

SUBJECT:

Public hearing to consider a request from Martha E. Grover, Trustee and MG Harrisonburg LLC with representatives Bluestone Land LLC to rezone two parcels from R-1, Single Family Residential District to R-5C, High Density Residential District Conditional. The two parcels totaling +/- 7.0 acres are addressed as 161 and 241 Blue Ridge Drive and are identified as tax map parcels 28-G-2 and 1, respectively.

Public hearing to consider a request from Martha E. Grover, Trustee and MG Harrisonburg LLC with representatives Bluestone Land LLC for a special use permit per Section 10-3-55.4 (1) to allow multi-family dwellings of more than 12 units per building in the R-5, High Density Residential District. The two parcels totaling +/- 7.0 acres are addressed as 161 and 241 Blue Ridge Drive and are identified as tax map parcels 28-G-2 and 1, respectively.

EXTRACT FROM MINUTES OF HARRISONBURG CITY COUNCIL MEETING HELD

ON: February 9, 2021

Agenda Item 6a and 6b were presented and voted on together:

Adam Fletcher, director of Community Development, stated the applicant's representative and attorney stated the rezoning and special use requests must be approved together or the development will not work.

He presented the request to rezone two parcels from R-1 to R-5C and a special use permit for property located at 161 and 241 Blue Ridge Drive. He reviewed the property, the surrounding properties and their zoning designations, the land use for the area, and the proffers offered. He noted out of 107 of the 142 would be two-bedroom units or less. He explained the proffer for the 5% affordable housing units.

He reviewed Section 10-3-55.6(e) regarding the conditions that Council must review and find whether or not the project meets the required conditions. He reviewed those conditions and noted staff does not believe all of the conditions have been met and explained why.

He stated that a Traffic Impact Analysis was not required and although staff recognized that there would be an increase in traffic regardless of what is build on this parcel the level of service should not be impacted.

He stated staff and Planning Commission (4-2) recommend denial of the rezoning and special use permit requests and the reasoning behind that decision.

At 8:57 p.m., Mayor Reed closed the regular session and called the first public hearing to order. A notice appeared in the Daily News-Record on Monday, January 25, 2021 and Monday, February 1, 2021

Mayor Reed had a question regarding the affordable housing units. Mr. Fletcher stated Mr. Park would be able to address the questions she has.

William N. Park, Pinnacle Construction & Development Corp, representative for applicant stated there will not be any specific sized units set aside for affordable housing so that the people have choices.

Vice Mayor Romero asked what the arguments and defenses were by the Planning Commission member on this request. Mr. Fletcher stated he doesn't recall off the top of his head he would have to review the minutes.

Council Member Dent recalled a conversation she had with Mr. Fletcher, about the prospect of building a road connecting to Market Street and now understands the complexity but still wonders if a small road could be created to alleviate some of the traffic impact to the neighborhood. Mr. Fletcher it would be an increase in construction costs for the developer which could negate the project all together. Further discussion took place regarding the street improvements.

Council Member Jones asked if Council removed Sections 10-3-55.6(e)(1) and (3) would staff be able to support the project. Mr. Fletcher stated it would make it easier for staff to step away from the technicalities of the zoning ordinance and with the new Housing Study it could make it easier to determine what the special circumstances are so that a multi-use family development could be built in this area. Council Member Jones stated it is difficult to say this is a bad project considering staff provided 8 reasons why this is a good project. Further discussion took place regarding the parking spaces for this project and the impact of traffic to the neighborhood. Council Member Jones asked about the height of the buildings proposed versus the overpass and overhead utility lines. Mr. Park stated the buildings will be either at or just below the overhead powerlines. He stated the closest residential building is at least 80 feet from the proposed development.

At 8:57 p.m., Mayor Reed closed the regular session and called the first public hearing to order. A notice appeared in the Daily News-Record on Monday, January 25, 2021 and Monday, February 1, 2021.

Mr. Parks, Pinnacle Construction, developer, reviewed the project overview and noted the special use permit is to allow more than twelve units per building, it has nothing to do with density. He reviewed the amenities that will be provided, parking, streetscapes, site constraints, stormwater quality, site plan, affordable housing units, transportation and pedestrian improvements, National Green Building Standards, positive traffic impacts, and fiscal impact summary.

Mayor Reed stated she would like to see the developer offer 10% of the units as affordable housing.

