



CITY OF HARRISONBURG COMMUNITY DEVELOPMENT

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To: Planning Commission
From: Department of Community Development
Date: January 17, 2023 (2nd Regular Planning Commission Meeting January 2023)
Re: Rezoning – Bluestone Town Center (R-1, R-3, and B-2 to R-7)

Summary:

Project name	Bluestone Town Center
Address/Location	1010 Garbers Church Road, 1645 and 1815 Erickson Avenue, 1781 South High Street, and South Dogwood Drive (although there is no property frontage along South High Street or South Dogwood Drive)
Tax Map Parcels	21-K-4 & 5; 115-B-1 & 4; and 117-C-3
Acreage	+/- 89.75-acres
Property Owner(s)	Barber Martha Clark Others ATTN Charles Clark, GSW Investors, Cook Creek Church of Brethren Cemetery, and Willow Lane Partners C/O Sarah Rees
Owner's Representative:	Harrisonburg Redevelopment & Housing Authority
Present Zoning	R-1, Single-Family Residential District, R-3, Medium Density Residential District, and B-2, General Business District
Proposed Zoning	R-7, Medium Density Mixed Residential Planned Community District
Staff Recommendation	Denial in part (further details below) Approval in part (further details below)
Planning Commission Public Hearing	January 17, 2023
City Council Public Hearing	Anticipated February 14, 2023

NOTE: This staff report is written with the presumption that the applicant's proposed amendments to the R-7 zoning district have been approved. The details of the amendments are described in a separate staff report but are summarized as follows:

- To amend Section 10-3-57.3 by making two modifications. The first would amend subsection (c) by increasing the number of allowed dwelling units within a multiple-family building from 16 to 64. The second modification would add a new subsection by adding manufactured homes as a use permitted by right, provided that the manufactured homes are attached to a permanent foundation, titled as real estate, and limited to one manufactured home per lot.
- Section 10-3-57.6 (c). The amendment to this section would increase the maximum percentage of multiple-family units allowed in an R-7 development from 30 percent to 50 percent.

Background:

Comprehensive Plan Land Use Guide Designation

The Comprehensive Plan designates the majority of this area as Low Density Mixed Residential. These areas have been developed or are planned for residential development containing a mix of large and small-lot single-family detached dwellings, where commercial and service uses might be finely mixed within residential uses or located nearby along collector and arterial streets. Duplexes may be appropriate in certain circumstances. Mixed use buildings containing residential and non-residential uses might be appropriate with residential dwelling units limited to one or two dwelling units per building. Attractive green and open spaces are important for these areas and should be incorporated. Open space development (also known as cluster development) is encouraged, which provides for grouping of residential properties on a development site to use the extra land for open space or recreation. The intent is to have innovative residential building types and allow creative subdivision designs that promote neighborhood cohesiveness, walkability, connected street grids, community green spaces, and the protection of environmental resources or sensitive areas (i.e. trees and floodplains). Residential building types such as zero lot-line development should be considered as well as other new single-family residential forms. The gross density of development in these areas should be around 7 dwelling units per acre and 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.

The Comprehensive Plan also designates a smaller area along the property’s Erickson Avenue public street frontage as Commercial. Commercial uses include retail, office, professional service functions, restaurants, and lodging uses. Commercial areas should offer connecting streets, biking and walking facilities, and public transit services. Interparcel access and connections are essential to maintaining traffic safety and flow along arterials. Parking should be located to the sides or rear of buildings.

Current Site Details and Adjacent Uses

Site: Undeveloped land, containing a small historic cemetery; zoned R-1, R-3, and B-2

North: Single-family detached dwellings, Heritage Oaks Golf Course, and vacant properties, zoned R-1

East: Single-family detached dwellings, zoned R-1 and R-3; and multi-family dwellings, zoned R-3

South: Professional offices and retail uses, zoned B-2; agricultural use, zoned R-1

West: Agricultural use and across Garbers Church Road, Harrisonburg High School, zoned R-1

What is an R-7 Development?

