



# City of Harrisonburg

City Hall  
409 South Main Street  
Harrisonburg, VA 22801

## Meeting Minutes - Final Planning Commission

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Wednesday, April 8, 2026

6:00 PM

Council Chambers

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### 1. Call To Order

The Harrisonburg Planning Commission held its regular meeting on Wednesday April 8, 2026, at 6:00 p.m. in the City Council Chambers, 409 South Main Street.

**Present** 5 - Richard Baugh, City Council Representative Laura Dent, Shannon Porter , Kenneth Kettler , and Randall Seitz

**Absent** 2 - Heja Alsindi, and Stanley Jezior

### 2. Roll Call/Determination of Quorum

Members present: Richard Baugh, Chair; Shannon Porter, Vice Chair; Councilmember Laura Dent; KC Kettler; and Randy Seitz. Rob Jezior and Heja Alsindi were absent. Also present: Adam Fletcher, Director of Community Development; Thanh Dang, Deputy Director of Community Development; Nyrma Soffel, Planner; Meg Rupkey, Planner; Wesley Russ, Deputy City Attorney; and Anastasia Montigny, Development Support Specialist/Secretary.

### 3. Approval of Minutes

#### 3.a. Minutes from the March 11, 2026 Planning Commission Meeting

Chair Baugh asked if there were any corrections, comments or a motion regarding the March 11, 2026, Planning Commission meeting minutes.

Ms. Dang said if you recall from our March 11 meeting there was a resident who called and the phone call was difficult to understand. Following the meeting Robert and Mary Sease of 286 Paul Street contacted staff stating that they were callers and are opposed to the rezoning request. Their email has been accepted into the record as a written public comment that has been received. I have provided you all with a draft statement that we would like to include in the minutes.

Commissioner Kettler said motion to approve minutes with the amendment presented by staff.

Vice Chair Porter seconded the motion.

The motion to approve the March 11, 2026, Planning Commission meeting minutes with the amendment passed by voice vote (5-0).

**A motion was made by Kettler, seconded by Porter, that this Minutes be approved. The motion carried by a voice vote.**

#### **4. New Business - Public Hearings**

##### **4.a. Consider a request from Mick or Mack LC for a special use permit at 140 East Wolfe Street**

Chair Baugh read the request and asked staff to review.

Ms. Soffel said the applicant is requesting a special use permit (SUP) per Section 10-3-85(1) to allow manufacturing, processing, and assembly operations, provided the use does not employ more than fifteen (15) persons on the premises in a single shift and that all storage and activities are conducted within a building in the B-1, Central Business District. The +/- 16,600-square-foot property is addressed as 140 East Wolfe Street and is identified as tax map parcel 34-N-7.

On August 8, 2025, the applicant submitted a building alteration permit request for interior modifications and a change of use from retail (formally Gamer Oasis) to a tavern and arcade at 140 East Wolfe Street. The applicant describes in their letter that “[t]he primary use of the premises will be a tavern and arcade-style entertaining venue offering food and beverage service along with recreational activities such as classic arcade games and community events.” The applicant plans to serve beer produced from their brewery location at 120 West Wolfe Street (Restless Moons Brewing) at this site. If the SUP request is approved, the applicant plans to operate a canning line to package beer produced at 120 West Wolfe Street. Beer brewed at 120 West Wolfe Street would be kegged, and then the kegged beer brought to 140 East Wolfe Street to be canned and packaged. Some of the canned beer would be served and sold on-site, and some would be returned to 120 West Wolfe Street for sale at that location. The canning and packaging line would operate in the rear portion of the building, as shown on their concept plan.

##### *Land Use*

The Comprehensive Plan designates this site as Mixed Use and states:

The Mixed Use category includes both existing and proposed areas for mixed use. Mixed Use areas shown on the Land Use Guide map are intended to combine residential and non-residential uses in neighborhoods, where the different uses are finely mixed instead of separated. Mixed Use can take the form of a single building, a single parcel, a city block, or entire neighborhoods. Quality architectural design features and strategic placement of green spaces for large

scale developments will ensure development compatibility of a mixed use neighborhood with the surrounding area. These areas are prime candidates for “live-work” and traditional neighborhood developments (TND). Live-work developments combine residential and commercial uses allowing people to both live and work in the same area. The scale and massing of buildings is an important consideration when developing in Mixed Use areas. Commercial uses would be expected to have an intensity equivalent to a Floor Area Ratio of at least 0.4, although the City does not measure commercial intensity in that way. Downtown is an existing area that exhibits and is planned to continue to contain a mix of land uses.

The downtown Mixed Use area often has no maximum residential density, however, development should take into consideration the services and resources that are available (such as off-street parking) and plan accordingly. Residential density in Mixed Use areas outside of downtown should be around 24 dwelling units per acre, and all types of residential units are permitted: single-family detached, single-family attached (duplexes and townhomes), and multi-family buildings. Large scale developments, which include multi-family buildings are encouraged to include single-family detached and/or attached dwellings.

The subject site is surrounded by a variety of established commercial, institutional, and residential uses, consistent with the Comprehensive Plan’s Mixed Use designation.

The applicant does not intend for the canning and packaging operations to be a large-scale industrial operation, and the special use permit limits the use to no more than 15 persons per shift. However, if the SUP is approved, the scale of operations could change over time or the property could be sold and other manufacturing, processing, and assembly operations could operate at this location. This could result in a more intensive industrial use and may increase truck traffic in the area that was not evaluated with this request. If the SUP is approved, staff recommends the following condition:

1. The canning, bottling, and packaging operations shall be limited to the “canning line” area as depicted on the concept plan.

While the applicant has explained that they do not plan to bottle beer at this location, staff suggests the SUP conditions allow both canning and bottling.

### *Transportation and Traffic*

A traffic impact analysis (TIA) was not required for the SUP request.

*Public Water and Sanitary Sewer*

Staff has no concerns with the requested SUP regarding water and sewer matters.

*Conclusion*

The special use permit request is consistent with the Comprehensive Plan's Mixed Use designation and, with the recommended conditions, is not expected to have adverse effects on adjacent properties.

Staff recommends approval of the SUP with the following condition:

1. The canning, bottling, and packaging operations shall be limited to the "canning line" area as depicted on the concept plan.

Ms. Soffel asked if there were any questions for staff.

Commissioner Seitz said this probably is not our purview but how does this work with the ABC licenses? Does the ABC license that they have for the original Wolfe Street location extend to this? Is it a new license for the tavern?

Ms. Soffel said that would be a good question for the applicant.

Chair Baugh asked if there were any more questions for staff. Hearing none, he invited the applicant or applicant's representative to speak to their request.

Jeffery Moon, the applicant and business owner of Restless Moon Brewery, came forward to speak to the request. He said I am perfectly fine with that condition. To answer your question [to Commissioner Seitz], we would technically be considered a brewery in the eyes of the ABC. One of the reasons we have the canning line is to meet the requirements of the ABC. Twenty percent of what we sell on site has to be manufactured on site. By putting a canning line there, we meet that requirement, and it helps some of our other business goals.

Councilmember Dent said I am curious about the "Install sign: No dancing is permitted in this building"?

Mr. Moon said we would prefer not to have to install a fire suppression system just because we do not own the building. It is going to be six figures to do that. In order to meet the requirements,

we need to not be classified as a nightclub, which is not the intent. In order to avoid the appearance of being a nightclub, we need to have something that would prohibit dancing, effectively. The other alternative would be to never host live music. We would like to be able to host live music, and so in terms of meeting some other concerns from the City, we are just going to post a sign that says you are not allowed to dance there. I am doing what I am being asked to.

Vice Chair Porter said I had one question just because the fact that the back of the building with deliveries coming to and from the City, what kind of truck traffic would this generate in terms of how often you feel like you are going to be transporting and bringing stuff back and forth? What kind of traffic impact might that have in the back of the building?

Mr. Moon said realistically in terms of beer coming in and out, it is really going to be me and my Toyota Tundra. Depending on how much we are producing, if I max out my capacity at my current facility, I might need to make four trips a week in my truck back and forth. That would be the maximum that we would need to. We are going to have a retail operation on site, so we are going to have some trucks coming in to deliver cards, board games, and things of that nature. I do not know exactly how many that would be, but the retail portion is going to be pretty minimal compared to the rest of the operation. I imagine that is one or two trucks a week, something like that.

