



City of Harrisonburg

409 S. Main Street
Harrisonburg, VA 22801

Meeting Agenda - Final-revised City Council

Mayor Deanna R. Reed
Vice-Mayor Richard A. Baugh
Council Member Ted Byrd
Council Member George Hirschmann
Council Member Christopher B. Jones

Tuesday, July 11, 2017

7:00 PM

Council Chambers

1. Roll Call

2. Invocation

3. Pledge of Allegiance

4. Special Recognition

4.a. July as Parks and Recreation Month

Review & Recommendation: [Click here to enter the action/summary \(insert the summary from the memo here\).](#)

4.b. A proclamation recognizing Lesbian, Gay, Bisexual and Transgender Pride Day

Attachments: [Proclamation](#)

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 from June 27, 2017 City Council Meeting

Review & Recommendation: [Click here to enter the action/summary \(insert the summary from the memo here\).](#)

Attachments: [Minutes](#)

5.b. Consider a request from Virginia Mennonite Retirement Community, Inc. to close 124,700 +/- square feet of developed public street right of way contained within the Park Village area of the Virginia Mennonite Retirement Community complex

Review & Recommendation: Planning Commission recommended (6-0) to close Villa Drive, Pine Court, Spruce Court, Hawthorne Circle, and Shank Drive (east of Park Road) and located adjacent to tax map parcels 52-D-4, 7-10 & 13 provided that easements are reserved for

- Public Sanitary Sewer and Water infrastructure
- Public Utility Easements for primary electric facilities and street lighting circuits (coordinated with HEC)
- Public Utility Easements as necessary for other utilities (cable, gas, etc.).

Attachments: [Memorandum](#)
[Extract from Planning Commission](#)
[Site Map](#)
[Applications, applicant letters, and supporting documents](#)
[Site development maps](#)
[Surrounding Properties Notice](#)
[powerPoint](#)
[Minutes from 12/13/16](#)
[Ordinance and Plat](#)

6. Public Hearings

- 6.a. Consider a request from Hillside Land LLC with representative Genaro Salgado for a special use permit to allow a restaurant within the M-1, General Industrial District on the property located at 924 South High Street.

Review & Recommendation: Planning Commission recommended to approve the special use permit (6-0) per Section 10-3-97 (1) of the Zoning Ordinance to allow a restaurant on the 10,233 +/- square feet property identified as tax map parcel 19-D-7, with the following conditions:
* One parking space is required for the food truck and one parking space is required for every four seats provided by the food truck. (As of June 8, 2017, there are 26 seats, so seven parking spaces would be required, along with the parking space for the food truck for a total of eight parking spaces.) The applicant is aware if the SUP is approved with this condition, parking spaces must be provided within 30 days of City Council approval; and
* The SUP is limited only to the food truck proposed.

Attachments: [Memorandum](#)
[Extract](#)
[Site maps](#)
[Application and supporting documents](#)
[Surrounding Property Notice](#)
[Public Hearing Notice](#)
[Power Point presentation](#)

- 6.b. Consider a request from 865 East LLC with representative Stephen Waller, agent for Verizon, for a special use permit to allow a concealed wireless telecommunications facility in the R-5, High Density Residential District. The subject property is located at 865 Port Republic Road

Review & Recommendation: Consider a request from 865 East LLC with representative Stephen Waller, agent for Verizon, for a special use permit to allow a concealed wireless telecommunications facility in the R-5, High Density Residential District. A concealed wireless telecommunications facility is defined as "[a]ny wireless telecommunications facility that is integrated as an architectural feature of an existing structure or any new support structure designed so that the purpose of the facility or support structure for providing wireless telecommunications services is not readily apparent to a casual observer. Examples include but are not limited to: bell towers, clock towers, faux trees, flag poles, minarets, monuments, parapets, religious symbols, smoke stacks, steeples, or structures intended as art." The subject property is located at 865 Port Republic Road. Planning Commission recommended to approve the special use permit per Section 10-3-55.4 (8) of the Zoning Ordinance with the condition listed below. The specified special use permit is further regulated by Article CC and, among other requirements, must meet the height, setback, screening or camouflaging, and lighting requirements within Section 10-3-196 (2) (a.) of the Zoning Ordinance. The 5.47 +/- acre site is zoned R-5C, High Density Residential District Conditional and is identified as tax map parcel 92-F-1.

Attachments: [Memorandum](#)
[Extract](#)
[Site maps](#)
[Application, applicant letter, and supporting documents](#)
[Proposed site development layout](#)
[Surrounding Property Notice](#)
[Public Hearing Notice](#)
[Power Point Presentation](#)

6.c. Consider a request from Marrusstodd Properties, LLC to amend Section 10-3-55.4, Uses permitted by special use permit in the R-5, High Density Residential District.

Review & Recommendation: Planning Commission recommended approval (6-0) of the request to add "business and professional offices" as additional uses permitted by special use permit in the R-5 zoning district.

Attachments: [Memorandum](#)
[Extract ZO Amendment](#)
[Application and Applicant's letter](#)
[Ordinance amendment 10-3-55.4](#)
[Surrounding Property Owners Notice](#)
[Public hearing notice](#)
[Power Point Presentation](#)

6.d. Consider a request from Marusstodd, Properties, LLC to amend the Comprehensive Plan's Land Use Guide map designation for 5 parcels fronting South Main Street, East Weaver Avenue, and Edgelawn Drive from Professional and Low Density Residential, to Mixed Use Development Areas. The subject properties are addressed as 1340, 1348, and 1356 South Main Street and 1341 Edgelawn Drive.

