chief Research Analyst for Virginia Proffer Solutions, she developed the research protocols for mining the data that is at the core of every Virginia Proffer Solutions report.

Stan Feuerberg serves as an analyst for Virginia Proffer Solutions. Stan earned both an undergraduate degree in electrical engineering (BSEE) and a law degree (JD) from the University of Nebraska-Lincoln. Stan began his industry experience with the Nebraska Municipal Power Pool / Municipal Energy Agency of Nebraska as its in-house counsel and chief contract negotiator. He moved to Colorado to serve as the General Counsel for the Western Area Power Administration in the US Department of Energy, and later to New England when offered the position of Vice President and Chief Operating Officer of the Vermont Electric Power Company. He recently retired after more than 30 years as the President and Chief Executive Officer of the Northern Virginia Electric Cooperative. For ten years, he served on an advisory board to the Federal Reserve Bank of Atlanta. In matters of land use, he has extensive experience in various regulatory approval proceedings. During its 2022 session, both houses of the Virginia General Assembly passed a special resolution honoring Stan's service to the Commonwealth.

Karen Settlemyer is the Senior Analyst for Virginia Proffer Solutions. Karen received her undergraduate degree from Indiana University, a master's degree from the University of North Florida and a second master's degree in Organization Management and Development from Fielding Graduate University. She spent several years working for Roche Pharmaceuticals and ended her career there as the Development Director for the Oncology Sales Force. She then joined Regeneron as a sales director for their initial product launch. As a result of the company's tremendous growth and her background in Organization Development, she had the opportunity to create and lead the Commercial Organization's Leadership Development Program.

Phyllis McCullagh serves as an analyst for Virginia Proffer Solutions. Phyllis spent 35 years in the technology field in roles that include executive leadership, sales, marketing, strategy development and planning. Born and educated in Canada, she moved to the United States in 1991 and continued her successful career with several of the largest computer companies in the IT industry. Prior to retiring from Hewlett Packard as Regional Director of the Americas, Phyllis led the American division of Jabra/GN Netcom as the President and General Manager. She brings a broad spectrum of analytical skills and development experience to her consulting role with Virginia Proffer Solutions.

Calvin Hackeman who serves as an analyst for Virginia Proffer Solutions earned a Bachelor of Science degree, cum laude, from The American University with a double major in accounting and real estate/urban development. He was engaged in public accounting at Grant Thornton LLP from 1975 until retiring in 2012. He served in various positions including client service partner and National Managing Partner of the Technology Industry.

About the ProfferPro™ System

At the heart of the ProfferPro™ System developed by Impact Analysis, LLC, is a deep understanding of the Federal, state, and local levels of legal scrutiny that must now be applied to each zoning case involving any proffer, condition or impact fee. The foundational legal principals are based in the jurisprudence that has evolved around the “takings” clause in the 5th Amendment to the United States Constitution and Article I, Section 11 of the Virginia Constitution. These legal principles have given birth to the Virginia proffer legislation, which has, in turn, spawned local regulations. Together we believe they require a factual and economic analysis to support every governmental exaction in a land use case.

According to Mike Vanderpool, “Much has changed in zoning and land use during my 50 plus years of practice. With that said, the *Koontz* case is truly revolutionary. Even without legislation at the state level, it has created the potential for liability at the local government level. And because *Koontz* was decided under the 5th Amendment of the Constitution, it cannot be legislated away. Essentially, the *Koontz* case is another step in the evolving jurisprudence that requires local governments to rely on and be able to demonstrate a factual, statistical basis for their decisions involving land use exactions, including proffers, conditions, and impact fees.”

The ProfferPro™ System provides that factual and statistical basis through an independent, well-researched, rigorous analysis that can be relied upon by developers and local jurisdictions. The ProfferPro™ System builds on the prior work performed by localities in the creation of monetary proffer guidelines but corrects several of the defects that made them subject to attack on constitutional grounds. Each ProfferPro™ report documents the facts required to show a nexus between the impacts of a project and the proffer condition or impact fee that is offered and also demonstrates their proportionality to the impacts. Each report is individually prepared and reflects the unique characteristics of each development and each jurisdiction.

Applicable Law

The following sections of this Report are not intended to provide legal advice but rather set forth Virginia Proffer Solutions' understanding of the Applicable Law. To the extent legal advice is deemed necessary, it shall be provided, as applicable, by the Applicant's Attorney and the City's Attorney.

Proffers are governed by Federal and State Constitutional Law and Virginia Statutes. The 5th Amendment to the U.S. Constitution and Article 1 of the Virginia Constitution provide that private property cannot be taken for public purposes without appropriate compensation. Several U.S. Supreme Court and Virginia Supreme Court decisions have applied these constitutional provisions to the real estate development process. At the Federal level, the *Nollan*, *Dolan* and *Koontz* cases^{2 3 4} have established a three-part test for determining when land use exactions are valid or invalid. Under those cases, an exaction is constitutional only if it has a nexus to the impacts of a development, the amount of the exaction is roughly proportionate to the impacts of the development, and the determination is made on a case-by-case basis. More recently, the U.S. Supreme Court in the *Sheetz* case⁵ stated that exactions relating to the permitting process are subject to these tests whether the exaction is made by a legislative body or by an administrative body. The Virginia Supreme Court has applied these tests in the case of *Board of Supervisors of the County of Albemarle vs Route 29, LLC*.⁶ In that case, the Court in 2022 reviewed a proffer that had been made and accepted in 2007. In finding the proffer invalid, the Virginia Supreme Court, based on the U.S. Supreme Court decisions, found that even voluntary proffers must meet the nexus and proportionality tests, and that the determination concerning these tests must be made on a case-by-case basis, rejecting the County's contention that a voluntary proffer is exempt from the unconstitutional conditions doctrine. The Virginia *Cupp* and *Rowe*^{7 8} cases embody the same tests under the Virginia Constitution stating that improvements to roads cannot be demanded from a developer if the need for the improvement is "substantially generated" by public demand rather than by the development.

Of particular note is the *Koontz* case. The opinion in that case stated "Land-use permit applicants are especially vulnerable to the type of coercion that the unconstitutional conditions doctrine prohibits because the government often has broad discretion to deny a permit that is worth far more than property it would like to take... So long as the building permit is more valuable than any just compensation the owner could hope to receive for the right-of-way, the owner is likely to accede to the government's demand, no matter how unreasonable. Extortionate demands of this

² *Nollan vs. California Commission* 483 U.S.825 (1987)

³ *Dolan vs. City of Tygard* 512 U.S.374 (1994)

⁴ *Koontz vs. St. Johns River Management District* 570 U.S.595 (2013)

⁵ *Sheetz vs. El Dorado County* 601 U.S.267 (2024)

⁶ *Board of Supervisors of the County of Albermarle vs. Route 29, LLC*, Supreme Court of Virginia, Record No. 201523 (2022).

⁷ *Cupp vs. Board of Supervisors of Fairfax County*, 227 Va 580 (1984)

⁸ *Board of Supervisors of James City County vs. Rowe*, 216 Va 128 (1975)

sort frustrate the Fifth Amendment right to just compensation and the unconstitutional conditions doctrine prohibit them.”⁹ In that case, the U.S. Supreme Court further determined that a suggestion by a locality for a voluntary monetary proffer triggers the *Nollan/Dolan* analysis requiring nexus, rough proportionality and the need for an individualized determination. Importantly, the Court not only found that a mere suggestion for an excessive exaction can be a violation of the 5th Amendment, but that is the case even if the project is approved.¹⁰ If those requirements are not met, a locality can face liability under Federal and state law. The *Koontz* case resulted in the Virginia legislature adopting section 15.2-2303.4 of the Code of Virginia in 2016 and amending it during the 2019 legislative session. That Code section incorporates the constitutional test by specifying that a voluntary proffer is unreasonable unless it “addresses an impact that is specifically attributable to a proposed new residential development, that the new residential development or new residential use creates a need, or an identifiable portion of a need in excess of existing public facility capacity at the time of the rezoning or proffer condition amendment... A locality may base its assessment of public facility capacity on the projected impacts specifically attributable to the new residential development or new residential use.” These requirements are in addition to those required under the applicable case law. For example, while the proffer legislation also specifies that communications between a jurisdiction and locality cannot be used as a basis for deeming a proffer to be unreasonable, that language does not erase the holding of the cases under the U.S. Constitution to the contrary. Further, while subsection D.1 of the state statute permits a developer to offer any proffer it deems reasonable, the proffer must still meet the *Nollan*, *Dolan*, and *Koontz* requirements. If it fails to do so, the locality may face liability under Section 15.2-2208.1 of the Code of Virginia which states in part: “Any applicant aggrieved by the grant or denial by a locality of approval or permit, however described or delivered...where such grant included or denial was based upon, an unconstitutional condition pursuant to the United States Constitution, the Constitution of Virginia, shall be entitled to an award of compensatory damages...”

Turning to affordability proffers, the Virginia Legislature has adopted a number of statutes authorizing the acceptance of affordable units by jurisdictions in exchange for density bonuses.¹¹ We believe this was done because the density bonuses provide a quid pro quo in an effort to avoid the risks of violating a developer’s constitutional rights.¹² The Central Shenandoah Regional Housing Study Technical Report (2025, CSPDC Study) recommends that the city adopt a density bonus ordinance since the authority exists under section 15.2-2305.1 of the Code of Virginia. However, the study recognizes that the city “cannot condition the approval of any development on the inclusion of affordable units”¹³ and recognizes that the rental prices required cannot be so low “that the developer/owner will suffer ‘economic loss’ by not recouping costs.”¹⁴ (Emphasis in the original quote.)

⁹ *Koontz* @ page 605

¹⁰ *Koontz* @ page 606

¹¹ See Section 15.2-2304 et seq Code of Virginia

¹² *Ibid*

¹³ The Central Shenandoah Regional Housing Study Technical Report (2025), pages 293

¹⁴ *Ibid*, page 294

The City of Harrisonburg has not, as of this date, adopted an ordinance utilizing the applicable ADU statute. As a result, affordability proffers in Harrisonburg must be based on Section 15.2-2303.4 of the Code of Virginia which authorizes proffers for residential projects. In that context, it is important to understand that statutory bonuses are quite different from impact proffers. The bonus proffers are, in essence, offers by the government to pay for affordable dwelling units by permitting developers to build extra units they would not otherwise be able to build. The rules are set out in the legislation as to what the “payment” will be for a specific number of affordable units. As a result, no significant analysis is required. However, voluntary proffers which are governed by a different set of statutes, including section 15.2-2303.4, cannot be used to solve preexisting problems as that would violate the Fifth Amendment prohibition on a taking without compensation, and the Virginia Constitution pursuant to the ruling in the Cupp Case. Rather, they are designed to mitigate the specific impacts that will be produced by a specific project in a specific location. Because each project is unique, and can produce unique impacts and mitigations, both the impacts and mitigation must be established on a case-by-case basis.¹⁵ And the fact that they are deemed to be voluntary does not isolate them from the limits imposed by the U.S. and Virginia Constitutions.¹⁶

¹⁵ Dolan vs City of Tygard 512 U.S.374 (1994) at page 386

¹⁶ *Board of Supervisors of the County of Albermarle vs Route 29, LLC*, Virginia Supreme Court

“D.1 Proffers”

Subsection C.1 of Virginia code section 15.2-2303.4 sets forth specific criteria for determining whether a proffer is reasonable when the proffer relates to facilities but not affordability. However, subsection D.1 provides that notwithstanding the aforesaid, an applicant may submit any proffer it and the owner deem reasonable, and the statute clearly states that the failure to do so shall not be a basis for the denial of a rezoning. It is important to note that determination of reasonableness is not an objective standard but is to be determined solely by the applicant and owner. This helps to protect the jurisdiction. Subsection D.1 also serves a second function. In our opinion, it provides the authorization required by the Dillon rule¹⁷ for affordability proffers as it speaks to “any proffers” and is part of a statute that deals with proffers for residential development.

Subsection D.1, however, does not erase all limitations on proffers. As noted above, proffers are also limited by the 5th Amendment to the U.S. Constitution and Article I of the Virginia Constitution. These limitations cannot be waived by a state statute, including subsection D.1 of the Virginia Proffer Statute. The U.S. Supreme Court and the Virginia Supreme Court have set forth these limitations in a series of cases. The Albemarle Virginia Supreme Court case says these requirements must be met for a voluntary proffer to be enforceable. Failure to acknowledge these limitations may void an otherwise voluntary proffer even after a property is rezoned subject to the proffer. In addition, mandatory affordability exactions in real estate cases have been attacked on constitutional grounds. In the *Yu* case¹⁸, a California city dropped its demand for an affordability impact fee when the fee was challenged on constitutional grounds using the theory that new housing does not cause a need for affordable housing. The allegations in that case included the allegation that new residential development “Neither creates nor contributes to the need for affordable housing; Does not cause anybody else to be unable to afford housing; and alleviates the need for affordable housing by creating new housing. Because new residential development categorically does not have a negative public impact on housing affordability, there is no set of circumstances in which the Ordinance could satisfy *Nollan* and *Dolan*.” (allegations 62 and 63).

¹⁷ The Dillon Rule in Virginia limits the authority of local jurisdictions to that provided by the Virginia Legislature. See “*Back to Basics: Dillon Rule*,” Housing Forward Virginia. May 28, 2025, www.housingforwardva.org

¹⁸ *Wesley YUU vs City of East Palo Alto*, U.S District Court , Northern District of California, San Francisco Complaint NO. 3:25-cv-06456 . *California family wins settlement after City charges \$55K to build ADU*. <https://Pacificalegal.org>. November 19, 2025, Retrieved January 22, 2026, from <https://pacificalegal.org/>

Description of the Project



The Link Project is proffered to consist of up to 250 units with up to 555 bedrooms together with 5,000 square feet of retail space, in a multi-story, mixed-use building. The Project will be located in close proximity to James Madison University.

Nexus, Rough Proportionality and Individual Evaluations in the Context of Proffer for Affordability

We believe there may be a nexus between new housing and the need for affordable housing as well as rough proportionality, depending upon the specific characteristics of a particular community and a specific project. It has been commonly assumed that the required nexus exists because growth in housing is linked to increasing demand for affordable housing. This is premised on the theory that new houses bring more people to a community who demand more goods and services. This in turn increases the demand for low-wage jobs, resulting in an increased demand for affordable housing. This is often referred to in the literature as “the housing nexus methodology.” However, we believe that theory is not universally accurate and there is a need for more detailed examination. In our opinion, there are other different scenarios.

The first scenario supports the nexus theory. It can occur in places like California where a rapid increase in high income jobs (for example, in the IT industry) fuels a surge in high income earners. We believe it can also occur in communities with a large growing university presence that requires additional employees with advanced degrees and provides relatively high incomes. In these scenarios, it is likely that the increase in population will cause a need for economically challenged jobs. But there are other possible scenarios. It seems to us that the cause may rise from the bottom of the wage scale rather than the top. This situation occurs when there is a significant growth in employment in one or more low wage jobs due to the growth of certain industries such

as the poultry industry that require low-wage earners. We refer to this as the “employment nexus theory.” Another scenario is when affordability is stifled by significant limitations on the construction of new housing. This happens when a zoning ordinance is exclusionary rather than inclusive. “When designed thoughtfully, zoning laws can promote the development of affordable housing, while restrictive policy can inhibit it by limiting density.”¹⁹ This can be described as the “land use constraint theory.” Finally, there can be situations where new units primarily serve existing residents rather than new residents. We refer to this as “the supply theory” because the new housing provides more capacity, reducing pressure on existing rents.

It is also important to note that the cause of an affordability problem can change over time as localized growth and decline occurs. For example, historically West Virginia experienced growth due to the coal industry. As that industry went into decline, growth ceased and the population declined.²⁰ Currently, however, parts of West Virginia are now growing rapidly, primarily due to migration from Northern Virginia where the cost of living is much higher.

The underpinnings of these various nexus theories, however, have been challenged in the *Yu* case. That case, which arose in California, was brought by a plaintiff who challenged an impact fee for affordable dwellings when he sought to add an additional dwelling unit on his property.. After receiving a notice that a large impact fee would be payable, he filed suit challenging the constitutionality of the fee. The challenge was based on the assertion that additional housing does not create a need for affordable dwelling units. The defendant city of East Palo Alto, California, settled the case and revoked its impact fee. While this does not create a legal precedent because there was no court ruling in the matter, the settlement indicates a significant concern about the constitutionality of exactions whether voluntary or mandatory for affordable dwelling units.

¹⁹ *How Zoning Regulations Affect Affordable Housing*, National Association of Home Builders, <https://www.nahb.org/blog/2024/11/zoning-regulation-and-affordable-housing>

²⁰ *WV Continues Population Loss Despite Influx of New Residents in Eastern Panhandle*, Real News (January 7, 2025) www.therealwv.com

Measuring the Effect of New Market Rate Housing on Housing Affordability—“Rent Compression,” “Mitigation Chains” and “Filtering”

There has been significant debate among academics, analysts, politicians, and home builders regarding the impact of new housing on housing affordability. One side suggests that new housing exacerbates the need for more affordable housing. This is encapsulated in the nexus theory described above. It posits that new housing attracts new additional residents which increases the needs for goods and services, including those provided by low-income wage earners. We refer to this as “external inward migration.” However, others suggest that it is new jobs that create the need for more housing and any additional housing supply is inherently helpful to address affordability based on the foundational concepts of an imbalance of supply and demand at any level of housing cost. Under this analysis, increased supply at a given level (e.g. high end) provides relief for all lower levels, including at the lowest level of housing costs. This effect is described in several well researched studies outlined in the UCLA Research Roundup described below (The UCLA Report).

A result of external inward migration is what we refer to as “rent compression” which occurs where the rental market is tight, with few vacancies. Simply stated, if there is inadequate supply of higher cost units, those that can afford them move to mid-level rental units, artificially creating increased demand and pushing up rents. This process continues all the way downstream resulting in upward rent trends in even the most affordable units. When not enough homes are built in high-income neighborhoods, people who would have lived in those neighborhoods can usually afford to move into middle income neighborhoods, and middle-income residents can usually afford to move into low-income neighborhoods, but residents of low-income neighborhoods have nowhere to turn. Their options are limited and the data indicates that they keep their housing by absorbing large rent increases. According to the Housing Study these conditions exist in the City of Harrisonburg, describing them as a “housing mismatch.”²¹

However, when supply is increased by a project, particularly in tight markets, rents decline due to what has been described as a “migration chain.” In 2021, a research roundup paper titled “*Research Roundup, The Effect of Market Rate Development on Neighborhood Rents*” prepared by the UCLA Lewis Center,²² summarized the findings of several research papers dealing with the effects of new rental housing units on the rents charged in existing units, concluding that there really isn’t any doubt that in areas where there is high housing demand building more housing can help keep the prices of existing housing down. The specific key findings of these relatively recent studies can be summarized as follows:

²¹ Housing Study Executive Summary, page 2, Key Findings

²² UCLA Lewis Center for Regional Policy Studies (n.d.). *The Effect of Market-Rate Development on Neighborhood Rents*. <https://escholarship.org>. Retrieved January 22, 2026, from <https://escholarship.org/uc/item/5d00z6y1m>

- (1) New large market-rate units result in a rent reduction in nearby units of 5-7%. According to *Supply Shock versus Demand Shock: The Local Effects of New Housing in Low Income Areas* Brian Asquith, Evan Mast, David Reed (2019).
- (2) Based on a study of nearly 700 market-rate multi-family developments in central city and the tracking of 52,000 of their current residents to their previous address, the author concludes that new development establishes “a migration chain: a series of household moves that can be attributed to the new development. As a new market rate project is completed, residents leave their previous address to move in, opening their old home for someone else to move into; someone else moves into that unit, opening up their previous address to new occupants and so on. These migration chains reveal an indirect, yet important effect of market-rate development on the lower- and middle-income housing market...it frees up space in cheaper housing.” From *The Effect of New Market-Rate Housing Construction on the Low Income Housing Market*, Evan Mast (2019). Hereafter the Mast Study.
- (3) Building market rate units leads to movement out of below median and bottom quintile income tracts respectively, creating slack in the lower end housing market. Almost all of this effect takes place within five years. From the Mast Study.
- (4) As for new migration. “...67% of residents come from the same Metro area. Most likely, the remaining 33% would have moved to the new city in any case. These were people who could afford to rent at a new market rate unit...Indeed, in the absence of new housing they would have taken up residence in an older, more affordable home instead.” From the Mast Study.
- (5) According to the UCLA Research Roundup, the active mechanism behind ‘filtering,’ is the process by which homes become more affordable as they age. That mechanism is new building. Without new homes coming onto the market, migration chains cannot be initiated and filtering cannot readily occur.” This helps explain the findings of Liu, McManus and Yannopolous (2020), in which older homes “filter up—aka gentrify—to higher-income households in markets with limited housing production.”
- (6) “...the conclusion is clear: market rate housing improves affordability at both the metro area and neighborhood level.” *Does Building New Housing Cause Displacement?: The Supply and Demand Effects of Construction in San Francisco*, Kate Pennington (2021).

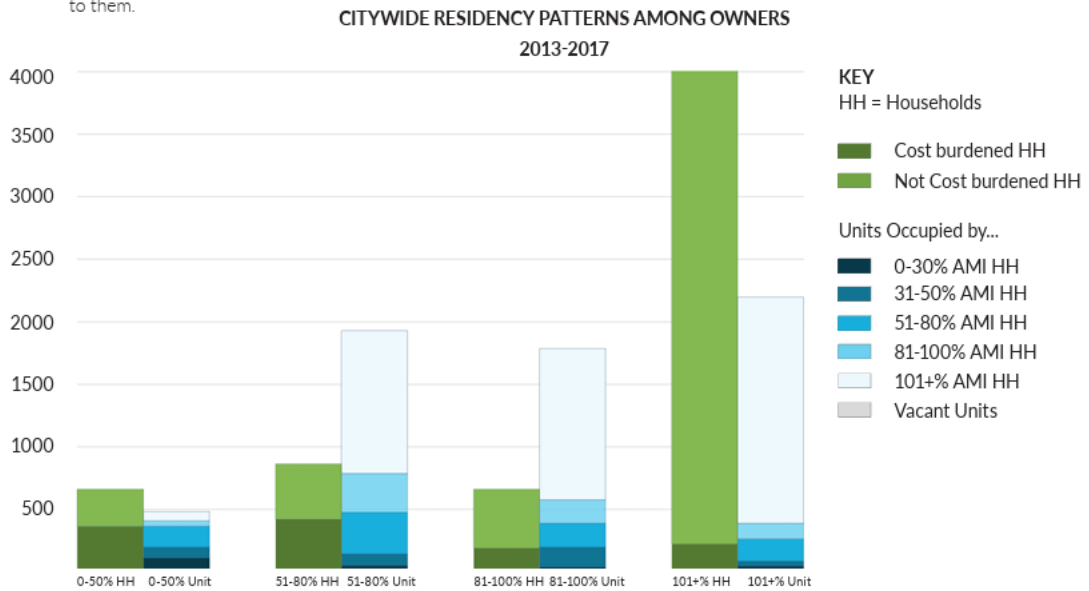
The Housing Study describes this effect in Harrisonburg:

There is a “housing mismatch” in which thousands of households live in units that do not align with their income. In other words, many higher income households live in housing “beneath their means” while many lower income households live in units where they must pay 30-50%, or more of their monthly income for housing costs. While there are

numerous reasons why people choose to live where they live, this housing mismatch has a disproportionately greater impact on lower income households. Higher income households have greater choice in the housing market as a result of having more income available for housing. However, when higher income households reside in lower cost housing, they are effectively “squeezing out” lower income households—who because they are lower income, have the fewest housing options.²³

The rental marketplace in the City evidences the lack of units for residents with incomes between 80% and 120% of Average Median Income (AMI). For example, the CSPDC Study reveals only 311 rental units exist at the 80-120% AMI level, 522 at the 100-120% AMI, and 219 at the 120% AMI level.²⁴ That level of supply appears to be very limited in the context of a city with more than 50,000 residents, an overall vacancy rate of approximately 2%. In fact, affordable multifamily units already represent approximately 61% of the multifamily rental units in the City²⁵ but there is still a lack of units at the lower and upper ends of the housing continuum. The above data points to classic conditions where a lack of upper end housing results in rent compression that can be alleviated by new upper end units that initiate chain migration and reduce rents throughout the system.

There is strong demand for expanding the rental housing inventory at both ends of the income spectrum.
 Among renters, the number of households in the lowest income group (0-30% of area median income) and the highest income group (81% of the area median income and above) significantly exceed the number of housing units available for and affordable to them.



²³ Housing Study, Executive Summary, page 2, <https://harrisonburgva.gov/housing-study>

²⁴ CSPDC Study, page 95 (However several units were not accounted for)

²⁵ Ibid, Page 93

The chart²⁶ on page 16 indicates that residents earning 101+% of Average Median Income represent the largest segment of the 51-80% units (below the level of affordable) and are even present in the 0-50% units.

²⁶ Housing Study, Executive Summary, page 4. <https://harrisonburgva.gov/housing-study>

The VPS Individualized Analytic Model™

VPS has developed an analytic model specifically for measuring impacts on affordability and potential mitigation for a particular project in a particular location. We refer to this model as the “VPS Individualized Model.” We believe this methodology is mandated by the constitutional requirement for “individualized determinations” to demonstrate both nexus and proportionality.²⁷ Our model seeks to integrate our understanding of the applicable law with the available data and information for a specific case. Measuring impacts on capital facilities is relatively straight forward. But that is not case for affordability. With that said, there is one significant element that we believe is central to the analysis for both facilities and affordability. It is based on a recognition that impacts are generated by people, not buildings. It is important to acknowledge that new net residential growth can create a demand for more goods and services which in some circumstances may lead to a need for more employees, including those at the lowest income level. But, if there is not a net increase in residents in the jurisdiction as a result the project, there is no basis for an affordability proffer as exactions must be based on the impacts of the project under consideration. A simple example is an apartment building that is obsolete and replaced with a building that yields the same number of residents. Another, germane to this project, is if the project serves existing residents, not new residents, as the demand created by those residents already exists.

To determine the magnitude of the impact, we first project the number of individuals that will occupy the project and their characteristics. We next examine the possibility that a portion of the occupants of the project will be existing City residents. Not only do these existing residents already account for impacts, but by moving into the project, they can also have a significant positive impact on affordability due to the migration chain and the attendant relief on rent compression. Next, in an appropriate case, we turn to the type of jobs that are likely to be needed in order to address any increased demand for affordable housing. At the same time new residents, particularly students, can fill jobs in these industries, mitigating the impacts they create.

Having identified the primary impact on employment, we next evaluate the current number of employees in the impacted job sectors and the existing population it serves. The workforce population in each low wage employment category is then divided by the population of the jurisdiction to obtain a per capita impact factor. This impact factor is then multiplied by the applicable number of net new residents generated by the development, resulting in an estimate of the number of new low wage employees that are needed in the impacted sector. The result is an estimation of the number of new individuals in low wage jobs that are required to serve the net number of new residents.

Next, we gather data on the average salary of the workers in the applicable sectors and utilize the accepted definitions of affordability²⁸ to determine the amount that these workers can pay for rent without being house burdened. This is then compared to the median rental costs. These

²⁷ See *Nollan and Dolan*

²⁸ CSPDC Study, page 81. Not more than 30% of income is used to pay for rent and utilities.

steps provide a gross impact number; however, the inherent positive impact that the specific new housing can have on the jurisdiction, particularly in jurisdictions where the housing market is very tight, and any additional factors that mitigate the impact of new development must be considered in order to evaluate the net impact of the project. The results of these factors are considered in our model to establish a nexus and estimate the rough proportionality of impacts as required by the applicable law.

A final consideration to be made by the developer under Section D.1 of the proffer law, is the amount the proposed project can bear for affordability proffers. If the amount is too large, the project may not pencil out to provide a reasonable return on the investment or to provide a debt coverage ratio demanded by lenders. In these circumstances the new project will not be built. As previously noted, the amount of the D.1 proffer is to be determined solely by the developer and owner.²⁹

²⁹ Section 2303.4.D.1 Code of Virginia

The Historic and Current Causes of a Lack of Affordability in the City of Harrisonburg

Under the VPS Individualized Model an understanding of the historic and current causes of a lack of affordable housing in a particular jurisdiction is important for two reasons. First, it can be quite easy to simply adopt the housing nexus theory. However, an examination of the historic causes compared to current causes can better inform expectations and solutions. Even more importantly, the legal requirements for an individualized analysis and rough proportionality demand an evaluation of current causes, not historic causes as proffers cannot be used to alleviate a preexisting affordability problem.³⁰ A failure to understand the historic and current causes can also lead to a distorted view of rough proportionality, leading to a violation of a housing provider's constitutional rights and, in Virginia, the possibility a proffer can be subsequently voided³¹ or that a jurisdiction can be held liable for damages. Thus, it is our position that in addition to historic causation, an individualized study of current data and information is necessary to establish the applicable nexus and rough proportionality to protect jurisdictions and housing providers.

In the context of a potential proffer for The Link Project, it is important to understand why there is currently an affordability problem in the City of Harrisonburg, its magnitude, and its causes. But it is worth repeating that proffers are to be used to mitigate the future impacts caused by a specific project, not preexisting capacity shortfalls. The Virginia and U.S. Supreme Courts have made this clear. Thus, while examination of historic causes are important, a proffer determination must be made on current conditions.

Information from the Housing Study

The Housing Study sets forth a number of key conclusions and provides information which is germane to our analysis. The key findings of that study include the following:

- *There is a 'housing mismatch' in which thousands of households live in units that do not align with their income. In other words, many higher income households live in housing 'beneath their means' while many lower income households live in units where they must pay 30-50% or more of their monthly income for housing costs...when higher income households reside in lower cost housing they are effectively 'squeezing out' lower income households...³² See graph on page 16.*

³⁰ *Cupp vs Board of Supervisors of Fairfax County*, previously cited

³¹ *Board of Supervisors of the County of Albermarle vs Route 29, LLC*, previously cited

³² The Housing Study, page 6

- *The City’s rental market is comparably tight...this creates high levels of competition within the market as renters compete for scarce units and where the lowest income households have the fewest options.*³³
- *College students drive population growth in the housing market. College students accounted for 37% of population growth between 2010-2018. Demand for off-campus rental units to accommodate college students exerts upward pressure on rental rates, pricing out non-student households.*³⁴
- *There is strong demand for expanding the rental housing inventory at both ends of the income spectrum. Among renters, the number of households in the lowest income group (0-30% of Area Median Income) and the highest income group (81% of the Area Median Income and above) significantly exceed the number of housing units available for and affordable to them.*³⁵

The report contains the following supporting information and data that form a basis for the study’s key findings.

*Harrisonburg has grown by 13% since 2010 from a population of 47,406 in 2010 to 53,391 in 2018. This growth has largely been fueled by students and adults 65 years and older. Of the 5,985-person increase from 2010 to 2018, increased student enrollments accounted for 2,224 additional residents, representing 37% of overall population growth...Students represent 43% of the population in Harrisonburg with off-campus students comprising 30% of the population. Off-campus students are a significant portion of the population across all neighborhoods and market types.*³⁶

*The majority of post-secondary students in Harrisonburg come from high income backgrounds. According to FAFSA data, compiled since 2010, 92% of JMU and EMU students were claimed as dependents by their parents with many likely receiving rental support from their families...61% of students come from families with incomes above \$75,000.00.*³⁷

Turning to the job market, the report found that between 2010 and 2019, the City lost relatively high paying jobs and gained a substantial number of low-wage jobs.³⁸ The report concludes that *because growing industries are largely in low-wage industries, Harrisonburg will need additional affordable housing to meet the needs of future workers.*³⁹ The report also states that “since 2010,

³³ Ibid

³⁴ Ibid

³⁵ Ibid page 8

³⁶ Ibid page 43

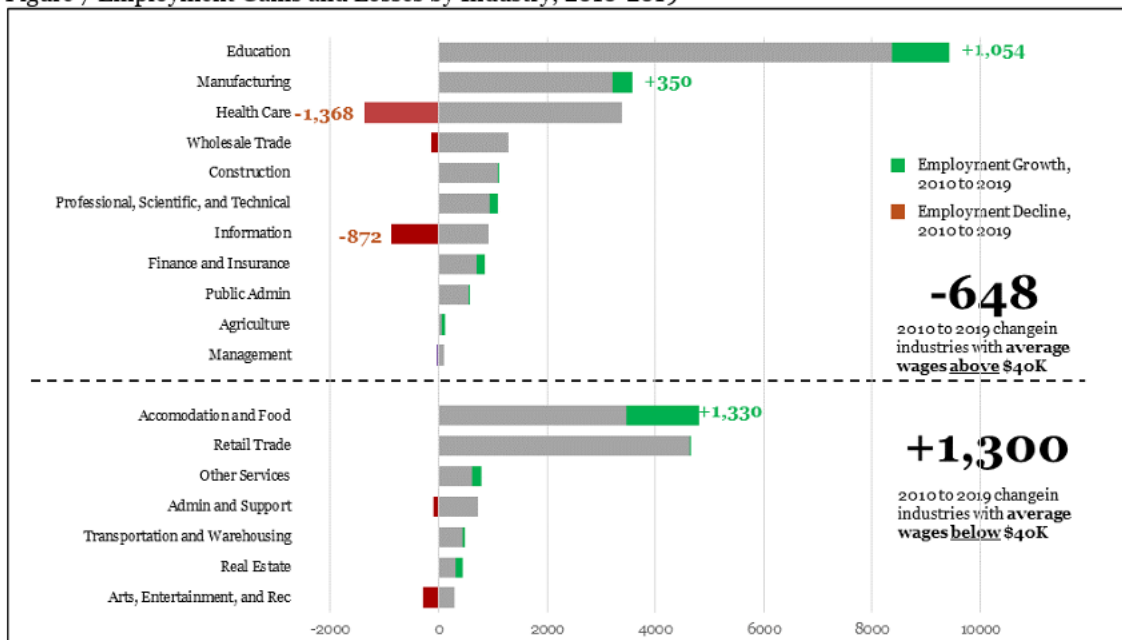
³⁷ The Housing Study, page 44

³⁸ Ibid, page, 47

³⁹ Ibid page 48

cost of living increases have outpaced average wage and household income gains in Harrisonburg.”⁴⁰

Figure 7 Employment Gains and Losses by Industry, 2010-2019



Source: Longitudinal Employer-Household Dynamics, 2010 to 2019

The chart⁴¹ above reflects that most of the gain in high income jobs occurred in education (1,054).

