



CITY OF HARRISONBURG COMMUNITY DEVELOPMENT

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December 5, 2022

TO THE MEMBERS OF CITY COUNCIL CITY OF HARRISONBURG, VIRGINIA

SUBJECT:

Consider a request from Northside LLC and Joseph H. and Linda H. Moore to rezone 36, 40, 44, 75, 81 Wilson Avenue, 25, 35, 45, and 55 Mount Clinton Pike, and portions of 1411, 1421, 1431, and 1441 North Main Street

Consider a request from Northside LLC and Joseph H. and Linda H. Moore for a special use permit to allow attached townhomes of not more than eight units at 36, 44, 75, and 81 Wilson Avenue, 45 and 55 Mount Clinton Pike, and 1411 and 1421 North Main Street

Consider a request from Northside LLC and Joseph H. and Linda H. Moore for a special use permit to allow multiple-family dwellings of more than twelve (12) units per building at 36, 40, & 44 Wilson Avenue, 25, 35, 45, and 55 Mount Clinton Pike, and 1421, 1431, and 1441 North Main Street

Consider a request from Northside LLC to close a portion of Wilson Avenue

EXTRACT FROM MINUTES OF HARRISONBURG PLANNING COMMISSION MEETING HELD ON: November 9, 2022

Chair Finnegan read the requests and asked staff to review.

Mr. Fletcher said the Comprehensive Plan designates this site as Mixed Use. The Mixed Use designation 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.

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

- Site: Undeveloped and vacant parcels, zoned R-2 and M-1, and a portion of a single family detached home lot, zoned R-2
- North: Across Mt. Clinton Pike, industrial uses, zoned M-1 and M-1 with the Technology Zone Overlay, and vacant property, zoned B-2C
- East: Undeveloped property fronting along North Main Street, zoned M-1 and R-2
- South: Remaining portion of a single family detached home lot and undeveloped and vacant parcels, zoned R-2
- West: Industrial property, zoned M-1, the Community Services Board property, zoned B-2 and B-2C, and undeveloped parcels, zoned R-2

The applicant is requesting approval of four separate applications with plans to construct improvements to portions of Wilson Avenue and to construct a shared use path along Mt. Clinton Pike both as part of a planned residential development to include 60 subdivided townhome parcels and up to 34 multi-family units. The site includes eight parcels and portions of four other lots, which in total contains +/- 5.23 acres located along both sides of portions of Wilson Avenue (currently a dead-end, substandard public street) and along an almost 500-foot section of frontage along Mt. Clinton Pike. The project also includes closing portions of the Wilson Avenue public street right-of-way (ROW) in exchange for land the applicant would dedicate to the City for the shared use path they would construct along Mt. Clinton Pike.

To allow for the planned development, the applicant is requesting four separate applications, a rezoning to two different zoning districts, two special use permits (SUPs)—one within R-5 and one within R-8, and a public street ROW closing, the details all of which include:

- To rezone a +/- 1.44-acre area along Mt. Clinton Pike from R-2 and M-1 to R-5C, High Density Residential District Conditional and to receive approval of a SUP per Section 10-3-55.4 (1) for the same acreage to allow more than 12 units within multi-family buildings in the R-5 district.
- To rezone a +/- 1.94-acre area on the north side of Wilson Avenue and a +/- 1.85-acre area on the south side of Wilson Avenue (totaling approximately 3.8 acres) from R-2 to R-8C, Small Lot Residential District Conditional and to receive approval of a SUP per Section 10-3-59.4 (1) for the same acreage to allow townhomes in the R-8 district.
- To close a +/- 5,529 square foot portion (+/- 10 feet in width for +/- 553 feet in length) of public street ROW on the north side of Wilson Avenue in exchange for a dedication of +/- 5,413 square

feet (+/- 10 feet in width for +/- 541 feet in length) along Mt. Clinton Pike for them to construct a shared use path.

With regard to the rezoning, the applicant has proffered the following (written verbatim):

1. As illustrated in the attached exhibit, if City Council approves the Wilson Avenue public street right-of-way closing request to close and convey at no cost the approximate 5,529 square feet of property to the applicant, then the applicant shall convey at no cost approximately 5,413 square feet of property to the City for additional Mt. Clinton Pike public street right-of-way. The applicant shall be responsible for completing all surveys and plats for both conveyances.
2. If the application to close a portion of Wilson Avenue is approved and the ROW exchange is completed, then applicant agrees to install a 10-foot-wide shared use path with 5-ft-wide grass strip along the road and a 2.5-ft grass strip on the opposite side of the path with an associated access easement set 6-inches behind the path's 2.5-ft grass strip.
3. Construct street improvements along Wilson Avenue to meet the minimum standards in the City's Design and Construction Standards Manual, Appendix F, for local street, or as approved by City Council through a preliminary plat with variance(s) request. The street improvements shall be required along the frontage of all parcels as shown on the exhibit.
4. Applicant will construct designated walkways to allow connectivity from the proposed shared-use path to Wilson Ave.
5. There shall be no vehicular entrances connecting the subject site to Mt. Clinton Pike.
6. Applicant will construct an open recreational area of at least 2,000 square feet which may include a playground, dog park, basketball court, benches and tables, or the like.
7. Multi-family units within the R-5 district may be occupied by a single family or no more than three (3) unrelated persons.
8. Multi-family unites [sic] within the R-5 district shall provide 1 parking space per dwelling unit with one bedroom or 1.5 parking spaces per dwelling unit with two or more bedrooms.

