



City of Harrisonburg

City Hall
409 South Main Street
Harrisonburg, VA 22801

Meeting Minutes Planning Commission

Wednesday, March 11, 2020

7:00 PM

Council Chambers

1. Call To Order

The Harrisonburg Planning Commission held its regular meeting on Wednesday, March 11, 2020 at 7:00 p.m. in the City Council Chambers, 409 South Main Street.

2. Roll Call/Determination of Quorum

Members present: Mark Finks; Brent Finnegan; Kathy Whitten; Sal Romero; Jim Orndoff; and Gil Colman, Chair.

Members absent: Zanetta Ford-Byrd.

Also present: Adam Fletcher, Director of Community Development; Wesley Russ, Assistant City Attorney; Thanh Dang, Assistant Director of Community Development; Alison Banks, Senior Planner; and Nyrma Soffel, Administrative Assistant.

Chair Colman called the meeting to order and said that there was a quorum with six of seven members present.

Present 6 - Gil Colman, Brent Finnegan, Mark Finks, Kathy Whitten, Sal Romero, and Jim Orndoff

Absent 1 - Zanetta Ford-Byrd

3. Approval of Minutes

Chair Colman asked if there were any corrections, comments or a motion regarding the February 12, 2020 Planning Commission minutes.

Commissioner Finks moved to approve the February 12, 2020 Planning Commission meeting minutes.

Commissioner Finnegan seconded the motion.

The motion to approve the February 12, 2020 Planning Commission minutes passed (5-0). Commissioner Whitten abstained.

3.a.

A motion was made by Finks, seconded by Finnegan, that the Minutes be approved. The

motion carried by a voice vote with Commissioner Whitten abstaining.

4. New Business

4.a. Consider approving the FY 2020-2021 through 2024-2025 Capital Improvement Program

Chair Colman read the request and asked staff to review.

Mr. Fletcher said that the Capital Improvement Program (CIP) is a multi-year presentation of planned capital projects of \$50,000 or greater with an appropriate financing plan to fund the projects. The CIP is prepared annually to facilitate planning and the setting of priorities among capital improvement needs over a subsequent five-year period. The CIP is designed to identify projects for all City departments, as well as for Harrisonburg City Public Schools, for which funding has already been committed or is being sought for within the five-year planning period.

Planning Commission's objective is to review and evaluate the CIP and, once the document is in an acceptable format, recommend the document for approval to City Council. Remember that the CIP is not a budget and inclusion of projects in the document does not guarantee that such projects will be funded by the City or any external sources in the year presented or at the level proposed. The actual commitment of funds by the City for any capital item comes with the approval of the annual budget for each fiscal year. However, the CIP serves as an important planning tool for formulating the capital portion of the annual budget.

As can be observed by reviewing previous CIP documents, the CIP is not a static plan. It is part of annual planning and programming, where after each passing year, another year is added to the planning period to maintain the five-year forecast. Each year costs, needs, and revenue sources are reevaluated.

Staff emailed Planning Commission the proposed CIP on February 25th so that they could begin reviewing the document in preparation of the review at the March 11th regular meeting. The document was uploaded to the City's website on February 26th. The Commission had a little over a week to review the document and to submit comments and questions to staff so that responses could be collected and provided to Planning Commission.

The questions below were submitted prior to the Planning Commission review of the CIP by Commissioner Finnigan via email on Friday, February 6, 2020

1. QUESTION: The repairs to East Market Street near Court Square took significantly more time and resources than originally anticipated. Do the numbers in the CIP for Public Works projects reflect the increased costs for replacing old infrastructure?

RESPONSE: Public Works does its best to predict all associated costs for CIP projects. We feel that we have done sufficient due diligence for this level of planning and have applied contingencies to these costs as well.

The East Market Street project was a project that had multiple private utility issues that were outside the City's control.

2. QUESTION: Will the city consider conducting a [value-per-acre analysis](https://www.strongtowns.org/journal/2018/10/19/value-per-acre-analysis-a-how-to-for-beginners) [so that we know how much the city is getting in tax revenue to compare to what we are spending on infrastructure and services?](https://www.strongtowns.org/journal/2018/10/19/value-per-acre-analysis-a-how-to-for-beginners) If we had such an analysis, that could help guide decisions about where we might be able to adjust rules and restrictions regarding taxable economic activity such as home businesses in neighborhoods where the current property tax revenue does not pay for repairs that will need to be made in the next 10 to 30 years.

RESPONSE: City staff would have to investigate this tool further to better understand how it might be useful in evaluating tax revenue. If directed, we would also have to determine the amount of time and resources that are needed to complete the exercise, and then determine whether this tool would be useful beyond current practices.

3. QUESTION: We have been adjusting regulations in zoning designations such as R-8 to conform to the needs of our current fire trucks. As we budget for new trucks and equipment, has there been any discussion or research into smaller, more nimble trucks that are being used in other cities that would allow for changes to zoning and housing density restrictions?

RESPONSE: We have looked at these smaller vehicles, but they do not fit the need of Harrisonburg. They do not have the water carrying capacity nor the storage space for the equipment that we need to carry. Much larger departments have the ability to have multiple types of fire engines and still maintain the required equipment. With only four fire staffed fire engines in the City, we could not afford for one of those engines not to have this necessary water or equipment.

I (Chief Bennett) can provide more information or would be happy to have a discussion with any of the Planning Commission members if they would like.

4. QUESTION: Aside from the \$300K bridge replacements, I don't see anything about Heritage Oaks in the CIP. Are Public Works staff hours and resources used to help maintain the course? If so, where is that accounted for?

RESPONSE: Maintenance of the golf course is included and a part of the Parks and Recreation Operating budget. We employ 5 full-time and 6-10 part-time and seasonal staff to maintain the golf course.

The FY21 budget request for the golf course maintenance division is \$649,982.

5. QUESTION: I believe the new JMU parking decks averaged out to around \$23K per parking space (when the land value and construction costs are accounted for). What is the estimated cost-per-parking space for the new downtown decks?

RESPONSE: Our estimates for the parking deck were developed with a \$23,000 - \$25,000 per space.

6. QUESTION: Has the city accounted for the any changes in acidity levels between our current and future water sources? It is my understanding that more acidic water sources can potentially increase lead levels in the water, as was the case in Flint, MI.

RESPONSE: We currently have an acidic raw water from our Dry River source in Rawley Springs. The new source at the South Fork Shenandoah River will be much more basic in comparison. Because we have treated water from Rawley Spring since 1898, we have much experience and expertise controlling corrosivity by adjusting the plan effluent pH and alkalinity to a neutral position on the Langelier Saturation Index (LSI). Our standard practices will address this concern. For the record, Flint Michigan did not undertake this common practice because they hurried their mothballed plant back into operations without the expertise of experienced operators; thus the root cause of their problem.

The questions below were submitted prior to the Planning Commission review of the CIP by Commissioner Finks via email on Saturday, February 7, 2020.

