



CITY OF HARRISONBURG COMMUNITY DEVELOPMENT

409 SOUTH MAIN STREET, HARRISONBURG, VA 22801

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

December 29, 2025

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

SUBJECT: *Consider a request from Valley Corner LLC to rezone 1110 N Liberty Street*

**EXTRACT FROM THE DRAFT MINUTES OF HARRISONBURG PLANNING
COMMISSION MEETING HELD ON: December 10, 2025**

Chair Baugh read the request and asked staff to review.

Ms. Rupkey said the applicant is requesting to split zone the property where a +/- 0.38-acre portion of a +/- 0.59-acre parcel would be rezoned from M-1, General Industrial District to R-3C, Medium Density Residential District Conditional and the remaining +/- 0.21-acre portion would be rezoned to M-1C, General Industrial District Conditional. The property is addressed as 1110 North Liberty Street and 260 and 266 Charles Street and is identified as tax map parcel 45-A-1.

On the R-3C portion of the property, the applicant plans to convert the existing structure, addressed as 1110 North Liberty Street, to a duplex to include a one-bedroom unit and a three-bedroom unit. This was once a single-family detached dwelling and has lost its nonconforming status. On the M-1C portion of the property, the applicant plans to utilize the buildings addressed as 260 and 266 Charles Street as a coffee roasting facility for Broad Porch Coffee. They plan to roast coffee for both their wholesale clients and their own cafes, and to have between two and five employees that will be both full and part-time.

Proffers

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

1. No entrance shall be allowed on North Liberty Street. The existing entrance shall be permanently closed and a portion of the existing driveway will be removed, at least 20 feet in length beyond the North Liberty Street public right-of-way, prior to issuance of any Certificate of Occupancy on the R-3C portion of the property.
2. Prior to issuance of any Certificate of Occupancy on the M-1C portion of the property, the existing commercial entrance along Charles Street serving the

proposed M-1C portion of the property shall be reconstructed to be no larger than 30 feet in width. The final design of the entrance shall meet the Design and Construction Standards Manual and be approved by the Department of Public Works.

3. Upon request from the City, the applicant will dedicate a 5-foot-wide public sidewalk easement and an additional 10-foot-wide temporary construction easement for future sidewalk construction along the North Liberty Street frontage.

The conceptual site layout is not proffered.

Land Use

The Comprehensive Plan designates this site as commercial and states:

Commercial uses include retail, office, professional service functions, restaurants, and lodging uses. Commercial areas should offer connecting streets, biking and walking facilities, and public transit services. Interparcel access and connections are essential to maintaining traffic safety and flow along arterials. Parking should be located to the sides or rear of buildings.

If the property remains zoned M-1, then the site could be developed for industrial uses by-right. Rezoning a portion of the property to R-3C would instead allow the existing structure at 1110 North Liberty Street to be renovated as a duplex, while the remainder of the site is planned to be used to roast coffee. The R-3 district would also permit the existing structure to be converted by right into uses such as, but not limited to, professional or medical office use in the future, should it no longer function as a dwelling. Furthermore, the rezoning creates a smaller footprint for intense or undesirable industrial uses to operate on a site for which is not planned for industrial operations.

Adjacent and nearby parcels have a mixture of residential, commercial, and industrial uses. Tax map parcel 45-A-3, which is addressed as 256 Charles Street, and where T&E Meats operates, is zoned M-1 and designated by the Comprehensive Plan as Commercial. Across North Liberty Street and to the east along Charles Street, parcels are zoned M-1 and are designated in the Comprehensive Plan as Commercial and General Industrial. Across Charles Street, parcels are zoned M-1, but are designated in the Comprehensive Plan as Medium Density Mixed Residential, which is intended to accommodate a variety of housing types including small-lot single-family homes, duplexes, and townhomes. While the proposed uses on the subject property might not exactly conform to the Comprehensive Plan's Land Use Guide's Commercial designation, staff does not believe that rezoning the property to allow the re-establishment of a long-time residential use would negatively impact this area of the City nor detract from the intent of the Comprehensive Plan.

Transportation and Traffic

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

The site today has three entrances, one residential entrance on North Liberty Street and a residential and commercial entrance on Charles Street. Staff appreciates the applicant's proffer to close the entrance on North Liberty Street (proffer #1). Closing this entrance would restrict access to North Liberty Street and would require that the site is accessed only from Charles Street.