Aside from the proffered details above, the submitted layout of the project is not proffered and thus the layout could change as allowed by the R-5 and R-8 districts.

Although not proffered, the planned layout illustrates a 60-unit, R-8-zoned townhome development, where 29 units would be subdivided and accessible by private-street-named parking lots on the south side of Wilson Avenue while the remaining 31 townhome lots would be subdivided and accessible by another grouping of private-street-named parking lots on the north side of Wilson Avenue. As required by the Zoning Ordinance, to build the townhomes units in the R-8 district, they must also obtain a SUP per Section 10-3-59.4 (1). With regard to off-street parking, the R-8 district requires a minimum of one off-street parking space per unit for townhomes. The submitted layout illustrates 59 parking spaces for the 29 units on the south side of the street and 65 parking spaces for the 31 units on the north side of the street, which is essentially two spaces per unit. Together, the two sides of the townhome section of the development total about 3.8 acres, which by code of the R-8 district would allow a maximum townhome density of 91 units in this area (or 24 units per acre). However, in recognizing that it

can be difficult to maximize density for a townhome project like this, the planned 60-unit project would be about 15 townhome units per acre.

The multi-family component of the project includes the request to rezone the +/- 1.44 acres of property located on the north side of Wilson Avenue, parallel and adjacent to Mt. Clinton Pike to the R-5 district. The units would be accessible by the private-street-named parking lots off Wilson Avenue, where proffer #5 would restrict any vehicular access to Mt. Clinton Pike. As identified by the proffers, since the applicant proffered a reduction in the occupancy, the Zoning Ordinance only requires one parking space per unit. However, the applicant has proffered that they will provide one space for one-bedroom units and 1.5 spaces for each unit with two or more bedrooms. The submitted layout illustrates 52 parking spaces. The maximum permitted multi-family density of the R-5 section of the project would be 34 units (or 24 units per acre). At this time, they plan to construct two buildings, where one building could include 15-18 units and the other building could contain 13-16 units. The plan is to construct three-story multi-family structures that would include one- and two-bedroom units. If they provide an 18-unit and a 16-unit building, they will maximize the R-5 allowed density.

Other details of the project include closing about 5,529 square feet of Wilson Avenue public street ROW in exchange for dedicating about 5,413 square feet of property to become Mt. Clinton Pike public street ROW, where the applicant would then construct a shared use path along the frontage of their property along Mt. Clinton Pike. As noted earlier, Wilson Avenue is currently a substandard City street and the applicant has proffered to improve Wilson Avenue along both sides of the street along the subject site's frontage with curb, gutter, and sidewalk. They would then provide a temporary turnaround at the end of Wilson Avenue. At this time, the applicant is unsure as to the exact width of the public street and whether it would be built to allow on-street parking. Note that they proffered to construct private sidewalk connections from the site to the shared use path and plan to construct a sidewalk connection to the Community Services Board property to the south of the development. An open/recreational area for residents has also been proffered for the site.

Note that the submitted layout illustrates a number of trees and other vegetation scattered throughout the project. Certain trees within the parking lot and along the public street ROW would eventually be required by the parking lot landscaping regulations of the Zoning Ordinance. However, the vegetation shown around the open/recreational area is not required and is not proffered. Furthermore, although the applicant wanted to proffer the street trees along Wilson Avenue and along Mt. Clinton Pike as shown within the 5-foot-wide landscaped area that separates the shared use path from Mt. Clinton Pike, the applicant was unsure of the ability to provide all of the illustrated trees at this early stage of the process.

If the applications requested herein are approved, at some point the developer must complete a preliminary subdivision plat, where, among other things, they must request a variance from the Subdivision Ordinance to allow townhome parcels to not have public street frontage. During the preliminary plat process, the developer can also request other variances of the Subdivision Ordinance or the Design and Construction Standards Manual that might be needed to build the project. While not an exhaustive list, they might request deviating from public general utility easement dedication requirements, street width requirements, and others. These matters should be

considered when making a recommendation for this project as approving the rezoning and SUPs could be perceived as also providing an endorsement for the subdivision matters during the platting phase.