The R-7 zoning district is intended to provide opportunities for the development of planned residential communities offering a mix of single-family detached units, single-family attached units, and in certain circumstances, multi-family units. R-7 communities are developed under an approved master plan that incorporates regulatory text for the communities. Aside from particular provisions of the Zoning Ordinance (ZO) that must be met, the approved master plan is the “zoning” by which the development must abide. The R-7 zoning district requires a minimum of two contiguous acres at the time of application, a minimum of 15 percent open/green space, and at least two types of residential housing types, where no one type can exceed 70 percent of all residential units. Maximum density is limited to 15 units per acre.

To date, the City has approved five R-7 master planned communities:

- Brookside Park located at Roberts Court, Drake Lane, and Suter Street, rezoned to R-7 in 2006, and then amended in 2007 and in 2011;
- The Quarry located along Linda Lane and Smithland Road, rezoned to R-7 in 2007;
- Collicello North located along Collicello Street north of 5th Street, rezoned to R-7 in 2013;
- The Village at Chicago Park located along Saturday Drive, which is off of Chicago Avenue, rezoned to R-7 in 2014; and
- Juniper Hill Commons located off of Keezletown Road, rezoned to R-7 in 2020.

While considering the rezoning request, any needed Subdivision Ordinance variances or other subdivision related matters should be considered when making a recommendation for master planned projects as approving the plan of development could be perceived as also providing an endorsement for the subdivision matters during the platting phase.

Key Issues:

The applicant proposes to construct no more than 900 units and, at this time, is planning a variety of housing types totaling 897 units including:

- 133 for-sale manufactured homes (attached to a permanent foundation, titled as real estate, and limited to one home per lot),
- 324 for-sale and rental townhomes, and
- 440 multi-family dwellings (included in large and small buildings, garden style buildings, and as townhome-style over retail).

Master Plan Text and Layout

As required, the applicant has submitted a master plan, titled “Master Plan Zoning Requirements for Bluestone Town Center” and an associated master plan layout (sheets titled “Master Plan” and “Master Plan – Public Road Layout”), which together with the submitted proffers, if the request is approved, would be the “zoning” by which the development must abide. (Note that the applicant has also provided conceptual layouts of the development that are not part of the master plan or proffered.) The R-7 district allows the applicant to propose their own area and dimensional regulations for the development except for maximum building height which the R-7 district regulations limits to a maximum of 40-feet and three stories for all buildings, except for multi-family dwellings, which may have a maximum height of 50-feet and four stories. Additionally, the R-7 district allows the applicant to propose alternative regulations to address off-street vehicle and bicycle parking and for provisions found in Article T. Modifications and Adjustments of the Zoning Ordinance (ZO), which the applicants have taken advantage of those opportunities and proposed regulations specific for their plan of development.

The text portion of the master plan, has sections which describe:

- A. Uses permitted by right,
- B. Uses permitted by special use permit,
- C. Area, density, and dimensional regulations,
- D. Off-street vehicle and bicycle parking regulations,
- E. Modifications and adjustments, and
- F. Other regulations.

Staff has worked with the applicant to help ensure the master plan text portion of the project is enforceable. While the majority of the text is acceptable, at this time we still have one concern with the regulatory text. Section E. Modifications and Adjustments, specifically within General Modifications subsection (4), it describes that front, side, and rear lots are established based upon the proposed

orientation of a building. Staff believes this is problematic. This would allow, for example, a manufactured home to be proposed on a lot along the public street identified as Road A with its front orientation facing away from the public street. Then, on an adjacent lot, another manufactured home could be proposed with its front orientation facing the public street. This creates inconsistency as different setback distances would be applied along the public street. Staff believes that regulation is not good practice and that it should be amended in a way that creates consistency in setback enforcement.