1. QUESTION:

Network Replacement

Code: IT-NSP05

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This reads to me as a potentially serious issue. Can you expand on exactly what sorts of areas would be affected if the network cores were to completely break?

RESPONSE: We have 2 Core switches located at 409 S Main and 101 N Main St. Every major department has dark fiber running to each location. All servers reside in the data centers at these locations, so should both switches fail, all e-mail, web, phone, and application traffic would halt. This would not disrupt the water treatment plant, since their application workstations are in house.

2. QUESTION:

Renovation of old municipal building

Code: MGR3

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We don't appear to have a clear plan on how this building would be used. What is the justification for this project being labeled Priority 2 instead of Priority 3?

RESPONSE: The City is currently contracting with an architect to deliver a space study to best inform maximizing the spaces for the Public Safety Building, Municipal Building and City Hall. Available space in the Public Safety Building for the Police Department, H-R ECC and Fire Administration is growing scarce. In addition, departments within City Hall are reaching their seven year growth expectations and will also need space to grow moving forward. This study will inform how best to utilize the Municipal Building for the growth of these departments as we plan for both the immediate future and longer term plans of City offices and personnel.

3. QUESTION:

Liberty Street and Acorn Dr. New Traffic Signal

Code: PWTELN02

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In the presented alternative plan it suggests considering a roundabout, wouldn't a roundabout be considerably more expensive than a new traffic signal? If we would not be deciding to update the light because of financial concerns, what would be an alternative reason to consider a roundabout in this intersection?

RESPONSE: With the growing costs of traffic signal installations, due to increased design costs, availability of signal equipment, and steel; alternative intersections are becoming more utilized throughout the state. A roundabout was considered in this location due to the existing large footprint, because of the existing size of this intersection, and that the roundabout does not carry with it the same long term maintenance costs as signals. Also, the traffic volumes in each direction are similar, which is well suited for a roundabout.

4. QUESTION:

Riven Rock Restrooms // Ralph Sampson Park Splashpad

Code: P&R 22-1, P&R 23-1

Page 76 and 77

Based on my perspective, it seems like Ralph Sampson Park is more utilized than Riven Rock park by Harrisonburg residents. Considering the economic makeup of the residents who use each of these parks, I would think there is a greater need to improve Ralph Sampson park since the amenities available to the residents who use this park would likely be limited.

RESPONSE: During the season (April-September), Riven Rock is heavily used for fishing, swimming and picnicking. The only "restroom" facility is old, deteriorating out-houses. These out-houses have no lights (so completely dark when the door is

closed) do not have running water to wash hands and most critical, they do not meet any standard of the ADA. The proposal is to install vault-style, flushable toilets that are ADA Accessible, have lights and have running water.

Both parks are heavily used, however, we have placed the priority on providing an adequate sanitation facility over the installation of the splash pad. In the meantime, we are developing a plan to provide a transportation service directly from Ralph Sampson Park/Simms Education Center to the Westover Pool and Splashpad so that the youth and families can enjoy this wonderful amenity during the hot, summer months.

Chair Colman said that questions two and three by Commissioner Finnegan relate to zoning. As we are reviewing the Zoning Ordinance, these things should be considered. For density we should consider using smaller vehicles in certain areas. I think it is a good question. There is not always a connection between the CIP and what the Fire Department proposes that ties back to zoning. We deal with that on a regular basis, as we plan for neighborhoods, and work with the Fire Department to make sure that their vehicles can be accommodated. I think we need to look at it the other way, also. How can we change the Fire Department approach to allow for more compact or more dense developments? I am on board with this and I think that we should consider it.

Commissioner Finnegan said that he realizes that some of the questions he asked were a little outside of the lines of the CIP, but they were all CIP adjacent.

Commissioner Finks expressed his appreciation for the effort involved in answering his questions.

Mr. Fletcher said that the commissioners are doing their due diligence. I appreciate that we are focusing on these questions because it is a significant program that has many impacts, not just in the current budget, but in years to come.

Commissioner Finnegan clarified that question one, regarding the increased cost of replacing old infrastructure, and question two regarding value per acre in terms of revenue, are things that we need to keep an eye on. If those costs go out of control, what are we going to do to get the revenue to pay for those costs?

Chair Colman said that the commissioners should be reviewing the CIP in terms of the goals and objectives of the various departments. We can then associate the CIP with the Comprehensive Plan.

Commissioner Whitten asked how much over-budget was the East Market Street project?

Mr. Fletcher said that he does not know but will find out.

Vice Mayor Romero said that the water main break could have increased the costs, as well.

Mr. Fletcher said that there were private utilities that were in unexpected places. There was a Verizon telephone vault in a location that conflicted with the planned location of the replaced water line. There was a lot of timing and coordination to get Verizon to remove the vault and move it to a better location. There was also rock. I will find out what the increased costs were.

Mr. Fletcher also noted that there was a replacement sheet for pages 39 and 40. The dates were incorrect. Replace the sheet in your CIP copy.

Chair Colman asked if there were any further questions for staff.

Vice Mayor Romero asked for clarification of the CIP process.

Mr. Fletcher said that the Code of Virginia requires a CIP. The Planning Commission reviews the CIP to ensure that it aligns with planning principles. It is a financial planning document, but it has significant impact on development because of the large capital expenses. The Planning Commission reviews it and, if it is acceptable, moves it on to City Council for final adoption.

Vice Mayor Romero said that he has the benefit of more time to read the document and to ask further questions prior to voting on it at City Council.

Commissioner Whitten said that while it is a quick turnaround to review and approve, it is not usually this quick.

Mr. Fletcher read some statements from the Code of Virginia Section 15.2-2239. Among other things from the Code, he noted that City Council can instruct the Planning Commission to hold a public hearing, but we historically have not. However, City Council does hold a public hearing.

The document was finished in November, but there was a lot of coordination with the School Board. The schools were delayed due to their focus on the new Harrisonburg High School project. It did affect the scheduling.

The CIP project begins in July. Departments start planning their expenditures from July through August. The projects are presented to the CIP Committee in September. The Committee includes the Finance Director, City Manager, Deputy City Manager, Assistant to the City Manager and the Director of Community Development. We examine the submittals, exploring the issues, alternatives, prioritization, justification, etc. It is evaluated to ensure that it is written and put together properly. In October, we conduct the final draft reviews. The Finance Director then gives projections for revenues. This year, due to the delay, he was able to give updated revenues. Usually you would see the CIP in November. This year, we had to wait for the School Board.

Chair Colman said that it would be good to have it earlier, even if it is a draft. Based on the things that we are seeing within the City we can make recommendations to the departments. They can

evaluate those recommendations or simply update the CIP. Otherwise, we are simply looking at it, but have very little leverage on what to do with it other than to say it meets or does not meet.

Mr. Fletcher said that if we run into this situation again, I can give you a draft. You would not see the final numbers or summary sheets, but you would have the projects in hand. If not, I will give you the whole thing.