Vice Chair Porter said no big forty-footers coming in none of that kind of stuff.

Mr. Moon said no.

Chair Baugh asked if there were any more questions for the applicant. Hearing none, he opened the public hearing and invited anyone in the room or on the phone wishing to speak to the request. Hearing none, he closed the public hearing and opened the matter for discussion.

Councilmember Dent said might the Friendly City Food Co-Op at some point want this space? From my connections with it, not any time soon. If and when that might happen, they might have a negotiation, but they do not have any plans to expand at this point.

Vice Chair Porter said I would only state that I am grateful to see a great local business expanding and prospering. I think that it is wonderful that we are going to have something like this in this particular space. I think it would be a good addition to that area.

Commissioner Kettler said as someone who frequented Gamer Oasis and walks by Restless Moons every day, I agree with the assessment.

Councilmember Dent asked I also wondered about, what he said was they do not want to have to put in fire suppression and what the threshold might be for that if it is a club?

Mr. Fletcher said it has to do with the Fire Code and the Building Code and what is considered a dancehall and how an assembly space has to be protected. I actually did not pay particular attention to that specific detail that was on the plan, but I am not surprised because our folks are quite detail oriented. They want to make sure that this is not going to be classified as that space because it would kick in many other criteria as I presume Mr. Seitz could probably attest to.

Commissioner Seitz said unlike my colleagues at LDDBlueline, I do not have the building code memorized, but it all has to do with how you classify the space and density thereof. A nightclub is a more dense classification, and it would put it over a threshold of the number of people for which you would have to have fire suppression.

Councilmember Dent said that is not required for the tables, seating and the arcade, I guess?

Commissioner Seitz said I assume that Mr. Moon has hired people who, in combination with the City, have made sure that all of those Ts are crossed.

Mr. Fletcher said I was going to answer the question very similarly that this would go through our typical review, and our plans reviewers would speak to those issues.

Vice Chair Porter said I would like to make a motion to recommend approval of the special use permit with the suggested condition by staff.

Commissioner Kettler seconded the motion.

Chair Baugh called for a roll call vote.

Commissioner Seitz	Aye
Councilmember Dent	Aye
Commissioner Kettler	Aye
Vice Chair Porter	Aye
Chair Baugh	Aye

The motion to recommend approval of the special use permit with suggested conditions passed (5-0). The recommendation will move forward to City Council on May 12, 2026.

A motion was made by Porter, seconded by Kettler, that this PH-Special Use Permit be recommended for approval to the City Council, due back on 5/12/2026. The motion carried with a recorded roll call vote taken as follows:

**Yes:** 5 - Baugh, City Council Representative Dent, Porter, Kettler and Seitz

**No:** 0

**Absent:** 2 - Alsindi and Jezior

**4.b.** Consider a request from Big Brother and Holdings CO LLC for a special use permit at 165 South Main Street

Chair Baugh read the request and asked staff to review.

Ms. Soffel said the applicant is requesting a special use permit (SUP) per Zoning Ordinance (ZO) Section 10-3-85 (11) to allow a short-term rental (STR) in the B-1, Central Business district. The +/- 12,047-square-foot property is addressed as 165 South Main Street and is identified as tax map parcel 26-B-2. The subject property is known as the Wine Bros. building, a mixed-use structure that includes The Shops at Agora, Ruby's Arcade, and four multi-family dwelling units, which are known as Ruby's Lofts. If approved, the applicant would operate a short-term rental (STR) within Apartment 203.

In February 2026, the Commissioner of the Revenue's office discovered that the applicant was operating a STR without a City business license. The applicant indicates the STR has operated in Apartment 203 for approximately five years. In addition to obtaining an SUP and business license, STRs must be registered annually with the Department of Community Development.

The City adopted STR regulations in March 2019. These regulations were amended in September 2020 to create the by right "homestay" use. Homestays are only permitted within single-family detached, duplex, and townhome dwellings; therefore, the proposed STR within Ruby's Lofts is not eligible to operate as a by right homestay and requires SUP approval. While the applicant has described how the STR would operate, the SUP is not restricted to the current applicant/operator. SUPs run with the land; therefore, any future owner/operator could utilize the SUP provided all ordinance requirements and any SUP conditions are met.

Per ZO Section 10-3-205 (2), STR operators must maintain the property as their primary residence, as indicated on a state-issued license or identification card. The property owner does not live on the property and has identified Tess Sherman (tenant in Apartment 202) as the operator. The proposed operator resides on the property and therefore meets the primary residence requirement. Staff has advised the applicant that if the operator is not the property owner, ZO Section 10-3-205 (3) requires the operator to be present during the lodging period. If

the existing operator were to move or is no longer willing to act as the operator, the STR would not be able to operate until a new operator who resides on the property is identified.

The B-1 district has no minimum off-street parking requirements; however, the applicant indicates that five parking spaces are leased from the adjacent Asbury United Methodist Church for Ruby's Lofts tenants and STR guests. In addition, the site is within walking distance of the Water Street parking deck, where public parking is available.

#### *Land Use*

The Comprehensive Plan designates this site as Mixed Use and states:

The Mixed Use category includes both existing and proposed areas for mixed use. Mixed Use areas shown on the Land Use Guide map are intended to combine residential and non-residential uses in neighborhoods, where the different uses are finely mixed instead of separated. Mixed Use can take the form of a single building, a single parcel, a city block, or entire neighborhoods. Quality architectural design features and strategic placement of green spaces for large scale developments will ensure development compatibility of a mixed use neighborhood with the surrounding area. These areas are prime candidates for "live-work" and traditional neighborhood developments (TND). Live-work developments combine residential and commercial uses allowing people to both live and work in the same area. The scale and massing of buildings is an important consideration when developing in Mixed Use areas. Commercial uses would be expected to have an intensity equivalent to a Floor Area Ratio of at least 0.4, although the City does not measure commercial intensity in that way. Downtown is an existing area that exhibits and is planned to continue to contain a mix of land uses.

The downtown Mixed Use area often has no maximum residential density, however, development should take into consideration the services and resources that are available (such as off-street parking) and plan accordingly. Residential density in Mixed Use areas outside of downtown should be around 24 dwelling units per acre, and all types of residential units are permitted: single-family detached, single-family attached (duplexes and townhomes), and multi-family buildings. Large scale developments, which include multi-family buildings are encouraged to include single-family detached and/or attached dwellings.

The subject site is a mixed-use building containing commercial and residential uses, consistent with

the Comprehensive Plan's Mixed Use designation.

#### *Transportation and Traffic*

A traffic impact analysis (TIA) was not required for the SUP request.

#### *Public Water and Sanitary Sewer*

Staff has no concerns with the requested SUP regarding water and sewer matters.

#### *Housing Study*

The City's Comprehensive Housing Assessment and Market Study (Housing Study) has this property in a Census block group that is classified as "No Data" according to market types. This block group did not have any housing sales data at the time of the study. The Housing Study identified that there is strong demand for expanding rental housing inventory at the lowest and highest income spectrum because the number of households in the lowest and highest income groups significantly exceed the number of housing units available for and affordable to them.

#### *Public Schools*

If the SUP is approved, no additional dwelling units would be added to the property; therefore, the student generation is zero.

#### *Conclusion*

After review of this request, staff believes it shares similar characteristics to other applications for STRs that have received approval. Staff recommends approval of the SUP with the following conditions:

1. All STR accommodations shall be within Apartment 203 as described in the application.
2. There shall be no more than one (1) STR guest room or accommodation space.
3. The number of STR guests at one time shall be limited to four (4).
4. Prior to operation, the operator shall submit to City staff a completed Short-Term Rental Pre-Operation Form. Furthermore, the operator shall maintain compliance with the items identified in the Pre-Operation Form when short-term rental guests are present.

If in the opinion of Planning Commission or City Council, the short-term rental becomes a nuisance, the special use permit can be recalled for further review, which could lead to the need for additional conditions, restrictions, or the revocation of the permit.

Ms. Soffel asked if there were any questions for staff.

Chair Baugh invited the applicant or applicant's representative to speak to their request.

Margaret Clark, the applicant and property owner, came forward to speak to the request. She

said I really do not know what to say other than I would really appreciate your consideration and being able to do this as the income is vital to maintaining that building. The lease will be paid off in about seven years, and it has been vital to helping me make ends meet at that building. I take care of it myself. I am there every day.

