



# City of Harrisonburg

409 S. Main Street  
Harrisonburg, VA 22801

## Meeting Agenda - Final City Council

*Mayor Christopher B. Jones*  
*Vice-Mayor Richard Baugh*  
*Council Member Ted Byrd*  
*Council Member Kai Degner*  
*Council Member Abe Shearer*

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Tuesday, July 26, 2016

7:00 PM

Council Chambers

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1. Roll Call
2. Invocation
3. Pledge of Allegiance
4. Comments from the public, limited to five minutes, on matters not on the regular agenda. (Name and address are required)
5. Consent Agenda (any item placed on the consent agenda shall be removed and taken up as a separate matter, if so requested by any member of Council, otherwise all items will be voted on with one (1) motion)

5.a. Minutes

**Attachments:**     [July 12, 2016 Draft Meeting Minutes](#)

- 5.b. Consider an ordinance granting a franchise to use streets and other public lands of the city of Harrisonburg for operation of a fiber optic network

**Review & Recommendation:**     Shentel has requested that the city grant a franchise to use streets and other public lands of the city to lay fiber optic cable. Fiber optic cable to be installed by Shentel will connect various city owned properties through dark fiber.

**Attachments:**     [Memorandum](#)  
[Ordinance](#)  
[Public Notice](#)

**Legislative History**

7/12/16     City Council     approved on first reading

- 5.c. Consider a request from the Trustees BPO Elks 450 to rezone three parcels from R-3, Medium Density Residential District to B-2C, General Business District Conditional

**Review & Recommendation:**

The properties are addressed as 482 South Main Street and 50 Paul Street. Planning Commission recommended approval (6-0) of rezoning the 2.31 +/- acres, identified as tax map parcels 26-O-1, 20, & 21, from R-3 to B-2C with the following proffers:

\* The following B-2 uses would be permissible on the site:

i. Restaurants contained within the existing structure in the two rooms shown on the provided drawing as "Dining," and the area shown as "Kitchen," specifically not including drive through food service; ii. Religious, educational, charitable or benevolent institutional uses which do not provide housing facilities; iii. Accessory buildings and uses customarily incidental to any of the above listed uses; iv. Public uses; and, v. Concealed wireless telecommunications facilities, industrial microcells, distributed antenna systems, and macrocells. Telecommunications towers are permitted only by special use permit. Wireless telecommunications facilities are further regulated by article CC.

\* The property owner could apply for any special use permit allowed in the B-2 district.

\* All freestanding signs shall be no taller than 10 feet in height, no freestanding sign shall be larger than 100 square feet in area, and any signage may not be LED or contain scrolling message boards.

**Attachments:**

[Memorandum](#)

[Extract RZ 482 South Main Street R-3 to B-2C](#)

[Letter, application, proffer statement, and supporting application material](#)

[Site Maps](#)

[Surrounding Property Notices](#)

[PowerPoint](#)

**Legislative History**

7/12/16

City Council

approved on first reading

- 5.d. Consider a request from Harrisonburg OB/GYN Associates, LLC to rezone a parcel from R-3, Medium Density Residential District to B-2C, General Business District Conditional

**Review & Recommendation:**

The property is addressed as 2205 Evelyn Byrd Avenue. Planning Commission recommended approval (6-0) of rezoning the 1.27 acres, identified as tax map parcel 77-L-12A, from R-3 to B-2C with the following proffers:

1. The site shall only permit business and professional office uses; 2. All uses allowed by an approved special use permit shall be permitted; 3. The existing vegetation (trees and shrubbery) parallel to and within 45 feet from the southern property boundary shall be maintained to provide a vegetated buffer to protect the adjacent residential uses from uses on the subject site; or, an evergreen vegetative buffer shall be created parallel to and within 10 feet from the southern boundary with the intent to create a dense screen, where such evergreens shall be planted at no less than 5 feet on center and 6 feet in height at the time of planting.