Staff is grateful the applicant was willing to include changes to the project that were suggested throughout the project's preliminary and official review. Some of the incorporated changes include providing open/recreational space for the residents, to construct the shared use path along Mt. Clinton Pike, to provide sidewalk connections to the adjacent areas, and to provide multi-family units along Mt. Clinton Pike. While we appreciate the open/recreational space that is illustrated on the plan, we further suggested for them to accommodate a design that would relocate this space away from Mt. Clinton Pike, potentially more central and internal to the site. The developer understood this suggestion and might make accommodations once they complete more engineering for the design. Staff would like to see less parking than what is shown as the Zoning Ordinance allows for more flexibility by supplying only one space per unit for both the R-5 and R-8 sections, yet the project proposes to provide more than the minimum at an overall rate of 1.8 spaces per unit. Staff was also hopeful that they could have proffered specifics associated with street tree planting, but understands some of their hesitations with some uncertainties during the early stages of a project.

As most are aware, the City needs more housing in the City, and while this project would add more units, staff does not believe this project at this location should be approved at this time. While staff understands that the style of buildings and unit types is what is desired by the current developer and is what makes sense for them economically, at this time staff does not believe this particular design and development is what is best for this area of the City. Staff is concerned with:

- the project not maximizing the site's potential density;
- the scale, design, and residential unit types clashing with the adjacent forthcoming commercial and planned mixed use spaces as well as the potential out of place context, detachment, or isolation of the residential neighborhood from the surrounding area; and
- the overall precedent this development could establish for how the rest of the North Main Street and Mt. Clinton Pike corridors could develop.

The Comprehensive Plan's Land Use Guide (LUG) designates this site as Mixed Use, which among other things, recommends for these areas to have around 24 units per acre. The LUG recognizes that any type of residential unit could be appropriate in Mixed Use areas, however, in this corridor and on this acreage, staff believes that more multi-family units within taller structures and overall larger buildings would be more appropriate for the site. As noted, the project is not maximizing the site's potential density capabilities, which could be realized with larger and taller buildings with less parking—potentially creating more open, recreational space. More units would also support the greater concept of planning for more mixed-use opportunities along the North Main Street corridor, where the people residing in the units support the commercial uses and vice versa. (Although adjacent properties planned for commercial and mixed use are currently undeveloped, many will remember the nearby corner property on the north side of Mt. Clinton Pike and North Main Street was recently rezoned to B-2C to allow for a convenience store, gas station, and other commercial uses. Staff welcomed the commercial uses, but did not support that rezoning application due to concerns with the site layout.)

The subject site slopes from the east to the west, where it is about 18 feet lower than North Main Street on the eastern side and then is about 36 feet lower than North Main Street on the western side of the property. Since the site is lower than the adjacent properties along North Main Street, where development could include non-residential uses and/or could include taller mixed-use buildings, staff believes larger and taller multi-family buildings would be more compatible with the physical and built environment and should also assist with the transition space between the eastern side of the subject site, where the rear of the townhome parcels would be located, and the adjacent properties that would front along North Main Street. In comparison, if the site is developed as proposed, then people utilizing the small backyard areas of the townhomes could be located adjacent to large parking lots serving the uses on the adjacent properties. As noted within the Comprehensive Plan's LUG description for Mixed Use areas, "[t]he scale and massing of buildings is an important consideration when developing in Mixed Use areas." Staff does not believe the scale and massing of the proposed development will work cohesively with the surrounding area. Moreover, the residential neighborhood could be out of place or disconnected from the surrounding area due to the adjacent development that could occur on the east and west sides of the subject site, essentially isolating the residential development.

While considering this project, we must also take into consideration the City's Comprehensive Housing Assessment and Market Study (Housing Study). The Housing Study places the subject site within Market Type D, which is characterized by the lowest growth of any of the four market types identified by the study. Market Type D has "below median overall access to amenities such as public transit within walking distance, full-service grocery stores, and multiple parks and recreation facilities" (page 7 of the Housing Study Executive Summary). Among other things, the Housing Study also notes:

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. (Page 7 of the Housing Study Executive Summary)

The Housing Study also notes (on page 98) that the City "has a limited supply of residentially zoned properties that allow for higher intensity housing densities and types." The Housing Study goes on to state that "[z]oning map amendments can create an additional supply of higher-density residential zoning, which would allow for more affordable units." As noted above, staff does not believe the proposed development is utilizing the property's potential density or opportunity to establish residential housing types for the North Main Street corridor.

On page 48, the Housing Study notes that "Harrisonburg cannot build its way out of a housing crisis if the economy continues to lose higher-paying jobs while creating more low-wage-jobs." In other words, this is an example that there is no single answer to improve the housing environment; it is a combination of many different tools and actions. Since the completion of the Housing Study, there have been multiple residential developments that have received use-approval by City Council. Table 1 below lists many of those projects and their current status (stage of development).

Staff recognizes the difficulty and the complexity of recommending denial of residential development during a time when the City needs more housing. However, we cannot ignore the greater concepts and planning efforts, which ultimately could provide more housing, enhanced quality of life, and improved compatibility with the built environment for people that might live in this area. As shown in Table 1, if the private industry continues forward with projects that have already been given use-approval, more housing units should be on the way. (Note: Projects listed in Table 1 that received a SUP approval could have expired or are nearing the expiration date.)

