

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 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.