A unique component of the master plan in Section E. Modifications and Adjustments, specifically within General Modifications subsection (6), it states the following:

All manufactured housing in the development will, at the time of construction, meet or exceed the then-current requirements of the Fannie Mae MH Advantage or Freddie Mac CHOICEhome lending programs, or any replacement program with requirements that are substantially similar.

Along with the above detail of the master plan text and Proffer 3.b., if the request is approved, then manufactured homes within the development must comply with the requirements of Fannie Mae MH Advantage or Freddie Mac CHOICEHome lending programs. The two lending programs have minimum architectural and site installation programs that are more stringent than the HUD Code. For example, the Fannie Mae MH Advantage Program requires, among other things, homes be designed as a multi-section property (i.e., no single-wide homes), eaves that are 6 inches or greater, roof pitch at a ratio of 4/12 or greater, minimum architectural features, and one of three energy standards on the Data Plate. The Freddie Mac CHOICEHome program has similarly structured requirements, which among other things, includes: multi-section home with a minimum of 1,000 square feet of living area; pitched roof minimum of 4/12; minimum architectural features; and eaves that are 4 inches or greater. (Additional information on the Fannie Mae MH Advantage program was provided by the applicant and is included in the application and supporting documents.)

With regard to the master plan layout, as previously stated, these layouts are part of the “zoning” for the development and will govern the general layout of the site and would be used as a basis for subdivision and engineered comprehensive site plan approval and zoning enforcement. Section 10-3-57.6 (g) of the R-7 district regulations states that:

Applicants for the R-7 zoning district shall submit at rezoning a master development plan, showing and describing in map and text form:

- (1) General layout of roads, housing areas, open space, parks, pedestrian and bicycle trails.
- (2) General location and number of community building, school, day care, church and public use sites proposed.
- (3) Description of housing types/lot configurations to be used with lot areas, minimum widths and depths, minimum yards defined.
- (4) Indication on the master development plan of the general location of housing types/lot configurations proposed.
- (5) Environmentally sensitive areas: slopes exceeding fifteen (15) percent, streams and 100-year floodplains.
- (6) Proposed active recreation areas and recreation facilities.
- (7) Proposed general landscape plan (landscape areas, plant materials and general specifications).

- (8) Description of how design principles of the district are to be met and proffers, if any, to implement the principles.

Note that conceptual layouts are provided separately on other sheets titled “Conceptual Site Layout.”

Within their submitted documents, the applicant has addressed items (1) through (5) in Section 10-3-57.6. However, staff does not believe that items (6), (7), and (8) have been adequately addressed. First, our concerns with subsection (6) are described later with Proffer #3 in the *Proffers* section below. With regard to subsection (7), staff advised that to meet the requirements of this subsection, that the applicant should describe what general types of plants would be planted (for example, deciduous and/or ever green trees at 6-feet in height at the time of planting and maintained) in different types or areas within the development or illustrated areas within the master plan layout. This information does not exist within the master plan or proffers.

With regard to subsection (8), which refers to the design principals and objectives listed in Section 10-3-57.2 of the R-7 district regulations, staff believes that the applicant could more directly address how each of the design principles of the district have been met by the master plan and proffers. The eight principles are:

- (1) A mix of housing types and residential lot sizes and configurations is provided so as to offer a variety of housing opportunities, yet create a cohesive neighborhood that enhances social interaction.
- (2) Housing is clustered to preserve valuable environmental resources and provide usable recreational open space.
- (3) The open space system is as carefully designed as the housing area so as to offer usable parks, connected green spaces, and village greens and civic spaces visible from roadways and spatially defined by abutting building facades and/or landscape elements.
- (4) Vehicular, pedestrian and bicycle transportation is facilitated through a connected system of roads, sidewalks and/or trails so as to provide many choices with regard to mode and route.
- (5) Traffic claiming techniques may be used to reduce vehicle speed and increase pedestrian and bicycle safety.
- (6) Principal buildings address the street, presenting front facades on the publicly visible side of the building.
- (7) The visual impact of vehicular off-street parking and garages on public streetscape views is minimized through innovative site planning and building design including parking areas located to the rear of buildings, using architectural design elements such as massing, form, materials and fenestration to make garages visually compatible with inhabited buildings, and parking areas screened with landscape elements.
- (8) Neighborhood support uses, such as neighborhood commercial areas, daycare facilities, community centers, churches and schools, are designed so as to be visually compatible with the residential character of the neighborhood and accessible by all transportation modes.