Chair Colman said that he has seen CIPs before, so he is familiar with it. I can tell if it seems consistent and goes along with things that we have seen before. For newer commissioners, it is a new document. Those of us who have seen it before might not look at it as much as we should. If we had more time, we could strategize as to how to review it. We could look at the goals and the needs within the City and see how the CIP is aligning with them. The departments know much better than we do, but some of the concerns raised in these questions that we have are valid and useful as we move forward in planning.

Vice Mayor Romero said that he agrees. City Council looks at the Planning Commission as an advisory council. City Council considers that the Planning Commission has thoroughly looked at the CIP and discussed it, and that we are voting on it because we are in full support of it. As a commissioner, I would have a hard time today because I have not had enough time to look at the document in full. I will be able to do that as a council member because I will have it for an additional two weeks. I wanted to make sure that I understood that it is not always this tight. If it is, then what can we do differently. There is a lot of value in looking at the document with more time to reflect upon it. It is hard for me to vote on something that I am not fully knowledgeable about. If it is one of those one-time things, I am okay with that.

Chair Colman said that we trust our departments and planners. They know what they are doing. We also have a job to do and we need to make sure that we do it right.

Mr. Fletcher said that the department directors, the people who are the representatives, like receiving the questions because, after all the effort that they put into it, people are reading it and responding to it. They appreciate the questions.

Chair Colman said that the process of submitting questions and receiving answers works well. I think that it would be interesting to consider what the best way to review the CIP is so that we can be fully supportive, instead of a cursory review.

Commissioner Finnegan said that we are not reviewing a budget or recommending a budget. We are signing off on the fact that we have read the needs. It is not a budget.

Mr. Fletcher said that if you look closely at the numbers, you will see that a lot of the projects are priority two. Priority one projects are essentially mandated. You have to do them by law. When you compare all the priority one and priority two projects, you need \$1.8 million for the priority one projects. That is a good thing because there is very little that is mandated that we have to do.

Priority two projects are all highly desirable projects.

Commissioner Finks made a motion to recommend approval of the CIP, as presented.

Commissioner Finnegan seconded the motion.

All members voted in favor of recommending approval of the CIP (6-0). The recommendation will move forward to City Council on April 14, 2020.

This Action Item was recommended to full council.to the City Council due back on 4/14/2020

5. New Business - Public Hearings

- 5.a.** Consider a request from Park Apartments LLC and Faith Community Free Methodist Church to rezone +/- 11.02-acres at 200-294 Rocco Avenue and 1690 South Main Street

Chair Colman read the request and asked staff to review.

Ms. Dang said that the Comprehensive Plan designates this area as High Density Residential and Commercial. High Density Residential areas have been developed or are planned for development that have the highest residential density ranges outside of the downtown area and properties designated Mixed Use by the Land Use Guide. Density is planned to allow up to 24 dwelling units per acre. While a number of existing multi-family developments and areas adjacent to such developments are identified as High Density Residential, residential land use could include small-lot single-family detached and single-family attached neighborhoods. In special circumstances, non-residential uses may be appropriate. Commercial areas may 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.

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

- Site: Multi-family dwelling units and parking for a house of worship, zoned R-3, M-1, and B-2C
- North: Industrial uses, zoned M-1
- East: Purcell Park, zoned R-1
- South: Townhomes zoned, R-3C
- West: Industrial uses, zoned M-1; a house of worship and vacant property, zoned B-2C; and across Rocco Avenue, commercial and industrial uses, zoned M-1

The applicants, Park Apartments, LLC and Faith Community Free Methodist Church (FCFMC), are requesting to rezone a +/- 11.02-acre site to R-5C, High Density Residential District Conditional. The site consists of two parcels. The first parcel is owned by Park Apartments, LLC

and is +/- 8.86-acres. This parcel is split zoned R-3, Multiple-Dwelling Residential District and M-1, General Industrial District. Approximately 4,200 square feet of that parcel is zoned M-1. The second parcel is owned by Faith Community Free Methodist Church and totals +/- 3.29-acres and is zoned B-2C, General Business District Conditional. The request would rezone a 2.16-acre portion of this parcel, where the remaining 1.13-acres would maintain the B-2C zoning.

If the rezoning is approved, the applicants plan to complete a subdivision so that Park Apartments will receive the rezoned 2.16-acre portion of the FCFMC property. Park Apartments will also pay for the construction of a parking lot for FCFMC. Park Apartments plans to maintain the existing 140 multi-family units on their property and then construct 60 additional units consisting of 24 one-bedroom units and 36 two-bedroom units on the newly acquired +/- 2.16-acres.

The existing Park Apartments property (TM 10-C-5A) was rezoned from M-1, General Industrial District to R-3, Multiple Dwelling Residential District in 1970 and there were no proffers associated with that rezoning. This +/- 8.86-acre property is nonconforming to the current R-3 district regulations because there are currently 140 multi-family dwelling units and the current R-3 district only allows up to 128 multi-family dwelling units. The R-3 district used to allow a density of 2,000 square feet of lot area per unit, but now requires 3,000 square feet of lot area per unit. Rezoning the +/- 8.86-acre property from R-3 to R-5 will make the parcel conforming to the density requirements of the Zoning Ordinance (ZO).

The FCFMC property (TM 10-C-5) was rezoned from M-1, General Industrial District and R-3, Multiple Dwelling Residential District to B-2C, General Business District Conditional in 2002. The proffers on the property are as follows (written verbatim):

1. "Rocco Enterprises, Inc. and or assigns will install an evergreen buffer between Rocco Apartments and the common boundaries of the subject. (evergreens planted at ten-foot intervals.)
2. Rocco Enterprises, Inc. and or assigns will maintain a 50 (fifty) foot building setback between Purcell Park and Rocco Apartments common boundary. The current existing landscaping buffer between Purcell Park and the subject will be maintained."

At that time, the applicant proffered to maintain the current landscaping along the Purcell Park boundary and to place a landscape buffer between 10-C-5 and 10-C-5A to separate future commercial uses from the existing residential uses at Park Apartments. Additionally, the applicant had proffered a 50 feet building setback where 10-5-C is adjacent to Purcell Park and 10-C-5A (Park Apartments).

With the current request to rezone the properties to R-5, the applicant has proffered the following (written verbatim):

“In connection with the rezoning request for the +/- 8.86-acre parcel identified as tax map parcel 10-C-5A and for the +/- 2.2-acre portion of the parcel identified as 10-C-5, the following is proffered:

Dwelling units may be occupied by a single family or no more than two (2) unrelated persons.

Townhouse and multi-family dwelling units shall provide 1.5 parking spaces per unit.”

Note that the submitted conceptual site layout and the number and type of dwelling units described in the applicant’s letter are not proffered.