Table 1: Post-Housing Study Planned Residential Developments Presented to City Council
(Excludes Developments that Plan to Specifically Cater to College Students)

Development Name	Street Location	Type of Development	Number of Units Proposed	Stage of Development (As of 11-04-22)
Simms Point	Lucy Drive	Multi-family	80	Approved by City Council
Regal Apartments (Armada Hoffer)	Evelyn Byrd	Multi-family	270	Fire Review ¹
The Edge	East Market Street	Multi-family	156	Approved by City Council
Two41 Central	Country Club Road	Multi-family	142	Fire Review
Vine Street Townhomes	Vine Street	Townhomes	29	Approved for Construction ²
Pleasant Hill Townhomes	Pleasant Hill Road	Townhomes	16	ECSP ³ Review
Cobbler's Valley	Pear Street	Townhomes	35	ECSP Review
Suter Street	Suter Street	Duplexes and Townhomes	21	Approved for Construction
Foley Road	Foley Road	Multi-family	11	ECSP Review
Park Apartments	Rocco Drive	Multi-family	60	Approved for Construction
907 North Main Street	North Main Street	Multi-Family/Mixed Use	9	Approved by City Council
Chicago Avenue Apartments	Chicago Avenue	Multi-family	48	Approved by City Council
Total			877	

As should be understood, staff is not opposed to rezoning the subject sites or approving necessary SUPs to provide more housing in this area. We believe in this case that withholding approval of the subject requests creates opportunity to potentially provide more housing and housing with improved compatibility with future surrounding development through a different concept. For all the reasons described above, staff recommends denial of the project.

However, if there is a desire to approve the rezonings, which establishes the ability to apply for the SUPs to allow for more than 12 units within multi-family buildings in the R-5 district and to allow townhomes in the R-8 district, staff could support the SUPs because it creates the ability for

¹ Fire Review refers to a pre-requisite that must be completed prior to officially being accepted into the engineered comprehensive site plan (ECSP) review.

² While a project might receive ECSP “Accepted for Construction” status (casually known as approved), the developer might not immediately begin construction or complete the project.

³ ECSP is the acronym for engineered comprehensive site plan.

these areas to have higher density in those districts. Staff could also support the street closing request as it creates the ability to construct a narrower street while gaining the opportunity to have the developer construct a shared use path along Mt. Clinton Pike.

As with all special use permits, Section 10-3-130 (c) states that “[w]henver a special use permit is approved by the city council, the special use authorized shall be established, or any construction authorized shall be commenced and diligently pursued, within such time as the city council may have specified, or, if no such time has been specified, then within twelve (12) months from the approval date of such permit.” Therefore, unless the applicant requests for a SUP condition to allow for a longer period of time for the SUP to remain valid, then the applicant must continue to demonstrate diligent pursuit of the project starting within 12 months of City Council approval. Diligent pursuit can be demonstrated with submittals, including but not limited to: a preliminary plat, a preliminary Fire Review, a preliminary engineering report (PER), an engineered comprehensive site plan, or a building permit.

Chair Finnegan asked if there were any questions for staff.

Chair Finnegan said the HRMPO (Harrisonburg Rockingham Metropolitan Planning Organization) recently had a presentation about the Mount Clinton Reconfiguration Study. How does that factor in this thinking about density on that side of town?

Mr. Fletcher said the idea that Public Works is still working through or has recently completed is to take Mount Clinton Pike from a four-lane facility, two lanes in each direction, and convert it to a three-lane facility with bicycle and pedestrian facilities. There would be one lane in each direction and a center turn lane. That would go from North Main Street to the intersection of Acorn Drive. At that intersection is a planned roundabout to create a better functionality.

Chair Finnegan said you mentioned the reduction of parking. The Northend Greenway is close to that but it dead-ends. I assume that you are taking into account the bike lanes and things that are proposed.

Mr. Fletcher said it is a combination of everything. There was a comment submitted late in the day today that did a nice job of summarizing the fact that from a bike ride you are so close to EMU, to downtown. There are more sidewalks coming. In fact, we have a funded project to provide sidewalks on the opposite side of North Main Street from the intersection of Vine Street southbound to, at least, Emerson Lane. You know that the Harrisonburg homeless shelter is nearby, just down South Main Street. We have grander visions for the North Main Street corridor. We are looking for opportunities for better connections with street configurations, access management, etc.

Chair Finnegan said I believe there is a sidewalk going in for about two miles or so in the County.

Mr. Fletcher said that is northbound in the County.

Chair Finnegan said there currently is no pedestrian infrastructure to speak of, but it sounds like it is coming.

Commissioner Armstrong said when looking at the overall Harrisonburg, and when I drive through commercial areas, B-2 areas on the east side of Interstate 81, there is an enormous number of empty, unrented commercial properties. I always see more. What is the practical feasibility in that kind of a business climate right now to think that mixed use is going to flow? You want to put in more rental commercial properties mixed in with these residential larger storied buildings. Am I correct on that?