Staff does not believe that design principles (3), (6), and (8) have been addressed by the master plan or proffers.

Sheet 1 of the Master Plan layout identifies where different types of uses can be located within the development. Sheet 2, titled “Master Plan – Public Road Layout” shows the general layout of roads within the development, and also illustrates the traffic and transportation improvements described in Proffer #5. If the request is approved, then the notes on the “Master plan – Public Road Layout” describing traffic calming measures and the street notes would be regulatory. However, the typical road

section schedule is not regulatory as the notes below the table indicate that “final typical sections to be determined at the preliminary platting phase for lane widths and location of sidewalk and shared-use-path.”

Finally, the ZO’s Article G, which includes the regulations for most off-street parking requirements does not address the minimum required parking for a manufactured home use. The outcome of the ZO amendment and this rezoning request will determine how quickly an amendment regarding the minimum parking requirements for manufactured homes should be addressed for general guidance of R-7 developments. This matter, however, does not impact the review of the proposed project.

Proffers

Please read the proffer document submitted by the applicant as staff has the following concerns with the submitted proffers:

1. Provision of Affordable Dwelling Units. Provision of Affordable Housing
The attached Memorandum from Liz Webb, Housing Coordinator, dated January 12, 2023 includes an analysis of the proffers, as well as, the development proposal as a whole from a housing perspective. (Note that after evaluating both favorable and unfavorable factors from a housing perspective, the Housing Coordinator concluded that the development is anticipated to have a positive impact on affordable and workforce housing needs and recommended approval of the rezoning request.)
2. Residential Units
Proffer 2.b. should not be a proffer enforced by the ZO, and therefore staff recommends that this proffer not be accepted by City Council. The proffer is vague in terms of details of how it would be enforced by City staff. If the applicant desires to establish this as a policy, they could do so on their own and it should not be enforced by the City through the ZO.
3. Environmental Sustainability
Staff has no concerns with Proffers 3.a., 3.b. 3.d. and 3.e.. However, staff has concerns with 3.c., and 3.f.

Regarding Proffer 3.c., staff recommends rejecting this proffer as it is too vague to be enforced. Staff recommended to the applicant that if they wanted to offer this proffer that they should include a minimum square footage of solar panel systems or some other measurable feature.

With regard to Proffer 3.f., staff does not believe this proffer adequately addresses design objective (3) in Section 10-3-57.2 of the ZO (as mentioned above), which states that, among other things, the master development plan shall achieve the following:

The open space system is as carefully designed as the housing area so as to offer usable parks, connected green spaces, and village greens and civic spaces visible from roadways and spatially defined by abutting building facades and/or landscape elements.

Proffer 3.f describes that all residential units shall be within 1,000 feet of a green space and/or common area and staff believes that this distance criteria is too great and is a long distance for community members to travel to get to green spaces and common areas. For perspective, 1,000 feet is the approximate distance between the two proposed development entrances (Road A and Road E) along Erickson Avenue. The R-7 district requires that 15 percent of the development be

dedicated to common open space and as previously noted Section 10-3-57.6 (6) requires that the master plan describes proposed active areas and recreation facilities; staff does not believe that these requirements have been met. Staff suggested that the applicant consider including within the master plan text, master plan layout, or the proffer more specificity to ensure that the development would ensure that amenities are publicly accessible to both homeowners and renters, particularly to ensure that households living in denser multifamily units can easily walk to useable common open spaces. Additionally, the proffer describes examples of amenities, such as pocket parks, playgrounds, playing fields, and recreation areas, but does not commit the applicant to provide any specific type or number of amenities.