The R-5 district allows by right dwellings to be occupied by a family or not more than four unrelated persons. The first proffer reduces the occupancy of dwelling units to either a family or no more than two unrelated persons. With this proffer, and because the minimum off-street parking requirements of Section 10-3-25 (7) allow for reduced parking when occupancy is restricted, the site does not have to have as much parking as would have been required under the standard R-5 district. Although the applicant could have been allowed the flexibility of providing only one parking space per unit, they proffered that they will restrict themselves to providing 1.5 parking spaces per unit because that is the approximate ratio they have provided for their current tenants. (There are currently 216 off-street parking spaces serving 140 dwelling units, which equals 1.54 parking spaces per dwelling unit.)

The applicant has not proffered to retain any of the previous proffers associated with the 2002 rezoning, which staff believes is appropriate. A buffer between TM 10-C-5 and TM 10-C-5A would unnecessarily separate existing and future residential uses that would be owned and operated by a single entity, Park Apartments. Additionally, FCFMC, the co-applicant on this request, does not desire a buffer between its properties and Park Apartments. However, the 2002 proffer requiring an evergreen buffer along the FCFMC property, zoned B-2C, that is not part of this rezoning request will remain. Presently, there are no evergreen trees planted at this location and staff is working with the applicants to rectify this matter.

In the conceptual site layout, the applicant has shown a scenario in how they might organize travel ways and off-street parking spaces. The applicant understands that turning radii, parking requirements, stormwater management, and other details, would be reviewed during the engineered comprehensive site plan phase of development to ensure that all regulations are met. The applicants are also aware that to join the +/- 2.16-acre area with the +/- 8.86-acre parcel, they will need to complete a property boundary adjustment (minor subdivision). Additionally, new sidewalk construction along Park Apartment’s entire frontage of Rocco Avenue will not be required at the time of subdivision but will be required at the engineered comprehensive site plan and construction phase of the project.

The entirety of TM 10-C-5 is designated in the 2018 Comprehensive Plan's Land Use Guide as Commercial and the entirety of TM 10-C-5A is designated High Density Residential. Attached Exhibit A shows the Land Use Guide designations for these parcels. While the request to rezone the +/- 2.16-acre portion of TM 10-C-5, which is designated Commercial, is for residential uses, staff believes that the rezoning request generally conforms with the Comprehensive Plan because the +/- 2.16-acre site is adjacent to areas designated High Density Residential. Furthermore, adding one- and two-bedroom units is beneficial to the City given recent conversations about housing. Approving this request could also work towards achieving Goal 6 of the Comprehensive Plan, which is "[t]o meet the current and future needs of residents for affordable housing."

Staff recommends approval of the rezoning request as submitted.

Chair Colman asked if there were any questions for staff.

Commissioner Whitten asked what school district is this project in?

Mr. Fletcher said that it is Keister Elementary School.

Commissioner Whitten asked if the schools look at these proposals.

Ms. Dang said that the review sheet is sent to the schools and they let us know if they need additional information.

Vice Mayor Romero asked if there would be an infrastructure meeting regarding the road, with the additional traffic.

Ms. Dang said that a Traffic Impact Assessment (TIA) was not required for this project. When Park Apartment develops the new apartments and when the church redevelops, we consider that a redevelopment and sidewalks would be required along the frontage. I do not know if the church redevelopment will trigger an engineered site plan. The apartments would, as they are new ones, and sidewalks would have to be constructed along the Rocco Drive frontage.

Chair Colman said that there are no foreseen improvements to the intersection, then.

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

David Mitchell, Great Eastern Management Company, owner of Park Apartments, LLC, came forward to speak to the request. About a year ago, one of our partners looked at what we can do with the property that is sitting there vacant. We looked at various options. The church had a strangely shaped property and thought they might be willing to do a swap. From an apartment standpoint, we do not need to be on the road. The church is hemmed in. The building has property lines at 20 feet at either side and their parking lot is up the hill. It is not great. We started

talking about what we could do and how we could make it work and came up with this plan. We are going to swap property. Great Eastern/Park Apartments and Faith Community are going to do a common development with the new parking lot, making way for their (Faith Community Church) planned expansion and making sure they have enough parking for that planned expansion. We will do common stormwater facilities. Great Eastern will do all the site work. We will build their new parking lot first, which is downhill and will take all of the stormwater facilities and treatment. We will move them and finish the apartment side of it. This is one of those few projects that might be a win-win for everybody.

Commissioner Finnegan asked why they were proffering no more than two unrelated individuals in an apartment.

Mr. Mitchell said that they are not in the business of renting to students. It is not our market.

Chris Hirtriter, Church Administrator for Faith Community Free Methodist Church, came forward to speak to the request. We are excited about the opportunity to do the land swap. We see opportunity for future expansion of our sanctuary. We are going to make our current sanctuary into six additional education classrooms. We do outreach in the community with Keister Elementary. At one time we were doing English as a Second Language classes, tutoring, and after school classes. We participate in Open Doors. This will give us an opportunity to increase the amount of time that we participate, especially now that it sounds like we will be going to a year-round shelter system. A lot of excitement there. We see this as a win-win.

Commissioner Whitten asked if the church has a plan for expansion.

Mr. Hirtriter said that it is in the thought process. We do not have anything solid, yet. We have been talking with a local general contractor and getting the footprint of what it would take to expand the sanctuary, what we would like to see as seating capacity, what it would look like, so we can start planning out the parking lot as well.

Chair Colman said that this is a great project. You are accommodating two things here, helping the church and providing more housing. Are those affordable rental units?

Mr. Mitchell said that they are. We have gone through a facelift renovation. They were built before the 1970s rezoning. They need better amenities, roof, siding. Our one-bedrooms are in the \$850 range. Our two-bedroom are in the \$1,000 to \$1,500 range. We only have eight three-bedroom units in the older part of the project. Those are about \$1,200. They are in the affordability range. We are not in the market to be at the top of the market. We are happy with our nice "B" product. It serves us well.

Chair Colman said that affordability means different things to different income levels. The City needs affordable housing at all levels. I am happy to see that is happening. I also like the idea of the proffer to keep students out. Hopefully, for families and individuals who cannot afford

anywhere else - this is perfect for them.

Mr. Mitchell said that the property manager counted the people getting on the bus. We have about twelve children, elementary to middle school, on the bus every day. That is of the existing 140 units. We have a lot of nurses, young professionals. I would not say that we have a lot of families or a lot of kids, maybe people starting off before the kids get to school age.

Commissioner Whitten thanked the church for the community outreach.

Chair Colman asked if there was anyone else wishing to speak to the request. Hearing none, he closed the public hearing and opened the matter for discussion.

Commissioner Finnegan said that he was excited about the prospect of turning parking into housing. I am in favor of this. It seems like it addresses several concerns at the same time. It is good when adjacent property owners can work together.

Vice Mayor Romero said that the location is great. I know the back of the apartments are adjacent to the Bluestone Trail and Purcell Park. It is a nice walk to the park.

Commissioner Whitten made a motion to recommend approval of the request.

Commissioner Finks seconded the motion.