Councilmember Dent asked this may be more for staff on the map that I see, I see suite 201 and 204, is 203 understood to be in there somewhere?

Mr. Fletcher said it is probably just not being captured with the zoom in of the GIS.

Councilmember Dent asked is it in the back of the building?

Ms. Clark said it is the upper level in the back of the building above Ruby's Arcade. The entrance to the lofts is right by the back entrance to Ruby's Arcade. Walking into this, you go upstairs and there are four apartments, 201, 202, 203 and 204. 203 was my husband and my personal apartment, and he used it as his office. He passed away in 2019, right before Covid. I just had to be creative. It is fully furnished and beautiful. It was a difficult thing to rent out.

Councilmember Dent said I was just saying this is exactly the kind of place I would be looking to stay.

Ms. Clark said there are lovely couples that come there from alumni to parents of JMU students who come to those events. Tourists passing through, or on road trips, and they will stay for a night or two. I have lots of returned guests and they are very complimentary.

Vice Chair Porter said I just want to confirm you will be the onsite operator?

Ms. Clark said I am the owner of that building. Tess Sherman has lived there since the beginning, so for ten years. She is in her 30s, and she would act as my operator, and she lives there.

Vice Chair Porter said I also wanted to express my disappointment in the fact that you have already taken Big Brother and the Holdings Company LLC out of the mix. I will never be able to secure that ever. That is one of the best LLCs I have ever heard in my entire life.

Ms. Clark said that is thanks to my husband.

Mr. Fletcher said just for the record, you are Ms. Clark?

Ms. Clark confirmed. She also said I also have Clementine and Ruby's Arcade down below, and I rent out the space for Agora out front. I am the manager of that building, I take care of that.

Chair Baugh asked if there were any questions for the applicant. Hearing none, Chair Baugh opened the public hearing and invited anyone in the room or on the phone wishing to speak to the request.

Luke Smith, a resident of 298 Campbell Street, came forward to speak to the request. He said it was so awkwardly quiet in here that I thought I would just voice support for Ms. Clark's application. Seems like a great idea. I hope you all vote in favor. Thank you.

Vice Chair Porter said, for me, every time these issues come up, I think consistency is the primary issue. It is very clear that this property is operating consistent with other short-term rentals in the area, and I think it is important that we maintain a standard. I think that if this meets that standard, I am comfortable with the conditions that have been set forth by the staff.

Commissioner Kettler said I move to recommend approval of the special use permit request with the suggested conditions.

Councilmember Dent seconded the motion.

Chair Baugh called for a roll call vote.

Commissioner Seitz	Aye
Councilmember Dent	Aye
Commissioner Kettler	Aye
Vice Chair Porter	Aye
Chair Baugh	Aye

The motion to recommend approval of the special use permit request with the suggested conditions passed (5-0). The recommendation will move forward to City Council on May 12, 2026.

**A motion was made by Kettler, seconded by City Council Representative Dent, that this PH-Special Use Permit be recommended for approval to the City Council, due back on 5/12/2026. The motion carried with a recorded roll call vote taken as follows:**

**Yes:** 5 - Baugh, City Council Representative Dent, Porter, Kettler and Seitz

**No:** 0

**Absent:** 2 - Alsindi and Jezior

- 4.c.** Consider a request from Collicello North LLC to amend the approved master development plan (rezoning) for various addresses on Collicello Street and Kates Lane.

Chair Baugh read the request and asked staff to review.

Ms. Rupkey said Collicello North LLC is requesting to amend the 2013 approved master development plan for a development known as Collicello North. The +/- 2.96-acre site is zoned R-7, Medium Density Mixed Residential Planned Community District, is addressed as 919, 925, 955, 959, 963, 967, 975, 983, 991, & 922 Collicello Street and 172, 176, 180, 184, 188, 192, & 196 Kates Lane and are designated as tax map parcels 40-H-1, 11, 17 through 30 & 40-I-16.

This site was rezoned to R-7 in July 2013. The R-7 district is not a conventional zoning district as it requires a master plan. A document titled *What is an R-7 Development? Information Sheet* is attached herein for a reminder as to how R-7 zoning is implemented. If an approved Master Plan is to be modified, a rezoning to amend the Master Plan is required. A copy of the 2013 staff report and 2013 Collicello North Master Plan are attached.

Following the approval of the Collicello North Master Plan, the property owner received

approval for variances to the Subdivision Ordinance (SO) Section 10-2-41(a) for right-of-way (ROW) width requirements, dedication of the sidewalk in the public ROW, the centerline radius and curves, curb radii, street K value, and intersection design. Additionally, a variance to SO Section 10-2-42(c) to provide lots without public street frontage was approved. Along with the SO variance requests, the property owner received approval of a preliminary plat that showed how the site would be subdivided. The Final Plat for Phase 1 was approved and recorded in early 2015. That plat included the dedication to public use of the extension of Collicello Street from 5th Street to Virginia Avenue. It also included the division of a portion of the overall property into Lots 1-14, Lot 35, and a Common Area parcel. An engineered comprehensive site plan (ECSP) was approved in 2014 and updated in 2015.

Following the approval of the ECSP, construction of infrastructure to serve a portion of the development began. At this time, some components of the infrastructure have been completed, while others have not. The public water and sewer lines to serve Phase 1 of the development have been completed and have been accepted by the City. Work to construct Collicello Street has not been completed. While not an exhaustive list, the street still lacks areas of sidewalk, curbing, handicap ramping, final surface paving, and final storm drainage work. Though the street right-of-way was dedicated to public use, the City does not assume responsibility for the street until it is complete and then the street is accepted for public maintenance.

#### *Master Plan Amendments*

The applicant is now requesting amendments to the approved Master Plan to allow greater flexibility in the final design and implementation of the development. Specifically, the request includes modifications to language related to solar requirements, final building designs, project phasing, the Property Owners' Association declaration, and transit facilities. The applicant has also removed references to previously identified aspirational elements and instead included those items in a new separate document to distinguish between required and optional features.

The 2013 Master Plan was approved for a mix of single-family detached dwellings, townhomes, and one duplex unit. The original Master Plan identified specific building design types. In the updated Master Plan, the applicant is requesting to remove the design types for the dwellings to provide flexibility in the overall construction of the dwelling units.

The original Master Plan required that all dwelling units be constructed with solar panels on each dwelling unit. The applicant is requesting to remove the requirement for solar panel installation and would instead construct all the dwelling units to be solar ready. At the time of construction, home buyers would have the option to have solar panels installed on the units. If a home buyer does not want to install solar panels at the time of purchase, the units would be solar ready if a future owner wanted to install panels.

Additionally, the 2013 Master Plan included a goal of providing a transit stop near the intersection of Collicello Street and 5th Street. At that time, the Department of Public Transportation indicated that such a stop would likely not be supported due to the proximity of an existing stop near 3rd

and Collicello Streets. This assessment remains unchanged, and the applicant has removed this element from the Master Plan.

The applicant has also amended the Master Plan to remove the proposed phasing of the project to allow for flexibility of the construction process. Additionally, the Property Owners' Association declaration has been removed from the Master Plan to allow for future modifications by the community, should updates be necessary after project completion. The applicant has also removed Regulation #6 from the Master Plan section Zoning Regulations for Collicello North. Staff supports this removal, as Regulation #5, Table A, and the overall layout provide sufficient guidance for development.

After the Planning Commission agenda was published on April 3, 2026 and prior to tonight's public hearing, the applicant updated "Table B - Landscaping" within the Master Plan. The approved 2013 Master Plan included a table listing tree types and sizes that may be located within the development. At that time, the Master Plan stated that a more formal landscaping plan would be provided once development plans were finalized. The new proposed language states that a minimum of two large deciduous trees and six smaller deciduous trees will be planted within the development on real property owned or maintained by the Property Owners Association and would be maintained by the Association after the time of planting. The exact locations of these trees are not specified, but they would be planted within the areas shown in brown on the Landscaping Plan on page 5 of the updated Master Plan.

#### *Land Use*

The Comprehensive Plan designates this site as Neighborhood Residential and states:

These areas are typically older residential neighborhoods, which contain a mixture of densities and a mixture of housing types, but should have more single-family detached homes than other types of housing. This type of land use highlights those neighborhoods in which existing conditions dictate the need for careful consideration of the types and densities of future residential development. Infill development and redevelopment must be designed so as to be compatible with the desired character of the neighborhood.