Mr. Fletcher said that could be one idea.

Commissioner Armstrong said I thought that was the thrust of mixed-use. How does that reconcile with the state of the commercial properties right now in Harrisonburg?

Mr. Fletcher said I do not know if I can speak directly to that. As you all know, there is a SUP opportunity that B-2 property owners can apply for to do multi-family units in those spaces. We have had at least one of them. Another is coming. There is opportunity for that. While Harrisonburg is not a huge city, we do look at it in zones and corridors. The east side of the City speaks very differently to the North Main Street area of the City. We are hoping to create a new space in that area. While they are connected, they are still separate in a way that we are hoping that we get good momentum in this area of the City.

Commissioner Armstrong said I am not sure that I understood the end of your presentation. If we do not recommend denial, then you would recommend which of these alternatives?

Mr. Fletcher said what we are saying is that everything hinges on the rezonings. If the rezonings are approved, you would end up with R-5 and R-8 zoned properties with conditions based upon certain characteristics of the projects. Even though we are recommending denial of the rezoning, it does make sense, if the rezoning is approved, to give approval of the SUPs because it gives the ability to increase density. If you do not approve the townhomes, then they are going to be left with duplexes and single-family homes. Which is good from people wanting that, but not in this particular space.

Chair Finnegan said this is only time that I have been reading a staff report and did a double take and had to back and read it.

Chair Finnegan 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.

Quinton Callahan, Clark and Bradshaw, and Gil Colman, Colman Engineering, came forward representing the applicant.

Mr. Callahan said with this project we spent a lot of time with staff and had multiple meetings over several months trying to figure out the best use of this property. We made several changes that staff recommended, including trying to get to that density number. The real issue when we talk about the density number, as a developer, is getting to the point where it is a profitable project. That is one of the biggest issues we have here. Speaking specifically about the layout, we have

done everything that we can to try to decrease the parking and increase the connectivity. We want walkability. We want biking. Adding this shared use path is important. Originally, we wanted to put it along Wilson Avenue. Public Works wanted it on Mount Clinton Pike, so we made that adjustment. That is why we have the right-of-way exchange, so that we can locate it there.

Regarding the trees, we were trying to get to the point where we could proffer some of those trees. We all want more trees and more greenspace. We have some site layout issues, but it is the applicant's intention to have as many trees and vegetation as we can. We think that we will need some vegetation for some natural buffers because of the neighboring properties and adjacent parcels and their usage.

When we talk about the Comprehensive Plan and mixed-use in this area, this is the only residential use that is contemplated at this time. We have a lot of compatible commercial development in the area, especially across the street. When we talk about mixed-use it is not necessarily all in the same parcel, it is in the neighborhood. At this time this is the only residential use that is contemplated in that neighborhood which is why we think that it fits and is compatible with the Comprehensive Plan.

When we look at staff table 1, and we see 877 units, only about 80 of those are townhomes. Everything else is multi-family apartments, meaning that they do not allow for homeownership. This project is going to almost double the amount of townhomes and homeownership availability that we have in the City. Townhomes are an important part of available housing, especially when we are dealing with this economy and interest rates which are traditionally been used as a gateway to homeownership. We do not have a lot of that available in the City right now. We think of this as piece... One thing that we looked at a lot was, can we do more density and increase more housing units? We already have a lot of multi-family developments that are slated to come online in the City. For us, homeownership was important to look at, and entries to that in the City. That is our main goal. You see in the R-8, they are smaller lots, but they allow for that.

Finally, when we look at the other uses... For the first half of the presentation, I thought staff was doing a great job of selling the project, then we do a double take. We have done as much as we can to get there. When we look at the big picture, we think maybe this could be a better use down the line. This is what we are willing to do now. Two of the partners associated with the development are builders. We want to get the shovel in the ground. We want to get this thing built. With that, I will pass it over to Mr. Colman, our engineer for the project.

Mr. Colman said what is interesting about this project is the opportunity for homeownership. I worked with my client on this, providing as much as possible. We did not want it to be multi-family units. That was not what we wanted. Working with staff, we got to the point that we can do that, we can accommodate it along the road, which is what would be most fitting. Even if you have a multi-family building with 50 apartments, at the very least you might need to provide 50 parking spaces. You still need parking for that. We considered that and found that it is really tight for us to do anything. As a matter of fact, the R-5 zone area, we could not put any more buildings there because we have no room for parking it. Therefore, we end up with a larger green area which works great for the neighborhood, and we can accommodate the park there, or the playground. We cannot fit more density. We cannot accommodate the parking.