All members voted in favor of recommending approval of the rezoning request (6-0). The recommendation will move forward to City Council on April 14, 2020.

A motion was made by Whitten, seconded by Finks, that this PH-Rezoning be recommended for approval to the City Council, due back by 4/14/2020. The motion carried by a voice vote.

5.b. Consider a request from Elite Land LLC for a special use permit to allow recreational and leisure time activities within the M-1 district at 60 Carpenter Lane

Chair Colman read the request and asked staff to review.

Ms. Banks said that the Comprehensive Plan designates this area as Industrial. These areas are composed of land and structures used for light and general manufacturing, wholesaling, warehousing, high-technology, research and development, and related activities. They include the major existing and future employment areas of the City.

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

- Site: Undeveloped acreage; zoned B-2
- North: Manufacturing/warehouse use; zoned M-1
- East: Furniture warehouse and sales; zoned B-2, and undeveloped acreage; zoned M-1
- South: Across Carpenter Lane, recreational use, storage facility, and undeveloped parcels;

zoned B-2

West: Non-conforming multi-family dwelling, non-conforming storage of manufactured/mobile homes, and undeveloped acreage; zoned B-2

The applicant is requesting a special use permit (SUP) per Section 10-3-97 (10) of the Zoning Ordinance (ZO) to allow recreational and leisure time activities, which may include non-transient dwelling units within the M-1, General Industrial District at 60 Carpenter Lane. The +/-5.0-acre site is located along the northern side of Carpenter Lane, a cul-de-sac at the southern edge of the City limits. If approved, Black Bear Gymnastics, a gymnastics instructional and training facility, would construct a building and operate at the site. Given that the applicant does not intend to allow non-transient dwelling units and that staff does not believe in allowing such uses at this location, if there is a desire to allow this SUP, among other conditions, staff is recommending that the SUP shall not allow non-transient dwelling units.

In July 2019, the subject site was rezoned from B-2, General Business District to M-1, General Industrial District. During the rezoning it was described that the site would be developed as a parking lot and used for storage of over the road tractor trailers. A future phase for the site was planned to include construction of a storage/warehouse facility. The B-2 zoning district does not allow for the storage of over the road tractor trailers, and warehousing or storage facilities are allowed only by SUP. The M-1 zoning district allows standalone privately-owned parking lots, warehousing and storage, and storage of over the road tractor trailers as by right uses. Staff supported the rezoning request, Planning Commission unanimously recommended in favor of the rezoning, and City Council unanimously approved the request. At the time of the rezoning, the applicant did not have plans for a gymnastics facility, which is allowed by right in the B-2 district. An engineered comprehensive site plan for the parking lot and a proposed 12,000 square foot warehouse/storage building is currently being reviewed by city staff (a copy of the landscape and site plan page from the engineered comprehensive site plan is included within the packet).

Black Bear Gymnastics is described by the applicant as a dedicated facility offering gymnastics training for boys and girls, through private instruction and group classes. They would also offer tumbling classes, after school programs, birthday parties, and cheerleading classes. As well, they hope to become the primary training facility for several local high school gymnastics, cheer, and possibly dance teams. Black Bear Gymnastics will not be a public gym; instead, participants must be registered with the training facility to participate in classes and activities. At this time, hours of operation are described as opening at 8:00 a.m. and to be open no later than 11:00 p.m.

Currently, the site is undeveloped and the applicant states that, if approved, the property owner would construct a 12,000 square foot building, which Black Bear Gymnastics would occupy. The building would have 24-foot high ceilings to allow for appropriate foam pits to be installed, with solid decking around, at a 6-foot elevation. This would then provide the needed 16 to 18 feet of ceiling clearance for training purposes. The applicant has been informed that they, or their architect, will need to work with the Building Inspections Division regarding Building Code requirements and necessary permits for construction.

Parking for the gymnastics facility would be calculated on the total occupancy of the facility and based on Section 10-3-25 (13) of the ZO, which would require off-street parking spaces calculated at 10 percent of the maximum occupancy of the fitness facility. All required off-street parking spaces would need to be installed and clearly delineated prior to occupancy of the building. Bicycle parking spaces would also be required per Section 10-3-25.1 of the ZO.

The entire area surrounding the Carpenter Lane cul-de-sac is designated in the 2018 Comprehensive Plan's Land Use Guide as General Industrial and, as previously noted, the subject site was unanimously rezoned to M-1 in 2019, which conforms with the Comprehensive Plan. In general, staff seeks to protect larger industrial zoned parcels, such as this 5-acre site, for economic development, where industries that produce a high number of jobs and/or above median income wage jobs could be located.

As indicated in the ZO, SUP uses are those uses which, if not specifically regulated, may have an undue impact on, or be incompatible with other uses of land within or adjacent to the zoning district. It is staff's understanding that, along with the gymnastics facility, the property owner intends to continue with the vision of using this site for storage of over the road tractor trailers and warehousing. Staff has concern with mixing trucking/warehousing uses with recreational uses on the property and with sharing entrances and parking areas. Furthermore, the recreational use is geared primarily towards K-12 students, presenting a potential safety hazard for those attending the gymnastics facility.

While staff believes a gymnastics facility is a good use in the city, we do not believe it is in the best interest to support this SUP request at this location and therefore recommends denial of the SUP request. However, should there be a desire to approve the recreational and leisure time activity SUP, staff suggests the following conditions:

- The special use permit shall be applicable only for the use, or a substantially similar use, as requested in this application;
- The special use permit shall not allow non-transient dwelling units;
- Any recreational and leisure time activity use permitted herein shall be constructed so that the use has a separate parking lot which is physically separated from any other use or parking lot. The intent shall be to physically separate and prohibit traffic from other uses mixing with traffic associated with the recreational and leisure time activity use. The recreational and leisure time activity use must have a separate entrance from Carpenter Lane and shall not share any onsite traffic maneuverability with other uses.

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

Britt and Katrina Cleveland, owners, Black Bear Gymnastics, LLC, came forward to speak to the request.

Petr Borodin, owner, Elite Land, LLC, also came forward to speak to the request. He said he was here, last July, asking permission to use this site for parking. Now I realize that this property is larger than what I need. I can downsize my usage and develop different business opportunities for the City.

Mr. Cleveland said that he received the report regarding 60 Carpenter Lane and Community Development's recommendation to deny this special use permit. It was rezoned from B-2 to M-1, per Mr. Borodin's request, in July of last year. He was talking about doing over the road truck parking. That is his business. That is what he runs. That is what he is still intending to do; what he is honoring. As Commissioner Finnegan said, it is better to see some parking lots go away. We are looking at doing that by adding a business to the area.