Council Member Dent stated she was pleased to hear that there will be one building with an elevator, which would be good for empty-nesters downsizing. She stated we need to find a way to build inward and upward or people will end up moving to the outskirts and the city losing the revenue and thanked Mr. Parks for that insight.

Vice Mayor Romero stated several comments have been received from residents of the surrounding neighborhood, and asked Mr. Parks if they have reached out to the neighborhood to address some of their concerns and received any input on the proposed development. Mr. Park stated even though it wasn't a requirement there were mailers sent to over 300 residents in the area about a meeting in August of 2020 as well as made the presentation available online. He stated

the majority of the questions received were regarding traffic, stormwater, and flooding issues. He stated there were a few that just didn't want the development in that location. He stated they responded to any questions the residents had.

Pamayotis "Poti" Giannakaouros, stated he has not looked at this project as closely as others but wanted to know what impact this development would have on surrounding property values in the sense of gentrification and will this make the housing less affordable for the people who already live there.

Andrew Jackson, 190 Blue Ridge Drive, stated he sent letters of his views to Council on this project and if you look at the other projects that will be presented this evening there are huge differences i.e. Green space. He stated this proposed development will be an open building parking lot, paved surface, and large structures. He stated many of the houses around the proposed development will lose sunlight exposure, traffic would be impacted for many, it won't address our housing needs, zero green space for children and impact on school populations.

Richard Benty, 910 Spotswood Drive, state he did receive the information in the mail from the developer but was not able to attend the meeting. He stated his concerns are that the neighborhood is not a neighborhood with gargantuan buildings, this is a neighborhood were young families walk, kids riding their bikes but to put this type of density in such a small space it just doesn't fit the neighborhood. He stated if this must happen then he hopes the City works on the Martin Luther King, Jr Way extension first to alleviate the possible traffic impacts to the neighborhood.

Theresa Jackson, 190 Blue Ridge Drive, stated one of her big concerns is that it is being built right up against a neighborhood with very low traffic. She stated there will be safety issues with the cut through traffic in this area. She stated another concern is the lack of green space for children to play in.

Anton Blann stated he thinks the building idea is good but feels in the future there will be different building strategies to make them more eco efficient. He agrees with the previous caller on the green space, nature helps with the mental state of mind, if we can reduce stress, we can reduce crime and help the community.

At 9:42 p.m., Mayor Reed closed the public hearing and the regular session reconvened.

Council Member Jones stated one of our goals is to have the highest of use possible and going from a truck terminal to anything housing related would be a much much higher use. He stated he would like to return this request back to the Planning Commission to review the new Housing Study and the new proffers added since this project was presented to them. He stated Council should also look into eliminating or amending Section 10-35-55.6(e) of the city code.

Vice Mayor Romero stated it didn't seem right to him to vote on this project this evening since a lot has changed since the Planning Commission has reviewed this item. He stated hopefully the residents of the neighborhood will have the opportunity to think more about what the project is going to look like and may reassure them. He stated he agrees about the concern of lack of green space and places for kids to play as well as the request from the Mayor to increase the affordable housing units.

Mr. Fletcher asked if the request was to eliminate the specific conditions in Section 10-3-55.6(e)(1) and (3) or was it to evaluate them to see if they should be removed from the ordinance. Council Member Jones stated he would like to see them removed but directed Mr. Fletcher to draft an amendment removing them from the ordinance and also draft an amendment editing the language as staff feels appropriate and then Council can vote after reviewing both.

Council Member Jones applauded the builder for diving into the affordable housing piece. He stated in regard to the green space concerns, we live inside a city, we need density and affordable housing, there is a limited amount of green space because we have a limited amount of land, we can't have it everything all the time. He stated when we look at projects like this, we need to look at it from a grander scale on how it will affect the city as a whole.

Mayor Reed stated she appreciates the fact that affordable housing was added, but she would like to see more units in that category.

Council Member Dent asked for clarification on amending the ordinance and having the Planning Commission review along with the Rezoning and Special Use Permit requests. Chris Brown, city attorney, stated they will try to get it done on a parallel track to each other. She stated green space would be nice, but we must consider the tradeoffs and this builder has done a great job at optimizing the space.

A motion was made by Council Member Jones, seconded by Vice Mayor Romero to refer the rezoning request and the special use permit request back to the Planning Commission for review and recommendations. The motion carried with a recorded vote as follows:

Yes: 5 Mayor Reed, Vice Mayor Romero, Council Member Jones, Council Member Hirshmann and Council Member Dent

No: 0