Another issue that you will find throughout the City, is that we have odd-shaped properties. In this case, we have a street going through it. We discussed with the City about vacating that street and trying to reconfigure it in a way that would generate more density. The City was not willing to do that because they wanted to maintain the connectivity to the rest of the lots fronting Mount Clinton Pike. They wanted to maintain interior access. All that property around there is zoned R-2. All that is residential right now. We know that the Comprehensive Plan calls for a different use that could be applied there, but right now it is R-2. It is residential zoning. From the standpoint of the existing zoning, which is a residential use, we are doing a residential use. We are looking for more density with the townhomes. We could have piled up townhomes back-to-back, as much as we could. We do not want to do that. We want to provide quality of life. We do not want to pack people into an apartment building. We want quality of life. Families could live here. If you have all apartments, it is not conducive to a family. We need places for families to go. This could provide that.

Mr. Callahan said on the conceptual design you can see that. That is why it is grouped as three and four units at a time, instead of having eight lined up all together, to try to give some greenspace in between the homes. In terms of the greenspace location, one of the benefits of going with the townhomes is that everybody has their own greenspace. They have their own yard, their own space. Looking at page 8 of the staff report, we would ask the Commissioners to go with alternative A, the rezoning approval, the two SUPs and the street right-of-way closure as submitted.

Commissioner Whitten asked are you going to preserve any of the large trees that are on the property now?

Mr. Callahan said if we can. I would much rather keep a tree rather than tear it down and plant a new one. Economically that makes more sense.

Commissioner Whitten said it takes a long time to grow a tree that size.

Mr. Colman said the ones that are close to the edge of the properties, it is more likely that we could. The property does undulate, so we need to make sure we are able to accommodate the drives and the houses. The ones that are closer to the right-of-way or the edge of the properties, it is more likely that we could. We will consider keeping as much as we can. There are some beautiful trees there. They have cleared most of it. There are only a few trees left. I enjoyed the shade when I walked there this summer.

Chair Finnegan asked from the developer perspective, what would it take to reduce the amount of parking, is it the where the property is located on the edge of town, is that the concern with reducing parking further?

Mr. Callahan said one of the biggest concerns when we look at parking is for the townhomes. These are intended for families. Families tend to have two cars. We need to have adequate spaces for that. When we look at the apartments, even going down to one and a half, some of the apartments are going to be one-bedrooms, others are going to be two-bedrooms. We are trying to allocate where we can. Having the greenspace, the recreational area, there is going to be some flow of people parking close to the recreational area, then going to the townhomes. We are trying to

decrease as much as we can, while also being practical about what is going to be required. One of the worst things we can do is underestimate the parking, then it would be insufficient.

Mr. Colman said we want to minimize it. It costs more to add more parking. At the same time, if we do not have sufficient parking, where are people going to park? On the street, perhaps. We do not want them to park on the street. There is nowhere else. If they develop the adjacent properties as businesses, they might park there and towed. Staff is anticipating that there would be a large parking lot there. Do we really want a large parking lot there? I thought we were trying to reduce parking. Should we not encourage whoever develops that property to minimize their parking as well and provide green space and buffering. This is a residential use. We are here right now. When it comes to parking, we would like to reduce it as much as we can. Realistically, we know that people are going to be needing more spaces and there is nowhere else to go.

Commissioner Armstrong said I appreciate that you are looking at homeownership and beginning family's homeownership. There is too little of that. Do have any ballpark of what the pricing would be.

Mr. Callahan said I would love to give you a number. The reality is that between tonight, if this is approved, and the time that we get the actual site plan and subdivision and have them constructed there are many variables. If these were ready and available today, our goal would be the low to mid \$200,000. That is where we would be looking. That is the reality of the cost of construction right now, and interest rates. I do a lot of real estate. What I see is that as those interest rates go up, the purchasing power goes down. We have had a lot of people who have been moving into the single-family detaches structures, less desire on the townhomes. I think that is going to flip as interest rates continue to rise. Look at the table in the report. We do not have enough of those units available. This is going to be a very desirable product, I believe.

Commissioner Byrd said I have a general development curiosity. I rarely see buildings suggested where the parking is under the actual structure. Is there a reason why most people do not suggest that structure?

Mr. Callahan said the cost of excavating. In order to break the rock to put it below grade, then have the support of the building on a pier foundation instead of a solid foundation. In this model, the only place that would potentially work would be in the multi-family. That is something that we may consider if we want to decrease the visible parking. For townhome type structures it does not make a lot of sense. We want to put the parking at street level.

Chair Finnegan said there are some townhomes in Harrisonburg that have garages on the bottom if they are built on the side of a hill.

Mr. Colman said there are garages. Typically, the issue is that then you are limiting the usable space for the family which is used for parking instead. If you are constricted. In Harrisonburg a couple of years ago you could see a building and parking would have to be underneath. That would work in the downtown area where you would have nowhere else to park and you want to provide parking. In this case, that could be possible, but it gets a lot more expensive. Then the affordability goes away.

Chair Finnegan asked would it be possible to charge for parking in addition to rent? Is that something that is being considered?