I understand the concern about the segregation that would be required. We are focused on training children. We are focused on developing a prime opportunity for the children of the area. The area is growing rapidly, not just the City but also the County. We are looking at providing an outlet for young girls. I have two daughters. Petr has two daughters. All of them are under the age of ten. There are very few after school activities or athletic opportunities for our daughters. Broadway has the nearest full-scale gymnastics facility. Staunton also has one. We are looking to partner with Skyline Gymnastics. Kate is currently coaching there. They have been within the City for over 30 years, starting at JMU. We have been working hand in hand with them, combining with them and helping them grow. They are operating out of an elementary school. They set up one time a week. They have over 285 kids going. They run six-week sessions. We are looking to bring this opportunity to the local area and help expand that in a more dedicated fashion.

We have been looking for two and a half years for a suitable location. We started out in the County. We tried to get a special use permit by Freedom Church Road in Cross Keys. We were looking at putting in our own at the time. In Harrisonburg, we started at Divine Unity Community Church on Country Club Road. We tried to get the back of their 15,000 square foot building. We had issues with spacing. Our space requirements are 18-foot clearance for safety for the children to be able to do bars and trampoline type activities. We also need to have over 50-foot of open span clearance. With the floor that they perform on, both for gymnastics and for cheerleading, they are 54 foot and 48 foot. Being able to provide that clearance and that space is difficult in the City and in the local area. We need high space. We have also tried where the new Interstate Batteries is on Pleasant Valley Road, south of the City. Again, we had problems with space. Working with Suters on Main Street, again, the main support structures in the middle of the facility interrupted the available 11,000 square feet. We were unable to use it. In Dukes Plaza between Ollie's and House of Oak and Sofa, there was a great high roof, but then the firewall gave us only about 5,000 square feet of usable space. It has been a challenge to find an area.

We happened to meet Mr. Borodin by chance. We were introduced to him. He said that he has daughters that would be interested in this and he has the land. He said he would build us the building. That is what led us to this. I know that it was rezoned to M-1. A lot of the area around

both sides of Carpenter Lane is still B-2, which we would fit into. We also have the golf course, which is recreational, right across the way, as well.

Mr. Borodin said that we have another high school coming up on Route 11. This would be a huge help to the high school for after school programs. They would go only two miles down the road to the gymnastics facility. I am Eastern European. My wife is from Belarus. We have a big community in town, which takes their kids all the way to Broadway for gymnastics. It would be a great opportunity for Harrisonburg, Rockingham, Bridgewater areas to bring the kids to gymnastics and have a controlled environment for our kids to play and exercise.

Mr. Cleveland said that they are looking to partner with the three local high schools. Right now, Harrisonburg High School, Turner Ashby High School and Spotswood all practice together as one team in Harrisonburg. They were in the wrestling room. I believe that they have moved to the common room. All three programs have outdated equipment. They are not looking to invest in more. We have started talking with the coaches and athletic directors to house all three of the teams so that the schools can continue to offer that.

Mr. Borodin said that he respects staff's recommendation to separate the properties. It is a liability. My goal is to turn this building so that it is situated parallel along the property. It would reduce the area behind the building to the setback minimum, which I can close off with a fence. I would run fence from the entrance to the front of the building. They would have a separate driveway, parking and building. I am going to downsize the scope of the construction to about two acres from the other entrance. I am not going to use the area where it may potentially be hazardous to children. I am going to leave a lot of undisturbed land, for now. I do not know when it is going to be developed further.

Commissioner Finnegan asked if the trucks are empty trailers. Is there hazardous material on them?

Mr. Borodin said there would be freight of all kinds. About 10 percent of the time, drivers come in with a loaded trailer, overnight, then leave in the morning to continue their route. Over the weekend, there would be empty trailers, drop and hook opportunities for my business. We can park trucks, not at a truck stop that can cause congestion and accidents overnight. We can park trucks away from the truck stops. We can provide people in Harrisonburg who are in the trucking business a place to park safely. There is no fuel stored on the property, just regular freight of all kinds, such as paper, plastics, empty trailers primarily.

Chair Colman asked if the trucks would remain occupied. Do the drivers stay with the trucks? Do they park and leave?

Mr. Borodin said that they park and leave. The 1,500 square foot building will be my office. I will be there, monitoring during business hours. I might even put up a gate so that no strangers enter after a certain time. The only people who would have access to the building would be people that

I know. No strangers would be allowed. We have different hours. I use the property from about 8:00 to 5:00, at the latest. Black Bear Gymnastics will use it from 3:00 to 8:00. We will be out of the area when they start. The tractor trailers would be there.

Commissioner Finks asked how many tractor trailers could be in that lot at one time.

Mr. Borodin said that he does not know. It depends on the needs. If I need more, then I can expand further. I just do not want to go into debt building everything out and not being able to use it. I want growth potential. If I have another business that is interested in coming in, I can limit myself to two acres for parking and use for warehousing for additional businesses. I do not know where time will lead me. There is a vision that the building can be extended if Black Bear Gymnastics needs more space or some other facility. On the east side of town, on Route 33, there is a jump or trampoline place. My vision would be a better facility for that kind of business on the south side of town. People from Bridgewater would not have to travel as far past Valley Mall.

Chair Colman asked if Mr. Borodin would be willing to proffer the separation.

Ms. Banks said that we, staff and planning commission, can offer conditions on a special use permit, but not proffers.

Chair Colman said that we could condition it to separate those properties by turning the building and providing fencing or buffers. If it is completely separated, then that could be acceptable.

Mr. Borodin said that the site plan is not complete so changes can be made. I support that.

Ms. Banks said that site is still in review for engineered comprehensive site plan review. It is being reviewed as the July 2019 rezoning proposal. This facility was added conceptually. This has not been approved. It is still going through its different iterations. It has only been looked at once. There could be changes to the way the building is oriented. Our last condition is basically the same as what you are asking.

Ms. Dang said that the type of separation was not specified, only that there be separation.

Mr. Fletcher said that the idea of recommending a particular type of separation was discussed. We decided to leave it up to the applicant to determine how it would be separated. The condition was written in a way to convey the intent that it would be completely separate, no mixing of traffic and to have separate entrances.

Chair Colman said that his concern is to protect the children and ensure the separation.

Commissioner Finks asked if one entrance would be adequate for large amounts of tractor trailers.

Ms. Banks said that it is a commercial size entrance.

Commissioner Finks asked if there would be enough turning radius.

Mr. Fletcher said that it would be something that they have to figure out with their engineering. If they could not make it work, they would have to choose which business they want.

Chair Colman said that there is plenty of property there and it is not uncommon to have one commercial entrance. The entrances should not be shared.

Ms. Banks said that is the intent of the suggested condition.

Commissioner Orndoff said that since this is preliminary, and the site plan would be more detailed, the positioning of the building could become a condition; or is that left up to them with the idea that we like it better with the building turned around in order to provide more distance between the tractor trailer and the kids.

Mr. Borodin said that if we turn the building, the building itself will act as a barrier. The entrance would be on the west side.

Mr. Cleveland demonstrated on the screen the proposed rotation of the building. The front would face west, with the parking in front of the building. It would be like two separate properties.