In addition to closing the entrance along North Liberty Street, the applicant is proffering that the existing commercial entrance along Charles Street be reconstructed to be no larger than 30 feet (proffer #2). The existing entrance is about 70 feet wide, wider than what is allowed by the Design and Construction Standards Manual (DCSM) for commercial entrances. The final design of the entrance would need to be approved by the Department of Public Works.

The final proffer would require that the applicant, upon request from the City, dedicate a public sidewalk easement and a temporary construction easement along North Liberty Street (proffer #3). This section of North Liberty Street is underdeveloped and does not have curb, gutter, or sidewalks. While there is no current plan to build sidewalk along this portion of North Liberty Street, if the City is eventually able to construct sidewalk along this portion of the street, the applicant would dedicate the necessary easements.

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 and notes that this market type "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."

Public Schools

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

Based on the Weldon Cooper Center report's calculation, this development's proposed two residential units are estimated to generate no new K-12 students 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 proposed rezoning would allow for the creation of a duplex while maintaining the ability for coffee roasting. As previously indicated, staff does not believe that the rezoning would negatively impact this area of the City nor detract from the intent of the Comprehensive Plan. Staff believes there are more advantages than disadvantages. The applicant's proffers address site access concerns, entrance widths issues, and needed easements for future sidewalk along North Liberty Street. Staff recommends approval of the rezoning.

Chair Baugh asked if there any questions for staff.

Ms. Dang said to address any potential confusion, the site maps, we need to update them. It is showing incorrectly that the rezoned area is just where the former home is. The boundary actually needs to go around the structure addressed as 260 Charles Street, as well. We will update that before the City Council meeting.

Ms. Rupkey said [referring to map on the screen] the red line should connect all the way to here. The original request did not include the M-1.

Chair Baugh said which it does on the map we have. The one I have right here does have that.

Ms. Rupkey said the printed maps with the labels, yes. The map that the applicant provided, yes. On the map that I printed off, I included the wrong map.

Commissioner Jezior asked there is not going to be a division in the property, right? It is just the rezoning?

Ms. Rupkey said it is just a zoning line. It would maintain the one ownership between the house and the business. Due to setback requirements between the residential and the industrial districts, a property line would not be able to go in that location to split the zoning.

Chair Baugh said I believe when we talked on the site tour, the industrial piece would not have enough setback.

Ms. Rupkey said correct.

Commissioner Seitz said I have to admit, I did not realize that split zoning was a thing until this session. I need to scan back over the number of projects I have been involved in over the years and where I may have employed it to my clients advantage. I also found very curious in the conclusion in the written things, I do not think I have ever seen a statement like this that "staff believes there are more advantages than disadvantages" as a rationale for approval. It strikes me as a little bit ambivalent. Which all leads me to ask, and I am supportive of this, so this is not a critique of this particular thing, in the application of split zoning, how do you navigate creating precedents where perhaps the disadvantages do outweigh the advantages that give the City credibility to say "it is right here, it is not right there"?

Ms. Rupkey said it is very case-specific, I would say, and what is surrounding the existing property.

Mr. Fletcher said that statement has definitely been used before, in the past, and it is sort of this realization that, when you have applications come in, this is the perfect example, you never get a perfect situation. Not every application is going to be perfect. There are times that we recommend for projects where we do not get everything that we want. I think that is just stating it more matter-of-factly. There are more advantages in some situations than there are disadvantages. One could look at this and completely disagree. Maybe you do, that you do not like the idea of rezoning this to allow for a residential use to continue. This advantage would be that you are promoting more residential with regard to it not becoming commercial. I would stand behind that. I do not think it is ambivalent, I think it is just pointing out very matter-of-factly that there are just more advantages in this situation with the fact that we are trying to promote more housing. We are trying to create more mixture of uses. This is a scattering of a lot of different promotion of uses at this particular intersection.

Commissioner Seitz said I take your point and perhaps characterizing it as ambivalent was not fair. I will say, however, over the years in working with the City on the applicant side, I have always experienced a proper concern by City staff not to create precedents that could be abused in less situations. This just strikes me as something that can create a lot of opportunity for push back in saying “well you did it here, why can I not do it here?” I think the care to not create precedents is a good one. Thank you for letting me say my piece. I understand staff was very patient yesterday in the tour in answering questions about this. And I do support this, but I find it a curious thing.

Vice Chair Porter said it does beg the question, following that logic, if this was a different type of business that was located in the M-1C portion, maybe a machine shop or something else, would the recommendation change? You have a fairly clean process going on inside a building that is coffee roasting versus a machine shop. Would the answer be different? Maybe it is not fair to ask that question at the moment, but I think that it could have a real distinct difference on how I would view this.