As to affordability and cost burden, The Housing Study cites Comprehensive Housing Affordable Strategy (CHAS) data, and states that over 60% of all rental units in Harrisonburg are affordable to households up to 80% of AMI.⁴² The report reveals that according to CHAS data, only 2% of rental units were vacant.⁴³ However, “because there are many more households with incomes above 80% AMI, but few units available for this income tier, these higher income households occupy rental units that cost less, thereby increasing competition among lower income households for the affordable units.”⁴⁴ *More specifically, there is a critical ‘housing mismatch’ where higher income households are residing in units that are more financially appropriate for lower income households. Without an adequate supply of units available for higher income households, they rent and buy ‘down market’ to meet their housing needs. This exerts greater pressure in a tight market with lower income households negatively impacted the most as they have less income and fewer housing choices. Compounding this trend is the significant additional demand that college students who live off campus exert on both the rental and sales markets.*⁴⁵

⁴⁰ The Housing Study, page 48

⁴¹ Ibid, page 47

⁴² Ibid, page 53

⁴³ Ibid, page 60

⁴⁴ Ibid, page 59

⁴⁵ Ibid, page 100

The analysis indicates that there is a need for 790 to 951 additional rental units in 2025 based on current vacancy rates and projected increases the number of rental households. However, there are 335 known rental units in the pipeline to be completed by 2025, bringing the number of needed units down to a range of 455 to 616.⁴⁶ However, from January 1, 2021, through December 31, 2024, the city issued only 212 new certificates of occupancy, of which only 62 were for multifamily units.⁴⁷

Finally, the Housing Study determined that there is public recognition of the need for more apartments, with survey responses revealing that this need is second only to the need for single family detached homes, with 50% of the population identifying apartments and approximately 55% choosing single family detached homes. Other unit types generated less support. (Respondents were able to make more than one choice in the survey.)⁴⁸

Information from the CSPDC Study

In summary, The CSPDC Study states “...the tight rental market may encourage buyers to make minimal investments and ‘flip’ previously owner-occupied homes for the purposes of renting. Simlutaneously, high demand for rental units with a limited supply can discourage long-term investments in rental properties because tenants must compete for properties (by accepting less quality for higher rent) rather than landlords competing for tenants with upgraded properties and good property maintenance. Indeed, focus group participants discussed deteriorating rental housing and especially instances of mold and poor maintenance. This tendency is likely to have the greatest impact on low- and moderate-income renters who compete less successfully for lower-cost units and may be displaced as landlords increase rents.”⁴⁹

To us, the foregoing data and information is a clear indication that there is significant “rent compression” in the city with much of it caused by students that live off campus. Finally, the report also identifies the need to reduce the costs of construction as that is part of the problem. “Given the increasing costs of development, focus group participants discussed strategies for reducing costs of building, including increased density and mixed uses as well as reductions in time spent in the regulatory processes, such as re-zonings and site plan approval”⁵⁰ This serves as a warning that regulatory costs, including proffers, must be kept at reasonable levels in order avoid creating the unintended consequence of increasing costs that can result in new development not being realized.

⁴⁶ Ibid, appendix, page 87

⁴⁷ Memorandum to City Council from Liz Webb, Housing Coordinator, and Adam Fletcher, Director of Community Development, “Residential Use-Approved Development Update,” March 25, 2025, City Council Meeting

⁴⁸ Ibid, appendix, page 128

⁴⁹ CSPDC Study, pages 90-91

⁵⁰ Ibid, page 98

Harrisonburg Affordability Root Cause Analysis

There is clearly a housing affordability problem in Harrisonburg. The purpose of this report is to inform Timberwolf and the City with data, information, and analysis to answer this question: To what extent will the Link project exacerbate or relieve the affordability problem? The answer to this informs us in our efforts to determine the impact of the project and the roughly proportionate mitigation in the form of a cash proffer. However, as is often the case, answering the question is not easy and cannot be done in a vacuum. As a result, we believe that conducting a brief Root Cause Analysis will be informative. Six Sigma Company describes the analysis as follows:

Root Cause Analysis (RCA) refers to a set of approaches leveraged to uncover the underlying explanatory factors or root causes behind problems. Essentially, RCA provides a structured investigation process for identifying the true sources from which issues emerge in systems, products, workflows or outcomes. Whereas our instinct is often to address the most visible or proximate causes behind defects, errors or negative events, root cause analysis deliberately digs deeper.⁵¹

This technique, developed decades ago, is widely used in the health care industry and other industries such as aerospace and manufacturing where it is important to dissect a complex problem in order to find the optimum solution. Thus, it can be used to search for the causes of problems in diverse situations such as the cause of unnecessary deaths in hospitals or why equipment keeps breaking in a manufacturing plant. The RCA involves the following steps:

1. Identify the problem.
2. Gather information and data.
3. List the possible causes.
4. Determine the dominant and secondary causes.
5. Evaluate possible solutions to address the primary cause and as many secondary causes as possible.

Although not referred to as A Root Cause Analysis, EconoFact used the process at the macro level examining the U.S. housing affordability problem in an article titled *Hitting Home: Housing Availability in the U.S.*⁵² EconoFact asks the key question. “What factors are making housing unaffordable, and can policies counter them? The company describes the problem as housing affordability declining across the entire rental spectrum but declining more acutely for renters who are becoming increasingly house burdened. After reviewing the data, they identify the causes as a mix of long-term and cyclical factors including, among others:

- More Americans aging in place, increasing the length of housing “tenure” combined with an increase in household formation by millennials.
- A long-standing lack of homebuilding in the years between 2008 and 2018, lower than any period since the 1960’s.

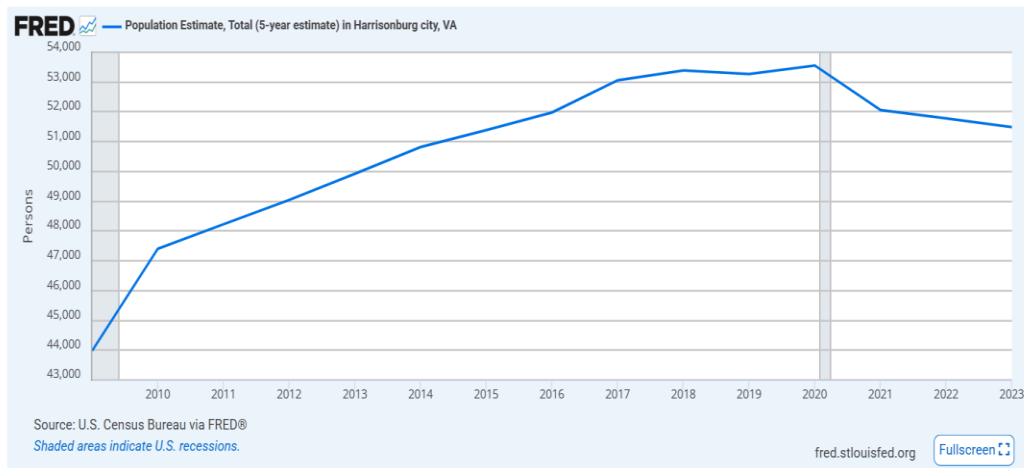
⁵¹ <https://www.6sigma.us/rca/how-to-do-root-cause-analysis/>

⁵² <https://econofact.org/hitting-home-housing-affordability-in-the-u-s>

- Zoning Regulations driven by “not in my backyard” opposition.
- High interest rates that cause people with mortgages to stay in their current homes.

Several of the above causes exist in Harrisonburg as evidenced below:

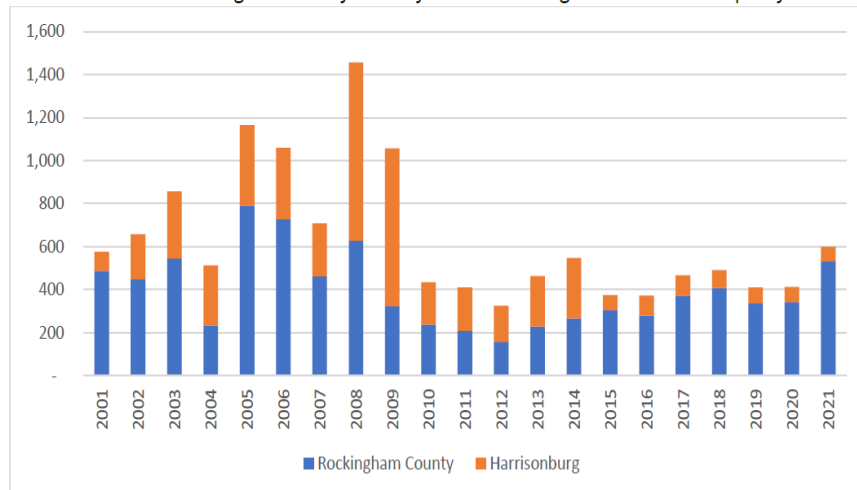
- Housing construction declined significantly while the population was increasing rapidly, particularly the student population. The data reveals the extent to which has happened in Harrisonburg where the population grew rapidly in prior years while new housing construction lagged behind surrounding jurisdictions.⁵³ The population growth is reflected in a graph from the Saint Louis Federal Reserve bank.⁵⁴



The slowdown in new housing production in the City is reflected in the following graph.

Units Created Annually

Source: 2001-2021 Rockingham County and City of Harrisonburg Certificate of Occupancy Data



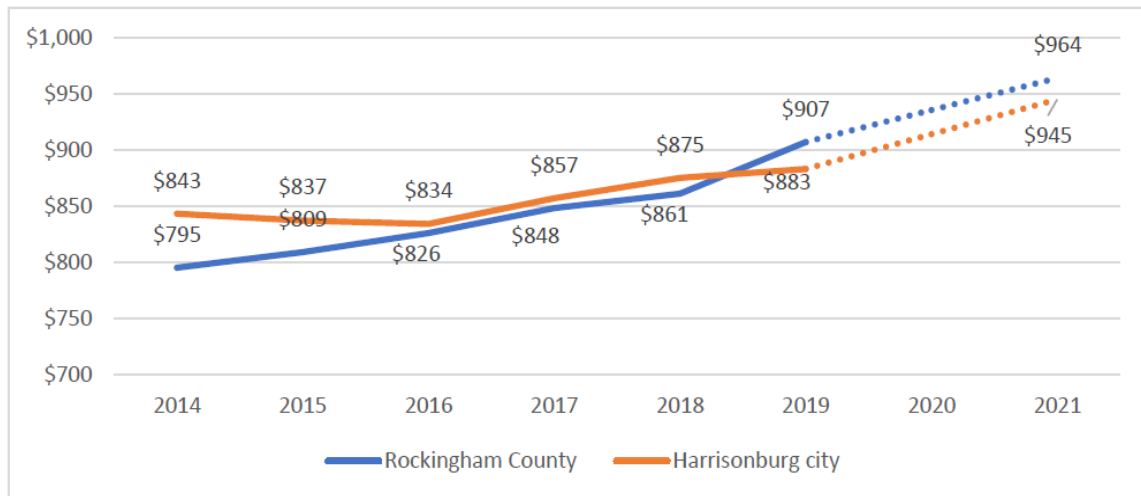
⁵³ CPSDC study, page 88, graph

⁵⁴ <https://fred.stlouisfed.org/series/B03002001e051660>

- The resulting impact on rents is obvious. (“Over the five years from 2016 to 2021 gross rents in the City have risen by approximately 13.3%.”⁵⁵ According to the CSPCD Study, “decreases in building in the MSA, particularly in the City of Harrisonburg, are followed by evidence of a tightening market... despite recent increases, building still must ‘catch up’ to demand.”⁵⁶ Later, the report states that this has led to an overall rental vacancy rate of 1.9%,⁵⁷ well below the normal ‘healthy’ range of approximately 5%.⁵⁸

Median Gross Rent

Source: VCHR Tabulation of 2015-2021 ACS 5-year, Not Adjusted



- Eighty percent⁵⁹ of the land in Harrisonburg is not planned for the construction of multifamily units even though we believe vertical development is the most efficient use of land for housing.
- Even though a very high percentage of the housing stock is affordable (61%), the rental housing market is tight due to a lack of new units at the top and bottom of the rental scale, putting tremendous pressure on rents at the lowest level.
- The employment market in the city is shifting as lower wage jobs increase in number while higher paying jobs are decreasing, placing even more pressure on demand for affordable units.

The reasons for the affordability problem are clear. But the existing impacts from these conditions are not due to the impact of the proposed Link project and cannot legally be mitigated by proffers related to its rezoning. There are solutions for the existing problem. The CSPD study proposes several steps the city can take to address its affordability problem by addressing the lack

⁵⁵ Ibid, page 89, graph

⁵⁶ Ibid, page 88

⁵⁷ Ibid, page 90

⁵⁸ <https://www.chase.com/personal/mortgage/education/finding-a-home/vacancy-rate.html>

⁵⁹ The Housing Study, page 17

of rental units at the bottom of the spectrum. We agree that this will help temper the problem at the lower end of the rental market. However, the proposed solutions will not address the rent compression problem at the top end of the market. We believe that while the study identified the “top end” problem, solutions were not suggested for this part of the problem by the study because top tier issues can realistically only be addressed by more units being built by the apartment building industry.

We now turn to the question of whether the conditions causing the problem continues to exist. As noted above, a review of the data points to a major cause of the current availability problem stemming from the population growing relatively rapidly with a significant percentage of that growth being students without a commensurate increase in new housing units.⁶⁰ We find that the data shows the historic growth pattern is changing. Both the census data and the Weldon Cooper center show a leveling off of growth starting in 2017 although the specific population numbers differ. This is because Weldon Cooper used its 2020 population estimate of 54,810 as a 2020 base rather than the Census Bureau estimate due to the fact that students had been sent home during the Covid pandemic, resulting in an undercount of the Harrisonburg population in the census data. With this adjustment Weldon Cooper estimates the population grew by 3.8% between 2020 and 2024, or an average of less than 1% per year.⁶¹ This appears to be a much slower rate than had previously been experienced.

While a significant portion of the City’s historical population growth was caused by JMU’s student population growth, it appears that is changing as well. For example, in 1964 enrollment was just over 2,000 students. In 1972, it was slightly more than 5,000 students. In 1987, enrollment passed 10,000. In 1997, enrollment passed 13,000. In 2001, enrollment exceeded 15,000.⁶² JMU’s Planning, Analytics and Institutional Research Department estimates that the total on campus headcount is 20,483 in 2025-2026.⁶³ Official projections approved by the State Council of Higher Education for Virginia (SHEV) in 2023 shows students taking classes on campus declining from 20,673 in 2021-22 to 20,315 in 2028-2029.⁶⁴ Thus the approved projections are that, going forward, student enrollment will remain relatively stable

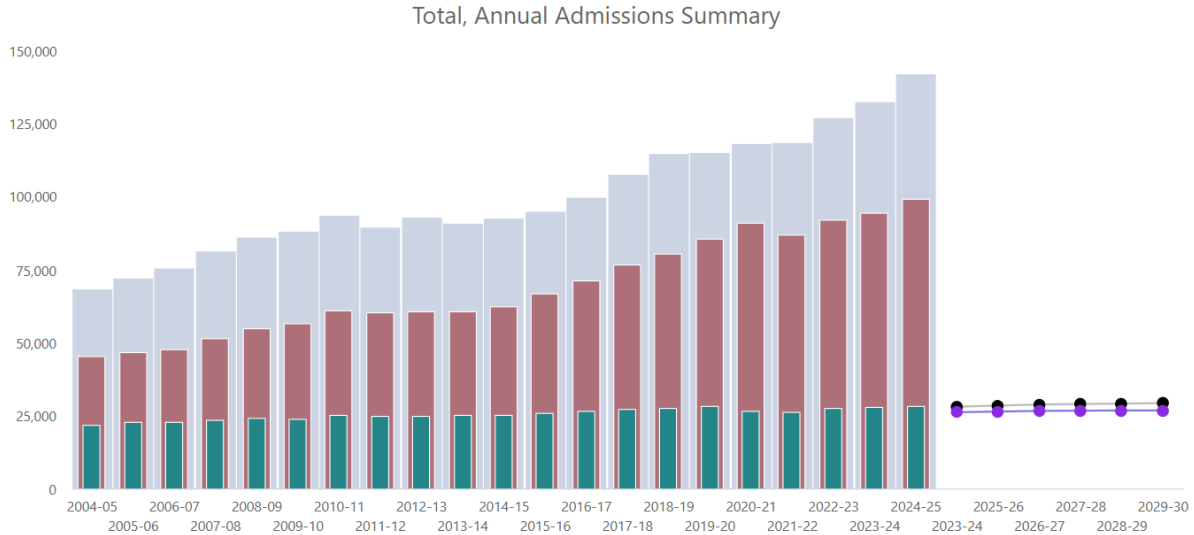
⁶⁰ Ibid, page 87

⁶¹ www.demographics.coopercenter.org, retrieved January 25, 2026

⁶² Centennial Celebration (1908-2008), JMU Historical Timeline, www.jmu.edu/centennialcelebration/timeline.shtml

⁶³ Official Enrollment Projections 2023-24 through 2028-29, JMU Planning, Analytics and Institutional Research

⁶⁴ Official Enrollment Projections 2023-2024 through 2028-2029, JMU Planning, Analytics and Institutional Research Approved by SCHEV, August 2023.



This conclusion is also reached in the James Madison University, Six-Year Plan, Part II, page 7 which states “Our 2023 enrollment projections indicated stable enrollment over the next six years.”

Based on all the above, we believe that the major cause for the affordability problem is the lack of high-end units and that the Link project will have a significant positive impact on the affordability problem. The CSPDC 2025 Study states “vacancy rates from both ACS data and CoStar data suggest that the region has a tightening rental market and that units should be added to keep up with demand. Adding more units beyond the ‘keep up’ level will give renters more options and encourage reinvestment in rental properties in order to compete for renters as well as discouraging the transition of owner-occupied single-family properties into investor-owned rental properties.”⁶⁵ This is particularly true since the population level is relatively stable and not likely to increase in the near future by additional student enrollment. That means that the project is more likely to serve existing residents, including college students, who are already creating a demand for low wage jobs. We believe that the project, based on the research we have cited, will help unfreeze the housing market by providing more supply at the top end, helping to initiate a migration chain that will help lower rents. However, with that said, we recognize that some portion of those renting units in the project may be residents that are new to the city and that may increase the overall demand for low wage jobs. But, overall, given the lack of aggressive growth, the demand effect of the project from new in -migrating residents will likely be less than the supply effect resulting from the migration chain triggered by the Project housing of existing residents.

This Root Cause Analysis informs our detailed review of the net impact of the Project and the appropriate level of mitigation by cash proffers.

⁶⁵ CSPDC Study, page 90

Application of the VPS Individualized Model to the Proposed Link Project

Population Projections for the Project:

The Project is proffered to provide up to 250 residential units with up to 555 bedrooms. However, the exact number of units and bedrooms depend upon the final structural and architectural plans. While the exact mix of units by bedroom size has not yet been determined at this point, Timberwolf currently estimates the following illustrative mix:

Type of Unit	% Units	# Units	% Bedrooms	# Bedrooms	Student %
1 BR/Studio	46.9%	112	20.7%	112	10%
2 BR	14.2%	34	12.6%	68	20%
3 BR	5.0%	12	6.7%	36	100%
4 BR	33.9%	81	60%	324	100%
Total	100%	239	100%	540	

The city’s planning staff has concluded in its staff report that “staff believes that there is a high probability that college students would be interested in residing at this location.”⁶⁶ This conclusion is based on the proximity to James Madison University, which is within easy walking distance from the Project, particularly since many students enjoy contributed income from other sources,⁶⁷ most likely their parents, allowing them to rent newer units. Staff also noted that 4-bedroom units are most likely to house students.⁶⁸ We agree with both of staff’s conclusions and extend them to the 3-bedroom units based upon Timberwolf’s estimates.

Type of Unit	# Units	# Occupants	Student %	# Students*	# Non-Students*
1 BR/Studio	112	112	10%	11	101
2 BR	34	68	20%	14	54
3 BR	12	36	100%	36	0
4 BR	81	324	100%	324	0
	239	540		385	155

**Numbers of occupants have been rounded to a whole number.*

***Large apartments are particularly attractive to students because the rent can be divided among the occupants, while families with children are typically looking for housing in single-family or townhouse units that normally provide more outdoor space and amenities geared toward children.*

⁶⁶ Staff Report for the July 9, 2025, Planning Commission Meeting by Thanh Dang, Community Development

⁶⁷ CSPDC Study, page 79

⁶⁸ Staff Report for the Link Apartments to the Planning Commission dated July 9, 2025 by Thanh Dang, Community Development

Impact of Students

The data reveals that the University will not in the near future be a primary cause of population increase in Harrisonburg as it was in the past, but the student population will remain relatively stable per the official projections. Based on the aforesaid data, we conclude that the student population at the Project will not come from a net increase of students at JMU, but rather from the existing student population as it rotates in and out. This results in two subsequent conclusions: First, the supposition in the traditional nexus analysis relies on the assumption that there will be a net increase in the population for new residents that in turn require more low-income employees, exacerbating the affordability shortage. However, the Link Project presents a unique case because the student occupants will most likely come from the stable existing student base rather than from an increasing student population. As a result, we conclude that the underlying nexus premise is not applicable in this case. Second, since the units will be occupied by the existing student population that is currently creating a demand for low wage jobs, some of which are filled by the students themselves, there will be no additional low wage job demand generated by students. Rather, the Project will free up units that are currently occupied by students for occupancy by others, initiating a migration chain which should alleviate rent compression currently caused by students. Therefore, we find that it is unlikely that there will be a net detrimental impact from students residing at the Project on housing affordability in the City of Harrisonburg, and that it is likely there will be a positive impact. Under these circumstances and the applicable law as we understand it, a proffer for this segment of the Project's residents would not be appropriate.

Non-Student Residents:

While the City experienced a significant rate of growth for several years, as discussed above, that trend is not continuing. Based on information from the Weldon Cooper Center, net migration into the city between 2020 and 2024 equaled 1,090 people, or an average of 273 people per year. Thus, inward migration accounted for less than 1% of the population growth.⁶⁹

As a result, while the City is experiencing job growth,⁷⁰ the migration into the City is relatively low. This data, together with current economic conditions and the recent drop in foreign immigration leads us to conclude that the City population is likely to remain relatively stable in the near future. Thus, it is our opinion that the Project will be primarily populated by existing residents. This is especially true given the significant number of residents who are currently “buying down” housing due to a lack of rental units at the top of the housing continuum.

It is likely that approximately one third of the 155 non-student residents will be new residents to the city, while the remaining two thirds will be existing residents that “move up” to

⁶⁹ July 1, 2024, Components of Population Change for Virginia and Its Counties and Cities published, January 27, 2025, *University of Virginia Weldon Cooper Center for Public Service, Demographics Research Group (2025)*. Retrieved from <https://demographics.coopercenter.org>

⁷⁰ According to Brian Shull, Executive Director of Economic Development for Harrisonburg, in an article published by WHSV.com on April 29, 2025, “Harrisonburg Is Enjoying an ‘all-time’ high of 25,000 works in the city.”

the new multi-family units. In the seminal study conducted by Evan Mast of the Effects of the Migration Chain Resulting from New Residential Development, he reports that, on average, 67% of residents in new residential units come from the existing area while 33% are from external migration.⁷¹ Applying these percentages to the non-student population at The Link, we believe 33% of the non-student residents (51 people) could possibly be from external migration. These 51 residents could, if the population does increase, result in the need for additional goods and services beyond the demand that exists today and we turn to calculating that impact.

Occupants that spend more than 30% of their wages on housing and utility costs are deemed to be “housing burdened.” According to the CSPDC Study, the median rent in Harrisonburg is \$819.00 and utility costs are \$126.00 a month for a total of \$945 per month in housing expenses.⁷² That means that a salary of \$37,800.00 is necessary to support these expenses calculated as follows: $\$945 \times 12 = \$11,340.00$ annual rent/.30 = \$37,800.00.

Stacker, a content distribution platform, utilized data from the Bureau of Labor Statistics to compile a list of the 50 lowest paying jobs in Harrisonburg.⁷³ We selected those jobs where the total number of employees in the community exceeds 100 (since the impact of these types of jobs would be de minimis) but, having said that, we included jobs at that level that would typically be utilized by the residents of The Link such as hairdressers or manicurists. We excluded jobs such as meat packing because the residents of the Project are unlikely to require services from this sector.

⁷¹ See the UCLA Study referencing the Mast Report

⁷² CSPDC Study, page 90

⁷³ <https://stacker.com/stories/virginia/harrisonburg/lowest-paying-jobs-harrisonburg>

Impact of New Non-Student Residents in The Link Project on Low Wage Jobs

Job A	# Employees B	Workers per Capita C	*New Demand D	Annual Wages E	Wage Shortfall F	Total Shortfall from \$37,800 Attributable to New Demand G
Waiter/Waitress	1,270	0.022	1.139	\$36,970	\$830	\$945.15
Customer Service	690	0.012	0.619	\$36,440	\$1,360	\$841.41
Restaurant Cook	790	0.014	0.708	\$36,170	\$1,630	\$1,154.60
Manicurist	70	0.001	0.063	\$35,940	\$1,860	\$116.74
Vehicle Cleaner	130	0.002	0.117	\$34,900	\$2,900	\$338.03
Exercise Trainer	140	0.002	0.126	\$33,630	\$4,170	\$523.46
Hairdresser	90	0.002	0.081	\$32,730	\$5,070	\$409.14
Dishwasher	260	0.005	0.233	\$30,510	\$7,290	\$1,699.49
Food Prep	200	0.004	0.179	\$30,490	\$7,310	\$1,310.89
Retail Sales	1,840	0.032	1.650	\$30,210	\$7,590	\$12,522.12
Animal Caretaker	110	0.002	0.099	\$29,310	\$8,490	\$837.37
Cashier	1,480	0.026	1.327	\$28,820	\$8,980	\$11,916.71
Fast Food Cook	270	0.005	0.242	\$28,420	\$9,380	\$2,270.83
Total						\$34,885.94

**New demand = workers per capita x projected new residents (51)*

- Column A represents selected low wage jobs in Harrisonburg.
- Column B represents the total number of employees in the city of Harrisonburg for each job according to the Stacker Report titled “Lowest Paying Jobs in Harrisonburg.”
- Column C represents the number of workers divided by the population of the city (56,879), according to City of Harrisonburg Department of Economic Development.
- Column D was derived by multiplying the total number of non-student residents (155) by .33 (=51) representing the net increase from external inward migration, non-student residents.
- Column E is sourced from the U.S. Bureau of Labor Statistics.
- Column F represents the difference between the wage necessary to support a median-rate rental unit and the salary for each job
- Column G represents the cumulative shortfall due to new non-student residents

Reductions in the Impact of the Project Due to the Migration Chain, Relief of Rent Compression, and Filtering

While the table above reflects the gross impact of residents on the Project for one year as \$34,886.00, that number does not take into consideration the positive impact that the Link Project has on affordability due to the migration chain, relief of rent compression and filtering referred to previously. According to the Mast Study, that reduction will occur over five years as residents move into the Link Project and free up units that are occupied at a lower cost. In addition to the positive impacts the new building will have due to the migration chain, Mast and other researchers concluded that overall rents in nearby units decrease. We believe this is due to the easing of rent compression as residents who have chosen the opportunity to live in new units reduce the demand on nearby existing units.

Failure to account for these positive attributes would result in an overstating of the net impacts the new building will have on affordability and therefore the roughly proportionate share potentially attributable to the Project. We have chosen to reflect the positive impacts of the migration chain by reducing the income deficits over the course of five years, representing both the affordability provided by the migration chain and the easing of rent compression. As a result, we propose that a reasonable proffer can be calculated by reducing the amount of the annual mitigation pro rata for each year during which the five-year migration chain and the reduction in rent compression occur. This leads to the following calculation:

Cumulative Adverse Impact Reduced by Offsetting Benefits of New Construction

Years	Mitigation Amount
First	\$27,885.00*
Second	\$22,308.00
Third	\$17,846.00
Fourth	\$14,277.00
Fifth	\$11,422.00
Total	\$93,738.00

**The initial impact is \$34,886.00. In the first year, based on a five year migration chain, the migration chain will result in a reduction of \$7,001.00 resulting in a net impact of \$27,885.00.*

As a result, in our opinion, the maximum reasonable proffer is \$93,738.00.

We now turn to the bottom potential range of a proffer in this case. This number is driven by two factors; one based on causation theory and the second by Harrisonburg data. As noted above, a key consideration in the enforceability of a proffer is the causation which is often described as a nexus. This springs from the Fifth Amendment jurisprudence under Federal Law and Article I of the Virginia Constitution. These limitations mean that a developer should only bear the burden of mitigating the harm its project causes. For example, a developer who seeks to damage wetlands can be required to mitigate this damage by paying for the creation of new wetlands but not for damage to wetlands caused by others. However, as stated previously, the causation for the lack of affordable housing may not be the construction of new housing, as

suggested by the traditional nexus theory. As the Plaintiff in the *Yu* case argued, it appears that new housing may not be the true cause of inward migration in specific situations. The fact that the *Yu* case was settled indicates that its allegation that new housing is not detrimental in any way to affordable housing must be taken seriously. We expect that there will be further challenges to ADU exactions based on the theories used in the *Yu* case, particularly since the attorneys for Mr. Yu are based in Virginia.

In addition, we noticed an anomaly in the Harrisonburg data. Employment in the city hit an all-time high while the population was growing slowly. We believe the explanation for this is that as workers move to the area for jobs in Harrisonburg, they choose to live in other jurisdictions. Data from the CSPDC Study shows that large numbers of employees commute into the city every day: 38% of the workforce in Harrisonburg lives in Rockingham County and 7% commute from Augusta County, representing inward commuting of 45%⁷⁴ of the City's workforce. What this all means is that there is a possibility that the existing trends—employment in Harrisonburg with residents living elsewhere—will not produce or will severely limit the number of new residents coming to the city, further weakening the key underpinning of the traditional nexus theory. This does not mean that new residential projects will be unsuccessful, particularly given the low vacancy rates but rather the new units will house existing residents, which does not justify a proffer.

Finally, we consider the possibility that our assumptions and projections could be wrong in light of the fact that there are several multi-family projects in the approval pipeline. However, only four of these are under construction, and one of the other projects in the pipeline has an expired special use permit. As explained by the City's Housing Coordinator, Liz Webb, in her March 25, 2025, memorandum to the City Council, "Use approval is not a guarantee of development. Some use approved projects have been completed, some are in construction, and others exist only on paper."⁷⁵ In addition, the Links Project is ideally located to house JMU students who are a major cause of rent compression. As a result, it is our opinion that the Links Project is highly likely to set off a significant migration chain that will help relieve the current pressures on rents by providing additional housing in close proximity to the University. Even if other projects are in the process of approval or construction, having sufficient future capacity in the form of approved projects is, in our opinion, healthy because it allows the marketplace to respond to demand more quickly, preventing the City from experiencing exaggeration of the current shortage or from developing a future shortage of housing. Logic dictates this is important to any city that is seeking a balanced housing stock with a healthy vacancy rate while also recognizing that land use decisions must be made on conditions that exist as of the time of approval as noted in section 15.2-2303.4 of the Code of Virginia which speaks to capacity as of the date of the rezoning.

⁷⁴ CSPDC Study, Page 95

⁷⁵ Memorandum for the March 25, 2025, City Council Meeting, "Residential Use-Approved Development Update," from Liz Webb, Housing Coordinator and Adam Fletcher, Director of Community Development.

Conclusion

Based on our understanding of the applicable law, the research we have referred to and the facts and data specific to Harrisonburg, it is our opinion as analysts that the range of a possible affordability proffer for The Link Project in Harrisonburg based on current conditions ranges from a low of \$0 (in light of the *Cupp* and *Yu* cases) up to \$93,738.00 based on our calculations. However, as the law specifically states, the decision as to whether to offer a proffer in this case, and if so, in what amount, is to be determined solely by the applicant.

SUPPLEMENTAL INFORMATION PACKET

THE COST OF COMPROMISE

Response to Revised Application Materials
B-1C Rezoning Request — 473 South Main Street, Harrisonburg, Virginia
“The Link” — TCP Link Harrisonburg, LLC / Timberwolf Capital Partners

Submitted to:

Harrisonburg Planning Commission
Harrisonburg City Council

February 2026

This packet supplements the original Opposition Packet submitted to Planning Commission and City Council. It incorporates analysis of revised application materials filed February 10, 2026, and the updated Traffic Impact Analysis review by David Bernstein dated February 17, 2026.

Executive Summary

On February 10, 2026, the applicant submitted revised materials for the proposed B-1C rezoning of 473 South Main Street, including an updated Proffer Statement, Supplemental Zoning Justification Letter, revised Concept Plan, building elevations, an affordable housing analysis prepared by Virginia Proffer Solutions (VPS), and a Parking Memorandum of Understanding. This supplemental packet addresses each of these revisions and incorporates new findings from an independent Traffic Impact Analysis review completed February 17, 2026.

Our analysis identifies the following critical deficiencies in the revised application:

- 1. The Traffic Impact Analysis severely understates impacts to neighborhood streets.** The TIA generated trips using 290 units while the proffer structure allows up to 695 legal residents. At four intersections, the Build model shows identical traffic to the No-Build model – assuming the building adds zero cars to neighborhood streets. Traffic counts were collected on the next-to-last day of JMU classes. Key residential streets were excluded from the study area.
- 2. The Proffer Statement contains systematic escape clauses.** Nearly every commitment delegates final decisions from elected Council to appointed staff or developer discretion during site plan review, using qualifier language including “substantial conformance,” “material availability,” “deemed beneficial,” and “may waive in whole or in part.”
- 3. The affordable housing proffer (\$93,738) is nominal.** At \$169 per bedroom, this amount represents less than one month’s rent and was derived using a consultant methodology that assumes students create zero affordability impact – contradicting the City’s own Housing Study findings.
- 4. The parking “benefit” is a non-binding commercial lease.** The Parking MOU is explicitly not legally binding, requires the City to pay \$42,900 annually, and includes a mechanism to reduce public spaces after two years. The MOU and proffers contain inconsistent unit counts and parking figures.
- 5. The project will degrade quality of life and threaten tax base stability** in surrounding residential neighborhoods without adequate mitigation. No proffers address noise, outdoor amenity hours, light pollution from a six-story structure with rooftop parking, or operational impacts. Total cash proffers (\$153,738) represent 0.37% of estimated project value.

Section 1: Traffic Impact Analysis – Critical Deficiencies

This section incorporates findings from *Shortcomings of the Traffic Impact Analyses Conducted for The Link* by David Bernstein, dated February 17, 2026 (attached as Appendix A). The analysis reviews the Liberty Multifamily Development TIA (March 2025) and Section 7 of the October 2025 revision, evaluated against the February 2026 Proffer Statement.