4. Impact Fee

The attached Memorandum from Chris Brown, City Attorney dated January 12, 2023, includes an analysis of this proffer and why the proffer is not legally viable and should not be accepted by City Council.

5. Traffic and Transportation

See *Transportation and Traffic* section below.

Land Use

Staff does not believe that the proposed rezoning is conforming with the Comprehensive Plans Land Use Guide (LUG), primarily because of the ratio of multi-family dwellings and townhomes that would be built. As previously stated, the LUG designates the majority of this area as Low Density Mixed Residential. These areas are described as having “been developed or are planned for residential development containing a mix of large and small-lot single-family detached dwellings, where commercial and service uses might be finely mixed within residential uses or located nearby along collector and arterial streets. Duplexes may be appropriate in certain circumstances. Mixed use buildings containing residential and non-residential uses might be appropriate with residential dwelling units limited to one or two dwelling units per building.” The development would allow up to 50% of the dwelling units to be multifamily. The LUG states that Low Density Mixed Residential areas should have a gross density of around 7 dwelling units per acre, while the development proposes 10 dwelling units per acre. From a planned land use perspective, the development appears to be more in line with the Medium Density Mixed Residential designation which suggests that “[m]ixed-use buildings containing residential and non-residential uses and multi-family dwellings could be appropriate under special circumstances...” That designation, however, goes on to suggest that gross density of a development could be around 20 dwelling units per acre.” When comparing the planned density of the Low Density Mixed Residential designation to the proposed development, while it is subjective, the proposed density of 10 units per acre for the project could be considered “around 7 dwelling units per acre.”

The LUG also encourages both Low Density Mixed Residential and Medium Density Mixed Residential areas “to have innovative residential building types and allow creative subdivision designs that promote neighborhood cohesiveness, walkability, connected street grids, community green spaces, and the protection of environmental resources or sensitive areas (i.e., trees and floodplains).” Staff is appreciative of the developer’s efforts to promote neighborhood cohesiveness, walkability, and connected street grids. However, as staff has explained earlier, the applicant has not adequately addressed community green spaces.

Generally, the Comprehensive Plan encourages Traditional Neighborhood Development (TND) throughout the City (pages 6-9 and 6-10 of the Comprehensive Plan). Some of the TND principles are included in the master plan.

Transportation and Traffic

A traffic impact analysis (TIA) was accepted by the Department of Public Works on November 3, 2022. Proffer # 5, a Street Improvement Agreement with the City, and the Master Plan – Public Road Layout, together, provides for the necessary mitigations to address the development’s impact on the existing streets, as well as, to create a network of connected streets within the development to distribute traffic. The noted Street Improvement Agreement addresses the shared responsibility between the applicant and the City for certain transportation infrastructure needs that are necessitated by both the development and existing conditions and background growth in the community. The Street Improvement Agreement is included within the packet.

On the day that this staff memorandum was written, staff identified two issues that need correction within Proffer #5. Specifically, within Proffer 5.a.1. “Road A” should be “Hidden Creek Lane,” and then within Proffer 5.f., within the last sentence the phrase “the requirements” should be removed so that the sentence says: “HDPT has discretion during site engineering design to waive any requirement of this proffer, if they deem it necessary or appropriate.” Unfortunately, this memorandum was published prior to receiving confirmation from the applicant that these changes reflect their intentions. Staff will update Planning Commission on this matter at the January 17 meeting.

The proffers have also adequately addressed when specific streets and transportation improvements shall be constructed relative to when certificates of occupancy would be issued. Staff is appreciative of the applicant’s proffers to construct bicycle and pedestrian facilities within the development and off-site; such as sidewalks along Hidden Creek Lane and shared use path connections from the development to the Friendly City Trail.