Mr. Callahan said, at this stage, that has not been considered. Especially on the section that would be zoned R-8 for the townhomes that would not be a possibility. Possibly in the R-5 depending on how the layout plays out. The biggest thing on the R-5 area is we are already getting close to the maximum density. When we were looking at it, we were thinking that we could put more units here. Then we hit the maximum density, even with the SUP. Then we said we have room for greenspace and more parking because we cannot put more units.

Mr. Colman said charging for parking affects affordability. It depends on who you are targeting.

Chair Finnegan said right now, if you pay rent, say \$1000 per month, a certain portion of that goes to pay for parking. It is not free parking

Mr. Colman said then the issue would be to provide that parking. If the City had a better transit system, where there were more regular buses, then you could afford to say there is limited parking here but there is bus service that could be used. As we talk about the Northend Greenway and the shared use path, it will be a shared path to nowhere that hopefully continues to grow. Hopefully the City picks it up and ties it into something. We all like the shared use path. I have gone to it a couple of times. It is something that we all like to see. We have been working on that Northend Greenway path for many years now. It is good to see that some things are happening right now. Little by little we are getting there. That said, there is no place for people to actually walk to. It is too far for them to walk anywhere. They are going to be driving. When it comes down to services, the fact that this property has some commercial in it, services will be there. There is the property across the street that Holtzman bought. There will be services there that will benefit this and vice-versa, from the standpoint of labor force or clients. There is housing along here. There are apartments and townhouses around the same area if we look beyond these properties.

Dixon Summers, Harrisonburg-Rockingham Community Services Board (CSB), came forward regarding the request. Boulevard Avenue runs behind the property and is behind the CSB. My understanding is that there is not a plan for that (Boulevard Avenue) to be developed with this. Would that change at some point?

Chair Finnegan said I do not have that answer. It is possible.

Mr. Fletcher showed the image of the undeveloped street named Boulevard Avenue which runs northeast-southwest. When you look at the big picture, it is a possibility that we would look for it. It depends on how the surrounding properties develop. We want this to connect all the way through. We asked them to lay out to make sure that this space here could align with Technology Drive because we wanted an extension of Technology Drive. You can see the continued flow of this space that goes into that Boulevard Avenue section. Boulevard Avenue was deeded many decades ago. It is clearly not a public street right-of-way. It is the width of an alley. It is a possibility.

I also want to remind the applicant that the SUP does come with timelines. They need to continue actively moving forward. If it gets approved as presented, with no additional recommendations for City Council to give an extended timeline, which at times you hear us talk about. It is a 12-month timeline where they have to be acting in those 12 months to keep it active. I agree about not wanting as much parking here. We also had to consider the reality that if there is going to be a building that has frontage on the street, which is where we want it, the parking would likely go in the rear. That is what would be adjacent to the townhome rear lots. If it 15 feet, that is about from the step to wall [Mr. Fletcher referring to, in City Council Chambers, the step at the podium to the wall behind Councilmembers' seats]. You have to keep that in mind about the visual esthetic. As much as we do not want as much parking, we know the reality of where that is and recognize that when commercial spaces go in, even though we give recommendations for pedestrian friendly development, we know that we do not make the final approvals and we end up with very large commercial parking lots.

Commissioner Armstrong said in the past, there have been approval of these projects with an extended timeline, up to three years.

Mr. Fletcher said often times, we react to those upon request of the applicant. The applicant could request an extension this evening. If you want to, you could grant that. We typically react to their request. You typically see three years, sometimes even five years.

Mr. Callahan said our intention is to move quickly, if approved. The language of "diligently pursuing" is open to interpretation. We would ask, if the Planning Commission is willing to approve, for up to 36 months instead of 12 months, with the understanding that it is our intention to continue to diligently pursue the project.

Chair Finnegan asked if there were any 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 Finnegan said this is different. What we are looking at, and this is something that I have thought and that I have heard in the past, you drive around Harrisonburg and there are certain places that feel haphazard. Why is this like this? Why is there a big parking lot here? I do appreciate staff looking at this not as a blank canvas but as a future piece of the City. I share staff's concern about setting the tone and setting the pace for this side of the City. If I recall correctly, the gas station request, the massing of the buildings, was a split vote. I voted against that for the same reasons. It is setting the gateway, setting the pace.

Commissioner Whitten said I think it was more about where the gas pumps were.

Chair Finnegan said it was the massing of the buildings. Staff was not saying to not put a gas station there.

Commissioner Whitten said we were on our site visit yesterday. A couple of us talked about a particular area not in the City that has gotten extremely dense. I think the comment was if you did not know where you were, you might think you were in Manassas. If I wanted to live to Manassas,

I would move there. I do not want to see Harrisonburg turn into making it denser, bigger, higher. That is not better in my mind. I do not think that is why people move here now. I hope it will not ever be why they move here. I do like the concept of the possibility of owning something. I have spoken about that here over and over. If we keep building rental apartments where the rent continues to get astronomical. I know a young single mother who is paying \$1500 per month for rent for a basic apartment. She owned a house in Staunton and sold it to move to Harrisonburg to pay \$1500 per month. We are not really helping that single mother by not offering her a product that she could purchase and actually move to something nicer, better, but not necessarily taller or bigger with more people. In that respect, I like this. I do not like to disagree with staff because they have excellent training and I usually agree with what they want to do. Maybe not on this one.