#### *Transportation and Traffic*

A traffic impact analysis (TIA) was not required for the rezoning request.

#### *Public Water and Sanitary Sewer*

Staff has no concerns with the requested rezoning regarding water and sanitary sewer matters.

#### *Housing Study*

The City's Comprehensive Housing Assessment and Market Study (Housing Study) places the subject site within Market Type A. Among other things, this Market Type is characterized by high population growth. The study notes that Market Type A has "above median overall access to amenities such as public transit within walking distance, full-service grocery stores, and multiple parks and recreation facilities." The study also notes that "policies that are appropriate to Market

type A areas include an emphasis on increasing density through zoning changes, infill development and housing rehabilitation to maintain the quality of housing.”

#### *Public Schools*

The proposed rezoning and planned subdivision do not change the existing buildable potential of the subject property and thus does not impact the calculated student generation.

#### *Conclusion*

Staff believes that the amendments to the Master Plan do not change the overall intent of the approved Master Plan and would allow for flexibility for the final development. Staff recommends approval of the Master Plan amendments.

Ms. Rupkey asked if there were any questions for staff.

Councilmember Dent said I think I saw in here somewhere “no clothes lines,”? I think that was in appendix C. Maybe that is an example of the sort of thing that was overly restrictive.

Ms. Rupkey said that was part of their property owner’s association documents that are no longer included. They will have to provide property owner association documents, but they can be amended if they want to.

Chair Baugh asked if there were any more questions for staff. Hearing none, he invited the applicant or applicant’s representative to speak to their request.

Jordan Bowman, Little & Sipe LLP, the applicant’s representative, came forward to speak to the request. He said I want to begin by thanking all of you for being here this evening and compliment your staff. They have been great to work with and have helped guide us through this process and have been extremely professional. I have with me members of our development team Jason Propst, Mattias Clymer, and also representatives of the owner because we are the contract purchaser of this property, Todd Rhea and Manny Fisher. If I cannot answer any of your questions, I am sure one of them can. This plan was approved in 2013 by City Council, and we believe it is a solid core vision. We do not want to change the core vision of what is happening on this site. It is a neighborhood that is a mixture of home types that are moderate in size with a community feel and environmentally friendly aspects. We want to keep that core vision intact and we want to be the ones to realize it. This land has been sitting there for twelve years since it has been approved, and it has not been built out. One of the reasons why is that there are some economic barriers to doing so. There are also some barriers in that the original Master Plan is very detailed inasmuch as it included specific home types and how they would look and exactly how the covenants are going to be. We are here before you asking for a little bit of flexibility. We are asking for some of the requirements, such as the building layouts and some of the environmental requirements, to be relaxed so that we can keep the core vision but we can make it economically viable for us to develop this and bring homes to citizens at a price that they can afford to buy them. I am happy answer more specific questions about that. We would appreciate your consideration. Do you have any questions for me?

Councilmember Dent said I was just slightly disappointed at the letting go of the net zero intention.

I understand that solar installation could be an option on purchase rather than have it built up front?

Mr. Bowman said that is correct. I understand the disappointment in that regard. It is not a secret from anyone who is looking at what we proposing that we are relaxing some of the environmental requirements. We believe that part of the vision is that this is an environmentally friendly neighborhood. We are keeping some elements of that, so the buildings are oriented in a way that they are facing south. They are of a moderate size. They are not oversized. We are keeping those elements. We are pre-wiring them, and we are going to make them ready for solar panels to be installed and our intention is to have an installer that is available so that at the time the buildings are built if someone comes forward as a customer wanting to buy one that we can give them an option to have that at the time of purchase. It is not a requirement. If it is someone who wants to buy one of the homes, but is not able to afford the solar, we still would be able to sell it to them.

Councilmember Dent said related to that, is it being built to any energy efficiency standards?

Mr. Bowman said we have not included above and beyond the building code, which has been more and more specific in regard to energy efficiency. We have not included in the Master Plan additional energy efficiency measures. Part of that is the economics of it. Also, it is just a labor-intensive process to come back through the rezoning and not knowing necessarily how quickly it is going to be built out and what materials are going to be available to us. It is not a proffer because it is a Master Plan, but we have not included in the Master Plan specific materials.

Councilmember Dent said I remember when we were building the new Public Works building owned by the City, we opted out of LEED certification because there is a cost to it and an ongoing recertification. However, the Virginia Energy Efficiency Standards (VEES) is what we opted to go with instead because it is essentially the same kind of criteria just for free. That is what I am familiar with it. There is a publicly available set of guidelines for efficiency.

Vice Chair Porter said I would also encourage you to look at some EarthCraft building. There are some fairly economical changes that can be made in your building process that can make these more energy efficient and also better in terms of environmental standards without substantial cost change.

Councilmember Dent said speaking of cost, I recommended the consideration of manufactured homes because there is new legislation working its way through Congress that allows manufactured homes to be built without a chassis, which means they do not have to be trailers and you cannot tell. They say that it can save up to thirty percent of the costs. They would be, by definition I am pretty sure, energy efficient. That is just something to consider as you are working on a development, especially for smaller, economical houses like this.

Mr. Bowman said our intention is make these energy efficient and to make them solar ready and in addition to the materials, to have them oriented in a way that they are efficient and sized in a way that they are efficient. We have not included particular sets of standards in the Master Plan. I am familiar with manufactured homes. I have worked on the Bluestone Town Center project, but

the core of the vision for this project I think was that they were going to be standard single-family homes. We are trying to make the fewest possible changes that we can, to make this a vision that we are able to realize.

Councilmember Dent said a different subject, I went out poking around the site today. There is a definite elevation change. I think it is the hill that kind of goes back behind some of the single-family houses around the bend of Collicello [Street], and then it is townhomes below that.

Mr. Bowman said that is correct. [Referring to an image on the screen showing the master plan layout.] Are you talking about the bend at the upper portion of that?

Councilmember Dent said the upper part is way down the hill and it seems like the downhill is kind of right behind or even under the upper row of houses within the red, right?

Mr. Bowman said yes ma'am, I think that is correct.

Councilmember Dent said I think I remember these guys saying that there will be something like a multistory. Like the first floor there would be a garage under it. You will work with the topography, I guess.

Mr. Bowman said I think that is correct and Mr. Propst would be better than I at answering specific questions about the building design. If you want to ask those, I would be happy to invite him forward.

Jason Propst, a member of the development team for Collicello North, came forward to speak to the request. He said I think you are referring to the cliff on the backside. The original design that is in the current Master Plan was a house that has a garage and goes up and expands off. The greenspace that is in the middle is part of a community space that we are trying to keep as part of the community feel. We have designed a house that is three stories with a garage underneath and the second story sits right at the level of that. With the old house there is no backyard at all to the house, and it goes directly into that greenspace. We actually designed on that comes up to that level and they will actually have a little bit of a backyard, then connects to that greenspace, just to keep that same feel with the original vision.

Councilmember Dent said the other thing that I was suggesting is to make sure it is ready for EV chargers. Which is easy enough, if you have a garage.

Mr. Propst said absolutely. We have definitely been working with someone on that too.

Chair Baugh asked if there were any more questions for the applicant's representatives. Hearing none, he opened the public hearing and asked if there was anyone in the room or on the phone wishing to speak to the request.

Todd Rhea, a resident of 1141 South Dogwood Drive, came forward to speak to the request. He said I worked with the original developer of this property. Some of you may have known him or remembered him, Dean Weaver. When making this decision, I want to provide the Commission with a little context as to where we were in 2013 and where we are now. Dean was an urbanist visionary in our community. He worked really hard and brought some of the first R-7 in the City

and smaller R-5 projects in the County ten or twelve years ago. We were all learning as we were going, the details in the Master Plan. At the time Collicello North was rezoned and permitted, he was also working on another subdivision called Greenport which is in the County off of Old Reservoir Road close to the hospital which has duplexes, very small detached single-family homes, some townhomes. The first type of the things that we are talking about today in mixed use communities with affordable housing. Greenport was the first project Dean materially completed before passing away during Covid. His family was left with Collicello North, which is now owned by his sister and brother-in-law who do not live locally. We have been working hard to identify a partner to bring the Collicello North vision to the City in a location that is perfectly suited for affordable and workforce housing. We are really pleased with the Propst Family Development team. Their attention, their desire to honor Dean and his vision for this community, and do it in a way that can be practical and not sit there in its current condition which does not serve anyone. This is one of those unique situations where I think context is important when you consider the reasons behind and the rationale for the modest changes to the Master Plan. We wanted to vouch for the applicant and hope that you all give them the consideration and approval of the project. It would be great to see Collicello North infill there in that location. I walk up there all the time, and it is always something that I personally have wanted to see happen and I think we are on the cusp. I thank you all for your consideration this evening.