1.1 Trip Generation: 695 Residents, Not 290 Units

The TIA generated trips using ITE Code 221 (Mid-Rise Multifamily Housing) with 290 units. However, the Proffer Statement’s leasing structure materially changes the occupancy calculation. Proffer I.f states that studio and one-bedroom units may be leased to “a family of no more than two unrelated individuals” and all other units “to a family of no more than one unrelated individual per bedroom.”

Applying the proffer’s unit mix constraints (minimum 44% studio/1-BR, maximum 34% 4-BR), Bernstein identifies four configurations consistent with the proffers, all yielding between 665 and 695 potential lessees. Using 695 lessees rather than 290 units in the same ITE Code 221 formula produces the following trip generation comparison:

“Unit” Definition	AM Total	AM Exit	PM Total	PM Exit
Units in TIA (290)	107	82	113	44
Parking Spaces (415)	153	117	162	63
All Spaces (480)	177	136	187	73
Bedrooms (555)	205	157	216	84
Lessees (695)	256	197	271	105

At maximum occupancy, the project would generate **2.4 times the AM trips and 2.4 times the PM trips** assumed in the TIA. This estimate does not include visitor trips (student housing generates above-average visitor traffic) or the possibility of “informal cohabitants” beyond the lease. It also excludes trips generated by the 65 municipal parking spaces, whose trip generation rate depends on their use (commuter, shopper, or displacement of existing spaces) and was not analyzed.

1.2 Build/No-Build Turning Movements Are Identical at Four Intersections

Bernstein’s comparison of the “Build 2027” and “No-Build 2027” models reveals that at **four separate intersections**, the TIA assigns zero additional trips from the project to neighborhood streets:

Intersection / Direction	Build vs. No-Build
Westbound on Paul St. at Mason St.	Identical – zero change
Eastbound on Paul St. at Mason St. (thru + left)	Identical – zero change
Westbound on E. Grattan St. at S. Main St.	Identical – zero change
Northbound on S. Mason St. at MLK Jr. Way	Identical – zero change

This means the traffic engineer modeled a 555-bedroom complex and concluded it would add precisely zero vehicles to these neighborhood streets. This assumption contradicts the applicant’s own proffer of the Paul Street Extension (which presupposes traffic demand on Paul Street) and contradicts the October 2025 Section 7 analysis (which studied the Paul Street route specifically because traffic was expected there).

1.3 The Paul Street Paradox

The October 2025 TIA Section 7 concludes that the project will not significantly impact Paul Street traffic, with the “traditional” MLK Jr. Way route being preferred by residents. If this conclusion is accurate, **there is no traffic justification for constructing the Paul Street Extension** – the applicant’s primary transportation infrastructure proffer.

Conversely, if the Paul Street Extension is warranted (which the applicant clearly believes, having proffered it), then the TIA’s conclusion that the project will not impact Paul Street is incorrect, and the neighborhood street analysis is fundamentally understated.

The applicant cannot simultaneously argue that the project requires a Paul Street Extension AND that the project will not impact Paul Street traffic. These positions are mutually exclusive.

Bernstein further identifies multiple flaws in the Section 7 route choice analysis:

Simplistic route choice model. The analysis assumes all drivers choose the single “best” route. Standard transportation engineering practice uses Wardropian (equilibrium) assignment models, which account for the reality that as the “best” route becomes congested, drivers shift to alternatives until all routes are equally attractive.

Travel time difference is statistically insignificant. The measured difference between routes is 16–20 seconds, approximately 1% of any real trip (to campus, Target, shopping). Drivers will perceive the routes as equivalent and distribute across both.

Driving speed assumptions favor MLK. Data was collected at the posted 25 mph speed limit on Paul Street. Drivers traveling at 35 mph (a reasonable real-world expectation) would reduce Paul Street travel times by up to 28 seconds, making Paul Street the faster route – with fewer traffic signals.

The driven route was longer than the actual route. Because the Paul Street Extension does not yet exist, the actual path driven to collect data was longer than the extension would be. With a shorter actual route, the time advantage of MLK disappears entirely.

Westbound trips were not analyzed. The Section 7 study only examined eastbound (outbound) trips. Westbound (inbound) trips during PM peak congestion on MLK are likely to prefer Paul Street, further distributing traffic onto residential streets.

1.4 Scope Limitations and Data Quality

The TIA excludes key residential streets from its study area, including Myers Avenue, Franklin Street between Main and Myers, Ott Street from Paul to E. Market, Mountain View Drive, and Paul Street between MLK and Eastover Drive — all of which serve trips to and from JMU’s East Campus, the Walmart Shopping Center, and E. Market Street commercial areas.

Traffic counts at the S. Main/E. Grattan intersection were collected on December 5, 2024 — the next-to-last day of JMU classes — likely producing an undercount of typical conditions. These counts were then applied to the Paul Street Extension turning movements, compounding the underestimate.

The TIA analyzes only AM and PM peak hours. However, traffic count data presented in the TIA itself shows that congestion on South Main Street and MLK Jr. Way is sustained from 9:00 AM to 7:00 PM, never falling below approximately 1,600 vehicles per hour. Neighborhood street impacts are not limited to peak hours.

1.5 Paul Street Geometry and Safety Conditions

The TIA does not account for the physical characteristics of Paul Street that limit its capacity to safely handle additional traffic:

Effective width of 15 feet east of Mason Street. Existing chokers (bulb-outs) and on-street parking on both sides reduce Paul Street to a single usable lane east of Mason. Vehicles currently must take turns, yielding to oncoming traffic. Bernstein’s photographic documentation (attached) confirms this condition.

Misaligned segments at intersections. Paul Street segments do not align at either the Main Street or Mason Street intersections. The proposed extension would connect a wide segment (west of Main) to the existing narrow segment (east of Main), creating a transition that the TIA does not evaluate.

Sight-line obstruction at Paul and Ott. The grade of Paul Street at the Ott Street intersection creates an area where eastbound drivers cannot see oncoming westbound vehicles. Additional traffic through this intersection increases exposure to collision risk.

\$30,000 traffic calming fund is inadequate. A single speed table costs \$5,000–\$15,000 installed. A comprehensive traffic calming program for the Paul Street corridor would cost \$100,000–\$200,000+ based on comparable Virginia municipal programs. The proffered amount covers approximately two speed tables.

Section 2: Proffer Statement – Systematic Escape Clauses

The revised Proffer Statement (signed February 10, 2026) presents commitments that appear binding on initial reading but contain qualifier language that delegates final decisions from the elected City Council to appointed staff or developer discretion during site plan review. This section catalogs the escape clauses identified throughout the document.

Proffer	Apparent Commitment	Escape Clause Language
I.a – Concept Plan	Building conforms to plan Council reviews	Modifiable if “deemed beneficial”; approved by Dept. of Community Development, not Council
I.g – Architecture	Building matches renderings	“Subject to final construction documents, Site Plan approval, and material availability”
I.h – Architectural Detail	Upper floors include balconies, varied facade	“In general conformance” – weaker than “substantial conformance”
I.i – Garage Screening	60% surface coverage on structured parking	“Lighting” counts toward coverage percentage; reviewed by Zoning Administrator
I.j – Solar Energy	Sustainable energy features	“Rough-in measures to allow for future installation” – no panels required
II.b – Bump-outs	Traffic calming at intersections	Public Works “may, in its sole discretion, waive, in whole or in part”
II.d – Sidewalks	Improved pedestrian infrastructure	“Determined in consultation with and approved by the City” – no enforceable standard
II.e – Traffic Calming \$	\$30,000 contribution	Payable only “upon request” within 5-year window; obligation expires if City doesn’t ask
III.b – Public Parking	65 municipal spaces in garage	Non-binding MOU (Section 5); reducible after 2-year “demand review”
IV.b/c – Landscaping	Trees and screening installed by CO	“Or bonded for completion” – developer can occupy building and finish later
IV.d – Landscape Buffer	Screening for adjacent properties	Zoning Administrator “may allow reduction or modification” for “public safety”
V.a – Affordable Housing	\$93,738 contribution	“Voluntary” proffer – under VA Code § 15.2-2303.4(D.1), reasonableness determined solely by applicant

The cumulative effect of these provisions is that Council would approve a rezoning based on representations – renderings, concept plans, and proffer language – that the developer retains the contractual right to substantially modify during site plan review. The community would have no meaningful opportunity to object to these modifications because site plan review is an administrative process, not a legislative one.

Total Cash Proffers

Proffer	Amount	Per Bedroom
Traffic calming (II.e)	\$30,000	\$54
Parking enforcement (III.f)	\$30,000	\$54
Affordable housing (V.a)	\$93,738	\$169
TOTAL	\$153,738	\$277

For a project the developer estimates at over \$15 million per acre on 2.75 acres (≥\$41 million in assessed value), \$153,738 in total cash proffers represents **0.37% of the project’s estimated assessed value**. At \$277 per bedroom, these proffers are not proportional to the scale of the project or its impacts on the surrounding community.

Section 3: Virginia Proffer Solutions Affordable Housing Analysis – Methodological Concerns

The VPS Proffer Analysis (dated January 27, 2026) arrives at an affordable housing proffer of \$93,738 – approximately \$375 per unit or \$169 per bedroom. This section identifies the methodological choices that systematically minimized this figure.

3.1 The “Net New Resident” Assumption

VPS assumes only 51 of the building’s estimated 540 occupants will be “net new” residents of Harrisonburg, with the remainder being existing residents who relocate from other local housing. This 9.4% net-new rate is the foundation of the entire affordability calculation. It is derived from VPS’s proprietary assumptions about student enrollment stability and local migration patterns, is not independently verified, and dramatically reduces the proffer obligation.

3.2 Students Create “Zero Affordability Impact”

VPS assumes that 385 student occupants (71% of the building) create zero additional demand for affordable housing because JMU enrollment is “stable.” This assumption confuses *whether* students exist in the market with *where* they live. Moving 385 students from dispersed rental housing into a premium downtown building does not remove them from the market – it changes which housing they occupy. The units they vacate re-lease to other students in a college town with persistent demand, not to lower-income households.

This directly contradicts the City’s own Housing Study, which identifies student demand as the primary mechanism by which lower-income households are squeezed from the rental market. Students renting units above their income level absorb housing that would otherwise filter to lower-income residents. Adding 555 premium-priced bedrooms targeting the 80%+ AMI population accelerates precisely this dynamic.

3.3 The Migration Chain Discount

VPS applies a five-year “migration chain” model that discounts affordability impacts by approximately 20% per year, arguing that housing vacated by The Link’s residents will filter through the market to lower-income occupants. This theoretical filtering process does not operate as described in markets with persistent student demand, where vacated units are re-absorbed by students rather than filtering downward. The discount is applied multiplicatively, reducing the calculated impact substantially.

3.4 The Yu v. East Palo Alto Citation

VPS cites *Yu v. City of East Palo Alto* to support the argument that new housing construction creates no affordability impact. This citation is misleading: the case was a settlement (creating no legal precedent), involved a single accessory dwelling unit (ADU), and is not analogous to a 250-unit commercial development. The settlement terms of a single-home ADU dispute have no applicability to the proffer analysis for a 555-bedroom student-oriented apartment complex.

The VPS methodology was specifically designed to minimize the affordable housing proffer. Every major assumption – net new residents, zero student impact, migration chain discount – reduces the figure. The result (\$169 per bedroom) does not reflect the project’s actual impact on Harrisonburg’s housing affordability.

Section 4: Parking MOU – Non-Binding Obligations and Document Inconsistencies

4.1 The MOU Is Not Legally Binding

Section 5 of the Parking MOU (dated July 3, 2025) states: *“This Letter of Intent is not legally binding on either party.”* Despite this explicit disclaimer, the Proffer Statement and Zoning Justification Letter present the 65 municipal parking spaces as a confirmed public benefit. The community is being asked to support a rezoning based in part on a parking arrangement that neither party is obligated to honor.

4.2 The City Pays the Developer

The lease terms require the City to pay \$55 per space per month (\$42,900 annually) with 10% escalation every three years. Over a 20-year term, the per-space cost rises to approximately \$82/month. This is not a public benefit – it is a commercial lease. The total 20-year cost to the City exceeds \$1 million for access to spaces in a private garage where the developer “may control access for safety and commercial reasons.”

4.3 Document Inconsistencies

Item	MOU (July 2025)	Proffers (Feb. 2026)
Maximum dwelling units	No more than 265	Not to exceed 250
Total parking spaces	Minimum 400 (est. 425)	Minimum 480

These discrepancies raise a fundamental question: which numbers govern? The MOU was negotiated based on a larger project with fewer parking spaces. The proffers describe a smaller project with more spaces. The two documents have not been reconciled.

4.4 The Two-Year Reduction Mechanism

Proffer III.b provides that the parking agreement will “provide for a review of actual usage and demand for parking after two years” for “leased space adjustments based on demand.” No methodology is specified for this review. No minimum number of public spaces is guaranteed beyond the initial period. This mechanism allows the developer to reduce or eliminate public parking access based on a review process that has no defined standards.

Section 5: Quality of Life and Tax Base Impact

The neighborhoods surrounding 473 South Main Street — along South Main, Paul Street, Ott Street, Franklin St, Campbell Street, and the corridors connecting to Martin Luther King Jr. Way — represent one of Harrisonburg’s most stable and significant residential tax base contributions. The proposed rezoning would relocate approximately 385 to 695 predominantly college-age residents into the center of this established middle-class residential area with no proportional mitigation of the resulting impacts.

5.1 Unmitigated Noise and Operational Impacts

The proffers commit to 15,000 square feet of outdoor amenity space including a pool and hot tub complex of at least 1,400 square feet. There are **no proffers whatsoever** governing hours of operation for these outdoor amenities, amplified sound, quiet hours, or noise mitigation measures for adjacent residential properties. College-age residents maintain different schedules and social patterns than the families, retirees, and working professionals who occupy the surrounding homes. The noise impacts from 500+ residents with outdoor amenity access are predictable, well-documented in college-adjacent communities, and entirely unaddressed.

5.2 Light Pollution from a Six-Story Structure

A six-story building with a rooftop parking garage will generate light intrusion that does not currently exist in this area: vehicle headlights sweeping through upper garage levels, building-mounted and unit lighting, and illumination of outdoor amenity spaces. The proffers reference pedestrian-scale lighting along property boundaries but include no provisions addressing light trespass from the building itself, the parking structure, or amenity areas. The escape clause in Proffer IV.d allows even the limited landscaping screening to be reduced by the Zoning Administrator.

5.3 Tax Revenue Claim Lacks Integrity

The Zoning Justification Letter claims approximately \$600,000 in annual real estate tax revenue. This figure is presented as a gross number without:

Current site revenue. The existing R-3 structures generate tax revenue that should be subtracted to calculate net benefit.

Increased service costs. Police, fire (six-story building requiring aerial apparatus), stormwater infrastructure for impervious surfaces, sanitation, and road maintenance costs attributable to the project have not been quantified.

Tax incentive eligibility. Nothing in the proffers prevents the developer from seeking Technology Zone, Enterprise Zone, urban development area, or other Virginia tax abatement programs that could substantially reduce the claimed revenue.

Surrounding property value impacts. A 5–10% reduction in assessed values across surrounding residential parcels from proximity to concentrated student housing could offset a significant portion of the net revenue gain. No analysis has been provided.

A net fiscal impact analysis has never been provided. The community is being asked to evaluate a tax revenue claim that accounts for none of its offsets.

5.4 Long-Term Tax Base Erosion

Approval of a 555-bedroom student-oriented complex at the gateway to these neighborhoods signals to existing homeowners that the City values developer revenue over residential stability. The consequences are predictable: long-term homeowners begin to exit, properties are purchased by investors for student rental conversion, and the residential tax base transitions from stable owner-occupied homes to transient rental properties. The City's own Housing Study documented this conversion pattern in Harrisonburg's tight rental market.

5.5 The Rezoning Is Permanent

B-1C zoning runs with the land. If the proffers prove inadequate, if traffic impacts exceed projections, if noise and safety concerns materialize as predicted, there is no mechanism to undo the zoning change. The residents of these neighborhoods will live with the consequences indefinitely. The developer retains the option to sell the property and exit.

Conclusion and Requests

The revised application materials do not resolve the concerns raised in our original opposition packet. They introduce new deficiencies, including a proffer structure built on escape clauses, an affordable housing analysis designed to minimize the contribution, and a non-binding parking arrangement presented as a guaranteed benefit. The Traffic Impact Analysis remains fundamentally flawed, with the updated independent review demonstrating that trip generation may be understated by a factor of 2.5 and that neighborhood streets were excluded from meaningful analysis.

We respectfully request that the Planning Commission and City Council:

1. Require a corrected Traffic Impact Analysis using actual occupancy projections consistent with the proffer's leasing structure, including all neighborhood streets within the study area, with traffic counts collected during representative conditions (not the last day of classes).
2. Require a net fiscal impact analysis that accounts for current site revenue, increased service costs, tax incentive eligibility, and surrounding property value impacts.
3. Require the Parking MOU to be executed as a legally binding agreement with reconciled unit and parking space counts before any vote.
4. Evaluate whether total cash proffers of \$153,738 (\$277/bedroom) are proportional to the scale and impact of a \$41M+ project at the gateway to downtown.
5. Require enforceable proffers addressing noise, outdoor amenity hours, light pollution, and operational impacts on adjacent residential properties.
6. Deny the B-1C rezoning unless and until these deficiencies are addressed.


Respectfully submitted by the Concerned Citizens of Harrisonburg
February 2026

Appendix A: Shortcomings of the Traffic Impact Analyses Conducted for The Link (Bernstein, Feb. 17, 2026) – attached separately

Shortcomings of the Traffic Impact Analyses Conducted for The Link

David Bernstein

521 Ott St. Harrisonburg VA 22801



What follows is a detailed discussion of the *Liberty Multifamily Development Traffic Impact Analysis* (TIA) dated March 2025 and Section 7 of the version dated October 25. This discussion is based on the numbers presented in the February 10, 2026 revision of the *Rezoning Request Proffer Statement* (The Proffer Statement).

The main conclusions are as follows:

- Though the complex is described as having a maximum of 250 units, 695 lessees could legally reside there and there could be even more "informal cohabitants".
- The number of trips generated by lessees and their visitors could be more than 2.5 times the number that is used in the TIA.
- Though the TIA concludes that the vast majority of trips from the complex will use Main St. to MLK Jr. Way, half the trips (or more) might use neighborhood streets, increasing traffic on those streets and raising safety concerns.
- The TIA does not consider the increased demand for parking that will result from the complex or the traffic that will be caused by residents, visitors, and shoppers searching for spaces.
- There are known limitations to the methodology used in basic traffic analyses. In particular, the Federal Highway Administration (FHWA) has noted that a standard traffic impact analysis ignores many important issues that arise in the City of Harrisonburg.

In other words, there are many reasons to believe that the TIA severely underestimates the traffic impacts of The Link. However, if the TIA is correct:

- There is no reason to build the Paul St. Extension.

Issues Related to Trip Generation

The TIA analysis classifies the proposed project as Code 221 (i.e., Mid-Rise Multifamily Housing) with 290 units. However, it is important to recognize that the proposed project will have a minimum of 480 parking spaces (of which, the City may reserve 65) and will likely have considerably more lessees. The *Rezoning Request Proffer Statement* states that the maximum number of residential dwelling units shall not exceed 250, a minimum of 44% of all dwelling units (i.e., 110) will consist of studio or one-

bedroom apartments, and a maximum of 34% of all dwelling units (i.e., 85) will consist of 4 bedroom apartments. It also states that the maximum number of bedrooms shall not exceed 555.

There are many configurations that are consistent with the proffer statement, including those listed in Table 1.

Table 1. Configurations that are Consistent with The Proffer Statement

	1 Bed. Units	2 Bed. Units	3 Bed. Units	4 Bed. Units
Configuration 1	110	57	0	82
Configuration 2	110	0	115	25
Configuration 3	115	50	0	85
Configuration 4	140	0	25	85

The Proffer Statement also states that studio and one-bedroom units may be leased to a family of no more than two unrelated individuals and that all other residential dwelling units may be leased to a family of no more than one unrelated individual per bedroom. This means that the different configurations may lead to the number of lessees shown in Table 2. Note that, **the 695 potential lessees is far greater than the 290 units that was used to generate trips in the TIA.**

Table 2. Possible Number of Lessees

	In 1BR Units	In 2BR Units	In 3BR Units	In 4BR Units	Total
Configuration 1	220	115	0	330	665
Configuration 2	220	0	345	100	665
Configuration 3	230	100	0	340	670
Configuration 4	280	0	75	340	695

Using the same trip generation rates (as in land use code 221) but different numbers of "units" corresponding to the number of spaces or bedrooms, **there would be a significantly larger number of trips** as shown in Table 3 (where the first row is the estimate used in the TIA).

Table 3. Total New Trips on Surrounding Streets

Definition of a "Unit"	Qty	AM			PM		
		Total	Entry	Exit	Total	Entry	Exit
Units in the TIA	290	107	25	82	113	69	44
Spaces (Not Reserved)	415	153	36	117	162	99	63
Spaces (All)	480	177	41	136	187	114	73
Bedrooms (Max)	555	205	48	157	216	132	84
Lessees (Max)	695	256	60	197	271	165	105

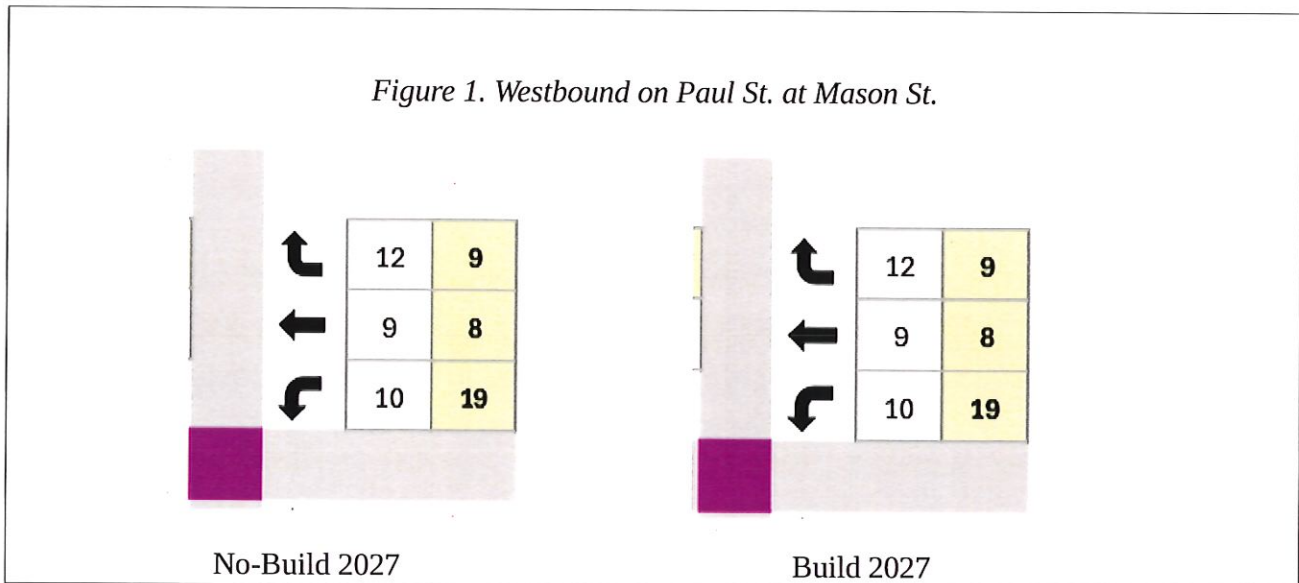
This ignores the fact that student residents are likely to have a larger number of visitors than is typical and that students may "informally cohabitate" with only one name per bedroom on the lease.

Finally, **the trip generation section of the report ignores the number of trips that will be generated by the 65 municipal parking spaces** that will be included in the proposed project. In order to correctly estimate the number of trips that will be generated by these spaces, the City will need to be clear about how these spaces will be used. If they simply replace existing municipal spaces no new trips will be generated, but the spots will be of little value. If they will be used by municipal employees the generation rates similar to those of City Hall should be included in the TIA. If they will be used by shoppers then generation rates like those of the Water St. and Elizabeth St. parking decks should be included in the TIA.

Issues Related to Trip Distribution and Traffic Assignment

There are also a variety of troubling aspects related to how the TIA handles trip distribution (i.e., decisions related to origin and destination choice) and traffic assignment (i.e., decisions related to route/path choice).

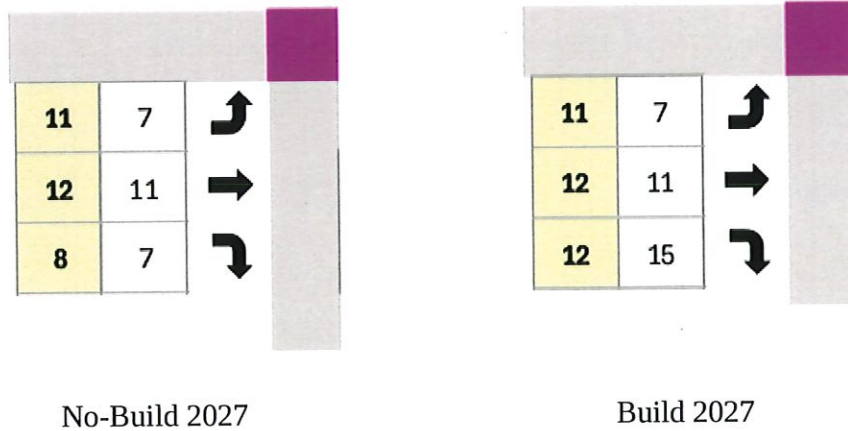
First, the turning movements in the "Build 2027" model westbound on Paul St. at Mason St. are identical to those in the "No-Build 2027" model. AM & PM Site Trips).



This ignores the fact that some percentage of the trips from the East Campus, the Walmart Shopping Center, and E. Market St. shopping to the proposed project will use Paul St. to get to MLK Jr. Way.

Second, the thru and left turn movements in the "Build 2027" model eastbound on Paul St. at Mason St. are also identical to those in the "No-Build 2027" model.

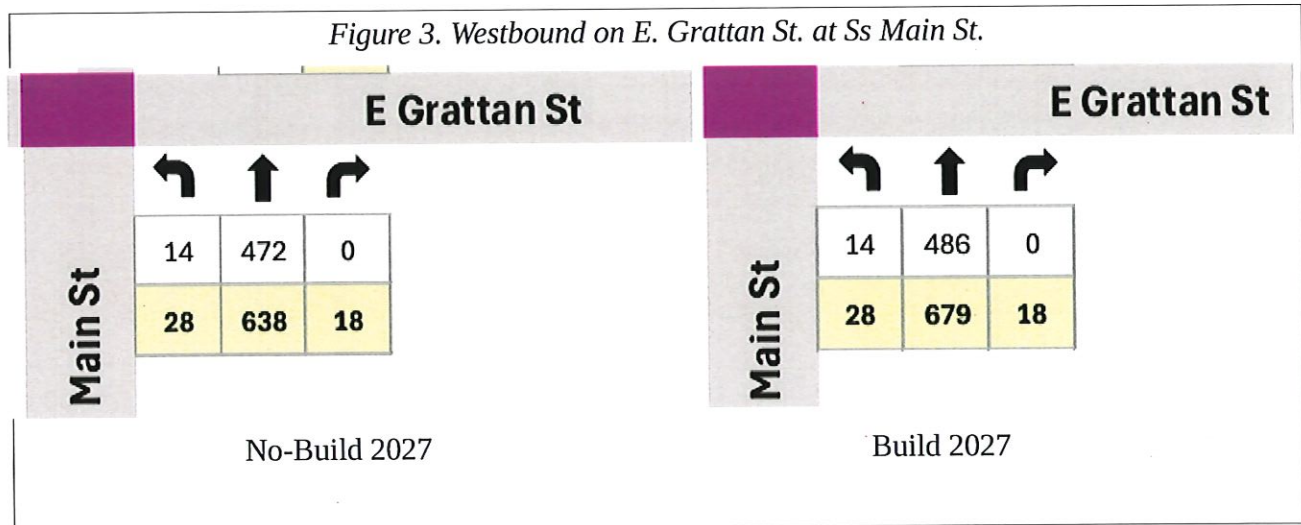
Figure 2. Eastbound on Paul St. at Mason St.



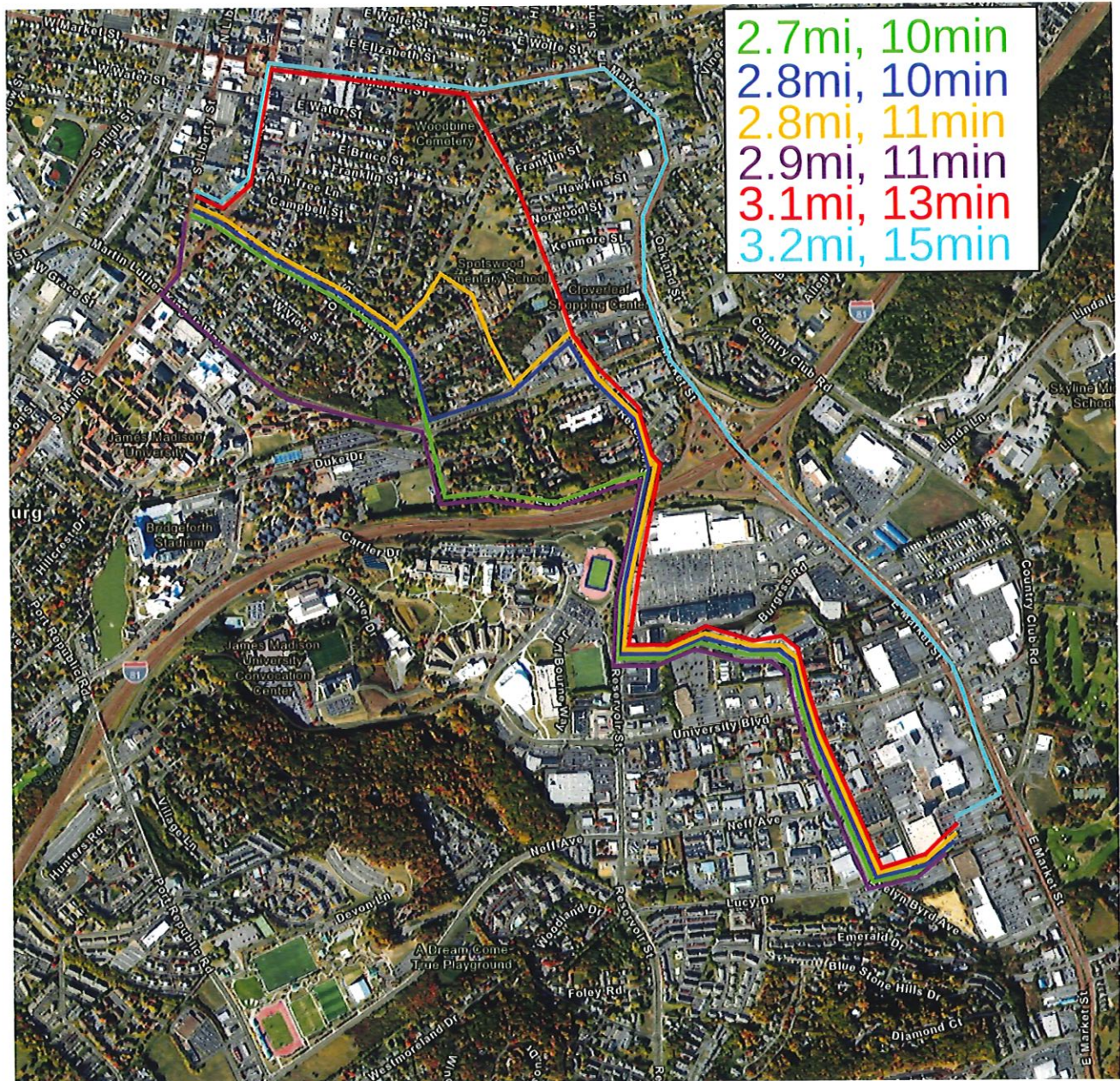
This ignores the fact that some percentage of the trips from the proposed project to East Campus, the Walmart Shopping Center, and E. Market St. shopping will use Paul St. to get to MLK Jr. Way. In addition, the right turn movements are assumed to increase by 4 during the peak and 12 during the off-peak. This means that the model assumes very few trips from the proposed project to West Campus will use Paul St. to get to S. Mason St.

Third, the turning movements in the "Build 2027" model westbound on E. Grattan St. at S. Main St. are identical to those in the "No-Build 2027" model.

Figure 3. Westbound on E. Grattan St. at Ss Main St.



Map 1. Some Alternative Paths/Routes from The Link to Target



As shown in Map 1, there are many paths/routes from The Link Apartments to Target that have very similar lengths and travel times, and hence are likely to be considered viable alternatives.

Section 7 of *The Link Apartments – Traffic Impact Analysis* dated October 2025 attempts to address this issue, and concludes that the proposed Link Apartments will only have an impact on the route that uses Main St. and Martin Luther King Jr. Way. However, there are several shortcomings of the October 2025 analysis that call its conclusions into question.