**Attachments:**

[Memorandum](#)

[Extract RZ 2205 Evelyn Byrd Ave R-3 to B-2C](#)

[Site Maps](#)

[Proffer letter and supporting application materials](#)

[Subdivision Plat Demonstrating Potential Buildable Area](#)

[Surrounding Property Notices](#)

[PowerPoint](#)

**Legislative History**

7/12/16

City Council

approved on first reading

## 6. Regular Items

### 6.a. Consider revisions to the Arts & Cultural District ordinance

**Review & Recommendation:** City Council approved expansion of the boundaries of Harrisonburg's Arts & Cultural District at its June 14, 2016 meeting. As part of the discussion, council directed the Economic Development Department to review the effectiveness of the incentives offered within the district and to offer recommendations to council. This review document, complete with recommendations, is attached.

**Attachments:** [Memorandum](#)  
[Arts & Cultural Map](#)  
[Current Ordinance](#)  
[Ordinance - Reflecting Changes](#)

### 6.b. Update on Public Works projects

**Review & Recommendation:** The Public Works Department will provide an update on the FY17 VDOT grants applied for by the city, as well as provide the list of projects currently under consideration for the FY18 VDOT grant cycle.

**Attachments:** [Memorandum](#)  
[Exit 247 Improvement Map](#)

### 6.c. Consider repealing Section 7-2-20 of the Harrisonburg City Code, Fluoridation of city water supply

**Review & Recommendation:** Section 7-2-20 of the Harrisonburg City Code requires the Public Utilities Department to introduce and maintain sodium fluoride into the city's water supply and keep detailed reports related thereto. Due to an issue with the city's fluoride system, Public Utilities will be unable to comply with Section 7-2-20 for a period of several months. Therefore, the Public Utilities Department is requesting that Section 7-2-20 be repealed, at least temporarily, until the Department is able to comply with that ordinance. The Public Utilities Department is also undertaking a costs/ benefits analysis of the fluoride program to provide to council a recommendation as to whether the fluoride program should be maintained.

**Attachments:** [Memorandum](#)  
[Current Ordinance](#)  
[Repeal Ordinance](#)

### 6.d. Report on the city of Harrisonburg's Environmental Performance Standards as indicated in the Comprehensive Plan

**Review & Recommendation:** During the January 12, 2016 City Council meeting, council affirmed its prior adoption of Objective 8.3 of the Comprehensive Plan. At that time, council requested staff address the following items in the report: recommendations on how to implement Objective 8.3 of the Comprehensive Plan, the merits of creating an advisory committee, and how best to engage stakeholders in the process.

**Attachments:** [Agenda Item Memo](#)  
[Existing Standards](#)  
[Proposed Environmental Performance Standards Advisory Commission Bylaws](#)

**6.e.** Consider entering into a Joint Procurement Agreement with the Central Shenandoah Planning District Commission (CSPDC)

**Review & Recommendation:** The city of Harrisonburg has an opportunity to enter into a Joint Procurement Agreement with the Central Shenandoah Planning District Commission (CSPDC) which will permit, but not require, the city to contract for on-call professional architectural or engineering services through CSPDC's on-call contracts.

**Attachments:** [Memorandum](#)  
[CSPDC Letter](#)  
[Agreement](#)

**7. Supplementals**

**7.a.** Consider a supplemental appropriation for the General and Water Capital Project Funds in the amount of \$38,637.90

**Review & Recommendation:** The city has received interest earnings on unexpended bond proceeds and other receipts within the capital project funds that periodically need to be appropriated into various capital project expenditure line items.

**Attachments:** [Memorandum](#)  
[Supplemental Appropriation](#)

**8. Special Event Application Requests**

**8.a.** Consider the special event request for Block Party in the Burg on Saturday, August 27, 2016 in downtown Harrisonburg

**Review & Recommendation:** Block Party in the Burg will be held in downtown on Saturday, August 27 from 3:45 p.m. until 6:00 p.m.

**Attachments:** [Memorandum](#)  
[Application](#)  
[Map for Procession](#)

**9. Other Matters**

**10. Boards and Commissions**

**11. Adjournment**