Commissioner Armstrong said looking at that table of what has been approved and is in the pipeline, there is nothing like this. I do not think that we can pass it up. It is providing an opportunity that we do not see very often. It has been called for a lot of times. We have talked about one- and two-bedroom homes. It may not be ideal from a larger planning perspective, but I do not think we can pass this up.

Commissioner Washington said I do think it is difficult to pass up in terms of housing units. If we think about the potential of how many units could be there, then are we going to forego what we can do now to maximize that space in the future. I think the plan itself is unimaginative. Whether we put townhomes there or not, rent is still expensive. Owning a house is still expensive. Thinking that apartment living is not conducive to families, I think that is false. I think that there are other opportunities for homeownership through different models of housing, even condominiums. We need housing for everyone, not just everyone who can afford a townhome. This one is hard.

Commissioner Byrd said only in the past two years have I no longer been a working neighbor of this site. I used to work at the large office building across the street. Now I work at home. When people mention concerns about that area, I have seen it over a long period of time. I have voted up here when residents were concerned about larger apartment buildings being built near their townhouses or their houses. We need it and I am going to approve this going there. For me to see an area that has been flat, and nothing there for so long and to think that in the future, some developer may put a large apartment across from this very busy, usually truck traffic street. I can see that argument. I can understand the thinking there, but if we are filling all the other spots around the City and we are going to approve their building there... Most of the things we have approved have not been built. I can understand staff's thinking and their concerns, but I was not moved by that argument. I am more in favor of approving. I do recognize that it creates an issue for whoever owns the property on that end by Main Street and whatever decisions they would make in the future would make any future residents of this particular idea want to come here and have something to say about what building is going there.

Chair Finnegan said I struggle with this one, but I agree with the point Commissioner Washington is making about all types of housing including condos. Where I am coming from on this, and I think Commissioner Armstrong made this point when we took the vote on the gas station. I think you said something about how do we start to move in a new direction? What I am looking at is the parking is what pushes the buildings apart. I am torn of this one, but side with staff. It sounds like we have mixed opinions here.

Commissioner Orndoff said I am torn as well. I am also concerned about the property that is in front of this fronting Main Street. What will happen with that? Will it be a compatible development with this? Or will it tend to isolate this? I know we cannot predict the future, but I do have a concern about that. I do not know if it is enough of a concern that I would vote against it.

Commissioner Byrd made a motion to recommend approval of the rezoning request.

Commissioner Whitten seconded the motion.

Councilmember Dent returned to the meeting. As she did not hear the discussion, she will abstain from the votes on these items.

Chair Finnegan said I struggle with this one. I want to make it clear that the reason why I plan to vote against this is not because I do not like the townhouses. I agree with staff, and I think that we can do better. That is my opinion.

Chair Finnegan called for a roll call vote.

Commissioner Armstrong	Aye
Commissioner Byrd	Aye
Councilmember Dent	Abstain
Commissioner Orndoff	No
Commissioner Washington	No
Commissioner Whitten	Aye
Chair Finnegan	No

The motion to recommend approval of the rezoning request passed (3-3). The recommendation will move forward to City Council on December 13, 2022.

Commissioner Byrd moved to recommend approval of the SUP to allow townhomes of no more than eight units.

Commissioner Armstrong seconded the motion.

Chair Finnegan called for a roll call vote.

Commissioner Armstrong	Aye
Commissioner Byrd	Aye
Councilmember Dent	Abstain
Commissioner Orndoff	No
Commissioner Washington	No
Commissioner Whitten	Aye
Chair Finnegan	No

The motion to recommend approval of the SUP request passed (3-3). The recommendation will move forward to City Council on December 13, 2022.

Commissioner Byrd moved to recommend approval of the SUP to allow multiple-family dwellings of more than twelve units.

Commissioner Whitten seconded the motion.

Chair Finnegan called for a roll call vote.

Commissioner Armstrong	Aye
Commissioner Byrd	Aye
Councilmember Dent	Abstain
Commissioner Orndoff	No
Commissioner Washington	No
Commissioner Whitten	Aye
Chair Finnegan	No

The motion to recommend approval of the SUP request passed (3-3). The recommendation will move forward to City Council on December 13, 2022.

Commissioner Byrd moved to recommend approval of the request to close a portion of Wilson Avenue.

Commissioner Whitten seconded the motion.

Chair Finnegan called for a roll call vote.

Commissioner Armstrong	Aye
Commissioner Byrd	Aye
Councilmember Dent	Abstain
Commissioner Orndoff	No
Commissioner Washington	No
Commissioner Whitten	Aye
Chair Finnegan	No

The motion to recommend approval of the request to close a portion of Wilson Avenue passed (3-3). The recommendation will move forward to City Council on December 13, 2022.