First, and perhaps most importantly, the analysis uses a very simplistic model of route/path choice. Specifically, it assumes that all travelers will choose the "best" route/path (ignoring, for the moment, how "best" is defined) and that this will not have any impact on the "best" route/path. However, it is well known that this is unrealistic and that one should, instead, use an equilibrium assignment model (sometimes called a Wardropian assignment model) when predicting route/path choices. Though the mathematics of such models can be difficult to understand, the basic principal is actually quite simple – as more people use the "best" route it becomes less and less preferred (because it becomes more congested). In fact, at some point, what was the "best" route will no longer be preferred, and people will look for alternatives. This adjustment process will continue until all used routes are equally preferred. What this means in the current context is that **some of the new trips will use the MLK Jr. Way route/path (what the report calls the "traditional" route/path) and some of the new trips will use the Paul St. route/path (what the report calls the "cut-through" route/path).**

Second, how people define "best" can vary. Some people may be concerned with distance (indeed, some people use distance as the criterion in their GPS navigation systems rather than time), some people may be concerned with travel time variability (i.e., the prefer consistency) as measured by the standard deviation in travel times, and some people may be risk averse (and, hence, don't take the route/path with the maximum possible travel time). Comparing the two routes/paths using the criteria in Table 4, **a significant number of people (including visitors and other non-residents relying on a GPS navigation system) may consider Paul St. the "best" route/path.**

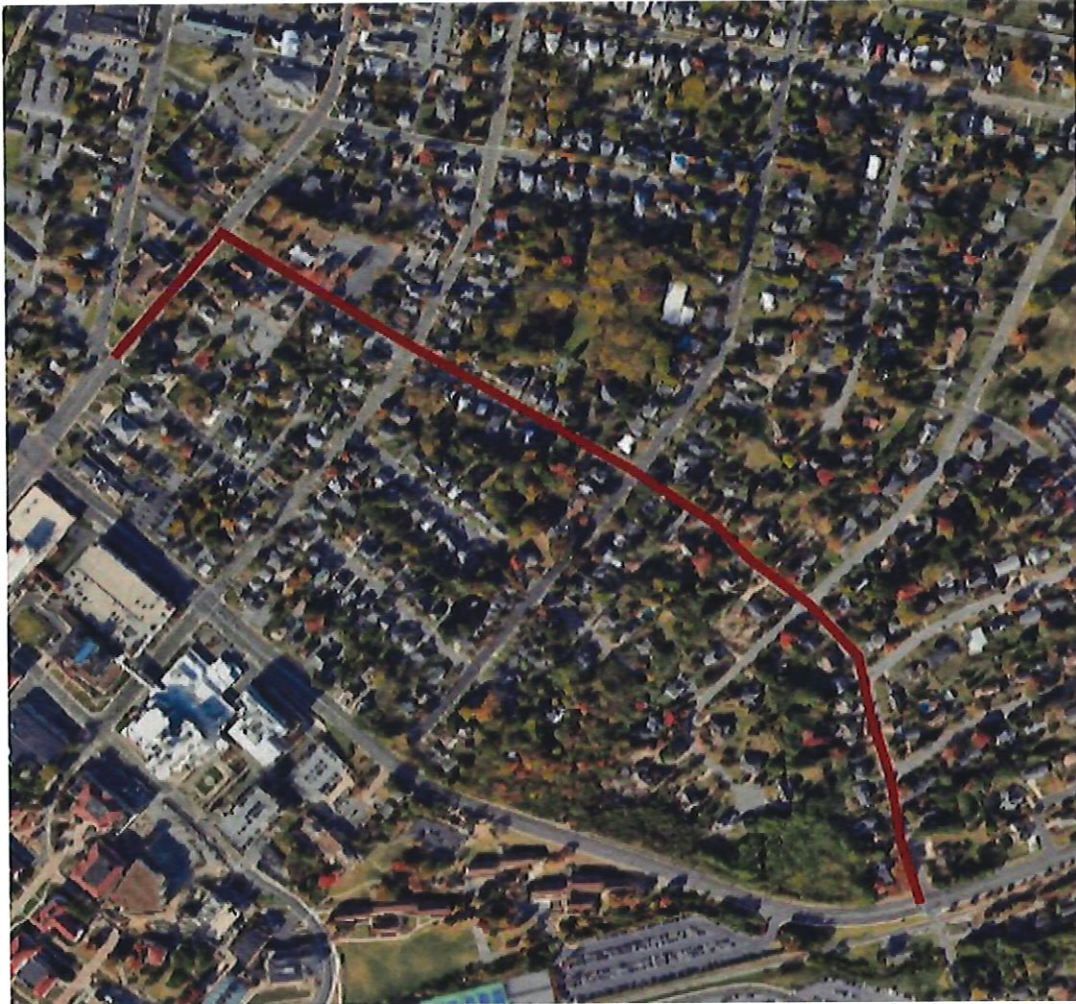
Table 4. Trip Characteristics on Two (Partial) Paths/Routes

	From Site (AM)		From Site (PM)	
	MLK	Paul	MLK	Paul
Length (ft)	4350	3650	4350	3650
StDev (sec)	29.9	21.9	23.5	16.0
Max (sec)	198	201	207	200

Third, it is not clear that the differences in measured median travel times (i.e., 16 seconds during the AM peak and 20 seconds during the PM peak) is significant enough to have an impact on people's behavior. It may look like a significant difference as a percentage of the trip time, but that is because the analysis treats The Link Apartments as the origin of the trip and the intersection of Paul St. and MLK Jr. Way as the destination. So, 16-20 seconds appears to be a significant percentage (on the order of 10%) of what is a trip of between 130 seconds and 180 seconds. However, when considered as a percentage of a real trip (e.g., to East Campus or Target) it is a much smaller percentage difference (on the order of 1%). In fact, it is quite likely that people who experiment with the different routes/paths

will perceive the travel times as being identical, and, hence, will not prefer one route/path over another. This is exacerbated by the fact that the Paul St. route/path is misrepresented slightly on the map (though correctly described in the text). The actual route they drove to collect the data is shown in Map 2.

Map 2. The Actual Path/Route Driven to Collect Travel Times



Of course, it was impossible to drive the actual route since the Paul St. Extension doesn't exist. However, given the small difference in times between the two routes, **the fact that the actual route/path will be shorter than the driven route/path, could significantly impact route choices.** It is also exacerbated by the fact that, when collecting this data, the drivers probably drove the speed limit on Paul St., and there is no reason to believe that this will be true of actual drivers. **Assuming that people drive at 35mph rather than 25mph could reduce the travel time on Paul St. by as much as 28 seconds (based on the lengths of the routes/paths), again making Paul St. the preferred route for many, especially since the other route/path has two additional traffic signals.**

Finally, the study only considers trips in the eastbound direction (i.e., away from the proposed development site). It is quite possible, indeed likely, that trips in the westbound direction will use Paul St., especially during the PM peak, when MLK Jr. Way is very congested.

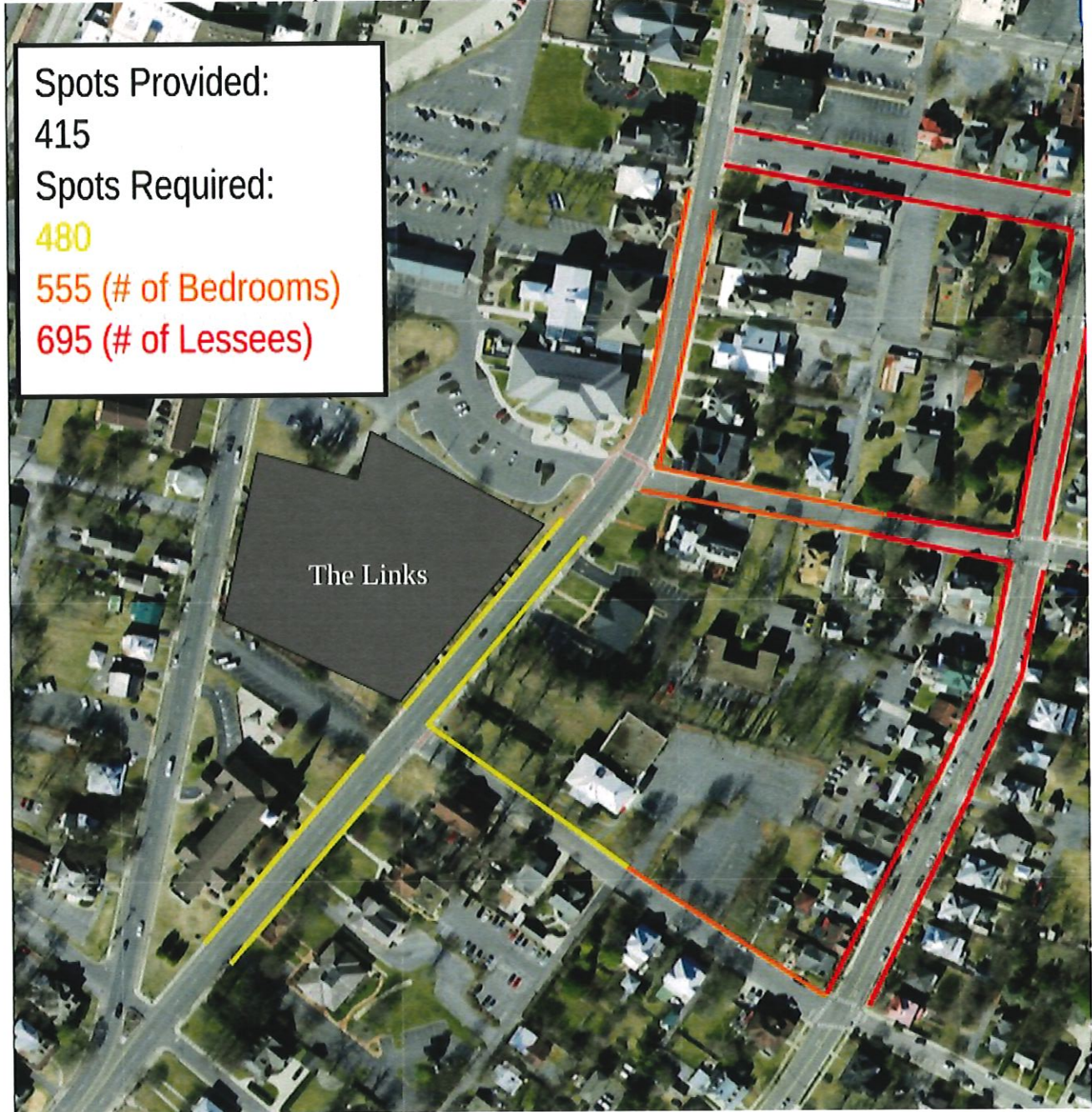
Issues Related to Parking

The Proffer states that a minimum of 480 structured parking spaces will be provided with up to 65 spaces reserved for municipal/public uses. This could be far fewer spaces than are required, and this could have an enormous impact on parking and traffic in the city.

If, in fact, all 480 spaces are required by residents, the closest 65 on-street spaces are on Main St. and Paul St. (as shown in yellow on Map 3). If, instead, there is one car per bedroom (as is possible in a complex in which the residents are college students and/or unmarried professionals), then 555 spaces will be required. The next closest spaces are farther north on Main St., and on Campbell St. (as shown in orange on Map 3). If, in fact, there is one car per lessee, then 695 spaces will be required (with the next closest spaces to the complex shown in red on Map 3).

Of course, many of these spaces are already used by existing residents and shoppers. Hence, either the existing residents and shoppers will be displaced, or the residents of the new complex will have to park farther away. **It is also important to note that the amount of traffic generated by people circling for a space is likely to be significant.**

Map 3. Overflow On-Street Parking Near The Link



Issues Related to the Scope of the Analysis

It is also important to note the the scope of the TIA was limited in many ways.

First, the geographic extent of the model is quite limited. Most importantly, it does not include:

- Myers Ave.
- Franklin St. between Main St. and Myers Ave.
- Ott St. from Paul St. to E. Market St.
- Mountain View Dr.
- Paul St. between MLK Jr. Way and Eastover Dr.

all of which are relevant for trips to/from East Campus, the Walmart Shopping Center, and E. Market St.

Second, the TIA only considers the AM and PM peaks However, as the traffic counts for 9/11/2024 on Grace St. and and S. Main St. show, the hourly traffic counts are fairly constant from 9:00 until 19:00, never falling below about 1600 vehicles per hour (with the study peaks at 1846 and 2470). The same pattern is shown for S. Main St. at MLK Jr. Way in the plot on page 58, and for MLK Jr. Way and S. Mason St. as shown in the plot on page 60.

This means that the congestion problems in the study area are not just limited to the peaks, they occur all day long.

Issues Related to the Geometry and Grade of Paul St.

There are several aspects of the geometric design of Paul St. that should not be ignored.

The various segments of Paul St. have different widths and different traffic calming elements. This will likely make it difficult for Paul St. to safely handle additional traffic.

At the location of the proposed extension, Paul St. will go from a wide segment (on the east side of S. Main St.) to a narrow segment (on the west side of S. Main St), and the two segments may not align well. This is illustrated in Photo 1 and Photo 2.

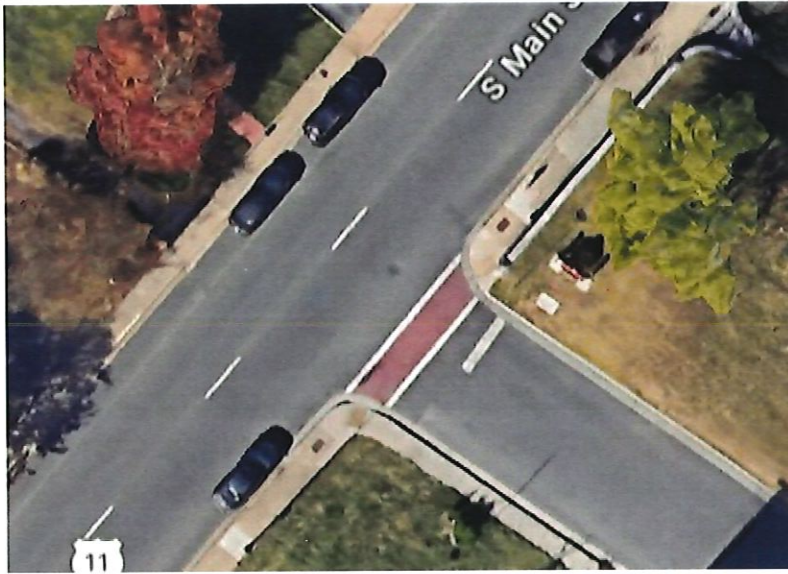
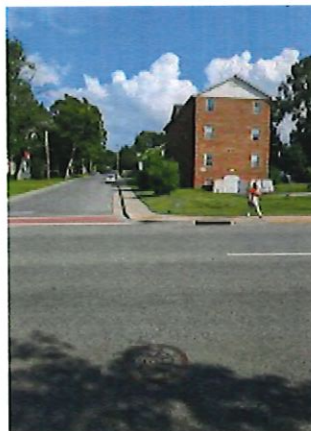


Photo 1. Overhead View of Paul St. and S. Main St.

*Photo 2. The Intersection of Paul St. and S. Main St.
taken from the Property Line of 25-J-2 (The Proposed Extension)*



Similarly, at the intersection of Paul St. and S. Mason St., Paul St. goes from a wide segment (to the west of S. Mason St.) to a narrow segment that contains traffic calming measures, and the two segments do not align on the south side of the intersection. This is illustrated in Photo 3 and Photo 4.

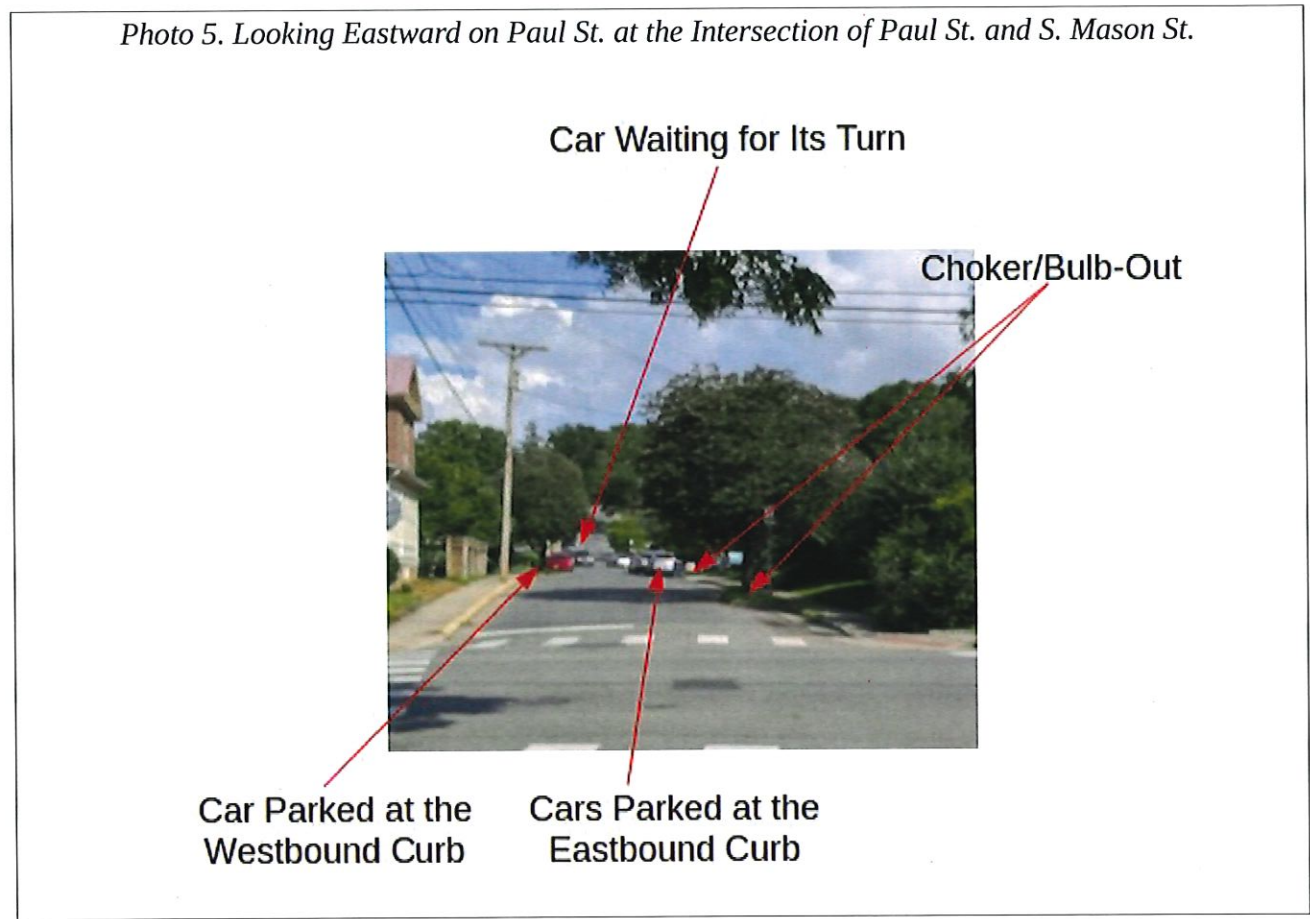
Photo 3. Overhead View of Paul St. and S. Mason St.



Photo 4. The Intersection of Paul St. and S. Mason St. taken from the Eastbound Curb

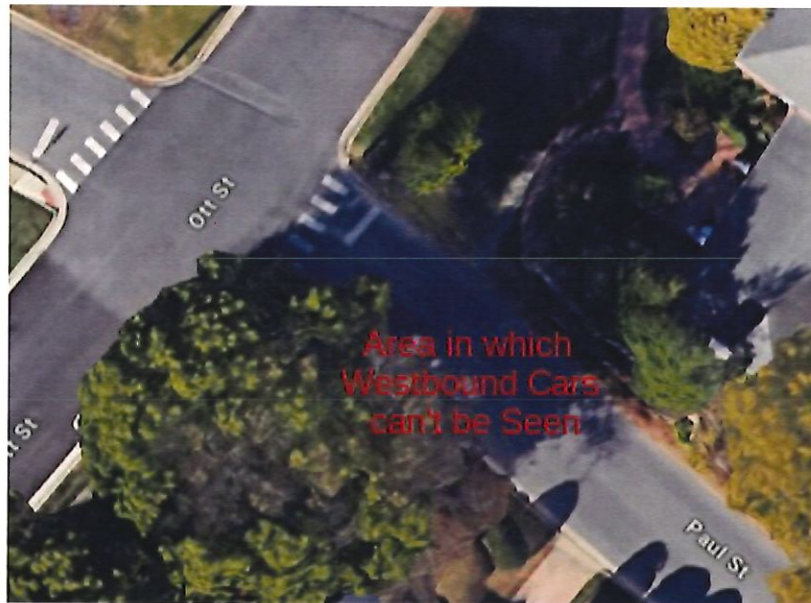


S. Mason St. is very difficult to cross as a result of the geometry. This difficulty is exacerbated by the fact that there are chokers on the narrow segment and by the fact that cars are always parked on both sides of the street. The result is that the effective width of this segment of Paul St. is only 15 feet. Hence, cars must take turns using this segment. This is illustrated in Photo 5.



Finally, though it varies, the grade of Paul St. is quite steep in places. This is particularly true in and around the intersection with Ott St. This causes a large number of problems when the road is slick, but also causes problems under normal conditions. In particular, when crossing Ott St. on Paul St. in the eastbound direction, there is a fairly large area in which it is impossible to see oncoming cars. This is illustrated in Photo 6.

Photo 6. Paul St. and Ott St.



Issues Related to Known Limitations in the Methodology

There are known limitations to the methodology used in basic traffic analyses. In particular, the Federal Highway Administration (FHWA) has noted that a standard traffic impact analysis does not directly account for the following conditions that can occur between intersections:

- Presence or lack of on-street parking;
- Driveway density or access control;
- Lane additions leading up to or lane drops leading away from intersections;
- Impact of grades between intersections;
- Any capacity constraints between intersections (such as a narrow bridge);
- Mid-block medians and two-way left-turn lanes;
- Turning movements that exceed 20 percent of the total volume on the street; and
- Queues backing up to and interfering with the operation of an upstream intersection.

Many of these exist in downtown Harrisonburg and the surrounding residential neighborhoods and should be accounted for, at least subjectively.

In addition, it is important to recognize that many of the "connectors" in the TIA are really "neighborhood streets". Though they do connect busy roads, they should not be treated as such and should not be used for traffic dispersal.

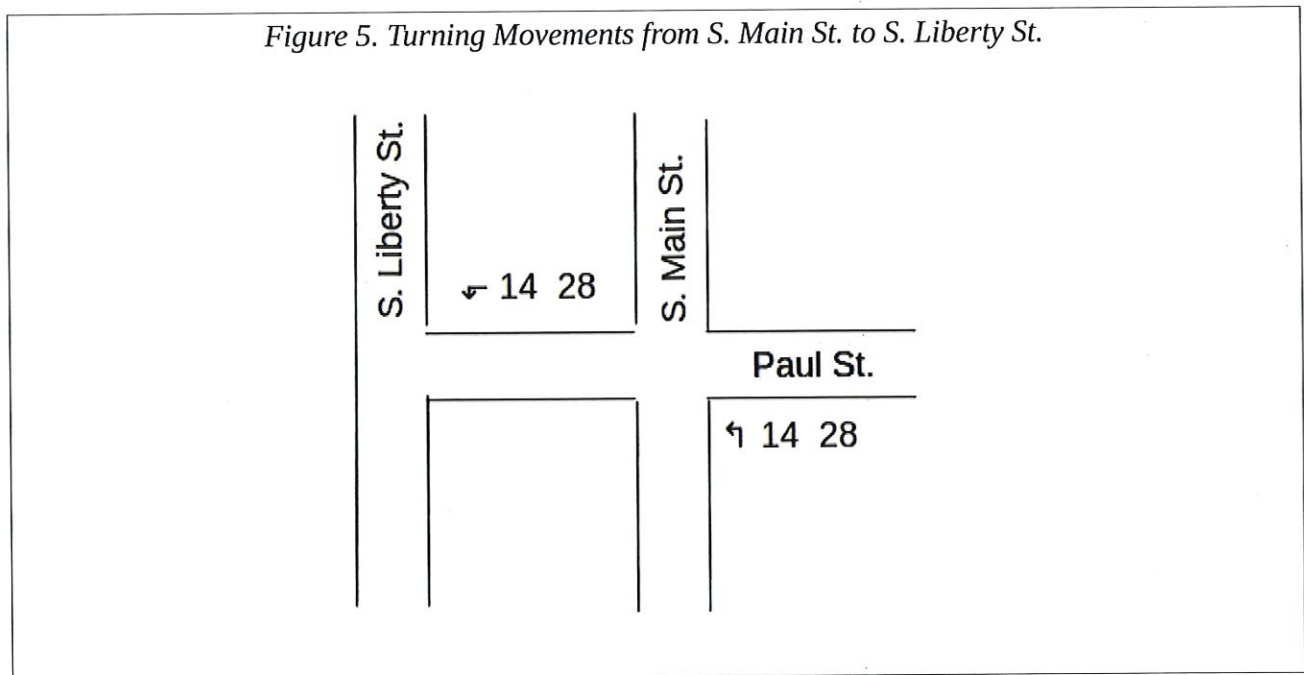
Issues Specific to the Paul St. Extension

Based on the TIA, there is no justification for building the Paul St. Extension.

Section 7 of *The Traffic Impact Analysis* dated October 2025 argues that the project won't have a significant impact on the traffic on Paul St. Hence, the only possible justification for the Paul St. Extension is based on existing traffic. However, the *Traffic Impact Analysis* dated March 2025 makes it clear that existing traffic does not justify its construction because it will not carry a significant amount of traffic.

On eastbound Paul St. at S. Main St., the TIA predicts 4 left-turn movements and 8 thru movements during the AM Peak Hour and 2 left-turn movements and 4 thru movements during the PM Peak Hour. **This is certainly not enough trips to warrant the construction of the extension.**

On westbound Paul St. at S. Liberty St., the TIA predicts 14 left-turn movements during the AM Peak Hour and 28 left-turn movements during the PM Peak Hour. While these numbers are significant, if one takes a closer look at the area, one sees that these numbers are very unlikely. As shown in Figure 5, the northbound trips on S. Main St. that turn onto the Paul St. extension immediately turn southbound onto S. Liberty St.



It turns out that these movements are identical to the northbound movements from S. Main St. onto E. Grattan St. that were measured on 12/5/2024. While those movements make sense (because W. Grattan St. continues past S. Liberty St.), it does not make sense to assume the same movements for the Paul St. extension.

In other words, there are many reasons to believe that the Traffic Impact Analyses severely underestimate the traffic impacts of the proposed Link Apartments and, hence, that the zoning change should not be approved. However, if the Traffic Impact Analyses are correct and the zoning change is approved, then there is no reason to build the Paul St. Extension.

The Link Proposed Development

From [REDACTED]

Date Tue 1/13/2026 10:36 AM

To Adam Fletcher <Adam.Fletcher@harrisonburgva.gov>; Thanh Dang <Thanh.Dang@harrisonburgva.gov>

WARNING: External email. Be cautious when clicking on links or opening attachments.

Good morning!

I am writing to you about my concerns over the proposed Link Development at 473 South Main Street. I participated in the 2040 Downtown Plan visioning exercises and support ideas to bring coherent development to this part of town. I am not opposed to development at this location but the density and scale of this project seems out of step with the Plan and therefore concerns me.

In regard to density, the potential for close to 700 bedrooms (in the proposed 265 apartments) will significantly increase traffic in the surrounding area. As a frequent pedestrian in this part of downtown, that kind of increase in traffic makes me concerned for my safety. It is already difficult enough to navigate as a pedestrian. Relatedly, increasing the amount of traffic at the terminus point of the Liberty Street bike lanes seems like an accident waiting to happen. And while I am not opposed to students living in the complex, the mix of apartments must meet the needs of a broader group of Harrisonburg citizens, especially our young professionals who work downtown or at JMU. The ratio of apartment sizes has been adjusted by the developer, but I would ask the Planning Commission to look closely at the final mix to ensure it can alleviate housing pressure for our permanent residents.

Secondly, the scale and mass of the building will dwarf everything around it without adding significant benefits to the community. A six-story building is excessive for this area of town, which is mostly residential, and many of the amenities seem to be solely for Link residents. The building should engage the public by providing useful services and welcoming space. Retail space that adds to our mix of downtown businesses and larger setbacks (like the adjacent municipal building) would go a long way toward this objective. As a regular participant in events at the Turner Pavilion, I also worry about the effect on the proposed park. Six stories will overshadow the park and make it feel boxed in - even with wall murals to "soften" the effect.

Here are a few questions I would ask the Planning Commission to consider as they review the Link development proposal:

- **Does this development make sense as part of Harrisonburg's 2040 Downtown Plan?** While the proposal meets some of the 2040 downtown plan goals, it significantly misses the spirit of the plan. The developer has made some modifications to their proposal, but I hope the City will encourage them to continue to evaluate options to further meet these goals.

- **Looking to the future, what would the effect of allowing B1C at this spot now have on future zoning in this area?**
- **Are there exceptions that can be made for R3 zoning that would make this attractive to the developer?**
- **Are there proffers we can require for B1C zoning that would ensure the safety of residents in the area and make the development a better compliment to the neighborhood?**
- **And finally, is it all or nothing? Or is there a different zoning that could better serve Harrisonburg and the developer?**

I appreciate the opportunity to voice my concerns. Thank you for your time and for your service to our city.

Sincerely,
Mary Hoffman

The Link - public comment

From Nyrma C. Soffel <Nyrma.Soffel@harrisonburgva.gov>

Date Thu 9/25/2025 3:30 PM

To Thanh Dang <Thanh.Dang@harrisonburgva.gov>

Thanh,

Linda Hammer [REDACTED] called today (9/25/2025) with questions and comments regarding the Link project on S. Main Street. Her comments are as follows:

Ms. Hammer is a long-time city resident. She was born and raised in Harrisonburg. Her family has been in Harrisonburg for generations, since the mid-1800's. The proposed apartment building is "so gigantic and out of place" and "does not fit in." She does not support the proposed development and would not like to see something of that size at that location.

Nyrma

Nyrma C Soffel
Planner
City of Harrisonburg
Department of Community Development
409 South Main Street
Harrisonburg, VA 22801
(540) 432-7700 Ext. 1804
Pronouns: she, her, hers
Se habla español.

Webform submission from: Agenda Comment Form

From City of Harrisonburg, VA <noreply@harrisonburgva.gov>

Date Wed 2/25/2026 8:31 PM

To Michael E. Parks <Michael.Parks@harrisonburgva.gov>; Pamela S. Ulmer <Pamela.Ulmer@harrisonburgva.gov>; Thanh Dang <Thanh.Dang@harrisonburgva.gov>

WARNING: External email. Be cautious when clicking on links or opening attachments.

Submitted on Wed, 02/25/2026 - 20:31

Submitted values are:

Name

Anna Bricker

Type of Meeting

Harrisonburg Planning Commission

Date of Upcoming Meeting

2026-03-11

Agenda Item Number

1

Comment

I oppose rezoning 473 S. Main Street from R-3 to B1-C.

Would you like to be contacted by city staff?

No

Webform submission from: Agenda Comment Form

From City of Harrisonburg, VA <noreply@harrisonburgva.gov>

Date Wed 2/25/2026 9:38 PM

To Michael E. Parks <Michael.Parks@harrisonburgva.gov>; Pamela S. Ulmer <Pamela.Ulmer@harrisonburgva.gov>; Thanh Dang <Thanh.Dang@harrisonburgva.gov>

WARNING: External email. Be cautious when clicking on links or opening attachments.

Submitted on Wed, 02/25/2026 - 21:38

Submitted values are:

Name

Abigail Spitzer

Type of Meeting

Harrisonburg Planning Commission

Date of Upcoming Meeting

2026-03-11

Agenda Item Number

Unsure

Comment

I oppose rezoning 473 S. Main Street from R-3 to B1-C.

Would you like to be contacted by city staff?

No

No to B-1C Rezoning Downtown

From Nicole Kornblatt <[REDACTED]>
Date Thu 2/26/2026 7:15 AM
To CD Planning <CDPlanning@harrisonburgva.gov>

WARNING: External email. Be cautious when clicking on links or opening attachments.

Please do NOT rezone the Lindsey Funeral Home to a a 500+ student housing monstrosity.

Please do not ruin our downtown with a huge modern building.

As a local resident who enjoys going downtown regularly for the library, weekly dance classes for my daughter, the children's museum, restaurants, stores, coffee, photography and more I do not want to fight with college students to find parking.

Also aesthetically it will not match our small and cute downtown.

Please preserve our beautiful downtown.

Thank you,

Nicole Kornblatt
My address is 911 Confederacy Drive, Penn Laird, VA 22846

Re: No to B-1C Rezoning Downtown

From Ben Kornblatt <[REDACTED]>
Date Thu 2/26/2026 8:12 AM
To CD Planning <CDPlanning@harrisonburgva.gov>

WARNING: External email. Be cautious when clicking on links or opening attachments.

Good morning planning committee,

I would like to submit my request of not rezoning the Lindsey Funeral Home to a 500+ student housing giant eyesore.

Please do not ruin our downtown with a huge modern building.

As a local resident who enjoys going downtown regularly for the library, weekly dance classes for my daughter, the children's museum, restaurants, stores, coffee, photography and more I do not want to fight with college students to find parking.

Also aesthetically it will not match our small and cute downtown. This would be extremely out of place for our town.

Please preserve our beautiful downtown. There is enough place in town that is not directly downtown for this sort of building.

Thank you,

Benjamin Kornblatt
My address is 911 Confederacy Drive, Penn Laird, VA 22846
912.660.4302

On Thu, Feb 26, 2026 at 7:15 AM Nicole Kornblatt <[REDACTED]> wrote:

Please do NOT rezone the Lindsey Funeral Home to a a 500+ student housing monstrosity.

Please do not ruin our downtown with a huge modern building.

As a local resident who enjoys going downtown regularly for the library, weekly dance classes for my daughter, the children's museum, restaurants, stores, coffee, photography and more I do not want to fight with college students to find parking.

Also aesthetically it will not match our small and cute downtown.

Please preserve our beautiful downtown.

Thank you,

Nicole Kornblatt

My address is 911 Confederacy Drive, Penn Laird, VA 22846

Webform submission from: Agenda Comment Form

From City of Harrisonburg, VA <noreply@harrisonburgva.gov>

Date Thu 2/26/2026 8:28 AM

To Michael E. Parks <Michael.Parks@harrisonburgva.gov>; Pamela S. Ulmer <Pamela.Ulmer@harrisonburgva.gov>; Thanh Dang <Thanh.Dang@harrisonburgva.gov>

WARNING: External email. Be cautious when clicking on links or opening attachments.

Submitted on Thu, 02/26/2026 - 08:28

Submitted values are:

Name

Ben Melton

Type of Meeting

Harrisonburg Planning Commission

Date of Upcoming Meeting

2026-03-11

Agenda Item Number

I don't know the item number. The topic is the rezoning involving the proposed Link project at the current Lindsay Funeral Home site.

Comment

I am opposed to this proposed rezoning. It poses a number of known and potential problems that will cause traffic and quality of life issues for years to come. Housing needs can be addressed by developing the property for residences under its existing zoning.

Would you like to be contacted by city staff?

Yes

If you would like to be contacted, please provide preferred contact information

[REDACTED]

Webform submission from: Agenda Comment Form

From City of Harrisonburg, VA <noreply@harrisonburgva.gov>

Date Mon 3/2/2026 11:18 AM

To Michael E. Parks <Michael.Parks@harrisonburgva.gov>; Pamela S. Ulmer <Pamela.Ulmer@harrisonburgva.gov>; Thanh Dang <Thanh.Dang@harrisonburgva.gov>

WARNING: External email. Be cautious when clicking on links or opening attachments.

Submitted on Mon, 03/02/2026 - 11:18

Submitted values are:

Name

Ted Tallent

Type of Meeting

Harrisonburg Planning Commission

Date of Upcoming Meeting

2026-03-11

Agenda Item Number

Rezoning o 473 S. Main St.

Comment

"I oppose rezoning 473 S. Main Street from R-3 to B1-C."

473 S. Main St

From T Webster <[REDACTED]>

Date Sun 3/1/2026 4:56 PM

To CD Planning <CDPlanning@harrisonburgva.gov>

WARNING: External email. Be cautious when clicking on links or opening attachments.