Margot Zahner, a resident of 910 Collicello Street, came forward to speak to the request. She said I know many of you. It is nice to see you. Thank you for your service to our community. We were encouraged to see the sign about rezoning. I am excited for this project and do want to remember Dean and his vision that he brought. I will say as a homeowner there it has been a long time waiting for something to happen there. Dean made some things really possible for people who were in tenuous housing situations to have housing in the interim. We really appreciated working with him for that. Both my husband and I want to make sure that as we are thinking about this development, which will really directly impact us, it is done in a way with good communication. I want to just say that I am a little surprised as the only homeowner there that we have not had any contact. So, I want to welcome that and encourage that because it feels bad to call Meg and ask, "what is going on?" We had reached out to Manny a couple of times, and in that I wanted to say publicly we are eager to work together. We believe in infill. We believe in working and building community, but I want to issue an invitation and also express sort of surprise. I am excited to have this happen and hopeful that the way it can be done is with high quality building in a way that would help our community. Thank you.

Tom Benevento, a resident of 910 Collicello Street, came forward to speak to the request. He said it is also nice to see many of you I know as well. Thanks again for your work here. We have been wondering what has been happening for a number of years on that property. I think the

couple of things that I would just want to check in about is the quality of the buildings, if they are not going to be at the standard of energy efficiency, which also lends itself to making sure the houses are well built. I do want to caution anything that... I know there is a need to get in economically to build, but I also want to make sure they are houses that will last. Not like with student housing for a little while, and they get kind of beat up and then they turn into something else. I would like to make sure that the quality of the construction... I think that energy efficiency is critical in designing in this day and age that we have and they will last longer if that is done. I appreciate that you cannot just put solar on it right away, but making it solar ready and orienting them south is really wise. I appreciate that thoughtfulness. I think its vision that Dean has had, which is really appreciated over a number of years working with him, is to make it more of a greenspace. I would recommend that the number of trees in that site. \*t would be nice to keep it looking green and not just urban and asphalt-y but to really consider that within this. The last question I have is about the main brick house there. I am not sure there has been any conversation about that. I know Dean had a vision around that as being sort of a community space in and of itself a place where you could receive guests or have a workout place or a coffee shop or something like that. I know that house has been getting more and more deteriorated over the years. I have not really heard what that is about, so I am kind of curious how that fits into this whole thing. I do appreciate the smaller sized housing and trying to get more people in town. Thank you.

Councilmember Dent said come to think of it, I meant to ask about that too the plans for the brick building that is there. Does it plan to be refurbished?

Chair Baugh said we have talked about it some on the site visit yesterday. Does anyone want to come up and speak about the plans for the existing brick residence on the property?

Mr. Bowman said I will do my best to answer that question and invite Mr. Propst to correct me if anything I say is wrong. With respect to the existing building that is there on the site nothing that we are proposing changes the original vision. Currently, I believe the historical use of that is a residence. I think the intent would be to come in and potentially fix it up and use it as a residential use for a while, while the development is getting built out. The long-term vision for that property in this Master Plan, I believe, is that it could be residential or potentially mixed use. The idea that a coffee shop or some mixed-use component could come in there is not something that we are changing. Our intent is to come in and make improvements to that structure.

Vice Chair Porter said the intent is to sell these units correct? These are not meant to be rental units?

Mr. Bowman said correct, they are not intended to be rental units.

Chair Baugh said thank you for that clarification. It is before us for further consideration.

Commissioner Seitz said I would like to make a few comments. I am thrilled to see this project moving ahead. Dean was a close friend, long before we ever became business colleagues. The stipulated designs that you are eliminating were done by my firm, and I am thrilled because I think that is key to making it move ahead. I really appreciate the fact that you have kept the essence of what he was trying to do intact. It has been hard to see that project sit fallow for all of these years. Just for clarification, any business relationship I had with Dean terminated when he passed away. I do not have any skin in this game at all. It was indeed a visionary project in 2012/2013 as it came into passing. It still is. I think the mere fact of creating dense, moderately sized housing is environmentally impactful. I would love to see the solar and hope people avail themselves of that solar readiness. I think there is more to be gained for moving ahead than it is regretting the loss of certain aspects of it. We were also the architects for many of the projects at Greenport. There was a constant struggle with Dean between these aspirations and what the market would bear. Any realtor that ever worked with Dean would also understand that intensely. Thank you and Mr. Rhea. Please pass along to the Kin Group my appreciation for this.

Councilmember Dent said I would like to make a motion to approve the request to rezone the various addresses at Collicello [Street] and Kates Lane as presented by staff.

Commissioner Seitz seconded the motion.

Commissioner Kettler said there seems to be quite a lot of memory in this room associated with this particular project and this particular land. As someone who is looking at it for the first time and has never really considered it before, I do not know if I have ever seen a single-family housing development that I have liked more than this one as proposal and by a significant margin. In terms of its design and how it approaches the size of the developments and their relationship to each other and its emphasis on a shared green space and walking between them. I am really impressed by it.

Vice Chair Porter said I would only add that this is greatly in the community's interest to have this built. This property has sat fallow for a long time. It is a wonderful thing to see this move forward. I could not be happier with the fact that this is the direction that you are heading. This is a very good thing for our community, and I am excited that this build is going to be occurring.

Chair Baugh said, as somebody who was around in 2013, I liked this project then. While we have

heard from the development side about how then it was the early days of R-7, and a lot of working our way through it. I did not work with Dean as a colleague, but worked with him as an elected official who was consulted about this development as it was in pipeline. Like some, I have been disappointed that it is in many respects has been sitting there this time. I will say as somebody who was around when we created R-7, we wished there would have been more of this. I agree with Commissioner Kettler, I am glad that your new look agrees with my old look. I will also just note, briefly, when we took this up before my recollection was that we had considerably more than two people who lived close by show up at the public hearing. A fair number of them were opposed to it. I think for whatever reason maybe the time and the fact that it sat there, but it was a lot of not unusual stuff of because it is easy to forget now that Collicello [Street] dead ended at that property. The road did not even go through and there was a lot of not unusual concern about “now the traffic is going to be coming through.” Of course, there will be more traffic once you develop it. I am not even sure it was a unanimous vote. It may not have been, but it did get approved. I just have to do a brief shoutout Mr. Benevento, I was thinking about you last month when we were sitting here considering a different project. I almost called you out because I recalled your presentation to Council on the unrelated topic of how we deal with automobiles going into the future. In yet another development found that one of the core issues for a lot of people was this sense that new development has to accommodate all of the worst case scenarios that you can imagine for vehicular traffic. The notion that coming up with something that actually maybe gives people alternatives somehow is going to be a disaster. Needless to say, I was not on that side of the argument. I talked enough, so one of the things I have considered saying, and edited out, was a specific reference to your presentation. I do remember saying as a council member, I anticipated bringing that up again many times. I hope that my colleagues on Council would remember, the first thing you have to do is build out the infrastructure to accommodate the vehicles for everybody that is going to live there, and not in any way, shape or form annoy anybody who might possibly live by or drive by, then you are going to be working considerably at cross purposes to a lot of things you want to achieve.

Commissioner Kettler said I do not mean to belabor that point, but I would really like to see that presentation if you let me know when that happened.

Chair Baugh said it would have been in September or October of 2022.

Vice Chair Porter said I think the requests are reasonable. I do understand the need for getting some affordability for you all to be able to move forward. I think that flexibility is important and the things that you are asking I think are extremely reasonable.

Councilmember Dent said I will agree even though I was going “yay solar” that they have the

option to put it in when it is built means that anyone who can afford that or wants to put it on can have that option. They are going to be the owners of it. It makes sense.