Fire and Rescue

The Harrisonburg Fire Department noted that Code requirements for items such as street and travelway widths and turning radii will be addressed at the engineered comprehensive site plan and/or subdivision stage, as well as other items such as adequate access and water availability. The Fire Department is also satisfied with what the applicant has proposed for minimum setbacks between principal buildings in Master Plan text Section C. – Area, Density and Dimensional Regulations and Section F. – Other Regulations.

Public Utilities (Water/Sanitary Sewer)

The Harrisonburg Department of Public Utilities noted that the developer would be required, through the normal development process, to provide a Preliminary Engineering Report (PER) to study the water and sewer capacity to support the development as a pre-requisite to submitting an engineered comprehensive site plan.

Housing

See attached Memorandum from Housing Coordinator Liz Webb, dated January 12, 2023.

Additionally, throughout the Comprehensive Plan, there are Goals, Objectives, and Strategies that speak to housing matters. Specifically, within Chapter 7, Neighborhoods and Housing, of the Comprehensive Plan, there are particular matters that the proposed development could support. Examples include:

Goal 6. To meet the current and future needs of residents for affordable housing.

Objective 6.1 To promote affordable housing options, including affordable rental properties and affordable homes for ownership.

Objective 6.2 To promote home ownership to increase the proportion of owner-occupied units in the City.

Please refer to the Comprehensive Plan (<https://www.harrisonburgva.gov/comprehensive-plan>) for the full list of Goals, Objectives, and Strategies. In at least Chapter 7, there are specific strategies that reference working with HRHA.

As described in the Chapter 1 of the Comprehensive Plan, Goals are overarching statements describing the direction that a community wants to go. Goals describe a *desired end state* for a particular community resource or feature and should reflect the values of the community. Goal statements are qualitative in nature. Objectives are statements describing how goals could be reached. They may describe definable or measurable benchmarks for a goal. Strategies describe *possible* approaches and methods for attaining objectives. Strategies may be implemented by the City government or by other entities. Often, strategies are implemented through partnerships between multiple entities that might include the City, other local, state, and federal agencies, local businesses, the development community, faith-based and community organizations, and individuals. Strategies begin to answer the question, "How can we accomplish our objectives?"

Public Schools

Student generation attributed to the additional residential units are listed below in Tables 1 and 2 and are based on the applicant's planned number of units and unit types. Note that the total number of units planned for Bluestone Town Center is 897 (with an allowable maximum of 900), however, the total unit count used in the Tables is 837 because the planned 60 Senior Housing Units were not included.

Based on the School Board's current adopted attendance boundaries, Bluestone Elementary School, Thomas Harrison Middle School, and Harrisonburg High School would serve the students residing in this development.

Table 1: Student Generation Numbers Based on Specific School Boundary Factor

Student Generated				
Schools	Multifamily	Single-family attached	Single-family detached	Total
Bluestone Elementary	67.8	56.2	26.8	151
Thomas Harrison Middle	25.0	27.9	12.7	66
Harrisonburg High	24.8	40.3	17.4	83
Grand Total	118	124	57	299

Source of Calculator: Harrisonburg City Public Schools¹

¹ Data for Tables 1 and 2 was presented to the Harrisonburg City Public Schools Board in June 2022, are based on 2021-2022 student data, and only contains the initial projections. Harrisonburg City Public Schools staff are currently working to further analyze available data and expect to have new data available at the end of January 2023.

Table 2: Student Generation Numbers Based on City-Wide Factor

Student Generated				
Schools	Multifamily	Single-family attached	Single-family detached	Total
Elementary	75.4	74	28	178
Middle	21.3	31	12	65
High	24.8	40	17	83
Grand Total	121	146	58	325

Source of Calculator: Harrisonburg City Public Schools

Harrisonburg City Public Schools (HCPS) staff noted in their review comments that schools are over capacity in many of the schools. The new Rocktown High School is under construction and purchasing land for a new 7th elementary school is planned in the City’s Capital Improvement Program (CIP).