I oppose rezoning 473 S. Main Street from R-3 to B1-C.

comment on B-1C rezoning

From Bronson Griscom <[REDACTED]>

Date Tue 3/3/2026 9:31 AM

To CD Planning <CDPlanning@harrisonburgva.gov>

WARNING: External email. Be cautious when clicking on links or opening attachments.

Please forward the following comment to the planning Commissioners.

This is to voice my support for proposed B-1C rezoning, as a homeowner and resident in old town Harrisonburg. I support higher density and not-too-expensive housing within walking distance of downtown Harrisonburg, both for social reasons (we need more less expensive housing) and for environmental reasons (higher density housing is lower impact on the environment per unit).

In concert with this re-zoning, i also advocate for more pedestrian friendly downtown infrastructure, such as more clearly designated bicycle/pedestrian lanes and closing off Court Square to automobile traffic so Harrisonburg would have a truly pedestrian downtown experience that would draw business and enhance our civic experience.

Regards,

Bronson Griscom
217 Franklin St, Harrisonburg

Sent from my iPhone

Rezoning of 473 S. Main

From Parentheses Books <[REDACTED]>

Date Wed 3/4/2026 10:21 AM

To CD Planning <CDPlanning@harrisonburgva.gov>

WARNING: External email. Be cautious when clicking on links or opening attachments.

Dear Planning Commissioners,

My name is Amanda Friss and I am a homeowner in Old Town (315 E Grattan St) and a business owner here in downtown (Parentheses Books).

I just want you to know that **I oppose the rezoning of 473 S. Main Street from R-3 to B-1C.**

Aesthetics are just as important to a place as other factors to be considered, like population density or mixed uses. We don't need to sacrifice one for the other. There are ways to do both. Please keep this in mind.

Thank you for the work you're doing to care for our wonderful little city.

Sincerely,
Amanda Friss

--


The logo for Parentheses Books features the word "Parentheses" in a large, stylized, handwritten-style font. Below it, the word "BOOKS" is written in a smaller, all-caps, sans-serif font.

76 W Gay Street
Harrisonburg VA 22802

Webform submission from: Agenda Comment Form

From City of Harrisonburg, VA <noreply@harrisonburgva.gov>

Date Wed 3/4/2026 11:52 AM

To Michael E. Parks <Michael.Parks@harrisonburgva.gov>; Pamela S. Ulmer <Pamela.Ulmer@harrisonburgva.gov>; Thanh Dang <Thanh.Dang@harrisonburgva.gov>

WARNING: External email. Be cautious when clicking on links or opening attachments.

Submitted on Wed, 03/04/2026 - 11:52

Submitted values are:

Name

Tom Reynolds

Type of Meeting

Harrisonburg Planning Commission

Date of Upcoming Meeting

2026-03-11

Agenda Item Number

rezoning of Lindsey Property

Comment

"I oppose rezoning 473 S. Main Street from R-3 to B1-C."

If you would like to be contacted, please provide preferred contact information



Rezoning 473 S Main Street

From Gloeckner, Janet W - gloeckjw <[REDACTED]>

Date Wed 3/4/2026 2:01 PM

To CD Planning <CDPlanning@harrisonburgva.gov>

WARNING: External email. Be cautious when clicking on links or opening attachments.

I am opposed to rezoning 473 South Main Street (and the rest of the addresses involved) from R-3 to B1-C and would like this to be included in the agenda packet for the public record.

Janet W. Gloeckner
231 West View Street
Harrisonburg, VA 22801

Webform submission from: Agenda Comment Form

From City of Harrisonburg, VA <noreply@harrisonburgva.gov>

Date Wed 3/4/2026 2:59 PM

To Michael E. Parks <Michael.Parks@harrisonburgva.gov>; Pamela S. Ulmer <Pamela.Ulmer@harrisonburgva.gov>; Thanh Dang <Thanh.Dang@harrisonburgva.gov>

WARNING: External email. Be cautious when clicking on links or opening attachments.

Submitted on Wed, 03/04/2026 - 14:58

Submitted values are:

Name

Kimberly Shipe

Type of Meeting

Harrisonburg Planning Commission

Date of Upcoming Meeting

2026-03-11

Agenda Item Number

1

Comment

I oppose rezoning 473 S. Main Street from R-3 to B1-C.

Would you like to be contacted by city staff?

No

Webform submission from: Agenda Comment Form

From City of Harrisonburg, VA <noreply@harrisonburgva.gov>

Date Wed 3/4/2026 3:28 PM

To Michael E. Parks <Michael.Parks@harrisonburgva.gov>; Pamela S. Ulmer <Pamela.Ulmer@harrisonburgva.gov>; Thanh Dang <Thanh.Dang@harrisonburgva.gov>

WARNING: External email. Be cautious when clicking on links or opening attachments.

Submitted on Wed, 03/04/2026 - 15:28

Submitted values are:

Name

Katherine Byers

Type of Meeting

Harrisonburg Planning Commission

Date of Upcoming Meeting

2026-03-11

Agenda Item Number

Rezoning of Lindsey Funeral Home property

Comment

As I tried to drive through downtown on 2/28/26 I was rather dismayed at the very large numbers of students walking from house party to house party. While I am grateful for the many benefits JMU brings to our community, my feelings were quite negative towards the students on that day. I do not see having more student housing downtown as a good thing.

I would like to know how the proposed housing contribution meaningfully addresses local affordability needs? Does The Link broaden housing diversity?

What lasting burdens and unintended consequences will adjacent neighborhoods and the citizens of Harrisonburg be forced to carry for years to come?

Would you like to be contacted by city staff?

No

The Link Rezoning Comments

From Steven Tennyson [REDACTED]
Date Wed 3/4/2026 7:17 PM
To CD Planning <CDPlanning@harrisonburgva.gov>

WARNING: External email. Be cautious when clicking on links or opening attachments.

Dear Ms Dang,

Please share these comments regarding the rezoning of 473 South Main Street with the members of the Harrisonburg Planning Commission in anticipation of their March meeting. Please include them in the agenda packet for the public record.

Dear Planning Commission Members,

I am Steven Tennyson, residing at 507 Paul Street, and I oppose the rezoning of 473 South Main Street from R-3 to B-1C for the following reasons:

First and foremost: this property has been zoned R-3 for decades and, along with Harrisonburg Baptist Church, anchors the adjoining neighborhoods while connecting them to Downtown. Until this point, no one has seen a need to rezone it. There are other properties with B-1C zoning that can be redeveloped to accomplish the goals of creating a walkable Downtown living community without the need for rezoning. If this property is rezoned and the proposed development proceeds, it will alienate rather than anchor the surrounding neighborhoods as well as City Hall by towering over everything in sight and stretching from sidewalk to sidewalk. One look at the 3-D printed scale model of the proposed structure and adjacent buildings clearly shows how out-of-character this is.

Neighborhood Safety: My family has lived on Paul Street in the Preston Heights neighborhood for 15 years. In that time, Paul Street has become increasingly hazardous to pedestrians as more cars use it as a way to bypass the traffic snarls at the intersection of MLK Way and South Main Street. There are no sidewalks on my side of Paul Street and cars routinely travel well above the 25 mile per hour speed limit. Preston Heights is a neighborhood of families who are grateful that their children can walk to and from school at Spotswood Elementary. On the Old Town side, Paul Street is one and a half lanes wide at best and cannot support increased traffic. By approving the rezoning and the Paul Street Extension included in the proposed development, more traffic will divert onto Paul Street and increase the risk for people who live in the neighborhood. One of the goals of the proposed development is to improve walkability. Is sacrificing one neighborhood's walkability for another really a net gain for the City?

Student Housing: Originally, the proposed development was marketed as student housing. Although the developer has changed the narrative to spotlight "mixed use," little of substance regarding the proposal has changed meaningfully. The majority of the residents will be students. There is clear evidence that students are not good neighbors to the residents in and around Old Town. They host

massive, loud parties along South Main Street and Mason Street. They litter the surrounding properties with plastic cups, beer cans, and bottles. They shout obscenities at all hours of the night. They urinate wherever they please. Approving the rezoning will put more students in closer proximity to the party hotspots and exacerbate the problem.

Please note that I am not opposed to more housing in Harrisonburg. I am not opposed to high density housing either. I am opposed to this rezoning because R-3 has been and will continue to be the appropriate zoning for this location. Other properties already zoned B-1C should be considered first for redevelopment.

Respectfully,
Steven Tennyson

Webform submission from: Agenda Comment Form

From City of Harrisonburg, VA <noreply@harrisonburgva.gov>

Date Wed 3/4/2026 5:14 PM

To Michael E. Parks <Michael.Parks@harrisonburgva.gov>; Pamela S. Ulmer <Pamela.Ulmer@harrisonburgva.gov>; Thanh Dang <Thanh.Dang@harrisonburgva.gov>

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Submitted on Wed, 03/04/2026 - 17:14

Submitted values are:

Type of Meeting

Harrisonburg Planning Commission

Date of Upcoming Meeting

2026-03-11

Agenda Item Number

Rezoning of 473 S. Main St from R-3 to B1-C

Comment

To the Planning Commissioners,

I have been a resident of Harrisonburg, Virginia since 1973. I live in Old Town. I am opposed to the proposed rezoning of 473 S. Main Street from R-3 to B1-C. I believe that this unwarranted change would have a negative impact on Old Town and the city of Harrisonburg since it would permit the creation of far too many residences on this site. Traffic will increase and there will be insufficient places for parking.

I hope that you, as Planning Commissioners, recognizing that the construction of this residence has not been voted on by residents in the city, seriously take the opinions of citizens into account.

Harrisonburg can grow and create new apartments on the outskirts of the city to meet demand, but the creation of high rise buildings in Old Town will diminish the attractiveness and quality of life in Harrisonburg.

Thank you for your dedicated service to our community.

Sincerely,

Mary Louise Loe

201 West View Street

Harrisonburg, Va. 22801

Would you like to be contacted by city staff?

No

No B-1C

From Louise Loe <[REDACTED]>
Date Wed 3/4/2026 5:07 PM
To CD Planning <CDPlanning@harrisonburgva.gov>

WARNING: External email. Be cautious when clicking on links or opening attachments.

To the Planning Commissioners,

I have been a resident of Harrisonburg, Virginia since 1973. I live in Old Town. I am opposed to the proposed rezoning of 473 S. Main Street from R-3 to B1-C. I believe that this unwarranted change would have a negative impact on Old Town and the city of Harrisonburg since it would permit the creation of far too many residences on this site. Traffic will increase and there will be insufficient places for parking.

I hope that you, as Planning Commissioners, recognizing that the construction of this residence has not been voted on by residents in the city, seriously take the opinions of citizens into account. Harrisonburg can grow and create new apartments on the outskirts of the city to meet demand, but the creation of high rise buildings in Old Town will diminish the attractiveness and quality of life in Harrisonburg.

Thank you for your dedicated service to our community.

Sincerely,

Mary Louise Loe
201 West View Street
Harrisonburg, Va. 22801

Rezoning of 473 S. Main St from R-3 to B1-C

From jhmhull <[REDACTED]>
Date Thu 3/5/2026 10:47 AM
To CD Planning <CDPlanning@harrisonburgva.gov>

WARNING: External email. Be cautious when clicking on links or opening attachments.

For public record:

I oppose rezoning 473 S. Main Street from R-3 to B1-C.

Please forward this comment to the Planning Commissioners and include it in the agenda packet for the public record.

Your response confirming receipt of this email would be appreciated.

Best,

John Hull
252 West View Street
Harrisonburg, VA 22801
[REDACTED]

Fecisti nos ad te, et inquietum est cor nostrum donec resquiescat in Te.
You created us for yourself, and our heart is restless until it rests in you.

Link Apartments Sound Proofing for better tenant mix

From Stephen Horn <[REDACTED]>
Date Thu 3/5/2026 1:46 PM
To CD Planning <CDPlanning@harrisonburgva.gov>

WARNING: External email. Be cautious when clicking on links or opening attachments.

Dear Members of the Planning Commission,

My name is Stephen Horn and I have lived in the old town area for over twenty five years, first on Franklin St. and now on Campbell St. I am writing to you about the proposed Link apartment complex. I am neutral in terms of whether it should be approved or not, but if it is approved I would like to see it done right. The city would like to see a mixed use building in this location with a mix of tenants between students and older tenants, as would I, and if that's the case then it's essential that the city require adequate soundproofing in the building.

One of the problems with 5-over-1 buildings is that they are frequently designed to last 30 years but lose their luster before that. In particular the wooden upper stories are frequently not very soundproof or even sound resistant. This prevents these buildings from having mixed tenants. The minimum level of soundproofing required (STC 50) allows loud talking to be heard through walls. Students who have later schedules disturb the nonstudents in the building who need to get up earlier. Eventually the nonstudents move out and the remaining tenants are all students.

Both Urban Exchange and the development by this developer in Williamsburg have complaints about the amount of noise that can be heard from adjacent units. For this reason I strongly urge you to consider making approval of this change in zoning contingent on a proffer of higher levels of soundproofing. In particular:

Walls: Proffer that walls separating *different* apartments and in bedroom units within apartments must meet an **STC rating of 60**.

Common Area Walls: Proffer that walls bordering hallways, elevators, or lounges meet an **STC of 60**.

Floor/Ceiling Assembly: Proffer an **IIC (Impact Insulation Class)** rating of 55+

Hallway Buffer: Proffer Hallway-to-unit entry doors shall include automatic drop-seals to mitigate noise from common areas.

Structural Sound Buffers: Proffer the rooftop perimeter include **acoustic glass railings** and/or sound-absorbing planters. This is important since the rooftop terrace will be at the level of many homes in Old Town.

Windows: Proffers that all residential building envelopes shall achieve a minimum **STC rating of 35** and a minimum **OITC rating of 28** for all glazing assemblies (windows and glass doors). (The interior courtyards are going to be echo chambers and a mixed use facility is going to be generating exterior early morning noise from delivery trucks).

These changes would address several concerns and goals of city residents and officials:

1. The building would be less likely to lose its “luster” before the end of its 30 year lifespan and become an eyesore.
2. The building would be more likely to contain a mix of students and nonstudents.
3. City resources would be less likely to be strained by having the police respond to noise complaints or deal with other violations of city codes (a resident in the Williamsburg complex noted that management didn’t handle noise complaints but instead referred them to local police).

Thin walls were one complaint about the Midtown Row building in Williamsburg but there were others related to management of the property. In addition to these changes the city should require a management plan proffer that addresses the concerns raised by other complaints about the Midtown Row property.

As I stated I’m neutral about this development, but if it’s done it needs to be done right which means the proffers need to be made to address the problems that occurred with other buildings done by this developer and the complaints you find in general about these 5-over-1 structures. Developers like the 5-over-1 buildings because they’re cheap but that’s not in the best interest of the city or the city’s residents who might be future tenants. If this isn’t done right, there will not be much support for the rest of the city’s 2040 plan.

Best regards,
Stephen Horn

THE LINK APARTMENTS
(formerly Liberty Multifamily Development)

TRAFFIC IMPACT ANALYSIS

December 2025

(Revision: 03)

Prepared By:



250 E Elizabeth St, Ste 114 ~ Harrisonburg, Virginia

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1. INTRODUCTION

The Link Apartments project is located between South Main Street and South Liberty Street in the proximity of Paul Street in Harrisonburg, Virginia, and necessitates a thorough Traffic Impact Analysis (TIA) to assess the potential effects on the surrounding transportation network. This analysis will provide crucial insights into traffic flow, intersection performance, and necessary improvements to accommodate the anticipated increase in vehicular activity within the adjacent study area. Key components of this TIA include collecting peak hour turning movement counts at critical intersections, evaluating existing and projected traffic conditions, and analyzing potential mitigation measures to ensure efficient and safe traffic operations. The results will inform design decisions and support compliance with city and VDOT regulations, ultimately contributing to the successful implementation of the new development and associated traffic enhancements.

1.1. Executive Summary

This report provides traffic analysis for existing, no-build, build, and post-build conditions for the proposed development of a six-story mixed-use building, containing up to 265 apartment units and approximately 5,000 sq.ft of ground-floor commercial space. The development is to be located on the southern end of Harrisonburg’s downtown, between South Main Street and South Liberty Street in the vicinity of Paul Street. The project intends to incorporate a multi-story parking garage, and will facilitate the extension of Paul Street through the development to intersect South Liberty Street. If approved, the project is expected to be completed and open to residents sometime in the year 2027.

The traffic impact study shows that the project can be expected to have little impact on the surrounding roadway network from a controlled delay and queuing perspectives. The nature of the project and its location derives traffic with origin-destinations that are scattered fairly evenly in multiple directions. The mixed-use nature of the development helps to minimize impacts generally associated with commercial / restaurant usage, as many trips are captured internal of the project. The surrounding roadway network, consisting of a grid configuration, helps to disperse all newly generated trips quickly, thereby minimizing overload on any particular intersection. Modeling 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.

1.2. Site Location and Study Area

The project's study area is located in the downtown section of Harrisonburg, Virginia. The studied intersections included in the traffic impact analysis are as follows:

1. South Main Street & Grace Street (Signalized)
2. South Main Street & MLK Jr Way (Signalized)
3. South Main Street/South Liberty & Grattan Street (Unsignalized)
4. South Liberty Street & Paul Street (Unsignalized, future intersection)
5. South Main Street & Paul Street (Unsignalized)
6. South Mason Street & Paul Street (Unsignalized)
7. South Liberty Street & West Bruce Street (Signalized)
8. South Main Street & Bruce Street (Signalized)
9. South Mason Street & MLK Jr Way (Signalized)

These intersections will undergo a thorough evaluation to determine existing conditions and project future traffic impacts, ensuring that the proposed developments do not adversely affect local traffic flow and safety. **Figure 1** shows the project's vicinity.

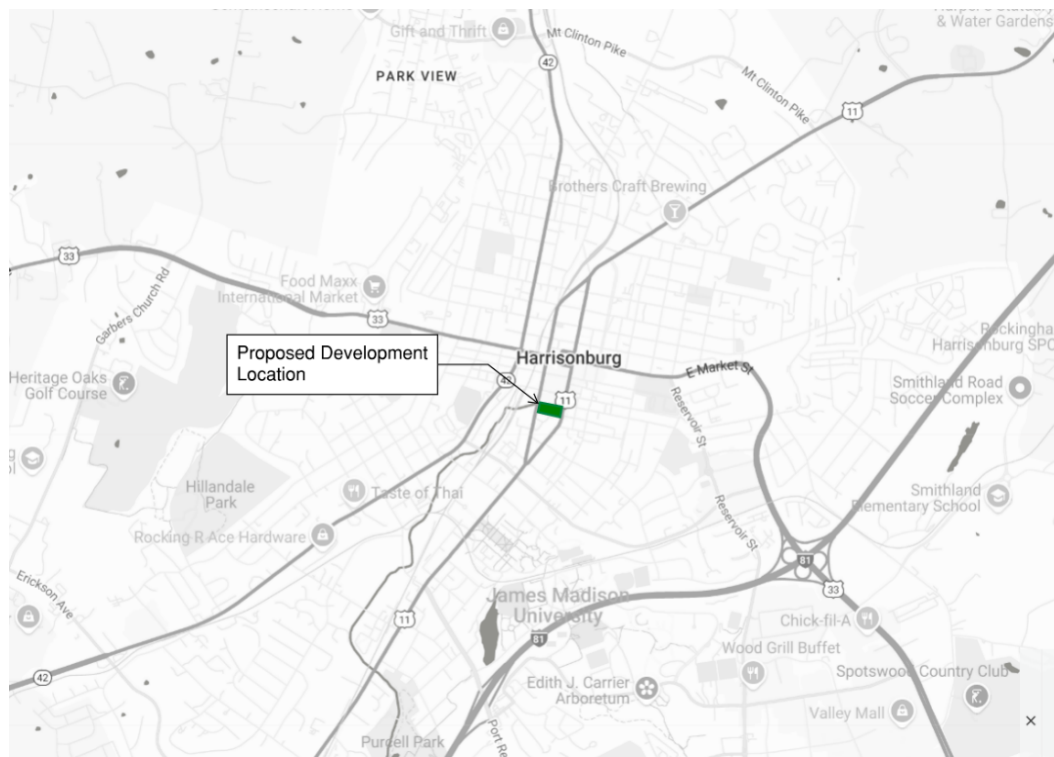


Figure 1 - Vicinity Map

1.3. Exiting Roadway Network

The proposed development is located in the southern section of downtown between South Main Street and South Liberty Street, on the current Lindsey Funeral Home site. Descriptions of the various streets comprising the project's study area are as follows:

South Main Street: serving as the eastern boundary of the development, is a two-lane one-way street serving northbound traffic. VDOT classifies Main Street as a major collector within the study area. Its speed limit is posted as 25 mph.

South Liberty Street: serving as the western boundary of the development, is a two-lane, one-way street serving southbound traffic. VDOT classifies Liberty Street as a minor arterial within the study area. Its speed limit is 25 mph. Plans exist to reduce Liberty Street to a single lane with a two-way cycle track (funded but not yet fully designed); assumed as constructed by the development's build-out year of 2027 for the purpose of this study.

West Bruce Street: is a one-lane, one-way street serving eastbound traffic between South Liberty Street and South Main Street. West of South Liberty St, the road serves two-way traffic with two lanes. Its intersections with South Liberty Street and South Main Street are signalized. VDOT classifies Bruce Street as a minor collector within the study area. Its speed limit is posted as 25 mph.

South Mason Street is a two-lane, two-way street serving both northbound and southbound traffic through the study area. VDOT classifies South Mason Street as a major collector within the study area. Its speed limit is posted as 25 mph.

Martin Luther King Jr Way: is a four-lane, two-way street serving east- and westbound traffic. It is a median-divided roadway within the study area. VDOT classifies Martin Luther King Jr Way as minor arterial. Its posted speed limit is 25 mph within the study area.

Paul Street: is a two-lane, two-way street serving east- and westbound traffic between South Main Street and South Mason Street. The proposed development proposes to extend Paul Street to South Liberty Street as a base condition. VDOT classifies it as a minor collector within the study area. It has a posted speed limit of 25 mph.

1.4. Proposed Development

The proposed development includes a 6-story building, containing up to 265 residential units and approximately 5,000 sq. ft. of commercial space on the ground floor, and a 4-story parking garage intended to serve both residents and adjoining public uses (during non-peak hours only). An extension of Paul Street to its south is also included. Currently anticipated configuration of the development is presented below (retail space shaded separately), as **Figure 2**.



Figure 2 - Plan of Development

2. ANALYSIS METHODOLOGY

The methodology used in this analysis follows the standard approach adopted by VDOT, as detailed in the VDOT Traffic Operations and Safety Analysis Manual (TOSAM). It incorporates guidance from the City of Harrisonburg during the TIA Scoping Session held on December 4, 2024. **Appendix A** of this report includes a copy of the scoping form resulting from this session.

2.1. Analysis Scenarios

To evaluate the impact of the project, the following scenarios are examined in this report:

- Existing Conditions (2024)
- Buildout Year (2027), No-Build Condition
- Buildout Year (2027), Build Condition
- 6-Year Post-Build Condition (2033)

Analysis of the various scenarios includes determining the appropriate mitigation necessary to derive reasonable levels of service and queuing within the constraints of the existing infrastructure and right-of-way.

2.2. Analysis Tools

The traffic capacity analysis was performed with Synchro 11, which is a comprehensive software package that allows the user to determine the Level-Of-Service (LOS) for the study intersections based on the control-delay thresholds specified in the Highway Capacity Manual (HCM).

2.3. Measures of Effectiveness

All signalized and unsignalized intersections were analyzed for Levels of Service (LOS) through Synchro utilizing Highway Capacity Manual (2000), with the LOS corresponding to the average delay witnessed per turning movement, per approach, and per intersection. Grades of LOS range from A to F, with A corresponding to the lowest levels of average delay and F corresponding to the worst. The average delay, in seconds, corresponding to each LOS grade is presented in **Table 1**. 95th percentile queue is reported for unsignalized intersections.

Table 1 - Levels of Service and Delay (HCM)

LOS	Signalized Intersection	Unsignalized Intersection
A	≤10 sec	≤10 sec
B	10–20 sec	10–15 sec
C	20–35 sec	15–25 sec
D	35–55 sec	25–35 sec
E	55–80 sec	35–50 sec
F	>80 sec	>50 sec

3. EXISTING CONDITIONS (2024)

The existing condition was modeled for both AM and PM peak hours, with turning movements obtained from a combination of new counts and previous counts provided by the City. This data was combined and the network-wide peak hours were determined. Synchro 11 was used to perform operational analysis. In addition to traffic data collection, field conditions were reviewed during peak hours to ensure compatibility with base model assumptions.

3.1. Data Collection

As part of this study, peak hour turning movement counts were collected in December 2024 at the following intersections:

1. South Main Street & Paul Street
2. South Main Street & Grattan Street
3. South Mason Street & Paul Street

The following intersections' turning movement counts were collected for a different traffic study in November 2023, as provided by the City:

2. South Liberty Street & West Bruce Street
3. South Main Street & East Bruce Street

Recent historic data in downtown area of the city shows that traffic volumes are not significantly changes annually. Therefore, in agreement with the city, traffic volumes were not adjusted for the year difference.

The City of Harrisonburg also provided turning movements for the following intersections from their detection systems, as collected in September 2024.

1. South Main Street & Martin Luther King Jr. Way
2. South Main Street & East Grace Street
3. Martin Luther King Jr. Way & South Mason Street

3.2. Peak Hour Determination

As defined in the study scope, the traffic operational analysis is to be performed for the morning (AM) and evening (PM) peak hours. For isolated intersection analyses, four consecutive 15-

minute intervals of turning movement traffic count data that represent the highest hourly volume should be considered the peak hour. The peak hours were calculated for each intersection and the overall network. The analysis shows that each intersection has a slightly different peak hour during the morning period, but during the evening period, all peak hours fall into the same hour. Since the study intersections are modeled together in one network, the network peak hour is calculated based on combined turning movement counts then applied to each intersection. The peak hours were selected as follows:

- The morning peak (AM) occurred from 8:00 to 9:00,
- The evening peak (PM) occurred from 16:30 to 17:30.

3.3. Network Traffic Volume Balancing

As indicated in section 3.1, the traffic counts were obtained from different sources, and two intersections were collected in 2023. Traffic volume data from different sources, among other factors mentioned in TOSAM, causes imbalances in traffic volumes departing one intersection and arriving at the next. Additionally, the data provided by the City of Harrisonburg for South Main Street & MLK Jr Way is missing northbound right turn counts coming from South Main Street to MLK Jr Way.

Referencing historical data from the Synchro files provided by the City and using an iterative procedure, the right turn turning counts at South Main Street & MLK Jr Way estimated. The other turning movements count balancing deemed unnecessary as no network evaluation planned.

Figure 3 shows the collected AM & PM peak hours turning movement counts, and **Figure 4** shows the complete turning movement counts. Raw count data is presented in **Appendix B**

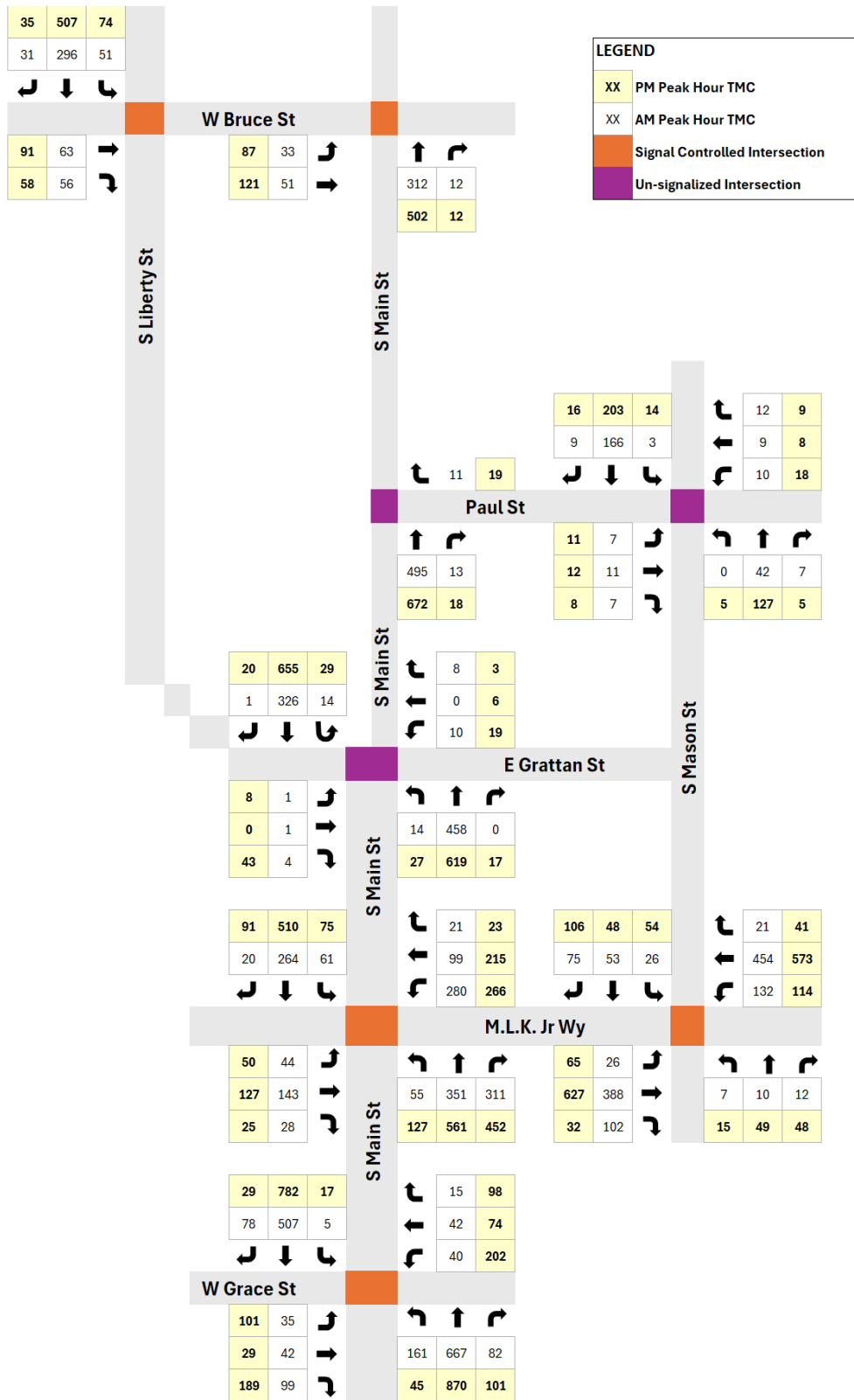


Figure 3 - AM & PM Existing 2024 Collected Turning Movement Counts

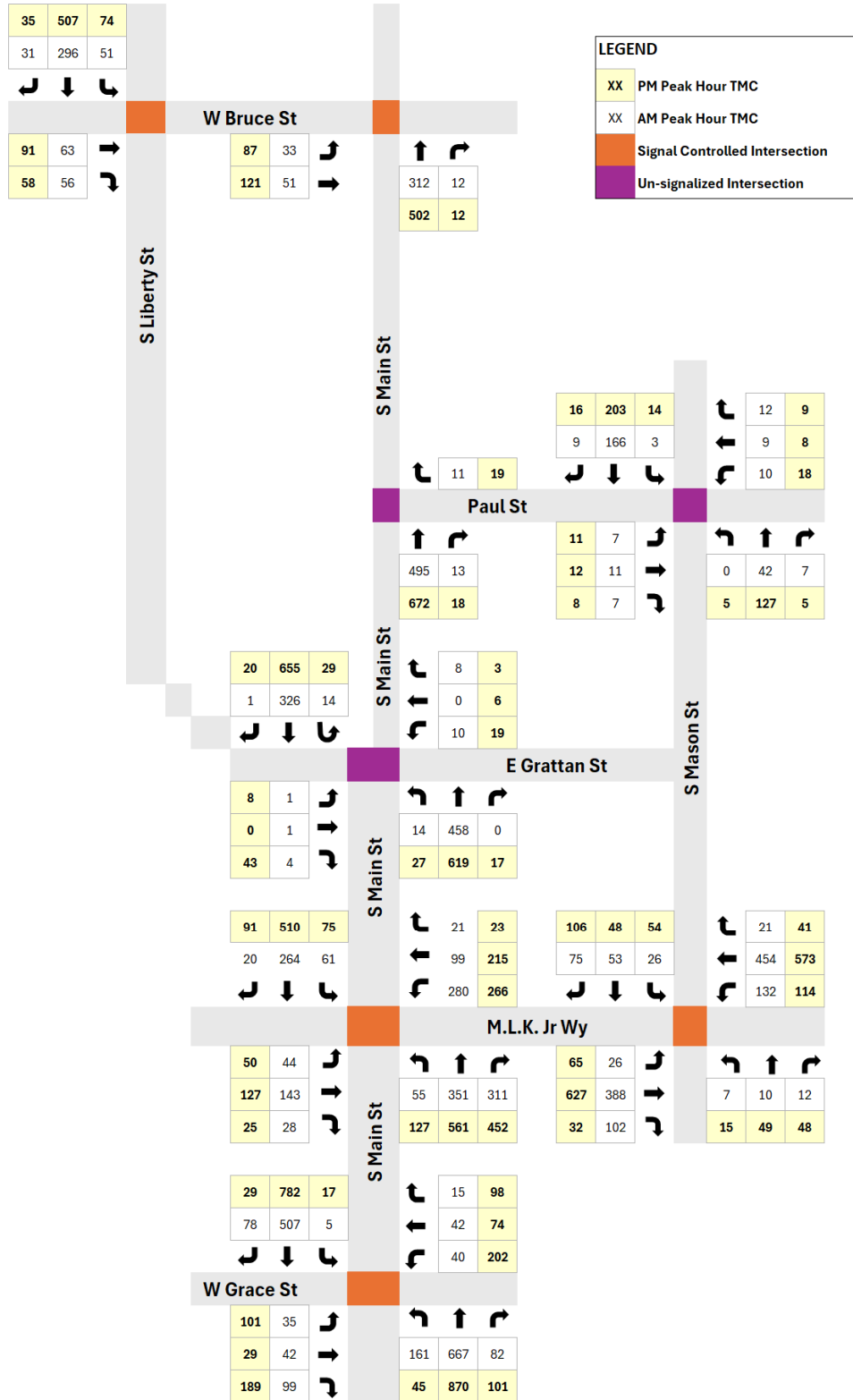


Figure 4 - AM & PM Existing 2024 Complete Turning Movement Counts

3.4. Field Review

The various roadways within the study area were reviewed in the field for pavement conditions, lane configurations, turn lane storage lengths, sight distances, limits of right-of-way, and other factors that could affect proposed mitigation. No modeling adjustments were determined necessary as part of this field analysis.