Chair Baugh called for a roll call vote.

Commissioner Seitz	Aye
Councilmember Dent	Aye
Commissioner Kettler	Aye
Vice Chair Porter	Aye
Chair Baugh	Aye

The motion to recommend approval of the Master Plan amendment passed (5-0). The recommendation will move forward to City Council on May 12, 2026.

**A motion was made by City Council Representative Dent, seconded by Seitz, that this PH-Rezoning be recommended for approval to the City Council, due back on 5/12/2026. The motion carried with a recorded roll call vote taken as follows:**

**Yes:** 5 - Baugh, City Council Representative Dent, Porter, Kettler and Seitz

**No:** 0

**Absent:** 2 - Alsindi and Jezior

**5. New Business - Other Items**

**5.a.** Consider initiating Zoning Ordinance amendments related to poultry hatcheries, shopping center parking calculations, and the Zoning Ordinance update project

Chair Baugh read the request and asked staff to review.

Staff requests Planning Commission initiate consideration of Zoning Ordinance amendments related to:

Poultry Hatcheries in the M-1 General Industrial District - Article R. - M-1 District - Section 10-3-96, Uses permitted by right - To amend subsection (22) to add poultry hatcheries as a by right use and to create a new term and definition for "poultry hatchery." The intent is to codify a long-standing interpretation that a poultry hatchery is a by right use in the M-1 District.

Shopping Center Parking Calculations - Article G. - Off-Street Vehicle and Bicycle Parking - Section 10-3-25, Off-street vehicle parking regulations - To add a new subsection to provide a parking calculation for shopping centers and clarify when parking requirements must be recalculated when specifically applying this use. The intent is to codify a standing interpretation for

the application of Sections 10-3-25 and 10-3-27 to developments that qualify as a shopping center under Article F.

Zoning Ordinance Update Project - The existing Zoning Ordinance (ZO) was last thoroughly evaluated and comprehensively re-written in 1997. In the ensuing time, many changes, both major and minor, have been made to the text of the ordinance, including the addition of districts and overlays. This has resulted in outdated requirements, internal inconsistencies, and an ordinance that can be difficult for community members to comprehend. Additionally, new ways of thinking about planning and zoning combined with new techniques and principles for implementing adopted plans offer ways to improve the efficiency and effectiveness of City planning and zoning. This project was initiated in July 2020 with the support of Planning Commission and City Council. However, a formal motion by Planning Commission to direct staff to initiate ZO amendments had not occurred.

Should Planning Commission agree to direct staff to initiate consideration of the ZO amendments, then the following motion may be stated:

*I move that the Planning Commission initiate consideration of zoning ordinance amendments to the City of Harrisonburg Zoning Ordinance to amend provisions relating to poultry hatcheries in the M-1 district, shopping center parking calculations, and the Zoning Ordinance Update Project.*

*The Planning Commission finds that such amendments are required by the public necessity, convenience, general welfare, and good zoning practice, and hereby directs staff to prepare appropriate draft ordinances for public hearings and recommendations in accordance with § 15.2-2286 of the Code of Virginia.*

Ms. Dang asked if there were any questions for staff.

Commissioner Seitz said because this is fresh on my mind from being in Richmond and doing a bunch of reading right now, in the Planning Commissioner training, they make it very clear that the Comprehensive Plan is a policy document representing the vision and will of the community and the zoning is the legislative piece that supports it. My memory which may be wrong is that the current zoning effort that was undertaken in 2020 was in response to things that were in the 2018 Comprehensive Plan. I know it has been amended at least once since then. I guess my question is, does that Comprehensive Plan still represent the vision of the City of Harrisonburg because a lot has changed since 2018.

Councilmember Dent said not really. If I had my druthers, I would have said let's do the

Comprehensive Plan first because as you say that is the vision and let the Zoning Ordinance follow from that, but for whatever reason we put the cart before the horse doing the zoning first and then the Comprehensive Plan update would be due after that.

Commissioner Seitz said that is why I am saying it. They did follow it- 2018 for the Comprehensive Plan and 2020 for the zoning initiation. Now we are keeping moving forward. Again, some of what I know is in there I have not been keeping up, let's bring it on. At the same time, I just wonder, from a community dynamic point of view, the higher costs of living, the housing stresses, the polarization in society at large and so on. They also make it clear in Richmond that the Comprehensive Plan is this Commission's responsibility. I guess I am just curious about the thoughts. I suspect Councilmember Dent, that if we wanted to say no let's stop and do the Comprehensive Plan, we could do that.

Councilmember Dent said we could, but do we want to derail this process now?

Ms. Dang said you are right. All the things you said are valid. At risk of getting ahead and talking about things that we were going to share with you next month, the Zoning Ordinance amendments that Mr. Russ and staff have been working on now will build a foundation and will be like a first step. Then there is going to be more, possibly contentious or issues that require a lot more thought, that it may be done concurrently with a Comprehensive Plan update that would follow the Zoning Ordinance amendment or could be done after. The Zoning Ordinance update on a chunk of things. Then the Comprehensive Plan update. Then concurrently maybe small updates to the Zoning Ordinance and then perhaps bigger updates that the Comprehensive Plan could be informing. We will share more with you all next month on that.

Mr. Fletcher said I was sitting here smiling because it is such a timely question and, in fact, we have not even had an opportunity to talk to Mr. Russ about this.

Ms. Dang said I did this afternoon. Right after you and I talked, I had a conversation with him.

Mr. Russ said part of rewriting the Zoning Ordinance is it has accumulated quite a lot of information over the course of 30-something years of amendments and a lot of cross-references and inconsistent terminology. There is a lot of administrative work to get it to a point where once it is done, making additional amendments should be a simpler process once the community has decided what those amendments should look like. I do not think we imagine that the Zoning Ordinance will be updated, and then it will sit again for a lengthy period of time. I think that we anticipate that we will be right back to amending it.

Councilmember Dent said that is reassuring to me that there is that phased approach because I imagine once we really dig into the Comprehensive Plan, we will need the second round of updates.

Commissioner Seitz said that all makes sense to me, and I understand the complexity and totally get the idea that there is just a certain amount of cleaning up that needs to be done and perhaps more substantive amendments come further on. That said, I still would feel a lot better supporting the third piece of this after having seen the presentation that you guys are going to make next meeting.

Ms. Dang said if you all want to do that, that is something you can do.

Commissioner Kettler said in terms of me supporting the third item in particular I mean, I am in favor of zoning reform so I would like to see that move forward. I appreciate some of the detail that you just gave in terms of the interaction with the Comprehensive Plan and your question about it because I have many of the same thoughts having recently gone to the training. I think doing at least some of those at the same time would be helpful in terms of the amount of various public interactions that are going to be needed just for the zoning reform part, not even talking about the Comprehensive Plan. I appreciate that.

Chair Baugh said it sounds like there is some sentiment for kicking the can on the third one. I personally would be okay with approving it now because I think this is a foundational piece of really making it official for the record that staff is even authorized to be working on it. What that is to be determined. I guess the other thought I had is that I feel like sometimes we get a little bogged down in the details of the process and we forget things. At times, people put a disproportionate amount of importance on physical presence at a public hearing when they are free to send us emails and communicate with us all the time. There is nothing magical about information being conveyed then and I am thinking similarly here that it is a significant ordinance amendment there will be a certain level of public input and process related to that as well. I am a little less concerned about it getting out of whack with the Comprehensive Plan.

Commissioner Seitz said I understand that but I guess I still would request that we approve the first two pieces and delay the third until after the presentation because I think that one of the things I am coming to appreciate about doing my homework is that I think as a Commission, I feel the need to take more responsibility for firsthand understanding of things that I know staff, and I completely value and trust the City staff, but I feel like I need to make more of an effort to have firsthand understanding of some of these things rather than just approving the things I am asked to approve. I think when the zoning comes up, I would like to hear that presentation next month and then we can take this action.

Chair Baugh said is that a motion?

Councilmember Dent said I have a question about the process. When you said that we learned last year this is vaguely ringing some bells, but I do not remember the exact situation where something was presented to us that it was not supposed to be up to staff to present to us an amendment. We have to request an amendment. Staff comes back with it, adding that loop in there.

Ms. Dang said we had learned last year, after another group had pointed it out to us, that in the State Code for Zoning Ordinance amendments to be presented to you all for recommendation and go onto City Council it first needs to have an action by Planning Commission or [City] Council either by motion or resolution.