Alternatives:

- (a) Recommend approval of the rezoning request;
- (b) Recommend approval of the rezoning request, but to not accept Proffer 2.b. and Proffer 4; or
- (c) Recommend denial of the rezoning request.

Community Engagement:

As required, the request was published in the local newspaper twice advertising for Planning Commission’s public hearing. The advertisement was published as shown below:

Rezoning – 1010 Garbers Church Road, 1645 Erickson Avenue, 1781 South High Street, and South Dogwood Drive (Bluestone Town Center) (R-1, R-3, and B-2 to R-7)

Public hearing to consider a request from Barber Martha Clark Others ATTN Charles Clark, GSW Investors, Cook Creek Church of Brethren Cemetery, and Willow Lane Partners C/O Sarah Rees to rezone +/- 89.75-acres from R-1, Single-Family Residential District, R-3, Medium Density Residential District, and B-2, General Business District to R-7, Medium Density Mixed Residential Planned Community District. The Zoning Ordinance states that the R-1, Single-Family Residential District is intended for low-density, relatively spacious single-family residential development. The R-3, Medium Density Residential District is intended for medium density residential development and other uses intended to respect the residential character, which are aesthetically compatible within the district by means of architectural expression, landscaping, and restrained traffic flow. The B-2, General Business District is intended to provide sufficient space in appropriate locations for a wide variety of retail shopping, commercial, automotive, miscellaneous recreational, and service activities. The R-7, Medium Density Mixed Residential Planned Community District is intended to permit the development of master planned residential communities offering a mix of single family detached and attached dwellings and open spaces. The minimum district size is two acres and the maximum density is 15 dwelling units per acre. The Comprehensive Plan designates this site as Low Density Mixed Residential; Commercial; and Conservation, Recreation, and Open Space. The Low Density Mixed Residential designated areas have been developed or are planned for residential development containing a mix of large and small-lot single-family detached dwellings, where commercial and service uses might be finely mixed within residential uses or located nearby along collector and arterial streets. Duplexes and mixed use buildings with residential dwelling units limited to one or two dwelling units per building might be appropriate. The gross density of development in these areas should be around 7 dwelling units per acre. Commercial

areas include retail, office, professional service functions, restaurants, and lodging uses. The Commercial designated areas should offer connecting streets, biking and walking facilities, and public transit services. Interparcel access and connections are essential to maintaining traffic safety and flow along arterials. Parking should be located to the sides or rear of buildings. The Conservation, Recreation, and Open Space designated areas are primarily made up of the City's open space and parks system, which include City parks, and the Heritage Oaks Golf Course. Also included in this designation are sites containing cemeteries and historical monuments. The site is addressed as 1010 Garbers Church Road, 1645 and 1815 Erickson Avenue, 1781 South High Street, and South Dogwood Drive (although there is no property frontage along South High Street or South Dogwood Drive) and the properties are identified as tax map parcels 21-K-4 & 5; 115-B-1 & 4; and 117-C-3.

In addition, adjoining property owners were notified of the public hearing; the property was posted with signage advertising the request; and a notice was provided on the City's website at <https://www.harrisonburgva.gov/public-hearings>.

Recommendation:

Staff is recommending denial in part and approval in part. From a land use perspective, staff does not believe that the development is in conformance with the Comprehensive Plan's Land Use Guide. Additionally, the master plan and proffers do not adequately address all the requirements of the R-7 district regulations and staff has concerns with the lawfulness, clarity, and enforceability of the master plan text and proffers. With this said, as most are aware, the City needs more housing in the City, and as noted by staff's evaluation of the project, as noted by the Housing Coordinator, staff "recommends approval, preferably with questions addressed and recommended modifications incorporated.

Attachments:

- Site map
- Application and supporting documents
- Memorandum from City Attorney Chris Brown, dated January 12, 2023
- Memorandum from Housing Coordinator Liz Webb, dated January 12, 2023
- Public comments