3.5. Existing 2024 Peak Hour Traffic Conditions

As previously stated, the AM peak hour for the studied intersections has been defined as 08:00 to 09:00, with the PM peak hour defined as 16:30 to 17:30.

The intersections studied were analyzed for the following measures of effectiveness:

- Control delay – measured in seconds per vehicle.
- 95th percentile queue length – measured in feet.

Figures 5, and 6 depict representations of the control delay and queue length for each studied intersection during the 2024 AM and PM peak hours. The HCM 6th Edition methodology was utilized where applicable. At intersections where the configuration is not supported by HCM 6th Ed, HCM 2000 is used.

The analysis results show that the network performs at acceptable levels, with a few exceptions. Three movements show Level of Service (LOS) F during PM Peak Hour: eastbound left turn and westbound through movement at the South Main Street & Grace Street intersection, and westbound left turn movement at the South Main Street & MLK Jr. Way intersection.

Full results of the Synchro Analysis for Existing 2024 Peak Hour Traffic Conditions can be found in **Appendix C**.

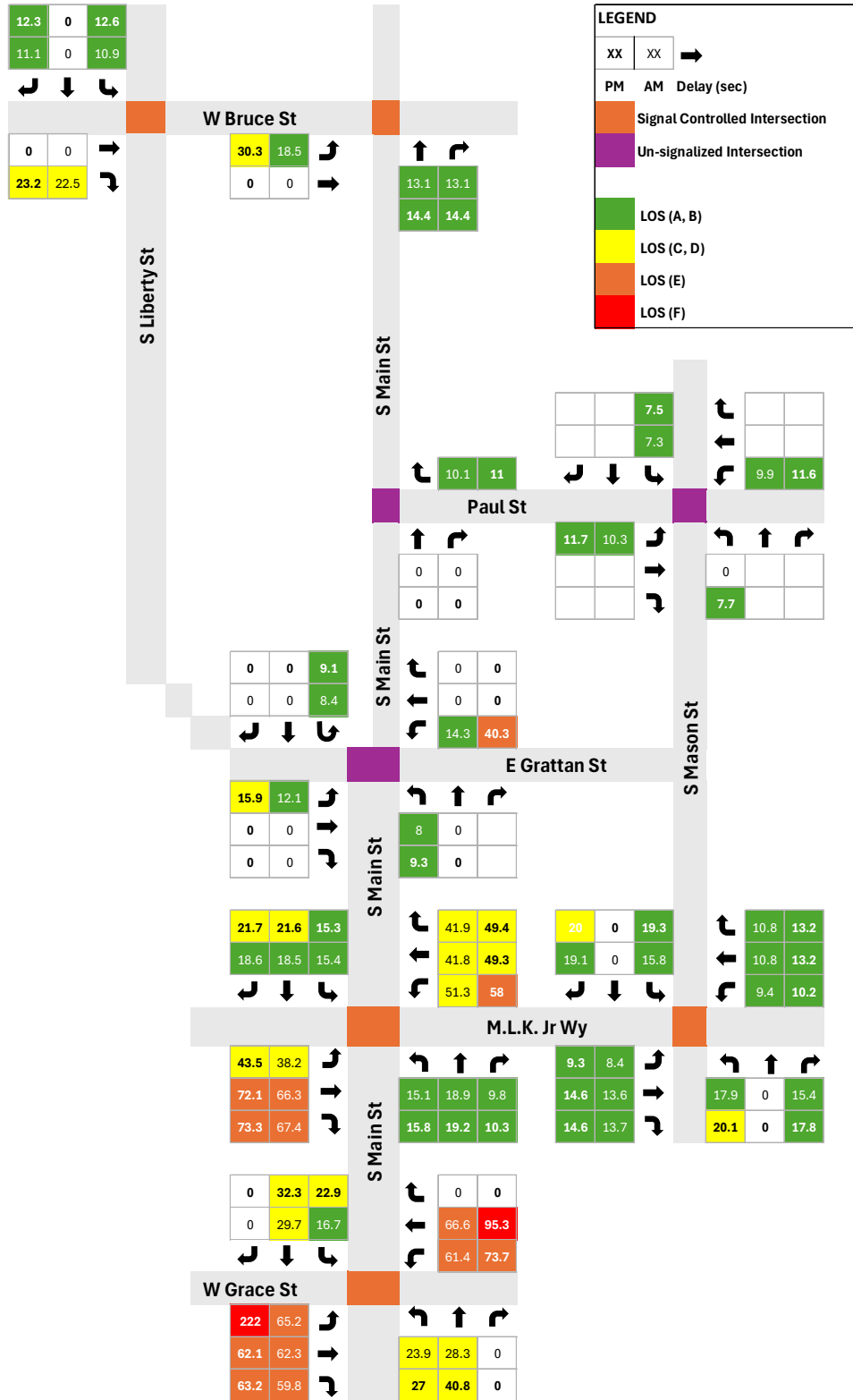


Figure 5 - Existing 2024 AM & PM Delay and LOS

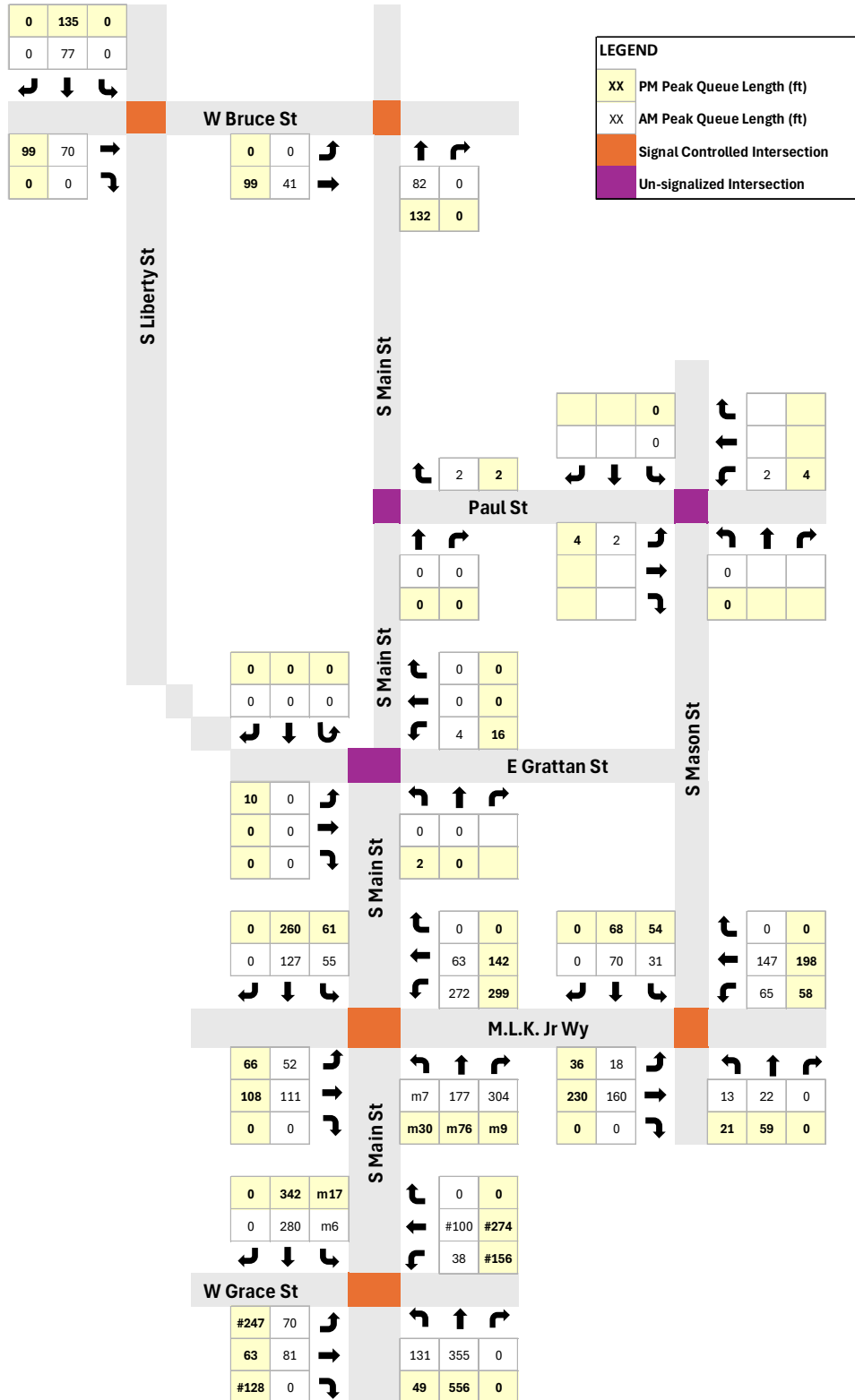


Figure 6 - Existing 2024 AM & PM Peak Hour Queue Length (ft)

4. NO-BUILD TRAFFIC CONDITIONS (2027)

To determine the impact of the proposed development, a comparison of the future conditions of the study intersections must be made. This is done by analyzing the future build-out year with and without the traffic generated by the proposed development. The future year condition without the development is called the no-build condition and is determined by projecting the existing traffic to the build-out year using an annualized growth rate and adding it to traffic from approved (but not yet built) developments in the study

4.1. Background Traffic

Traffic volumes were projected to 2027 using a background growth rate of 1%, as directed by the City during the scoping session. 2027 No-Build turning movement counts are provided on the following page as **Figure 7**.

4.2. No-Build 2027 Peak Hour Traffic Conditions

The existing AM and PM peak-hour Synchro models were used to develop the No-Build models. The signal timing remained the same for the signalized intersections in this scenario, and no adjustments were made to the models regarding traffic signal phasing or geometric factors. The same measures of effectiveness were selected as the existing traffic conditions to report the performance of each study intersection quantitatively.

Figures 8 and 9 include depictive representations of the control delay, LOS, and queue length for each studied intersection during the 2027 No-Build AM and PM peak hours.

Analysis suggests that background traffic operations in the No-Build 2027 condition will not significantly degrade from those witnessed in current conditions.

Results of the Synchro Analysis for No-Build 2027 Peak Hour Traffic Conditions can be found in **Appendix D**.

It should be noted that the westbound left-turn movement of the East Grattan approach to South Main Street potentially warrants further study by the City. Restricting this currently failing movement may be warranted as part of the Liberty Street Improvement project. Further description of this suggestion is included in this project's Conclusion section.

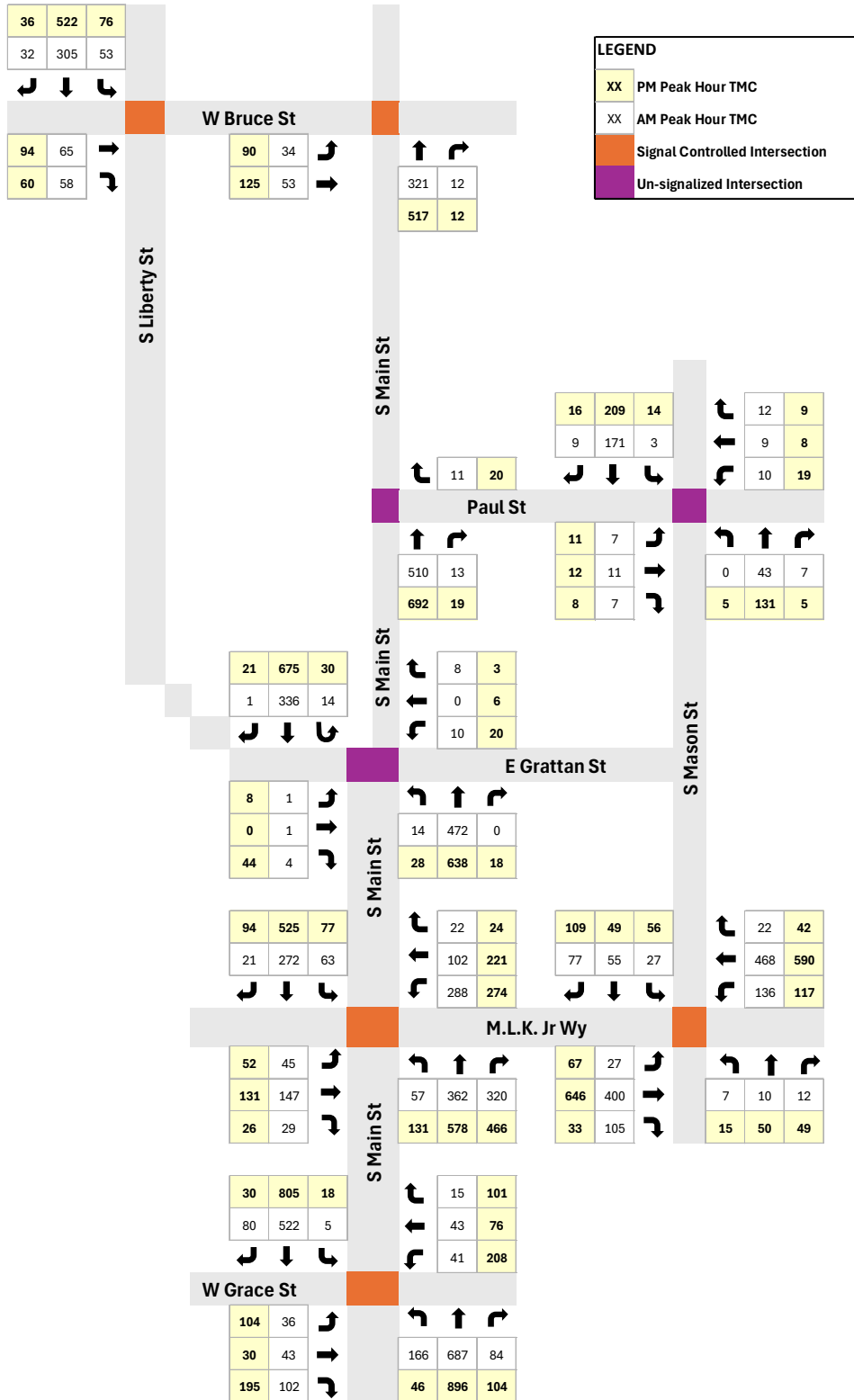


Figure 7 - AM & PM Peak Hour No-Build 2027 Turning Movement Counts

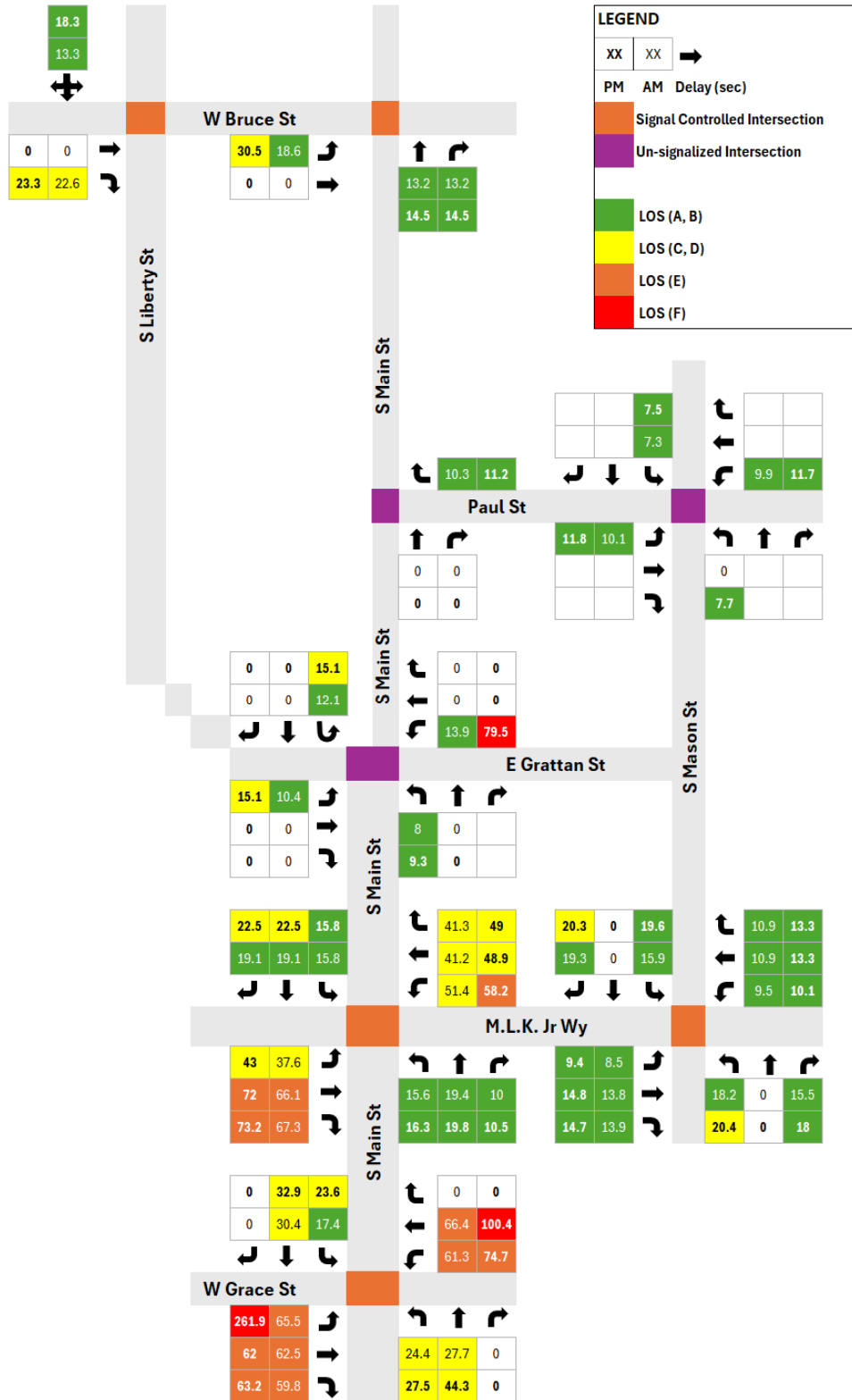


Figure 8 - No-Build 2027 AM & PM Peak Hour Delay and LOS

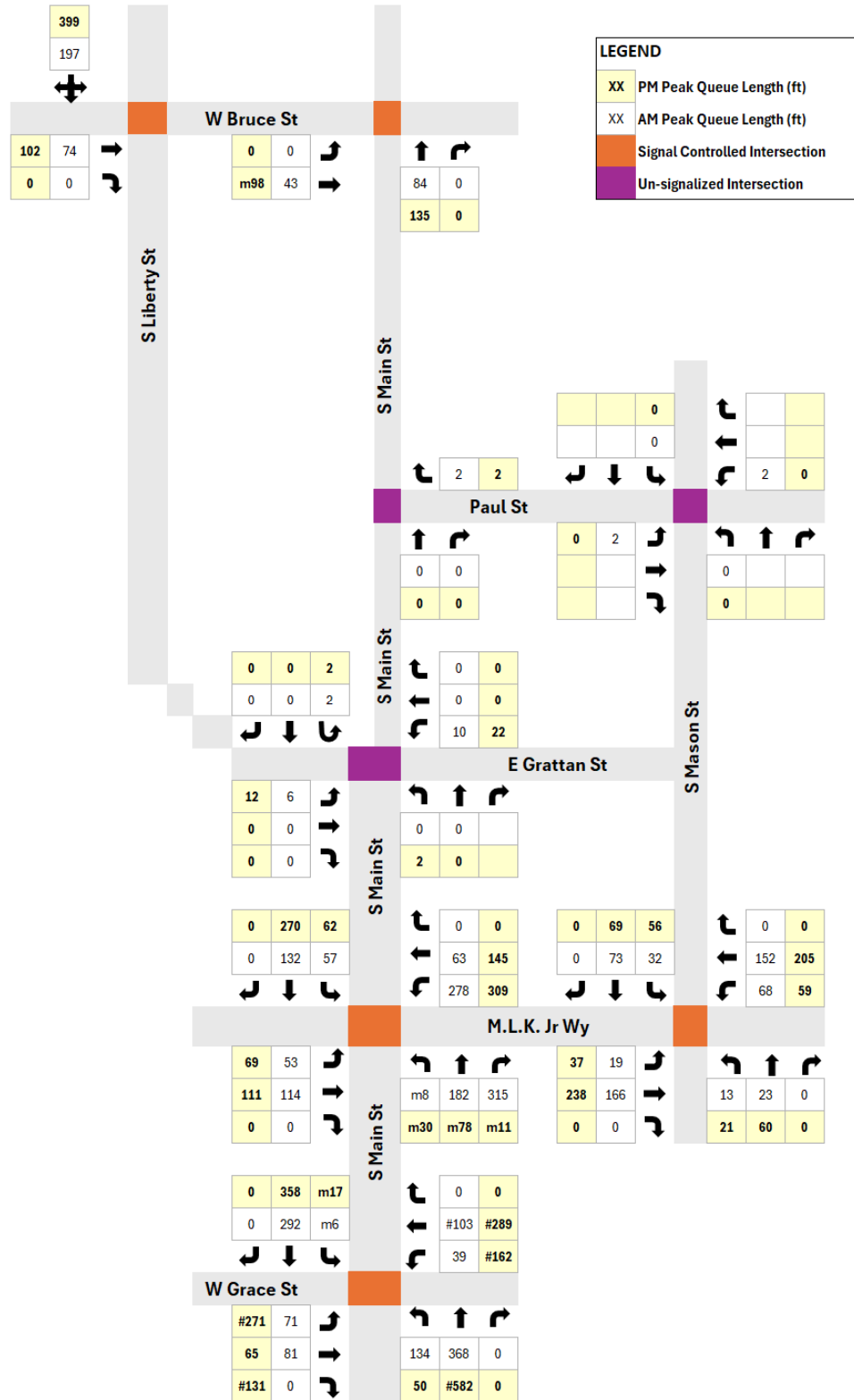


Figure 9 - No-Build 2027 AM & PM Peak Hour Queue Length (ft)

5. BUILD CONDITIONS TRIP ESTIMATION

The methodology of estimating Build conditions trip-loading involved the following steps:

5.1. Trip Generation

The proposed development comprises 265 residential units and approximately 5,000 sq.ft of commercial area. Although the exact use of commercial use is not yet decided, a potential highest trip generator use is assumed, which is Fast-Food Restaurants without Drive-throughs (small cafe or similar). Table 2 shows the trip generation calculation per ITE Trip Generation Manual 11th Edition.

Table 2 - Development Trip Generation Per ITE Trip Generation Manual

No	Use	ITE Code	Unit	Qty	AM			PM		
					Total	Entry	Exit	Total	Entry	Exit
1	Multifamily Housing (Mid-Rise)	221	DU	265	98	23	75	103	63	40
2	Fast-Food Restaurant without Drive-Through	933	1000 Sq. Ft GFA	5.0	216	125	91	166	83	83
Total					314	148	166	269	146	123

5.2. Internal Capture Trips

Internal capture trips refer to trips in mixed-use developments where trips between different uses (e.g., residential, retail, and office) occur within the development itself, and without requiring external travel on surrounding road networks. This reduces overall traffic demand on public streets as people can walk, bike, or use on-site connections for their trips. The internal trip capture allowance assumed for the proposed development is 30% of the commercial use area. Table 3 shows the calculation of the internal capture trips.

Table 3 - Internal Capture Trips

No	Use	Internal Capture	AM			PM		
			Total	Entry	Exit	Total	Entry	Exit
1	Multifamily Housing (Mid-Rise)	0%	0	0	0	0	0	0
2	Fast-Food Restaurant without Drive-Through	30%	65	38	27	50	25	25
Total			65	38	27	50	25	25

With internal-capture incorporated, the total trips coming to the site can be calculated as the total generated trips (shown in Table 2) minus the internal capture trips (shown in Table 3). Table 4 shows the total trips to the site.

Table 4 - Total Trips to the site

No	Use	ITE Code	Unit	Qty	AM			PM		
					Total	Entry	Exit	Total	Entry	Exit
1	Multifamily Housing (Mid-Rise)	221	DU	265	98	23	75	103	63	40
2	Fast-Food Restaurant without Drive-Through	933	1000 Sq. Ft GFA	5.0	151	87	64	116	58	58
Total					249	110	139	219	121	98

5.3. Pass-by Trips

A pass-by trip refers to a trip made by a vehicle that is already traveling on a nearby roadway and stopping at the development without altering its primary route or destination. These trips do not generate new traffic, but rather simply temporarily divert existing traffic to the site. The ITE 12th Edition Trip Generation Manual does not provide a pass-by allowance for ITE Use 933 (Fast-Food restaurant without a Drive-Through) use, but ITE Use 932 (high-turnover sit-down restaurant) has a 43% pass-by allowance, so an allowance of 35% was chosen to be conservative for the use in question.

Table 5 - Pass-by Trips

No	Use	Pass-By Rate	AM			PM		
			Total	Entry	Exit	Total	Entry	Exit
1	Multifamily Housing (Mid-Rise)	0%	0	0	0	0	0	0
2	Fast-Food Restaurant without Drive-Through	35%	53	30	22	41	20	20
Total			53	30	22	41	20	20

5.4. Total New Trips

The total new trips that will be added to the development’s surrounding streets is equal to the total trips generated minus both internally captured trips and pass-by trips. The Table 6 shows total new trips added to the adjacent roadway network.

Table 6 - Total New Trips on Surrounding Streets

No	Use	ITE Code	Unit	Qty	AM			PM		
					Total	Entry	Exit	Total	Entry	Exit
1	Multifamily Housing (Mid-Rise)	221	DU	265	98	23	75	103	63	40
2	Fast-Food Restaurant without Drive-Through	933	1000 Sq. Ft GFA	5.0	98	57	42	75	38	38
Total					196	80	117	178	101	78

5.5. Distribution and Assignment

The proposed development's primary site trip distribution was determined through a review of existing traffic patterns, surrounding land uses, engineering judgment, and discussions with the City. The distribution is below.

1. 30% to/from south on South Main Street.
2. 35% to/from the southeast on Martin Luther King Jr. Way
3. 5% to/from the southwest on Martin Luther King Jr. Way
4. 10% to/from the northeast on South Mason Street.
5. 10% to/from the north on South Liberty Street.
6. 5% to/from the northwest on South High Street.
7. 5% to/from the northwest on West Market Street.

Figure 6 shows the distribution percentage of incoming and outgoing trips. **Figure 7** shows the number of trips on the study street network.

The total number of trips at site entrances is calculated from the site trips (trip generated minus internally captured trips). The number of trips on the surrounding streets is calculated from the distribution percentages applied to new trips only (trip generated minus internal capture trips and pass-by trips)

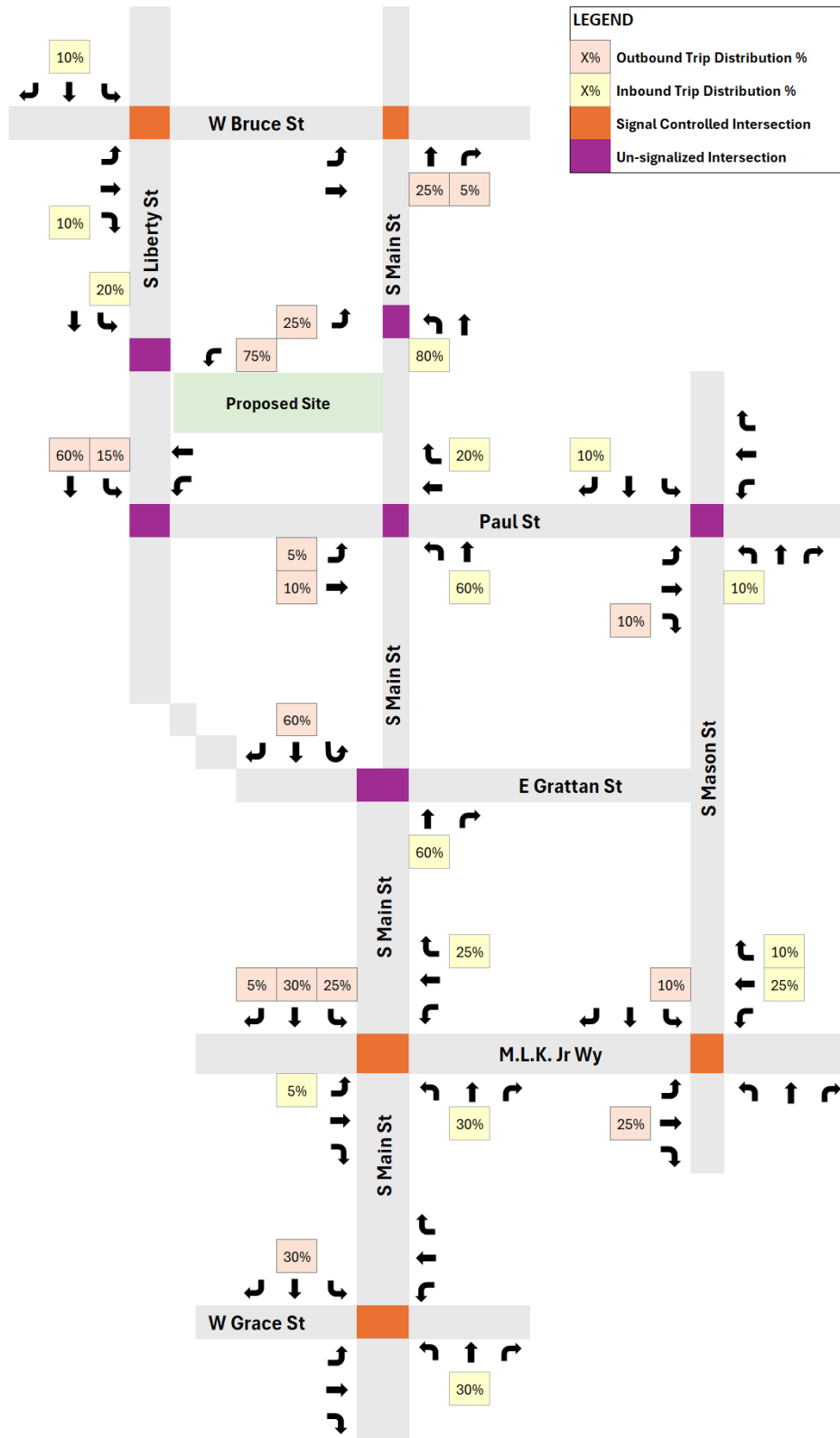


Figure 10 - New Trip Distribution Percentage



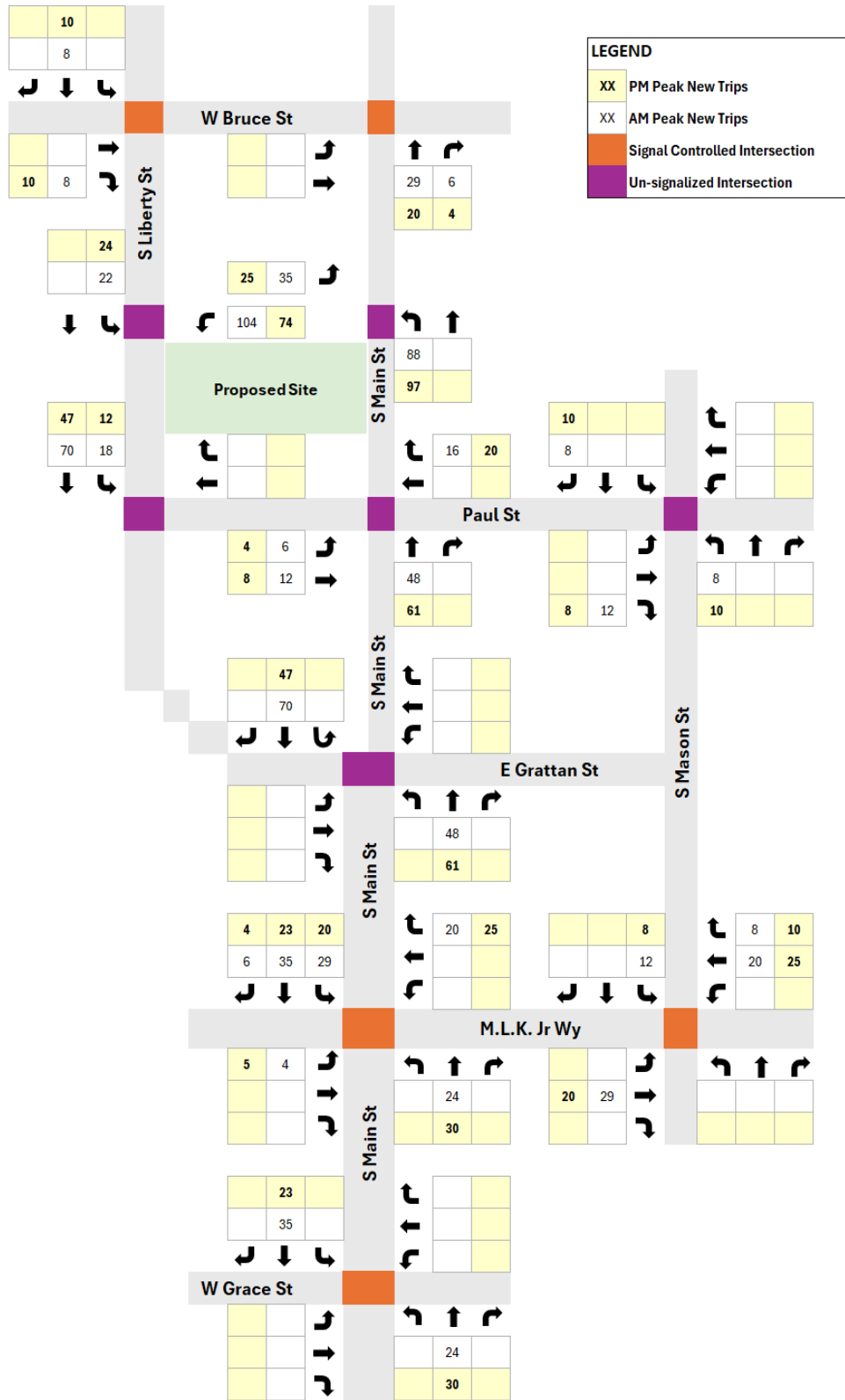


Figure 11 - Total AM & PM Site Trips

6. BUILD TRAFFIC CONDITIONS (2027)

The Build scenario represents the project completion with any/all street changes implemented. It is determined by combining the No-Build scenario's background traffic condition and the Build condition's trip assignments.

6.1. Build 2027 Peak Hour Traffic Conditions

The Build 2027 condition's AM and PM peak-hour turning movement counts were used to develop the Build Synchro models. The South Liberty Street proposed bike lane and lane configuration is assumed to be constructed in this scenario. Then, the same measures of effectiveness were selected as the No-Build traffic conditions to report the performance of each studied intersection quantitatively.