Vice Chair Porter said I found it to be quite memorable, and I am remembering exactly why this occurred. I think it is good that we have this knowledge now. I would also only add that, I want to understand the process of writing these ordinances better, as well. Making a mistake that takes something that was by right and now it is nonconforming just based on how we have structured the language of what we are approving and what we are asking to be approved. Again, it is not scolding but it is these sorts of little mistakes and things. I want to make sure that process is such that we are bringing forward good, tight, and well-considered ordinance changes before we actually vote on them. It is having to go back and clean up some things sometimes, especially in short order, just seems like it is not something we should be doing. I would also just simply say that I am very much of the mind of Commissioner Seitz as well. I could not have said it any better. I think he expresses my feelings on the Comprehensive Plan and its need to be looked at again. Also, just the proper ordering of how this should fall in my mind as well. I would like to make a motion to separate the two items before us and vote those as a separate motion.

Chair Baugh said let me just make a suggestion here since I cannot make the motion. I think staff wants us to read this into the record, as opposed to this being one where we say yeah whatever staff said.

Commissioner Kettler said I do have a few questions on the second item if that is alright. Just to make sure that I understand the second one correctly. Where this might apply is there is a combined shopping center or there is a variety of shops all around and they have a shared parking space and then because the parking minimum is for one kind of business are not necessarily the same as another when they switch out it is going to get weird.

Ms. Dang said that is part of it. There is more to it than our ordinance right now says, something to the effect of, when uses are known in the proposed development that is the parking calculation you should use. Right now, as we are working or kind of brainstorming and working through this, what we would like to do is, if it meets a definition that we will define as a shopping center let's just call it a shopping center and not worry about the known uses are because we know those are going to change over the lifetime of the property. If we know that the majority of the square footage in a shopping center is offices, but it could potentially turn into retail which will require more parking, either the developer is going to have to think ahead and plan on what if, in the future this all turns into restaurants or something else with a higher parking requirement, let's just give them one number that will apply and they can change the uses.

Mr. Fletcher said basically we are codifying a flexible interpretation we have made for a long time.

Ms. Dang said I do not know when it started, but it has been made.

Commissioner Seitz said Commissioner Kettler, when I went and actually looked up the zoning sections that were reference in here, I was surprised at what I knew to be the practice was not explicitly stated. Having been involved in renovating and changing uses in one space in a shopping center to the other, I have seen how this operated and it makes sense. For example, what we just did with the tavern/game room. That converted from a retail establishment that probably had an assembly component. I do not know if it was recalculation of all that parking done or not, but what they describe as a practice is one I think of common sense that does not impact... common sense may not be the right word, but there is no risk to the public by adopting this in terms of providing enough parking. I would actually say that probably the greater problem with shopping centers, in general, I am not talking specifically about this, is that there really is often times too much parking provided.

Commissioner Kettler said that is, actually, the core of why I am bringing this up. To my mind one very important thing that I would like to see in the Zoning [Ordinance] update is just an elimination of parking minimums generally City wide. If that is something that is viable that we can achieve, and I think and hope that it is, then I wonder how necessary it is to be changing that formula here where our larger goal is to... well, a variety of goals in connection with zoning reform. I imagine a few of them at least are going to lower the cost of housing and make it more walkable and bikeable in general and make things cheaper for people. That is part of why it is not entirely clear to me the need to investigate that, if we are already pursuing the Zoning Ordinance now.

Councilmember Dent said I would second that in the sense that, from what you are describing, if they have to anticipate potential higher traffic uses later, that might lead to over estimating the

parking needed which is the opposite direction I would like to go or agree with eliminating or lower parking minimums at least.

Commissioner Kettler said if you recall there was a presentation three or four years ago. It was from Professor Norton at UVA, I think, doing a talk about parking minimums at the library. It was shockingly not very well attended. He went into a long history of parking minimums and why they are what they are. They often have a tangential connection of what is going on there often times. I am not speaking from our Zoning code exactly, but it is often times based on how many cubic feet of water in a pool or how many nuns in an abbey, it relates to how many parking spots there are. You all know far more about our zoning code than I do, but often times these are either copied from some other local municipality or just made up. When I look at parking minimums, if we are going to have parking minimums at all I would like to understand why we have them and if there is a logical connection to the actual need.

Commissioner Seitz said in absence of zoning reform my question is, would initiating or redoing this lighten a current administrative burden for staff?

Ms. Dang said yes. I think it would also help with development or when other folks are building a new shopping center or going through the experience of changing out tenants, this will clarify what I am hearing there is interest in.

Mr. Fletcher said it is definitely more business friendly. Our interpretation has been quite flexible. I do not want to put words in your mouth Commissioner Kettler, but I think that once you understand a bit more of the detail you might say, oh this actually is toward the philosophy you are going toward. Mr. Seitz said that a lot of the shopping centers parking is often times overbuilt. I think that is true for a lot of the modern shopping centers. It is the older shopping centers where we have been able to make an interpretation that has been flexible for property owners, but we really need to codify it and that is what Ms. Dang is talking about because this will help so that they are not adding parking when the ordinance might say otherwise.

Councilmember Dent said if they updated an old shopping center, they will be less likely to be required to add more parking.

Mr. Fletcher said our Zoning Administrator feels very strongly about making this amendment because in his review of the code he is thinking that if you end up with a shopping center where there are all restaurant uses, and restaurants are highest intense parking requirement, the code needs to reflect that we are not going to require 1 per 100 square feet of parking space for every single inch of a shopping center. By making this change, it makes it more flexible for them and

would reduce the parking demand.

Ms. Dang said we still can have the community discussion about parking minimums and maximums whatever it is in the future.

Commissioner Kettler said just one last question, would delaying a vote on the third item here until next month affect any particular timeline that you have?

Ms. Dang said no.

Councilmember Dent said I think on third one, I would share Chair Baugh's thought of go ahead and let staff be working on it, if they would require our approval to even be doing that. If you want to postpone it, I would vote to go ahead with it.

Commissioner Kettler said I would be in favor of all three for some of the reasons stated by Chair Baugh. I do not feel particularly strongly one way or the other ,if I am being completely honest with you.

Councilmember Dent said how do we vote on that?

Chair Baugh said you just read in the record to move the suggested language from staff. You do not have to edit it.

Commissioner Kettler said it sounds like there is three in favor of approving all three. That is what it sounds like.

Vice Chair Porter said I would only say that I think that it is just a little cleaner. I think that I would like to hear the presentation. It is very clear that work has been done to this point, but this is effectively a moot point. I feel like just for the purposes, if nothing else, this is just simply a little better governance to be able to divide these items and deal with them separately. I do think there is value to hearing that presentation before making the vote. If it would have delayed the process at all, I would be voting on the other side of this. I have been waiting for this for a while and have been asking poor Mr. Fletcher many times about this throughout the years. I do not want to see it delayed by any reason, but it is not going to make a difference one way or another I just think it is simply a little cleaner.

Commissioner Seitz said I would ask that either somebody make the motion as it stands or somebody make the amended motion. I do not have the notation here, so I do not know.

Vice Chair Porter said I was trying to make the motion but, again, I would much rather have this be a vote that is supporting the stated motion as opposed to having an unstated motion and having to go through the other way around. I am going to throw this out here and just ahead and say I would like to move that Planning Commission initiate consideration of Zoning Ordinance amendments to the City of Harrisonburg Zoning Ordinance to amend provisions related to poultry hatcheries in the M-1 district and shopping center parking calculations. The Planning Commission finds that such amendments are required by the public necessity, convenience, general welfare, and good zoning practice and hereby direct staff to prepare appropriate draft ordinances for public hearings and recommendation, in accordance subsection 15.2-2286 of the Code of Virginia.

Commissioner Kettler seconded the motion.

Chair Baugh said I think Commissioner Kettler and I are thinking the same thing that we had spent a whole lot of time over this, and I am not going to lose sleep over any of this. I have said what my preference would be, and I am happy to vote for the motion.

Chair Baugh called for a roll call vote.

Commissioner Seitz	Aye
Councilmember Dent	No
Commissioner Kettler	Aye
Vice Chair Porter	Aye
Chair Baugh	Aye

The motion to recommend approval of initiating Zoning Ordinance amendments passed (4-1).