Ms. Dang said that this is conceptually what they are offering, but it would be very difficult to condition the specifics, without knowing the engineering requirements.

Commissioner Whitten said that she is uncomfortable with the location.

Mr. Cleveland said that if the location were where the furniture warehouse is (adjacent to this property), and if it were the right size, I could put this facility in without any segregation or fencing because of the (B-2) zoning. What we are proposing is to separate Mr. Borodin's property into a B-2 and an M-1. The way I look at it is that I could go in, just to the south, and put this into the furniture building if it met my requirements, it does not; but, if I went in there, right now, there would be no fencing and kids could run back and forth into the parking lot. It would be almost the same as what we are proposing, except we will design it per your recommendation for isolating so that kids do not run across.

Mr. Borodin said that across the street there is plenty of space, if the owners would allow them to put a building there. It is across the street.

Chair Colman said that the area is intended to be an industrial use according to the Comprehensive Plan. The proposed use is a great use. We would like to see it. It seems that you have looked around the City and have not found anything. We understand. That is why I am

thinking about what we can do here to make it work. I do not know that we are in full support, yet, because of the two uses. We do not necessarily see mixed with an industrial use. We love the idea of having the gymnastics facility somewhere, but this location is not ideal.

Commissioner Orndoff said that this is not designated for this type of use in the Comprehensive Plan. When the Comprehensive Plan was designed and approved the location of the second high school was unknown. Now we have a second high school that is not far from this property. I can see the need, as they have also indicated with the other schools in the area, both the City and the County, for this kind of facility. The fact that we now have a second high school that is going to be in the same general vicinity as this, is something we need to take into consideration.

Mr. Borodin said that it is in a centralized location for the high schools in Bridgewater and Harrisonburg.

Chair Colman asked if there was anyone else interested in speaking to the request. Hearing none, he closed the public hearing and opened the matter for discussion.

Commissioner Finnegan said that this reminds him of the church on Mount Clinton Pike. It failed to get passed City Council on a 2-2 vote, with one abstention. There is a clear, enthusiastic group of people who want to use this land for this use. It does not fit with what is around it and what the City wants to see there, in the future. I struggled with that request, as I struggle with this one.

Commissioner Whitten said that is an important point. High school or not, that industrial land is valuable and needs to be protected.

Commissioner Orndoff said that directly across the street from this is a driving range, which is a recreational and leisure time activity.

Commissioner Whitten said that has been there for a very long time.

Commissioner Finks said that he sees the similarities, but the difference is that the usage that is already proposed to happen on this property is so different. The property that we were looking at on the north end of town was cornfield. There were no tractor trailers parked there with a church next door. That is a big difference. It is two uses that you normally would not want to see right next to each other. In a perfect world, I would not want to see them next to each other, but I also understand that there are not a lot of areas where you can find property for a building of the size required. We have to weigh all those factors and not just look at it from a perspective of whether we want those two uses next to each other or not.

Commissioner Finnegan said that, when we looked at the parking plan for the new high school and the related discussions, and the fact that the high school is going in where it is going and is surrounded by car parking lots and car dealerships, I said that I see the south end of town changing because of the high school over time. I am not saying that is a reason to say "yes" to this,

but having a high school in a place that is surrounded by car dealerships will cause it to change over time. We will see more requests like this. It is a tough call.

Chair Colman said that we approved a special use permit for an athletic facility on Acorn Drive, in an industrial area.

Ms. Banks said that one was approved on Red Oak Street. It later got approval for a larger facility on Acorn Drive and moved its operation. Recently, another one was approved on Acorn Drive.

Chair Colman said that there is precedent of establishing athletic facilities in the City. This request is related to a tractor trailer parking area, which is different from what we have on the north side. It is something to consider that this is not something that we have never seen before. We have seen it a couple of times.

Commissioner Finks said that there is a desperate need for these services. I would love to see it in Harrisonburg. It seems like it would be a great opportunity for a lot of students in the area. I think it would be great in Harrisonburg. I just struggle with the location. If it was not for the location, I would be very happy to vote in approval. In general, I agree that that area is a central location between schools. There is the golf course right across the street. The location makes sense to me. It comes down to the use next door. I struggle with that.

Commissioner Whitten said that we want to comply with the Comprehensive Plan.

Commissioner Finks said that we want to protect the M-1 district, but we also have to allow for flexibility when we see something that is going to benefit the City. I worry about being too protective of the M-1 if it is going to sit vacant. If we have a viable plan that comes in, that will make sense for the area, we should at least consider it.

Commissioner Finnegan said that the other piece that I am struggling with is vacant properties, such as the corn field in the north, where we can put the property to taxable use.

Commissioner Finks said that once we do that, from a planning perspective, we will not get that back. It will be difficult, with that use there, to have it as a viable M-1 property for a serious industrial business.

Commissioner Whitten said that various locations on Neff Avenue would be great for such a business.

Commissioner Finnegan said that it sounds like they have exhausted their options.

Commissioner Whitten said that across from the JMU Athletic Facility on Port Republic Road and Neff Avenue would be a good location.

Chair Colman said that they do not own that property. In terms of losing industrial property, the property will mainly be used for an industrial use. To me, that is not the issue. The issue is the mixing of the two uses. That is what concerns me. Given the separation, that could be something that I would be supportive of, and yet apprehensive.

Commissioner Whitten said that if it is successful, then they will want to grow. There will be other things that are complementary that would want to adjoin them.

Chair Colman said that would also require a special use permit.

Commissioner Orndoff said that if that were the case, the whole thing might go back to B-2.

Commissioner Finnegan said that the request was not dividing the property, if we use the conditions presented by staff, such as the language on the last conditions "substantially similar use."

Mr. Fletcher said that the industrial use is not established. Any of the M-1 uses are permitted.

Chair Colman said that right now it is tractor trailer parking, but it is not limited to that.

Commissioner Orndoff made a motion to recommend approval of the special use permit with the suggested conditions.

Commissioner Finnegan seconded the motion.

Chair Colman called for a roll call vote.

Commissioner Finks: No

Commissioner Finnegan: Aye

Commissioner Orndoff: Aye

Commissioner Romero: Aye

Commissioner Whitten: No

Chair Colman: Aye

The recommendation to recommend approval of the special use permit, with conditions, passed (4-2). The recommendation will move forward to City Council on April 14, 2020.

Commissioner Whitten said that she has mixed feelings about this. I do feel like this is a wonderful opportunity. I know about the Skyline program. I have a child in Stone Spring Elementary School. I know that it is popular and needed. Children are spending too much time behind screens and inside. They need to be engaged, in play and in physical activity. I am a huge advocate of that. I am torn about this particular configuration in this location, and the M-1 and the Comprehensive

Plan.

Commissioner Finks said that he would reiterate Commissioner Whitten's comments for his "no" vote on the motion.