Figures 13 and 14 include depictive representations of the control delay, LOS, and queue length for each studied intersection during the AM and PM peak hours.

While the overall level of service did not increase for any intersection between the 2027 No-Build and Build conditions, two individual movements did decrease in LOS. The NBT movement at Martin Luther King Jr. Way & S Main Street decreased to LOS C during the PM peak, and the WBL movement at Grattan Street and S Main Street decreased to LOS C in the AM peak. The increase in delay for the NBT movement at the Martin Luther King Jr. Way & S Main Street intersection increased by 1.1 seconds per vehicle, which Public Works does not consider significant enough to necessitate mitigation. The increase in delay for the WBL movement at the Grattan Street & S Main Street intersection, the increase is 5.2 seconds of delay per vehicle. This increase would require more investigation for potential mitigation; however, Public Works notes that the upcoming Liberty Street proposes acceptable mitigations that negate the conflicts leading to the increased delay for the WBL movement.

The proposed site access and extension of Paul Street show acceptable operational conditions in terms of delays and queues.

Results of the Synchro Analysis for Build 2027 Peak Hour Traffic Conditions can be found in **Appendix E**.

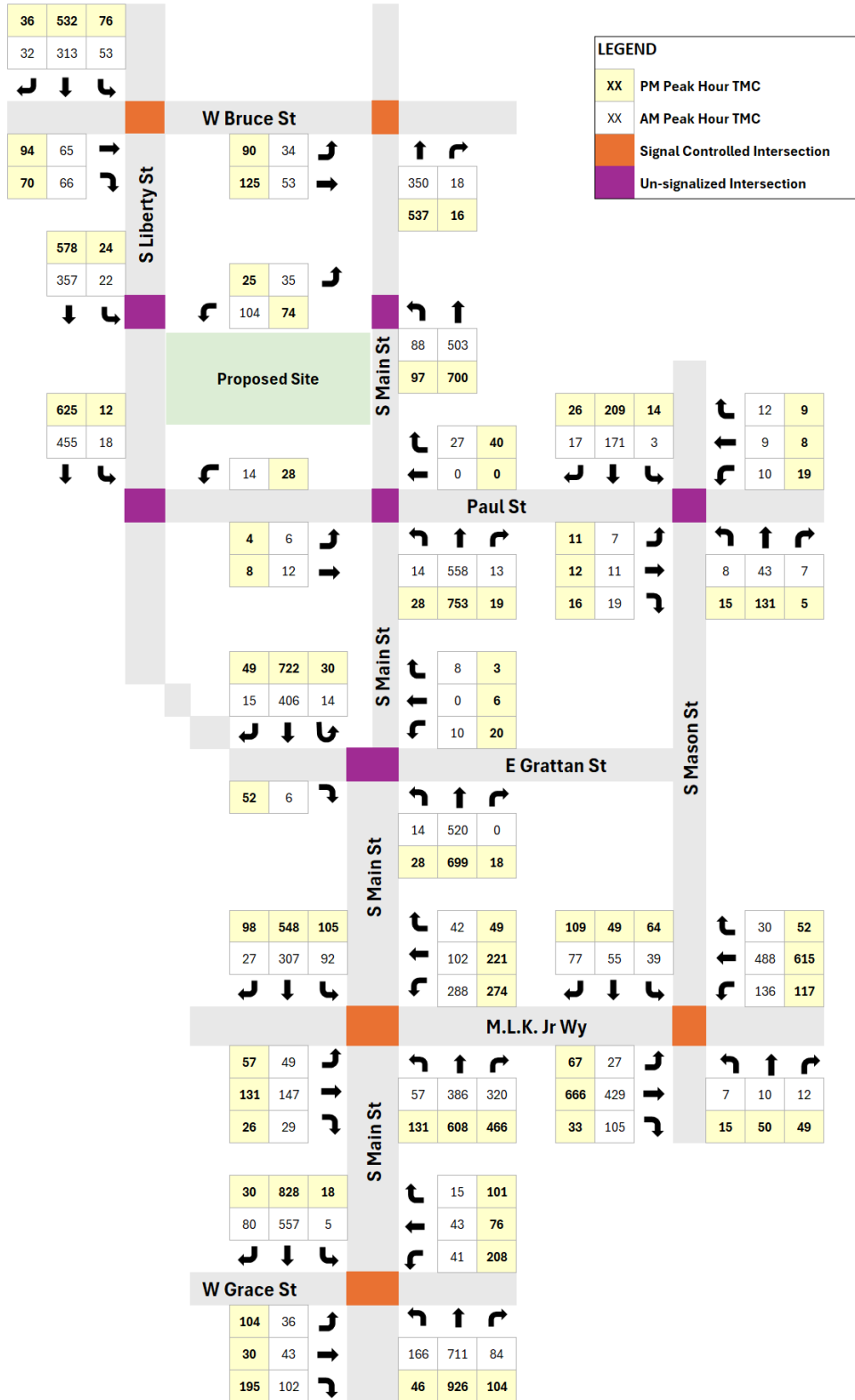


Figure 12 - Build 2027 AM & PM Peak Hour Turning Movement Counts

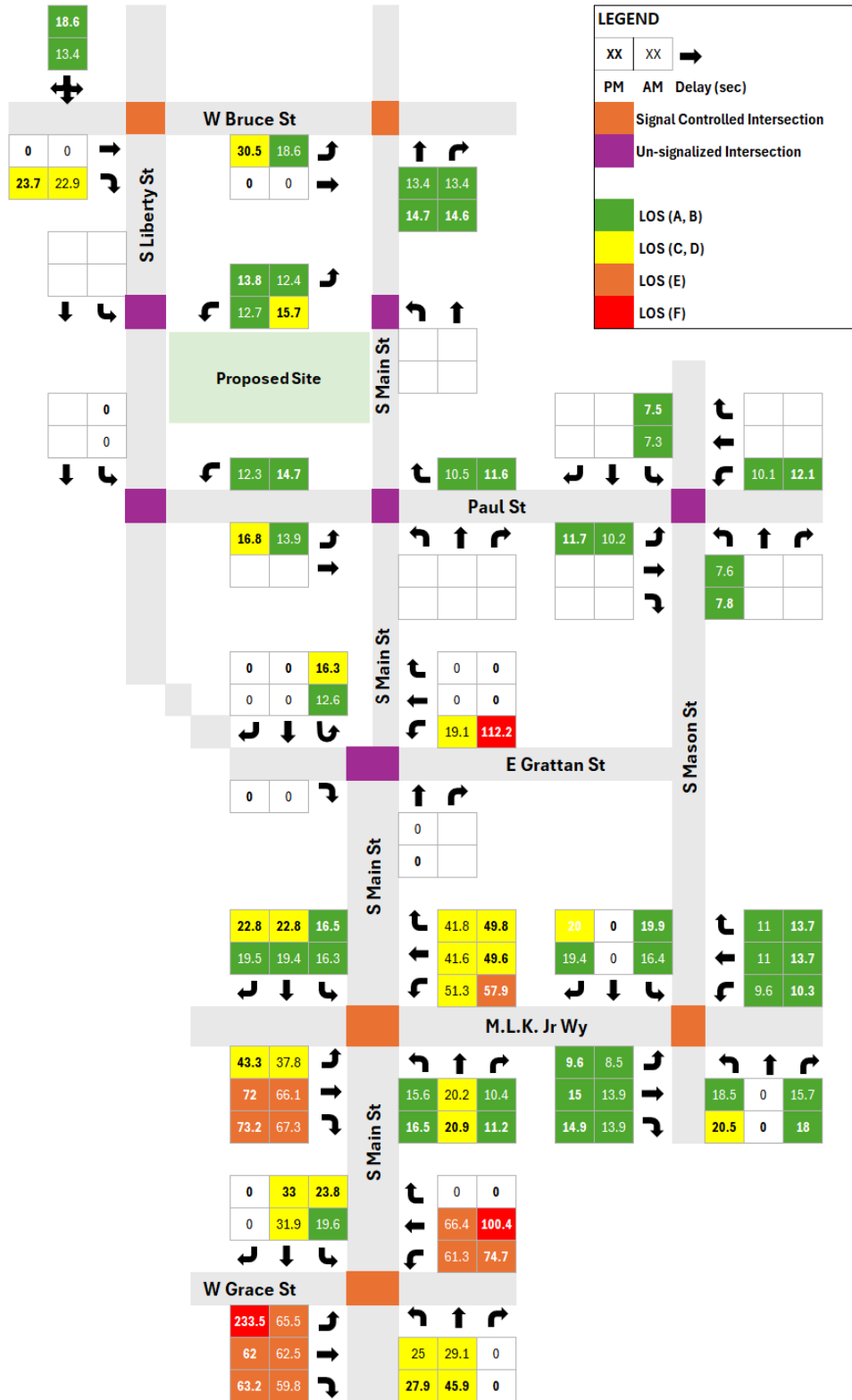


Figure 13 - Build 2027 AM & PM Peak Hour Delay and LOS

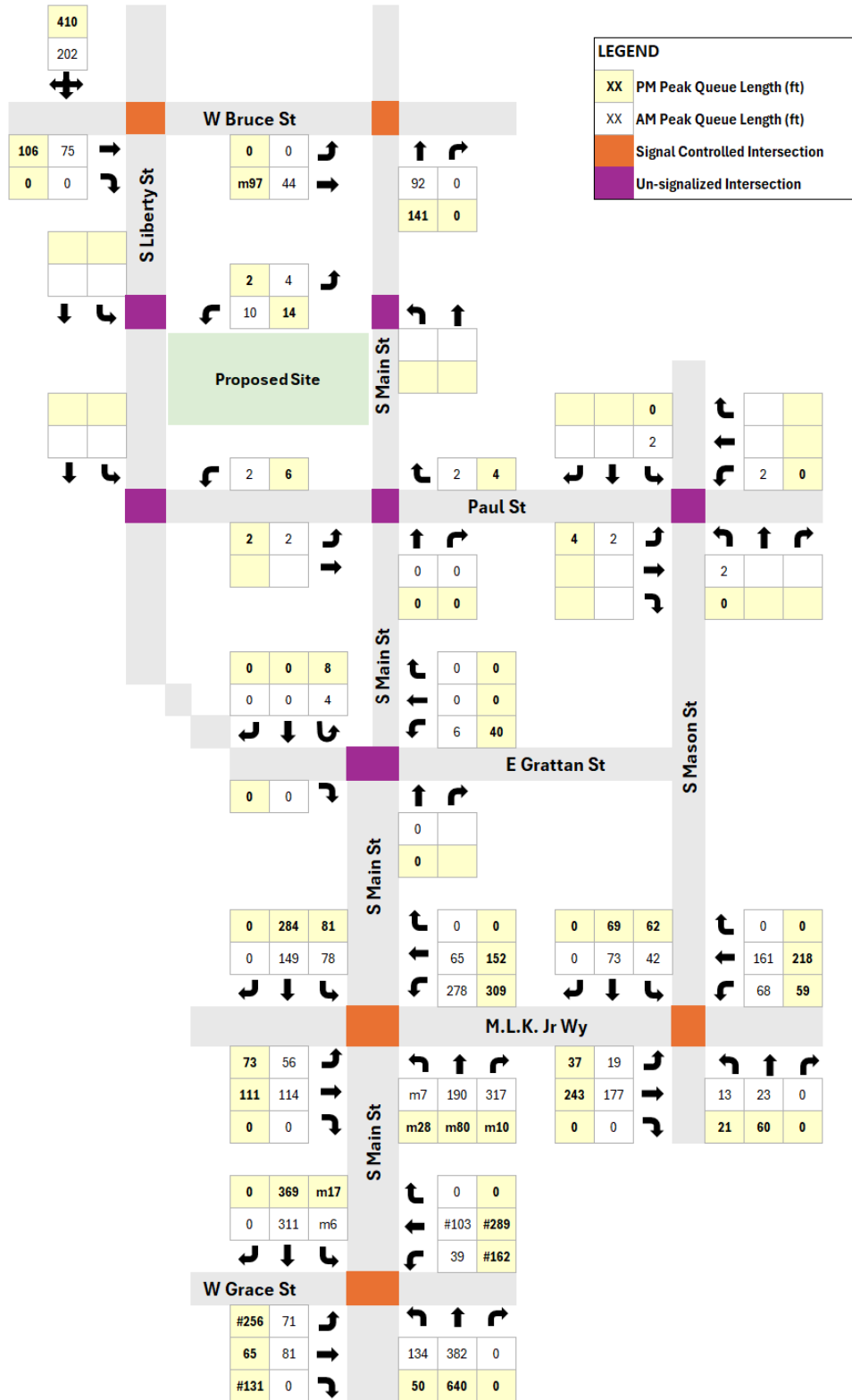


Figure 14 - Build 2027 AM & PM Peak Hour Queue Length (ft)

6.2. Build 2027 Peak Hour Turning Movement Counts

Build (2027) conditions were determined by adding the No-Build (2027) traffic volumes (**Figure 7**) with the total site trips (**Figure 11**). **Figure 12** shows the projected build (2027) peak hour traffic volumes.

6.3. Post-Build 2033 Peak Hour Traffic Conditions

As a sensitivity test, a six-year post-build condition scenario was developed. Based on Build 2027 turning movement counts, the scenario assumes continued background growth of 1% annually; site trips are unaffected. **Figure 15** shows Post-Build 2033 AM and PM peak hour turning movement counts.

Figures 16 and 17 depict control delay, LOS, and queue length for each intersection studied during the Post-Build 2033 AM and PM peak hours.

The analysis shows that the network operates at acceptable traffic conditions, excepting the limited movements previously denoted as failing. Due to an increase in traffic volumes, delays are slightly increased for all movements, but the increase is not significant enough to change the LOS of the movements or warrant mitigation.

Results of the Synchro Analysis for Post-Build 2033 Peak Hour Traffic Conditions can be found in **Appendix F**.

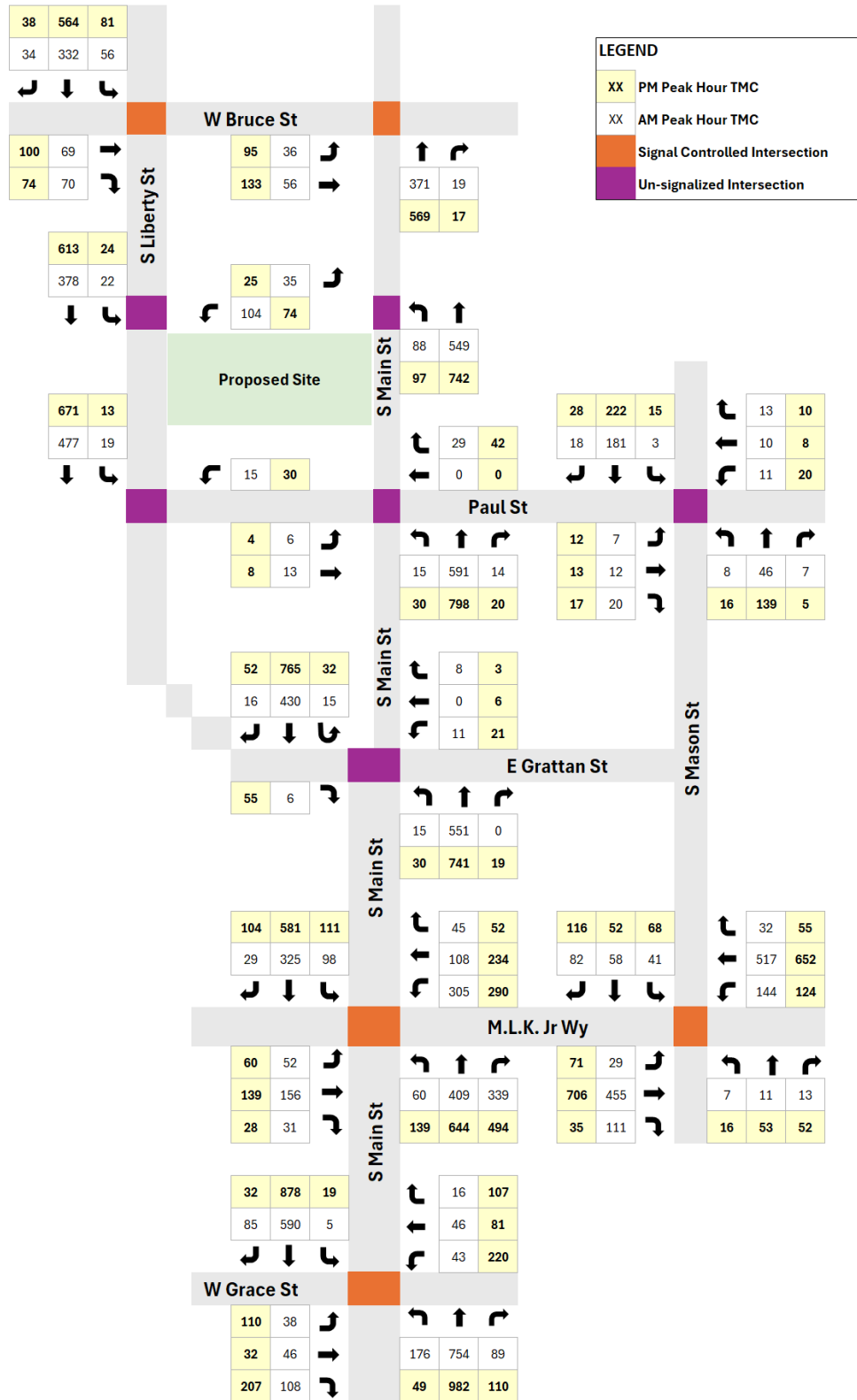


Figure 15 - Post-Build 2033 AM & PM Peak Hour TMC

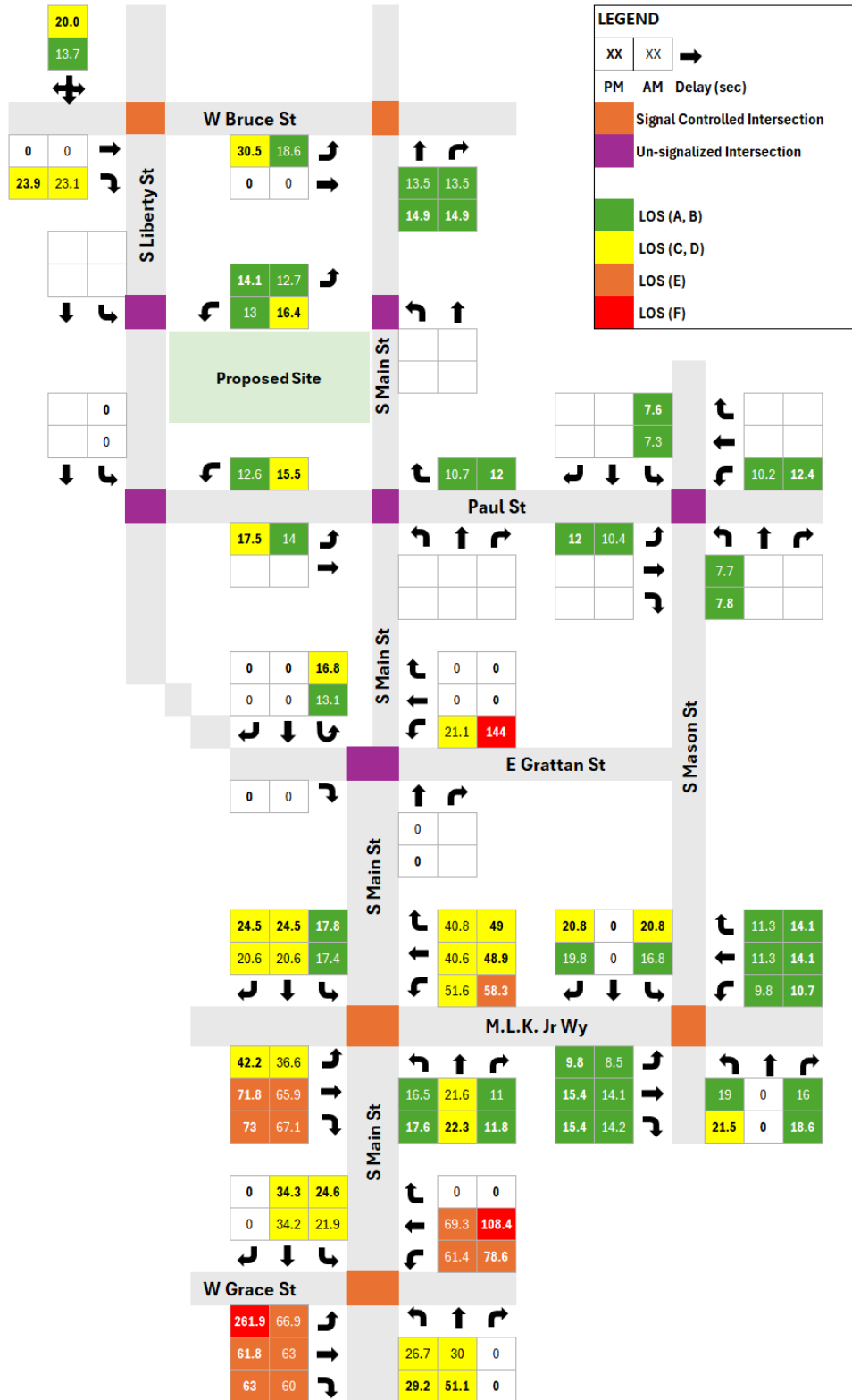


Figure 16 - Post Build 2033 AM & PM Peak Hour Delay and LOS

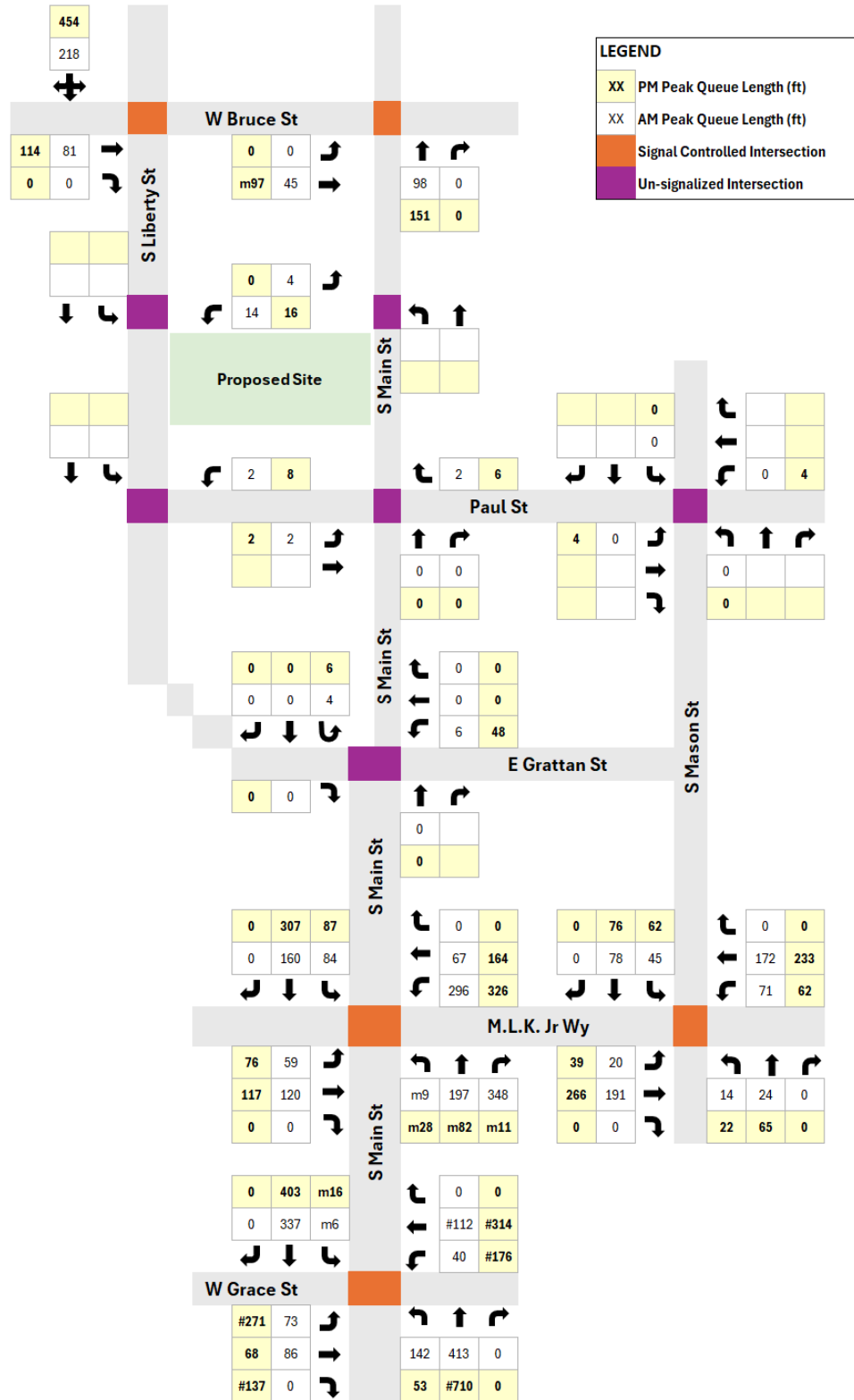


Figure 17 - Post Build 2033 AM & PM Peak Hour Queue Length (ft)

7. CONCLUSION

The traffic impact study shows that the proposed Link Apartments, inclusive of its proposed 5,000 sf of commercial / restaurant use, can be expected to have little impact on the surrounding roadway network from a controlled delay and queuing perspectives. The nature of the project and its location derives traffic with origin-destinations that are scattered fairly evenly in multiple directions. The mixed-use nature of the development helps to minimize impacts generally associated with commercial / restaurant usage, as many trips are captured internal of the project. The surrounding roadway network, consisting of a grid configuration, helps to disperse all newly generated trips quickly, thereby minimizing overload on any particular intersection. Modeling showed that both controlled delay and queuing increases minimally at all intersection movements within the study area, none of which were deemed to warrant mitigation.

This study does note, however, three movements within the study area that are failing in present day, even without the proposed development. As the proposed development is expected to have very little impact upon those movement delays/queues, no mitigation was studied as part of this report. Such movements may warrant further study by the City, however. In particular, the westbound left-turn movement on the East Grattan approach to S Main St may want to be analyzed for closure as part of the Liberty St improvements, as this intersection's geometry is less than ideal, and the movement can easily be served elsewhere within the system. As no volume of this movement's traffic is generated by the Link Apartments project, this potential mitigation scenario is included in this report as merely a suggestion for further study.

7.1. Summary Tables

Table 8 - Analysis Summary of South Main Street & East Grace Street Intersection

South Main Street & East Grace Street															
		Intersection	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR	
Existing 2024	AM	LOS	C	E	E	E	E		C	C		B	C		
		Delay	31.9	65.2	62.3	59.8	61.4	66.6		23.9	28.3		16.7	29.7	
		95th Queue		70	81	0	38	#100		131	355		m6	280	
	PM	LOS	D	F	E	E	E	F		C	D		C	C	
		Delay	53.2	221.9	62.1	63.2	73.7	95.3		27	40.8		22.9	32.3	
		95th Queue		#247	63	#128	#156	#274		49	556		m17	342	
No-Build 2027	AM	LOS	C	E	E	E	E		C	C		B	C		
		Delay	34	65.5	62.5	59.8	61.3	66.4		24.4	27.7		17.4	30.4	
		95th Queue		71	81	0	39	#103		134	368		m6	292	
	PM	LOS	E	F	E	E	E	F		C	D		C	D	
		Delay	57.2	261.9	62.0	63.2	74.7	100.4		27.5	44.3		23.6	32.9	
		95th Queue		#271	65	#131	#162	#289		50	#582		m17	358	
Build 2027	AM	LOS	C	E	E	E	E		C	C		B	C		
		Delay	34.7	65.5	62.5	59.8	61.3	66.4		25	29.1		19.6	31.9	
		95th Queue		71	81	0	39	#103		134	382		m6	311	
	PM	LOS	E	F	E	E	E	F		C	D		C	D	
		Delay	55.9	233.5	62	63.2	74.7	100.4		27.9	45.9		23.8	33	
		95th Queue		#256	65	#131	#162	#289		50	640		m17	369	
Post Build 2033	AM	LOS	D	E	E	E	E		C	C		C	C		
		Delay	36.1	66.9	63	60	61.4	69.3		26.7	30		21.9	34.2	
		95th Queue		73	86	0	40	#112		142	413		m6	337	
	PM	LOS	E	F	E	E	E	F		C	D		C	C	
		Delay	60.3	261.9	61.8	63	78.6	108.4		29.2	51.1		24.6	34.3	
		95th Queue		#271	68	#137	#176	#314		53	#710		m16	403	

Table 9 - Analysis Summary of South Main Street & Martin Luther King Jr. Way Intersection

South Main & Martin Luther King Jr Way															
		Intersection	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR	
Existing 2024	AM	LOS	C	D	E	E	D	D	D	B	B	A	B	B	B
		Delay	29.3	38.2	66.3	67.4	51.3	41.8	41.9	15.1	18.9	9.8	15.4	18.5	18.6
		95th Queue		52	111		272	63		m7	177	304	55	127	
	PM	LOS	C	D	E	E	E	D	D	B	B	B	B	C	C
		Delay	28.5	43.5	72.1	73.3	58	49.3	49.4	15.8	19.2	10.3	15.3	21.6	21.7
		95th Queue		66	108		299	142		m30	m76	m9	61	260	
No-Build 2027	AM	LOS	C	D	E	E	D	D	D	B	B	A	B	B	B
		Delay	29.6	37.6	66.1	67.3	51.4	41.2	41.3	15.6	19.4	10	15.8	19.1	19.1
		95th Queue		53	114		278	63		m8	182	315	57	132	
	PM	LOS	C	D	E	E	E	D	D	B	B	B	B	C	C
		Delay	28.9	43.0	72.0	73.2	58.2	48.9	49.0	16.3	19.8	10.5	15.8	22.5	22.5
		95th Queue		69	111		309	145		m30	m78	m11	62	270	
Build 2027	AM	LOS	C	D	E	E	D	D	D	B	B	B	B	C	C
		Delay	29.5	37.8	66.1	67.3	51.3	41.6	41.8	15.6	20.2	10.4	16.3	19.4	19.5
		95th Queue		56	114		278	65		m7	190	317	78	149	
	PM	LOS	C	D	E	E	E	D	D	B	C	B	B	C	C
		Delay	29.3	43.3	72	73.2	57.9	49.6	49.8	16.5	20.9	11.2	16.5	22.8	22.8
		95th Queue		73	111		309	152		m28	m80	m10	81	284	
Post Build 2033	AM	LOS	C	D	E	E	D	D	D	B	C	B	B	C	C
		Delay	30.1	36.6	65.9	67.1	51.6	40.6	40.8	16.5	21.6	11	17.4	20.6	20.6
		95th Queue		59	120		296	67		m9	197	348	84	160	
	PM	LOS	C	D	E	E	E	D	D	B	C	B	B	C	C
		Delay	30.2	42.2	71.8	73	58.3	48.9	49	17.6	22.3	11.8	17.8	24.5	24.5
		95th Queue		76	117		326	164		m28	m82	m11	87	307	

Table 10 - Analysis Summary of South Mason Street & Martin Luther King Jr. Way Intersection

South Mason & Martin Luther King Jr Way															
			Intersection	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Existing 2024	AM	LOS	B	A	B	B	A	B	B	B	A	B	B	A	B
		Delay	12.7	8.4	13.6	13.7	9.4	10.8	10.8	17.9	0.0	15.4	15.8	0.0	19.1
		95th Queue		18	160		65	147		13	22		31	70	
	PM	LOS	B	A	B	B	B	B	B	C	A	B	B	A	C
		Delay	14.4	9.3	14.6	14.6	10.2	13.2	13.2	20.1	0	17.8	19.3	0	20
		95th Queue		36	230		58	198		21	59		54	68	
No-Build 2027	AM	LOS	B	A	B	B	A	B	B	A	B	B	A	B	
		Delay	12.8	8.5	13.8	13.9	9.5	10.9	10.9	18.2	0	15.5	15.9	0	19.3
		95th Queue		19	166		68	152		13	23		32	73	
	PM	LOS	B	A	B	B	B	B	B	C	A	B	B	A	C
		Delay	14.6	9.4	14.8	14.7	10.1	13.3	13.3	20.4	0.0	18.0	19.6	0.0	20.3
		95th Queue		37	238		59	205		21	60		56	69	
Build 2027	AM	LOS	B	A	B	B	A	B	B	A	B	B	A	B	
		Delay	12.9	8.5	13.9	13.9	9.6	11	11	18.5	0	15.7	16.4	0	19.4
		95th Queue		19	177		68	161		13	23		42	73	
	PM	LOS	B	A	B	B	B	B	B	C	A	B	B	A	C
		Delay	14.8	9.6	15	14.9	10.3	13.7	13.7	20.5	0	18	19.9	0	20
		95th Queue		37	243		59	218		21	60		62	69	
Post Build 2033	AM	LOS	B	A	B	B	B	B	B	A	B	B	A	B	
		Delay	13.2	8.5	14.1	14.2	9.8	11.3	11.3	19	0	16	16.8	0	19.8
		95th Queue		20	191		71	172		14	24		45	78	
	PM	LOS	B	A	B	B	B	B	B	C	A	B	C	A	C
		Delay	15.3	9.8	15.4	15.4	10.7	14.1	14.1	21.5	0	18.6	20.8	0	20.8
		95th Queue		39	266		62	233		22	65		62	76	

Table 71 - Analysis Summary of South Main Street & West Grattan Street Intersection

S Main St & W Grattan St/E Grattan St															
			Intersection	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Existing 2024	AM	LOS	A	B			B			A			A		
		Delay	0.7	12.1			14.3			8.0			8.4		
		95th Queue		0			4								
	PM	LOS	A	C			E			A			A		
		Delay	2.0	15.9			40.3			9.3			9.1		
		95th Queue		10			16			2					
No-Build 2027	AM	LOS	A	B			B			A			B		
		Delay	0.8	10.4			13.9			8.1			12.1		
		95th Queue		6			10			0			2		
	PM	LOS	A	C			F			A			C		
		Delay	2.5	15.1			79.5			9.4			15.1		
		95th Queue		12			22			2			2		
Build 2027	AM	LOS	A	B			C			A			B		
		Delay	0.7	11			19.1			8.3			12.6		
		95th Queue					6						4		
	PM	LOS	A	C			F			A			C		
		Delay	3	16.2			112.2			9.7			16.3		
		95th Queue					40						8		
Post Build 2033	AM	LOS	A	B			C			A			B		
		Delay	0.7	11.2			21.1			8.4			13.1		
		95th Queue					6						4		
	PM	LOS	A	C			F			A			C		
		Delay	3.6	16.7			144			9.8			16.8		
		95th Queue					48						6		