Mr. Fletcher said I will not answer the question because there is a lot that can go into that, but I think when we look at these, we challenge ourselves and debate what if the building was not already there, would it make you feel differently? What if it was already zoned B-2, would you want to allow for a special use permit to add housing on the top floor of a business? I mean we play out all of these different scenarios, and we never get this perfect opportunity, so we give you the best recommendation that we can for you to consider.

Vice Chair Porter said one other question, I want to make sure that I heard this correctly. The undeveloped portion across Charles Street right now is currently zoned industrial, but there is belief that we are going to head towards potentially being able to allow residential in that spot. It seems like the lots are laid out in such a way that they could be quickly developed into housing.

Ms. Rupkey said correct. Although the Comprehensive Plan does in the future call for residential in this area, the existing zoning is M-1. Someone could develop it, right now, with M-1 uses even though that is not the intended goal of the Comprehensive Plan.

Vice Chair Porter said it is germane to this question I think.

Commissioner Jezior said how does it work with the house there right now. Can that be rented out with the M-1 zone?

Ms. Rupkey said the house, today, cannot be. However, at some point it had been a nonconforming single-family residence. A few things have happened that caused it to lose its nonconformity. One, there had been internal renovations to turn it into a duplex, which is not allowed and would require, at that time, that it no longer be residential. It would have to be an M-1 use or rezoned to allow it to [be residential]. In addition to that, since there has been an amendment to our Zoning Ordinance that if that had been done, they could have gone back to a single-family detached dwelling. It has been a number of years, and it has lost its nonconformity that way as well. There was no way for it to get back to a dwelling without rezoning.

Ms. Dang said I know some of us are calling it a house, but I would use the term structure. It is just a structure right now.

Mr. Fletcher said there is a lot of history to this property because there were improvements being made to all of the structures without permits, and that is how things got rolling. We learned that they lost their nonconformity because they had converted it to a duplex without permits. Then it sat this way for a while, and then different opportunities arose for people to try something different.

Ms. Dang said as it stands right now, with the M-1 zoning, it can only be used for by right uses allowed in the M-1 district.

Commissioner Kettler asked how often do we see on the structure on the property, which I would call a house just looking at it... How often do we see rezoning requests from single-family homes to allow for duplexes when it is a building that is already there and it is just modifications? I had not seen that often or hardly ever really.

Chair Baugh said on one hand it does not come up often, but on the other hand, especially over towards that area of the City, if you really just sort of walked around and started taking inventory, there are a number of those properties that kind of dribble in here kind of like this one. Suddenly something will come up or somebody would want to do something or staff noticed there was a violation somewhere that then causes discussions to happen on it.

Ms. Dang said I forget the house number but Jefferson Street, there was an illegal unit.

Mr. Fletcher said there was also one on Monroe [Street]. As soon as the question came up, I was racking my brain here trying to remember where it was.

Ms. Rupkey said we often have conversations with applicants about it happening. but then sometimes for it to actually happen the building code requirements become too expensive for them to consider going through the whole process. You will need to add firewalls and make sure you meet all building codes. If the lot is too small, and they need to rezone to R-8, it needs to be a subdivided duplex, which does not allow for the conversion of a top-bottom duplex.

Mr. Fletcher said there have not been many. There are times that they work with staff to do property boundary adjustments to pick up additional square footage to add a duplex and to convert things. It happens. It just does not need public hearings to do some of those things.

Councilmember Dent said this is in that north/northwest corner, so that might have been a part of the annexation from the County, which tends to have more of a mishmash of uses nearby.

Ms. Rupkey said correct. It was part of one of the annexations.

Mr. Fletcher said it was right on the fringe. Mr. Russ helped us research this a couple of years back, and we all thought it was the last annexation but it was in the late sixties.

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

Gil Colman, applicant's representative, came forward to speak to the request. I was very pleased to see staff coming up with a creative solution for this for many reasons. One of them is allowing for housing availability there. I think it is important to have that, especially on a property where the interest of the buyers is more specifically on the commercial side of it. This actually helps the buyers utilize the whole property. Just to speak back to the previous item to say this, the reality of the need for housing is so great that we have seen the need for parking throughout because there is more than one family living there. There is a lot of people that live in there. Just keep that in mind that we are truly looking at how our community is evolving and the needs that are there. We need to think beyond "these are the rules," but "what are the needs?" Can we consider the needs when we do this? The rules are important, but the rules we can change. The needs, I wish we could, and we are working towards that. I think we need to think beyond and look at the bigger picture. I appreciate staff looking at what we can do here to make sure that we can provide a solution that will help both. There is some reason for that. I do not know if that is what you look at or not, but I think this property is already being used in a residential way and in a commercial way. It could naturally be considered... Ideally, I think they would have done a property division, but the setbacks then would not allow for that. The other thing is considering the property across the street. The Comprehensive Plan calls for it to be a residential use. Well, keeping this use here kind of anchors that in some way. It is a stretch, but at the same time, makes sense that it is still considered in that flow. I am adding to that rationale. I am giving my perspective on the way I see it. I think the interest here of the applicant is to be able to use that property for commercial use for the coffee roastery. Also, to make sure they can provide housing because it is going to help them develop the property and be sustainable for them as investors of that.