Councilmember Dent said I was only voting no because I would rather bundle all three.

**A motion was made by Porter, seconded by Kettler, that this Zoning Ordinance be recommended for approval to the City Council, due back on 5/12/2026. The motion carried with a recorded roll call vote taken as follows:**

**Yes:** 4 - Baugh, Porter, Kettler and Seitz

**No:** 1 - City Council Representative Dent

**Absent:** 2 - Alsindi and Jezior

**5.b.** Clarify action taken during the March 11, 2026 Planning Commission meeting regarding the special use permit request at 851 Madison Street

Chair Baugh read the request and asked staff to review.

Ms. Dang said staff requests Planning Commission clarify its action taken during the March 11, 2026, meeting regarding the special use permit (SUP) request at 851 Madison Street. During the March 11 meeting, staff recommended approval of the SUP to allow a reduction in the required number of vehicle parking spaces with the following condition:

The special use permit shall apply only to the two planned dwelling units as shown on the conceptual layout.

During the meeting, Vice Chair Porter said:

I would like to go ahead and make a motion to accept the staff's recommendation to approve the special use permit with the special condition regarding the prohibition of subdividing the lot further.

The Commission voted unanimously to recommend approval of the SUP with the condition recommended by Vice Chair Porter. However, the condition must be reasonably related the SUP and the impacts to be addressed. The condition cannot prohibit future subdivision of the lot.

If the Commission agrees with staff's recommendation, then the following motion may be stated, seconded, and voted on:

*I move that the Planning Commission recommend approval of the special use permit with staff's recommended condition.*

Vice Chair Porter said I apologize; I think it was my misstatement of the motion that probably curated this problem.

Commissioner Seitz said it was not my intent to prohibit future subdivision of the lot. I move that the Planning Commission recommend approval of the special use permit with the staff's recommended condition.

Commissioner Kettler seconded the motion.

Chair Baugh called for a roll call vote.

Commissioner Seitz     Aye  
 Councilmember Dent     Aye  
 Commissioner Kettler     Aye  
 Vice Chair Porter     Aye  
 Chair Baugh     Aye

The motion to recommend approval of clarifying the special use permit request from the March 11, 2026 meeting passed (5-0).

**A motion was made by Seitz, seconded by Kettler, that this Action Item be approved. The motion carried with a recorded roll call vote taken as follows:**

**Yes:** 5 - Baugh, City Council Representative Dent, Porter, Kettler and Seitz

**No:** 0

**Absent:** 2 - Alsindi and Jezior

**5.c.** Clarify action taken during the March 11, 2026, Planning Commission meeting regarding the rezoning request at 435, 445, 457, 473, 483 & 495 South Main Street and 282, 288, 294 & 298 South Liberty Street (The Link Apartments)

Chair Baugh read the request and asked staff to review.

Ms. Dang said staff requests Planning Commission clarify its action taken during the March 11, 2026, meeting regarding the rezoning request for The Link Apartments.

During the March 11 meeting, staff recommended approval of the rezoning. While Planning Commission voted on the rezoning, the specific motion at hand was not explicitly stated for the record. To ensure the record accurately reflects Planning Commission's intent, staff requests a formal clarification of that prior action.

If the Commission agrees, then the following motion may be stated, seconded, and voted on:

*I move to clarify for the record that, by its vote on March 11, 2026, regarding 'The Link Apartments,' the Planning Commission intended its action to be a vote on a motion to recommend approval of the rezoning to City Council.*

Commissioner Kettler said just to clarify, this is a motion to clarify the purpose of the previous one, not voting on it again.

Ms. Dang said that is correct. If I may offer that the vote before as I understood it was an intention to vote on recommending approval of the rezoning.

Councilmember Dent asked how did we word that? What was missing about it?

Vice Chair Porter said there was no motion. I think we were all stating our opinion and there was obviously a lot of discussion and I just think in the process we called the question and got a vote and did not state a motion.

Commissioner Kettler said I move to clarify for the record that by its vote on March 11, 2026 regarding The Link Apartments the Planning Commission intended its action to be a vote on a motion to recommend approval of the rezoning to City Council.

Councilmember Dent seconded the motion.

Chair Baugh called for a roll call vote.

Commissioner Seitz	Aye
Councilmember Dent	Aye
Commissioner Kettler	Aye
Vice Chair Porter	Aye
Chair Baugh	Aye

The motion to clarify the action on the rezoning request from the March 11, 2026 meeting passed (5-0).

**A motion was made by Kettler, seconded by City Council Representative Dent, that this Action Item be approved. The motion carried with a recorded roll call vote taken as follows:**

**Yes:** 5 - Baugh, City Council Representative Dent, Porter, Kettler and Seitz

**No:** 0

**Absent:** 2 - Alsindi and Jezior

**7. Public Comment**

None.

**8. Report of Secretary & Committees**

**8.a. Rockingham County Planning Commission Liaison Report**

Vice Chair Porter reported on the April 7, 2026 Rockingham County Planning Commission meeting. The following item was on the agenda:

- Public hearing request from White Barn LLC for a special use permit at Tax Map #115 -A-38F for an event center, recreation or entertainment outside a building, and recreation or entertainment inside a building - Denied (3-1)

**8.b. Board of Zoning Appeals Report**

None.

**8.c. City Council Report**

Councilmember Dent reported that there were no public hearing items from Planning Commission presented to City Council on March 24, 2026.

**9. Other Matters**

Commissioner Kettler said when we were talking about the Zoning Ordinance amendments, I noticed that they all say staff initiated. I wonder if any other initiation process is a thing.

Ms. Dang said it could be applicant initiated. That is what we saw with the meat processing and storage facility. That was an example.

Mr. Russ said text amendments cannot be [initiated by the] applicant. The applicant can essentially request it, and staff can bring it to Planning Commission's attention. Formally, there is no application process in the same way there is for [unintelligible].

Ms. Dang said let me find a different choice of words on this memorandum and not confuse the term initiation and how it is used for Planning Commission to direct staff to initiate the work. I will find another word to describe how the request came to be.

Commissioner Kettler said does the Commission initiate, asking staff to look into a particular amendment, is that something that we can do?

Ms. Dang said yes.

Commissioner Kettler said Commissioner Alsindi indicated that he had an interest in making a

presentation as it relates to Downtown and pedestrian transportation. I believe he made some version of this presentation to Planning Commission before but there has been an over 50 percent turnover including me. I just wanted to note that he would want that on the agenda for next month.

### **9.a. Review Summary of next month's applications**

Ms. Dang reviewed the items anticipated for the May agenda:

- Special Use Permit - 1315 Carrera Lane (Short-Term Rental in R-1)
- Rezoning - 850 Canterbury Court (R-1 to R-8)
- Rezoning - 1351 & 1361 Peach Grove Ave (R-5C/B-2 to R-5C)
- Special Use Permit - 1351 & 1361 Peach Grove Ave (more than 12 units per building in R-5)
- Rezoning - 1340 South Main Street (proffer amendment, R-5C)
- Special Use Permit - 1340 South Main Street (to allow multifamily building with more than 12 units in R-5)
- Special Use Permit - 1340 South Main Street (to allow retail, offices, restaurants, etc. in R-5)
- Update on Zoning Ordinance Update Project

One meeting was recommended.

## **10. Adjournment**

The meeting adjourned at 7:42 PM.

### **NOTE TO THE PUBLIC**

Staff will be available at 4:00 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.

### **INTERPRETATION SERVICES**

Language interpretation service in Spanish, Arabic and Kurdish 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](http://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>

#### NOTE TO THE PUBLIC

Residents/Media will be able to attend the meeting.

The Public can also view the meeting live on:

- The City's website, <https://harrisonburg-va.legistar.com/Calendar.aspx>
- Public Education Government Channel 1072

A phone line will also be live where residents will be allowed to call in and speak with Planning Commission during the Public Hearings and the Public Comments portion of the night's meeting. We ask those that wish to speak during the public comment period to not call in until after all the public hearings and public comment on those have been heard. This will avoid anyone calling on any other item from holding up the queue and then being asked to call back at a later time.

The telephone number to call in is: (540) 437-2687

Residents also may provide comment prior to the meeting by visiting this page: [www.harrisonburgva.gov/agenda-comments](http://www.harrisonburgva.gov/agenda-comments)