Table 82 - Analysis Summary of South Main Street & Paul Street Intersection

South Main & Paul St												
			Intersection	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR
Existing 2024	AM	LOS	A						B			
		Delay	0.2						10.1			
		95th Queue							2			
	PM	LOS	A						B			
		Delay	0.3						11			
		95th Queue							2			
No-Build 2027	AM	LOS	A						B			
		Delay	0.3						10.3			
		95th Queue							2			
	PM	LOS	A						B			
		Delay	0.4						11.2			
		95th Queue							2			
Build 2027	AM	LOS	A	B					B			
		Delay	0.8	13.9					10.5			
		95th Queue		2					2			
	PM	LOS	A	B					B			
		Delay	0.7	16.8					11.6			
		95th Queue		2					4			
Post Build 2033	AM	LOS	A	B					B			
		Delay	0.7	14					10.7			
		95th Queue		2					2			
	PM	LOS	A	C					B			
		Delay	0.7	17.5					12			
		95th Queue		2					6			

Table 93 - Analysis Summary of South Mason Street & Paul Street Intersection

South Mason & Paul St															
			Intersection	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Existing 2024	AM	LOS	A		B			A					A		
		Delay	2.1		10.3			9.9					7.3		
		95th Queue			2			2					0		
	PM	LOS	A		B			B		A			A		
		Delay	2.1		11.7			11.6		7.7			7.5		
		95th Queue			4			4		0			0		
No-Build 2027	AM	LOS	A		B			A					A		
		Delay	2.2		10.1			9.9					7.3		
		95th Queue			2			2					0		
	PM	LOS	A		B			B		A			A		
		Delay	2.1		11.8			11.7		7.7			7.5		
		95th Queue													
Build 2027	AM	LOS	A		B			A		A			A		
		Delay	2.4		10.2			10.1		7.6			7.3		
		95th Queue			2			2		2			2		
	PM	LOS	A		B			B		A			A		
		Delay	2.3		11.7			12.1		7.8			7.5		
		95th Queue			4			4		0			0		
Post Build 2033	AM	LOS	A		B			A		A			A		
		Delay	2.5		10.4			10.2		7.7			7.3		
		95th Queue													
	PM	LOS	A		B			B		A			A		
		Delay	2.4		12			12.4		7.8			7.6		
		95th Queue			4			4		0			0		

Table 104 – Analysis Summary of South Liberty Street & West Bruce Street Intersection

S Liberty St & W Bruce St								
			Intersection	EBT	EBR	SBL	SBT	SBR
Existing 2024	AM	LOS	B	A	C	B	A	B
		Delay	13.7	0.0	22.5	10.9	0.0	11.1
		95th Queue		70			77	
	PM	LOS	B	A	C	B	A	B
		Delay	14.5	0	23.2	12.3	0	12.6
		95th Queue		99			135	
No-Build 2027	AM	LOS	B	A	C	B		
		Delay	15.5	0	22.6	13.3		
		95th Queue		74			197	
	PM	LOS	B	A	C	B		
		Delay	19.3	0.0	23.3	18.3		
		95th Queue		102			399	
Build 2027	AM	LOS	B	A	C	B		
		Delay	15.7	0	22.9	13.4		
		95th Queue		75			202	
	PM	LOS	B	A	C	B		
		Delay	19.6	0	23.7	18.6		
		95th Queue		106			410	
Post Build 2033	AM	LOS	B	A	C	B		
		Delay	16	0	23.1	13.7		
		95th Queue		81			218	
	PM	LOS	B	A	C	B		
		Delay	20.8	0	23.9	20		
		95th Queue		114			454	

Table 115 - Analysis Summary of South Main Street & West Bruce Street Intersection

South Main & W Bruce St/E Bruce St								
			Intersection	EBL	EBT	NBL	NBT	NBR
Existing 2024	AM	LOS	B	B	A	A	B	B
		Delay	14.2	18.5	0.0	0.0	13.1	13.1
		95th Queue			41		82	
	PM	LOS	B	C	A	A	B	B
		Delay	19	30.3	0	0	14.4	14.4
		95th Queue			99		132	
No-Build 2027	AM	LOS	B	B	A	A	B	B
		Delay	14.3	18.6	0	0	13.2	13.2
		95th Queue			43		84	
	PM	LOS	B	C	A	A	B	B
		Delay	19.1	30.5	0.0	0.0	14.5	14.5
		95th Queue			m98		135	
Build 2027	AM	LOS	B	B	A	A	B	B
		Delay	14.4	18.6	0	0	13.4	13.4
		95th Queue			44		92	
	PM	LOS	B	C	A	A	B	B
		Delay	19.1	30.5	0	0	14.7	14.6
		95th Queue			m97		141	
Post Build 2033	AM	LOS	B	B	A	A	B	B
		Delay	14.5	18.6	0	0	13.5	13.5
		95th Queue			45		98	
	PM	LOS	B	C	A	A	B	B
		Delay	19.4	30.9	0	0	14.9	14.9
		95th Queue			m97		151	

Table 126 - Analysis Summary of South Main Street & Site Access Intersection

South Main Street & Site Access						
			Intersection	EBL	NBL	NBT
Build 2027	AM	LOS	A	B		
		Delay	0.7	12.4		
		95th Queue		4		
	PM	LOS	A	B		
		Delay	0.4	13.8		
		95th Queue		2		
Post Build 2033	AM	LOS	A	B		
		Delay	0.7	12.7		
		95th Queue		4		
	PM	LOS	A	B		
		Delay	0.4	14.1		
		95th Queue				

Table 137 - Analysis Summary of South Liberty Street & Site Access Intersection

South Liberty Street & Site Access						
			Intersection	WBL	SBL	SBT
Build 2027	AM	LOS	A	B		
		Delay	2.7	12.7		
		95th Queue		10		
	PM	LOS	A	B		
		Delay	1.7	15.7		
		95th Queue		14		
Post Build 2033	AM	LOS	A	B		
		Delay	2.7	13		
		95th Queue		14		
	PM	LOS	A	C		
		Delay	1.7	16.4		
		95th Queue		16		

Table 148 - Analysis Summary of South Liberty Street & Paul Street Intersection

South Liberty Street & Paul Street						
			Intersection	WBL	SBL	SBT
Build 2027	AM	LOS	A	B		
		Delay	0.4	12.3		
		95th Queue		2		
	PM	LOS	A	B		
		Delay	0.6	14.7		
		95th Queue		6		
Post Build 2033	AM	LOS	A	B		
		Delay	0.4	12.6		
		95th Queue		2		
	PM	LOS	A	B		
		Delay	0.7	15.5		
		95th Queue		8		

TECHNICAL APPENDICES

APPENDIX A

(Pre-Scope Form)

APPENDIX B
(Traffic Count Data)

APPENDIX C
(Synchro Output – Existing 2024 Conditions)

APPENDIX D
(Synchro Output – No-Build 2027 Conditions)

APPENDIX E
(Synchro Output – Build 2027 Conditions)

APPENDIX F
(Synchro Output – Post-Build 2033 Conditions)

THE LINK APARTMENTS

(formerly Liberty Multifamily Development)

TIA Supplement – Cut-Through Analysis

January 2026

Prepared By:



250 E Elizabeth St, Ste 114 ~ Harrisonburg, Virginia

Following initial presentation of the proposed apartment project, public sentiment raised the concern of increased “cut-through” traffic on Paul St ... traffic originating on Liberty St that would be enticed to utilize Paul St as a preferred route for destinations located north-northeast of MLK Jr Way. This supplemental study is provided in effort to address this concern. As the Paul St extension does not presently exist, this traffic currently travels via the direct connection to MLK Jr Way, located approximately 0.02 miles south of the proposed Paul St extension. Both routes are included below in Figure 1. Projecting the probability of new cut-through traffic via this created route requires an analysis of those factors typically influencing traffic routing behavior. In this situation, those can largely be distilled down to, in order of ascending priority: nuisance factors, travel distance, and travel time.

Figure 1 – Cut-Through Analysis Vicinity



In terms of driving, nuisance factors include those elements that create variance in travel time (e.g., railroad crossings, work zones), create stoppage (e.g., stop signs, traffic signals), are cumbersome to traverse (e.g., speed bumps or speed humps), are potential hazards, etc. Here, the existing route contains a number of elements that can be deemed a nuisance, including three stop-controlled intersections (Paul St & S Main, Paul St & Mason St, and Paul St & Ott St), two speed humps, and one signalized intersection. Additionally, the portion of Paul St between Mason St and Ott St can feel hazardous at times; with unmarked parking on both sides of the street, a driver must sometimes pause between parked vehicles to allow another driver to pass in the opposite direction. Finally, between Ott St and MLK, Jr Way, there is no sidewalk, while there are numerous pedestrians. In contrast, the traditional route requires traversing three signalized intersections (S Main St & MLK, Jr Way, MLK & Mason St, and MLK & Paul St), with significant pedestrian crossings at the intersection of MLK & Mason St, but relatively little else; only one of the traffic signals requires a turning movement (S Main St & MLK, Jr Way), and it includes a flashing yellow that helps to mitigate its presence. Nuisance factors are subjective in nature, but there is little present to suggest the traditional route as a more cumbersome path of travel than the cut-through alternative.

In terms of travel distance, the cut-through route would be approximately 700 LF shorter than the traditional route, ~3650 LF versus 4,350 LF. This is a relatively minor differential, and not likely to influence driving choices in this vicinity.

For shorter routes absent of other determining factors, travel time is the most influential impactor on a driver's route choice. In order to compare the routes in question, travel time runs were completed in accordance with guidance provided in the VDOT *Traffic Operations and Safety Analysis Manual (TOSAM)*. This included collecting ten time runs for each route, with data collected over two weekdays (Oct 1-2), during peak hours, when JMU was in full-session and no other traffic impacts were present. As the Paul St Extension is not yet constructed, routes were chosen to accomplish equitable distances and traffic control; starting from the stop-controlled intersection of W Grattan & S Main to insert a left-turn movement onto one-way S Main St in lieu of crossing at Paul St for the cut-through route, and then utilizing a starting location on S Liberty St to create an equitable distance factor for the traditional route comparison.

Once data was collected, the highest and lowest values were deleted from each route and the remaining eight values were analyzed for means and median times. Results show that even during peak hours, the

traditional route for traffic had faster median and mean times. As the traditional route is more heavily influenced by peak hour traffic than the cut-through route, it can be assumed that the deltas in travel time are even greater during off-peak hours. Tabulated data is presented below, in Table 1.

Table 1 – Time Run Analysis

Run	AM Peak Hour		PM Peak Hour	
	Traditional	Cut-Through	Traditional	Cut-Through
1	3:18	3:18	2:52	3:05
2	2:23	2:36	2:29	3:12
3	2:21	3:08	2:54	3:20
4	2:09	3:14	2:07	2:45
5	2:24	2:49	2:33	2:58
6	2:15	3:21	2:18	3:02
7	1:36	2:30	3:05	3:07
8	1:30	2:27	2:35	2:35
9	2:33	2:29	2:52	3:09
10	2:12	2:39	3:27	2:32
MED	2:18	2:44	2:43	3:03
AVG	2:14	2:50	2:42	2:59

Red – indicates time eliminated from calculations as outlier.

Green – indicates lower median or average travel time.

In sum, without the creation of enhanced travel time, significant travel distance savings, or reduced travel nuisances, this supplemental analysis finds no evidence that any significant traffic will opt for the cut-through route over the existing, traditional route. The existing traffic calming measures located on Paul St are expected to continue in their effectiveness to deter cut-through traffic. Should additional traffic calming measures be sought, however, creation of a 4-way stop at the intersection of Paul St & Myers Ave could be an option. Currently, the stop-control is only on the Myers Ave approaches, but sight distance is somewhat limited on the Paul St approaches, and thus may be warranted for their own stop-control following additional analysis. Additional analysis should be performed prior to implementation.





City of Harrisonburg

City Hall
409 South Main Street
Harrisonburg, VA 22801

Legislation Text

File #: ID 26-083, **Version:** 1

Subject:

Planning Commission Annual Report 2025

Presented By: Adam Fletcher, Director of Community Development

[Click here to enter the action/summary \(insert the summary from the memo here\)](#)



April 14, 2026 City Council Meeting

Title

Receive Planning Commission's 2025 Annual Report — Adam Fletcher, Community Development

Context & Analysis

Planning Commission must make an annual report to City Council concerning its activity throughout the year as per Section 10-1-7 (a) (4) of the City Code.

Attachments

- Extract from Planning Commission
- 2025 Planning Commission Annual Report



CITY OF HARRISONBURG COMMUNITY DEVELOPMENT

409 SOUTH MAIN STREET, HARRISONBURG, VA 22801
OFFICE (540) 432-7700 • FAX (540) 432-7777

April 3, 2026

**TO THE MEMBERS OF CITY COUNCIL
CITY OF HARRISONBURG, VIRGINIA**

SUBJECT: *Planning Commission Annual Report 2025*

**EXTRACT FROM THE DRAFT MINUTES OF HARRISONBURG PLANNING
COMMISSION MEETING HELD ON: March 11, 2026**

Ms. Dang said the first item here is the Planning Commission Annual Report that summarizes all of items that this body had received last year in 2025 including Planning Commission's recommendations and Council's decisions. I am happy to answer any questions you have but what we are looking for from you all is a vote to forward this to City Council.

Commissioner Seitz moved to approve the report.

Commissioner Jezior seconded the motion.

The motion to approve the 2025 Planning Commission Annual Report minutes passed by voice vote (6-0).

Planning Commission



Annual Report 2025

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Planning Commission Membership

Richard Baugh

Chair

Brent Finnegan

Vice-Chair

Resigned July 2025

Shannon Porter

Vice-Chair (Elected in August)

Board of Zoning Appeals Representative (Elected in August)

Appointed February 2025

Laura Dent

City Council Representative

Valerie Washington

Board of Zoning Appeals Representative

Resigned July 2025

Heja Alsindi

Kate Nardi

Resigned July 2025

Randy Seitz

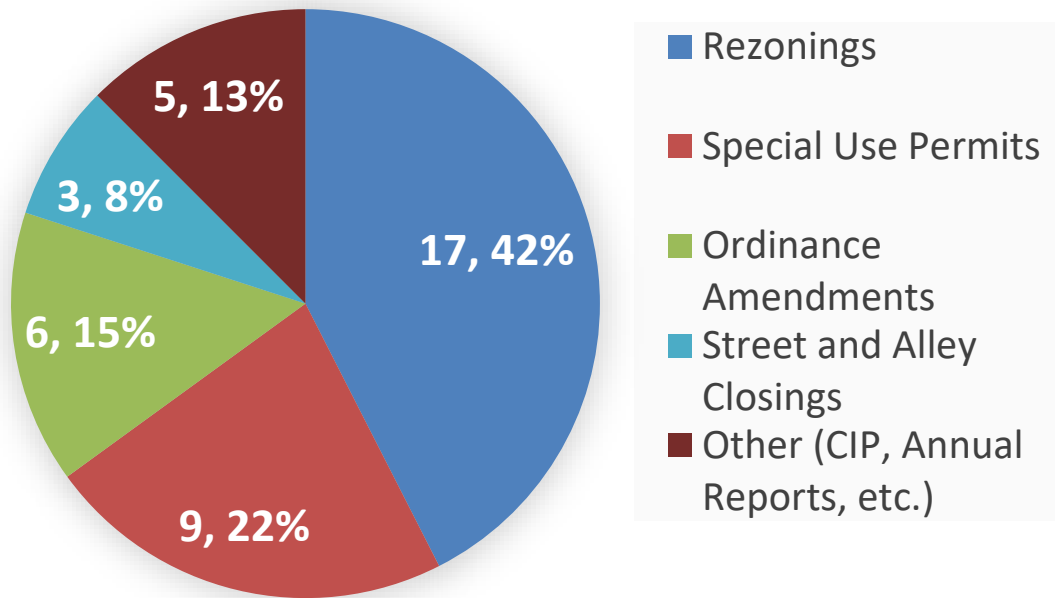
Appointed August 2025

KC Kettler

Appointed August 2025

Summary

2025 Planning Commission Activity



Rezoning

Request	Staff Recommendation	Planning Commission Recommendation	City Council Action
290 Lucy Dr (R-3 to R-8C)	Approval	Approval (5-0) 4/10/2024	Approved (4-0) 2/25/2025
210, 280 & 290 W Mosby Rd (R-5C Proffer Amendment)	Approval	Approval (5-0) 2/18/2025	Approved (5-0) 4/8/2025
1211 & 1231 Smithland Rd (R-1 to R-8C)	Denial	Denial (3-2) 3/12/2025	Approved (5-0) ¹ 4/22/2025
532 Hawkins St (R-3 to R-5C)	Approval	Approval (5-0) 3/12/2025	Approved (5-0) 4/22/2025
1680 Country Club Rd (M-1 to B-2C)	Approval	Approval (5-0) 3/12/2025	Approved (5-0) 4/22/2025
380 Sunrise Ave (R-1 to R-8C)	Approval	Approval (6-0) 4/9/2025	Approved (5-0) 5/27/2025
302 W Bruce St (R-2 to R-8C)	Approval	Approval (6-0) 5/14/2025	Approved (4-0) 6/24/2025
865 Port Republic Rd (B-2C Proffer Amendment)	Approval	Approval (6-0) 5/14/2025	Approved (4-0) 6/24/2025
310 West View St (R-1 to R-8C)	Approval	Approval (7-0) 6/11/2025	Approved (4-0) 7/22/2025
810 Port Republic Rd (B-2C Proffer Amendment)	Approval	Approval (6-1) 6/11/2025	Approved (3-1) 7/22/2025
320 S Main St (B-2 to B-1C)	Approval	Approval (6-0) 7/9/2025	Approved (4-0) ² 11/25/2025
473 S Main St (The Link)(R-3 to B-1C)	Approval	Approval (6-0) 7/9/2025	Tabled (5-0) ³ 8/12/2025
910 N Liberty St (M-1 to B-2C)	Approval	Approval (5-0) 9/10/2025	Approved (5-0) 11/12/2025
Bluestone Town Center (Proffer Amendment, R-7)	Approval	Approval (6-0) 9/10/2025	Approved (5-0) 11/12/2025
2410 Reservoir St (R-3 to R-5C)	Approval	Approval (5-0) 10/8/2025	Approved (4-0) 11/25/2025
797 Chicago Ave (Sunshine-La Morena) (R-5C proffer amendment & B-2)	Approval	Approval (6-0) 12/10/2025	Approved (5-0) 2/10/2026
1110 N Liberty St (M-1 to M-1C & R-3C)	Approval	Approval (6-0) 12/10/2025	Approved (5-0) 2/10/2026

¹ 2/12/25 PC admin closure; 2/18/25 PC Tabled (4-1); 4/8/2025 CC Tabled (5-0)

² Application initially heard on 7/9/25 (PC) and 8/12/25 (CC). Reheard due to error in advertising on 10/8/25 (PC) and 11/12/25 (CC).

³ Application initially heard on 7/9/25 (PC) and 8/12/25 (CC). Following the CC hearing it was discovered that the public hearing was not properly advertised. The public hearing in PC is expected in 2026.

Special Use Permits

Request	Staff Recommendation	Planning Commission Recommendation	City Council Action
290 Lucy Dr (to allow TH of no more than 8 units)	Approval	Approval (5-0) 4/10/2024	Approved (4-0) 2/25/2025
Boulder Ridge (Multi-family dwellings in B-2)	Approval	Approval (5-0) 3/12/2025	Approved (5-0) 4/8/2025
1812 Erickson Ave (Multi-family in B-2)	Approval	Approval (6-0) 4/9/2025	Approved (5-0) 5/13/2025
160 Carpenter Ln (Reduce required parking M-1)	Approval	Approval (6-0) 5/14/2025	Approved (4-0) 6/10/2025
865 Port Republic Rd (Reduced setbacks)	Approval	Approval (6-0) 5/14/2025	Approved (4-0) 6/24/2025
201 South Ave (Restaurants in M-1)	Approval	Approval (7-0) 6/11/2025	Approved (4-0) 7/8/2025
810 Port Republic Rd (Reduced setbacks)	Approval	Approval (6-1) 6/11/2025	Approved (3-1) 7/22/2025
810 Port Republic Rd (Multi-family in B-2)	Approval	Approval (6-1) 6/11/2025	Approved (3-1) 7/22/2025
1710 Country Club Rd (Restaurants in M-1)	Approval	Approval (6-0) 8/13/2025	Approved (4-0) 9/9/2025

Ordinance/Comprehensive Plan Amendments

Request	Staff Recommendation	Planning Commission Recommendation	City Council Action
Continuing nonconforming residential uses in M-1 & B-2	Approval	Approval (6-0) 1/8/2025	Approved (4-0) 4/8/2025
Reduced setbacks for through lots in UR	Approval	Approval (5-0) 2/18/2025	Approved (5-0) 5/27/2025
Pet adoptions in B-1	Approval	Approval (5-0) 3/12/2025	Approved (5-0) 4/22/2025
Inpatient Substance Abuse Treatment Facility	Approval	Approval (6-0) 10/8/2025	Approved (5-0) ⁴ 12/9/2025
Initiate Amendments for Inpatient Substance Abuse Treatment Facility	Approval	Approval (5-0) 10/30/2025	NA
Initiate Amendments for Meat Processing & Storage by SUP in M-1	Approval	Approval (5-0) 11/13/2025	NA
Initiate Amendments for Reduced setbacks in R-8 by SUP	Approval	Approval (5-0) 11/13/2025	NA
Initiate Amendments for Sign Regulations	Approval	Approval (5-0) 11/13/2025	NA
Meat Processing & Storage by SUP in M-1	Approval	Approval (6-0) 12/10/2025	Approved (5-0) 2/10/2026
Reduced setbacks in R-8 by SUP	Approval	Approval (6-0) 12/10/2025	Approved (5-0) 2/10/2026

⁴ (PC) Original Public Hearing 10/8/25; (PC) Motion to Initiate ZOA 10/30/25; (PC) Public Hearing 11/13/25

Street and Alley Closings

Request	Staff Recommendation	Planning Commission Recommendation	City Council Action
Adjacent to Newtown Cemetery	Denial	Approval (4-2) 5/14/2025	Approved (4-0) 6/24/2025
Adjacent to 291 & 295 Franklin St	Approval	Approval (5-1) 5/14/2025	Approved (4-0) 6/10/2025
Alley Adjacent to 530 N Main St	Approval	Approval (6-0) 9/10/2025	Approved (5-0) 10/14/2025

Other

Request	Staff Recommendation	Planning Commission Recommendation	City Council Action
Revised Rules of Procedure	Approval	Approval (6-0) 1/8/2025	NA NA
Capital Improvement Program	Approval	Approval (5-0) 2/18/2025	Approved (5-0) 3/25/2025
2024 Planning Commission Annual Report	NA	Approval (6-0) 4/9/2025	Received NA
2024 Community Development Annual Report	NA	Received 4/9/2025	NA NA
215 Pleasant Valley Rd (School Parking Pleasant Valley)	Approval	Approval (7-0) 6/11/2025	NA NA

2025 Meeting Dates

January 8, 2025

July 9, 2025

February 12, 2025

August 13, 2025

March 12, 2025

September 10, 2025

April 9, 2025

October 8, 2025

May 14, 2025

October 30, 2025 Special Meeting

June 11, 2025

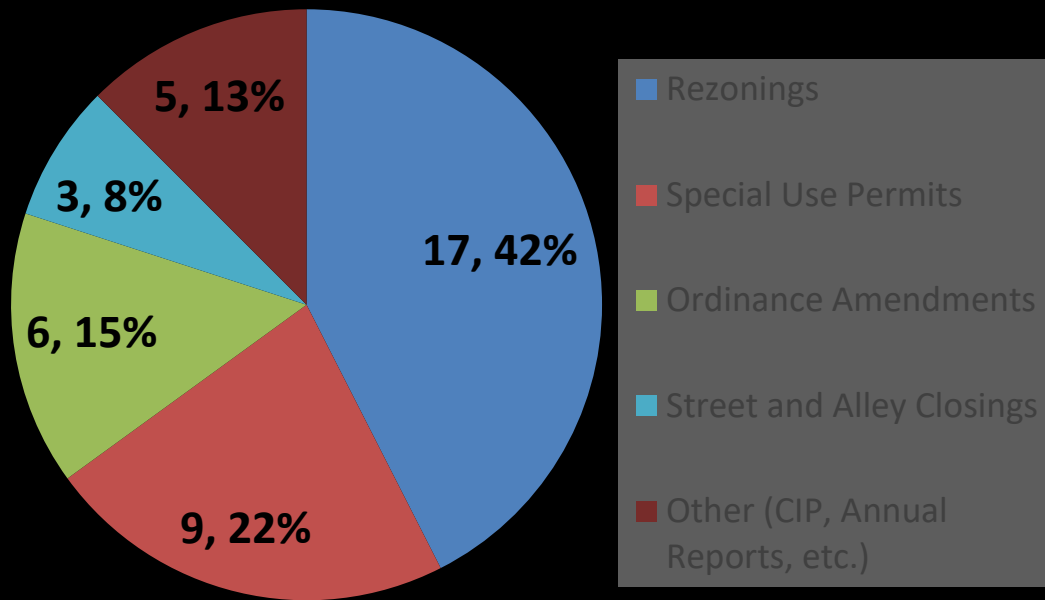
November 13, 2025

December 10, 2025

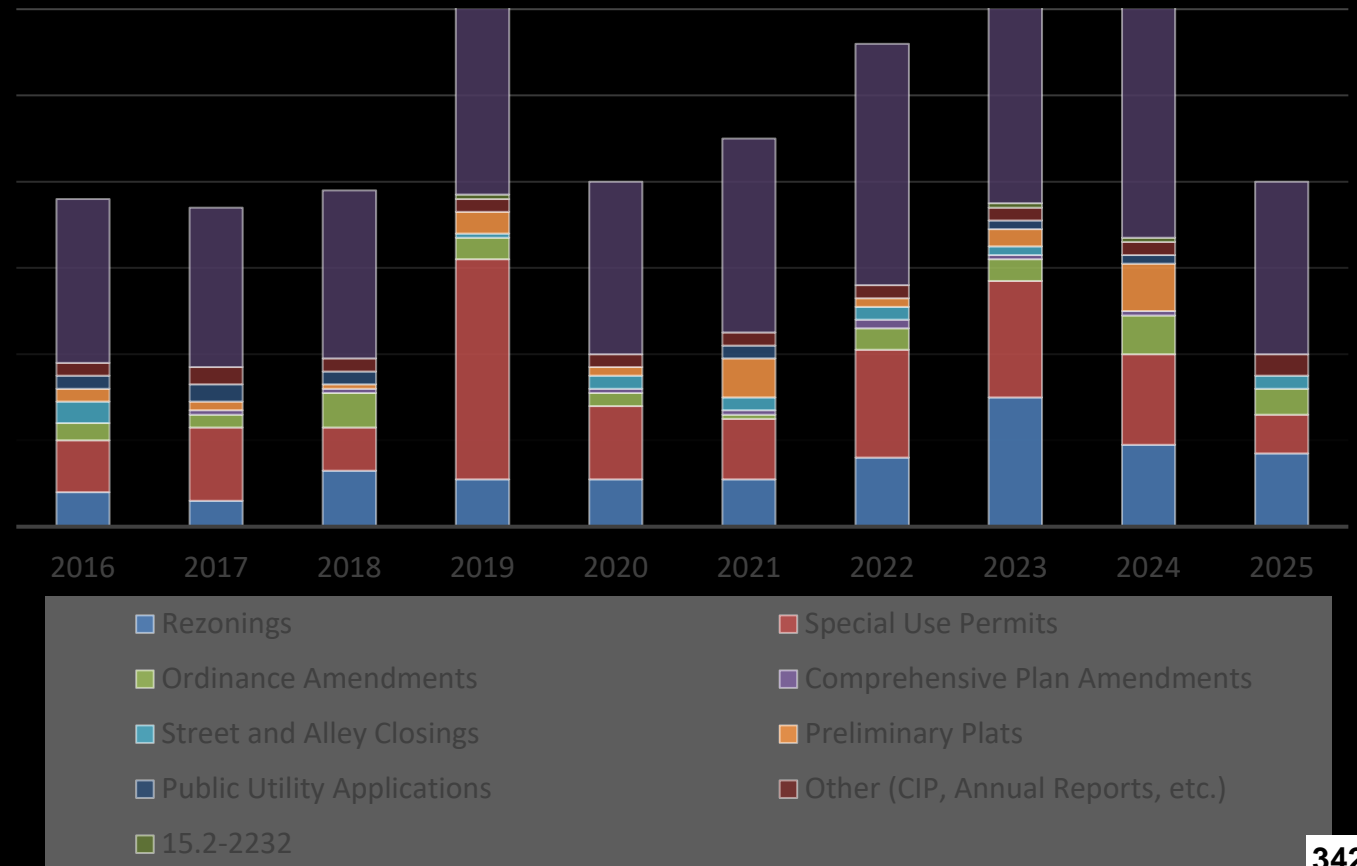


Planning Commission 2025 Annual Report

2025 Planning Commission Activity



Planning Commission Regular Meeting Activity 2016 - 2025





City of Harrisonburg

City Hall
409 South Main Street
Harrisonburg, VA 22801

Legislation Text

File #: ID 26-085, **Version:** 1

Subject:

Planning & Zoning Division Annual Report 2025

Presented By: Adam Fletcher, Director of Community Development

[Click here to enter the action/summary \(insert the summary from the memo here\)](#)

Department of Community Development

Planning and Zoning Division



Annual Report

2025

ZONING ACTIVITIES

Zoning Concerns/Complaints Received	171
Proactive Code Enforcement Violations*	38
Home Occupations Permits Issued	219
Engineered Comprehensive Site Plans Reviewed	75
Sign Permits Issued	71
Building Permits Reviewed & Issued	549
Short-Term Rental and Homestay Annual Registrations Received (New and Renewals)	22
Urban Honeybee Permits Issued (New and Renewals)	0
Chicken Permits Issued (New and Renewals)	19
Boarding and Rooming House Inspections	7

*Proactive Code Enforcement resumed in August 2025 after being on hiatus since January 2021 due to staff vacancies.

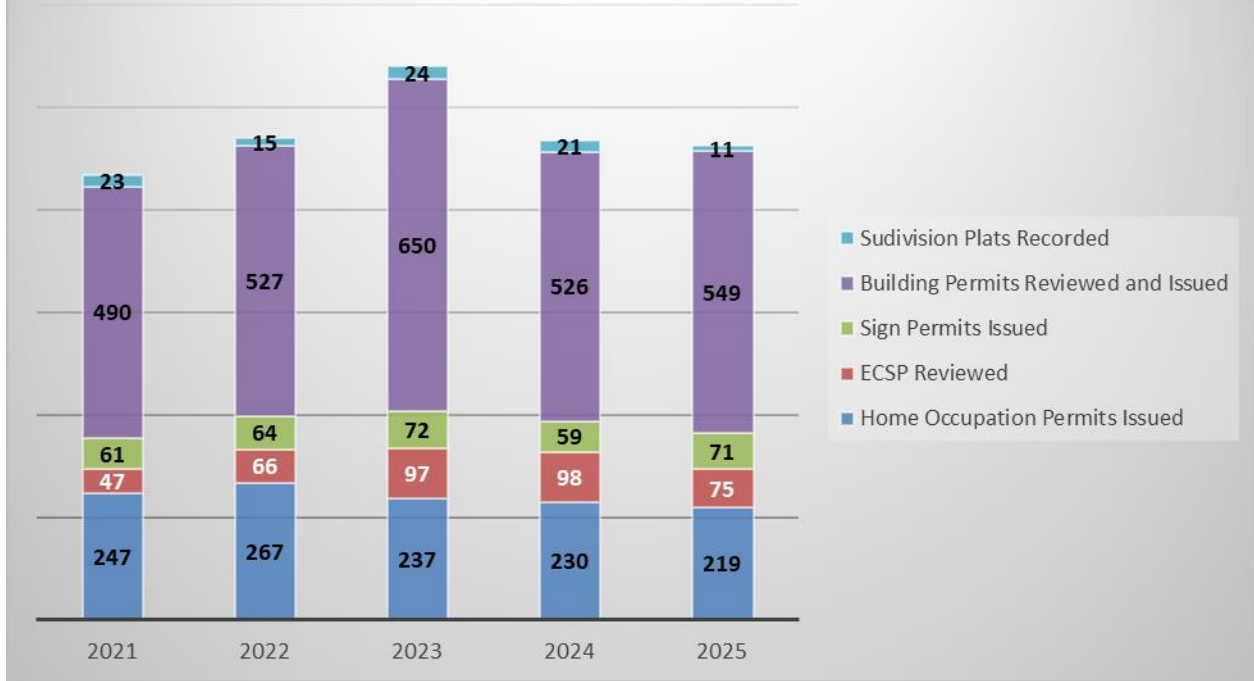
MINOR SUBDIVISIONS (RECORDED IN 2025)

Request	Case Number	Staff Action	Date Recorded	Deed Book/Page
1154 & 1158 Rockingham Dr Boundary Line Adjustment	047 00E 075 000 024	4/14/2025	4/15/2025	5907/701
439 & 445 Myrle Street Division	033 00I 017 000 024	3/3/2025	3/28/2025	5901/580
207 University Blvd	079 00E 004 000 024	2/4/2025	2/10/2025	5888/340
1141 and 1181 Mount Clinton Pike (BLA)	048 00D 001 000 025	4/7/2025	4/7/2025	5910/557
Minor Subdivision of 19-E-3, 4, 5	019 00E 003 000 025	5/21/2025	5/23/2025	5921/289
853 and 853A Hillside Ave (Lot Line Vacation)	125 00C 011 000 025	10/17/2025	10/21/2025	5974/446

FINAL PLATS (RECORDED IN 2025)

Request	Case Number	Staff Action	Date Recorded	Deed Book/Page
Cobbler's Valley Section 1 (611 Pear St)	008 00E 002 000 024	2/10/2025	2/20/2025	5890/681
Park Apartments (204 Rocco Ave)	010 00C 005A 000 024	1/22/2025	1/23/2025	5883/150
Tuscan Village Phase 1 (1780 Country Club Road)	072 00B 004 000 025	10/15/2025	10/16/2025	5973/1
Integrity Subdivision (Fire Station 5)	046 00C 004A 000 025	10/28/2025	10/28/2025	5976/672
Pleasant Hill Townhomes	009 00E 005 000 025	12/10/2025	12/11/2025	5993/111

Planning and Zoning Reviews and Permits



2025 Code Enforcement Investigations by Category (Totals Include Proactive Enforcement)