A motion was made by Orndoff, seconded by Finnegan, that this PH-Special Use Permit be recommended to full council to the City Council, due back on 4/14/2020. The motion carried with a recorded roll call vote taken as follows:

Yes: 4 - Colman, Finnegan, Romero and Orndoff

No: 2 - Finks and Whitten

Absent: 1 - Ford-Byrd

6. Public Comment

None.

7. Report of Secretary & Committees

7.a. Annual Reports

7.a.1. Planning Commission 2019 Annual Report

Ms. Dang presented the Planning Commission 2019 Annual Report.

Commissioner Finks made a motion to forward the Planning Commission 2019 Annual Report to City Council.

Commissioner Finnegan seconded the motion.

All members voted in favor of forwarding the Annual Report to City Council (6-0). The Annual Report will move forward to City Council on April 14, 2020.

A motion was made by Finks, seconded by Finnegan, that this Action Item be recommended to full council to the City Council, due back by 4/14/2020. The motion carried by a voice vote.

7.a.3.

Ms. Dang presented the Planning and Zoning Division Report of Annual Activity 2019.

7.b. Proactive Code Enforcement

Ms. Dang said that the proactive code enforcement remains temporarily suspended pending the hiring of a Zoning/Planning Technician.

7.c. Rockingham County Planning Commission Liaison Report

Ms. Dang presented Commissioner Ford-Byrd's report for the Rockingham Planning

Commission meeting. There was a public hearing held to discuss the Rockingham County Capital Improvements Program (CIP) for fiscal years 2021 - 2025. It was approved unanimously. There was an ordinance amendment to the Rockingham County Code, Chapter 17 (Zoning Ordinance), Table 17-806.02 Area, Setback, and Height - Planned. It was a proposal to eliminate distances between apartment units that adjoin in the PMF (Planned MultiFamily) zoning district. Staff initiated the amendment to allow for decrease in setback requirement. There are currently no violations, but it would give some latitude to some recently approved projects, for example the Locust Grove Village project. It was approved unanimously.

Three rezoning cases were presented. First, West Lake Space, LLC., 1502 Brookhaven Drive, requested to rezone 0.743 acres from A-2 General Agricultural District to R-3 General Residential District. The property is currently occupied by Stone Spring Pediatrics. The proposal aligns with the existing R-3's in the area. It was approved unanimously by the commission. Second, Freedom Center DC Institute requested to rezone a 3-acre parcel located on the west side of North Valley Pike (US 11) from B-2C Neighborhood Business with Conditions to A-2-General Agricultural. In 2018 a prospective buyer had the property rezoned to B-2C. The purchase did not come to fruition and the property was not sold. The current owner intends to use it as a single-family dwelling, thus the request to A2. It was approved unanimously by the commission. Finally, Cosner Construction, Inc. requested to amend the existing proffered conditions and plan description of Locust Grove Village. The proposal was submitted and approved last year; however, the term "condominium" was included, which is not a land use, causing issues with financing. The purpose of the change is to remove the condominium requirement from all units. It was approved unanimously.

7.d. Board of Zoning Appeals Report

None.

7.e. City Council Report

Vice Mayor Romero said that there were two items from Planning Commission heard at City Council. One was the Cohousing project on Keezletown Road. It was approved (4-0). The second was the Virginia Mennonite Retirement Community project that came before the Planning Commission. It was approved (4-0).

8. Other Matters

8.a. Update on Comprehensive Update of Zoning and Subdivision Ordinances

Ms. Dang said that the Request for Proposals (RFP) was released on February 24, 2020. March 10, 2020 was the last day for questions. There was only one question submitted by a consultant. It was a procedural question regarding what documents they needed to submit with their RFP that has to do with insurance requirements. RFPs are due on March 27, 2020. The review committee will take a couple of weeks to review the proposals, do interviews and conduct negotiations. The anticipated start date is May 15. When the RFPs come in next month, we will let you know how many we have received.

Chair Colman asked how many companies have inquired?

Ms. Dang said that one company had a question. There is no requirement that people let us know that they are interested.

8.b. Update on Comprehensive Housing Assessment and Market Study

Ms. Dang said that the expectation is that the consultants will be hired to do data collection and assessment to provide recommended strategies and actions that the City could take to address the housing needs in our community. They would be analyzing affordability for home ownership and rentals. They will project future demands of housing and provide recommendations regarding programs that the City could explore, regulations, and obstacles that might prevent the market from meeting the housing demand. The scope of work was very detailed with different types of analyses that we desired; however, there was a clause stating that if the consultants thought it was appropriate to omit anything or if they determine that we missed something, based on their expertise, they could include that in their proposal. We provided an outline based on our research, but we are hiring the consultant to let us know what we need. We released the RFP on March 4, 2020. The last day for questions will be March 23, 2020. RFPs are due on April 3, 2020. There will be a review period, interviews, etc. The anticipated contract start date would be mid-May. We stated that we expected the study to be completed by January 31, 2021. If the consultant justifies a different timeline, we would consider it when we review the RFPs.

Mr. Fletcher said that the scope is quite comprehensive. Three of us (Mr. Fletcher, Ms. Dang, and Mr. Russ) were on the panel that created it. There was a group of seven that challenged each other. It was a good group to put this together. It is quite comprehensive. Some highlights are demographic data; economic conditions; homeownership markets; rental housing market; students and student housing; housing with supportive services; current programs, organizations and projects; trends and needs; financial gaps; barriers; and, finally, recommendations.

Chair Colman said that the metropolitan area goes beyond our City boundaries into the County. Are the consultants going to take that into account? Is that expected?

Mr. Fletcher said that we talked about that, but we are focused on the City of Harrisonburg, anticipating that they might come back and say that best practices need to bleed out into the County to capture what is going on. We understand that these are imaginary lines to housing. I assume that they will do some research and provide data that includes some of the County. There will be a difference between the City and the County. Capturing that urban fringe might be relevant, but as you move further into the County, the numbers get diluted.

Commissioner Finnegan said that the County recently approved the UDA about six months ago.

Chair Colman said that will have an impact on transportation, at the very least, in the City.

9. Adjournment

The meeting adjourned at 9:15 p.m.

NOTE TO THE PUBLIC

Staff will be available at 4:30 p.m. on the Tuesday before the next Planning Commission meeting for those interested in going on a field trip to view the sites on the next agenda.

Language interpretation service in Spanish is available for Planning Commission meetings. To ensure that interpreters are available at the meeting, interested persons must request the accommodation at least four (4) calendar days in advance of the meeting by contacting the City Clerk at (540) 432-7701 or by submitting a request online at:
www.harrisonburgva.gov/interpreter-request-form

El servicio de intérpretes inglés-español está disponible para las reuniones públicas de la Comisión de Planificación. Para asegurar la disponibilidad de intérpretes, cualquier interesado deberá solicitar la presencia de un intérprete al menos cuatro (4) días calendarios antes de la reunión comunicándose con la Secretaría Municipal al (540) 432-7701 o por medio de la página por internet al:

<https://www.harrisonburgva.gov/interpreter-request-form>