Vice Chair Porter said I take it that the renovations are going to be... in what was provided to us it says work force housing, so I assume that these are not going to be gentrified to the point that they are going to be something a working person could not rent.

Mr. Colman said that is my expectation. Again, not being the owner, I cannot speak to that, but I can say that my expectation is that. That is the idea. I am working with the owners in other properties and looking at developing also and they tend to have something that is affordable.

Chair Baugh asked if there were any more questions for the applicant's representative. Hearing none, he asked if there was 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.

Chair Baugh said I agree with staff, who Mr. Colman said he just agreed with, which is I certainly appreciate the sense here that this is one where there are pros and cons from a planning perspective, and I think I am persuaded that staff has got it right. I think for the same reasons that they think they got it right, which is, we talk a lot about the need to update our Comprehensive Plan and sometimes I think that gets a little overstated. If there is one thing that is true, it is that our current Comprehensive Plan predates the realization of what has become the disconnect between supply and demand of housing in the City. You got the piece of, well, you hate to see a residential property of any kind go off the walls. I think just as a quick aside on that, by doing it this way it kind of brings it into the fold. It takes sort of what is there and legitimizes it. Again, going back to that thing about precedent... If anything, over the years, we have probably have had more of a bias the other way in these situations of maybe having the pendulum edge over on the side of "well, because the applicant violated the rules..." At times, we have valued the single-family detached and liked the idea of making them put it back if they want to keep a residential use. That sort of diminished a bit. Even if I might do that 60-70 percent of time, I feel like this is 30-40 percent that this is the right answer. Then the other piece, of course, is that while we do not know what is going to happen across the street, unless it develops industrially, and of course the mixed use is not exactly but it is really something to be anticipated the continuation of what is already developed on the other side that will be a sort of residential extension to over to this point. If you imagine that, then insisting that this be an industrial use as it is zoned or a commercial use as it is currently planned seems a bit excessive.

Commissioner Kettler said I think that sums up a lot of my thoughts as well. One thing that the applicant noted was the acute need for housing and this kind of situation where there is more than one family living at one place because there are not much options. I think this is the kind of development, on the residential aspect of this, that we want to be encouraging a lot more. If you have a home, and you want to change a portion of it so that it is a duplex or add an addition on to it for more living space, if that had been more wide spread, allowed, or easier over the last several decades, I do not know if we would be in the housing crunch that we have today. Certainly not to the same degree.

Vice Chair Porter said this one allows that for the fact that, that area of town is evolving, it is changing. If housing goes into the area that is directly across the street, this is not going to stand out at all. The fact that this is potentially workforce housing and it is taking a piece of land that was underutilized and giving it a viable purpose in our community, I think is a good thing. At the end of the day, we have to realize that we have talked at some great length, as a community about the fact that there is only so much space left to build on within our City. The fact is that we have to get better at recognizing opportunities like this to be able to utilize potentially something that could be shifted without an extreme amount of cost and be kept reasonably affordable that could be a rental property for workforce housing. I would feel differently about this if there was a different type of industrial use very close to this property, but there is not. When you consider the open space across the street that is potentially headed for housing, this seems like a no brainer. I would also editorialize that as I sit here and look at our Capital Improvement Program, I think we

as a City need to start looking at those sidewalks both on Main [Street] and Liberty [Street] heading that direction. The Navigation Center is out that direction. There is a lot of development on Liberty [Street] and a lot more foot traffic out that way. I think it is incumbent upon us, as the City, to eventually address that and make that area safer to walk.

Commissioner Jezior said the proximity there to the Northend Greenway would be to be able to continue that sidewalk.

Vice Chair Porter said that is a benefit for this existing property as well. I think that makes it a much more attractive place to live.

Commissioner Kettler said I move to approve the rezoning request as presented by staff.

Commissioner Jezior 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 January 13, 2026.