Review & Recommendation: Planning Commission recommended to deny (6-0) the request to amend the Comprehensive Plan's Land Use Guide map within Chapter 5 Land Use & Development Quality, for the 1.3 +/- acres of land identified as tax map numbers 18-R-22, 22A, 23, 24, and 24A.

Attachments: [Memorandum](#)
[Extract ZO Amendment](#)
[Site Maps](#)
[Application, applicant's letter, TIA](#)
[Proposed site development layout](#)
[Citizen Letters](#)
[Surrounding Property Notice](#)
[Public Hearing](#)
[Power Point Presentation](#)

- 6.e. Consider a request from Marusstodd Properties, LLC with representative Blackwell Engineering to rezone five (5) parcels containing a total of 1.3 +/- acres from R-1, Single Family Residential and R-3, Medium Density Residential to R-5C, High Density Residential District Conditional and addressed as 1340, 1348, and 1356 South Main Street and 1341 Edgelawn Drive.

Review & Recommendation: Planning Commission recommended to deny (6-0) the rezoning request to R-5C, for the five parcels identified as tax map numbers 18-R-22, 22A, 23, 24, and 24A.

Attachments: [Memorandum](#)
[Extract ZO Amendment](#)
[Site Maps](#)
[Application, Applicant's letter, proffers, TIA](#)
[Proposed site development layout](#)
[Citizen Letters](#)
[Surrounding Property Notice](#)
[Public hearing notice](#)

- 6.f. Consider a request from Marusstodd Properties, LLC with representative Blackwell Engineering for a special use permit per Section 10-3-55.4(1) to allow multi-family dwellings of more than twelve (12) units per building under conditions set forth in subsection 10-3-55.6 (e) and such other conditions deemed necessary by City Council on five (5) parcels located at 1340, 1348, and 1356 South Main Street and 1341 Edgelawn Drive

Review & Recommendation: Planning Commission recommended to deny (6-0) the special use permit per Section 10-3-55.4 (1) of the zoning ordinance for the 1.3 +/- acre site consisting of five parcels identified as tax map numbers 18-R-22, 22A, 23, 24, and 24A.

Attachments: [Memorandum](#)
[Extract ZO Amendment](#)
[Site Maps](#)
[Application and applicant's letter](#)
[Proposed site development layout](#)
[Citizen Letters](#)
[Public hearing Notice](#)
[Surrounding Property Notice](#)

- 6.g.** Consider a request from Marusstodd Properties, LLC with representative Blackwell Engineering for a special use permit per Section 10-3-55.4(4) to allow retail stores, convenience shops, personal service establishments, restaurants (excluding drive-through facilities) under conditions set forth in subsections 10-3-55.6 (f) and (g) and such other conditions deemed necessary by City Council. The subject property consists of five (5) parcels addressed as 1340, 1348, and 1356 South Main Street and 1341 Edgelawn Drive

Review & Recommendation: The special use permit would also permit business and professional offices if this section is amended as proposed in a separate application. Planning Commission recommended to deny (6-0) the special use permit per Section 10-3-55.4(4) of the zoning ordinance for the 1.3 +/- acre site identified as tax map numbers 18-R-22, 22A, 23, 24, and 24A.

Attachments: [Memorandum](#)
[Extract ZO Amendment](#)
[Site Maps](#)
[Application and applicant's letter](#)
[Proposed site development layout](#)
[Citizen Letters](#)
[Surrounding Property Notice](#)
[Public Hearing Notice](#)

7. Regular Items

- 7.a.** Consider acceptance of Anicira proposal at the "conceptual stage" for provision of animal services for the City of Harrisonburg.

Review & Recommendation: The City has received a PPEA proposal from Anicira to provide animal services to the City in accordance with the requirements of Section 3.2-6546 of the Code of Virginia. Such services are currently provided to the City and Rockingham County by the Rockingham Harrisonburg SPCA under a three-party contractual agreement..

Attachments: [Memorandum](#)
[Anicira Proposal](#)

8. Special Event Application Requests

9. Other Matters

9.a. Comments from the public, limited to five minutes, on matters not on the regular agenda.
(Name and address are required)

9.b. City Council and Staff

10. Boards and Commissions

10.a. Harrisonburg Electric Commission

Review & Recommendation: Attached is a letter from the General Manager, Brian O'Dell, with the Harrisonburg Electric Commission's three candidates for consideration. Tom Mendez resigned on May 23, 2017, whose second term would have expired on December 31, 2018. There are no other applications on file.

Attachments: [HEC Recommendations](#)

10.b. Community Service Board

Review & Recommendation: There is one term that expired on July 1, 2017. The deputy city clerk has contacted the member whose term expired to see if they are interested in serving another term. Geraldine Rush is interesting in serving again for a 2nd term. At this time there are no other applications on file.

Attachments: [Geraldine Rush](#)

10.c. Transportation Safety and Advisory Commission

Review & Recommendation: One member of the board has resigned, leaving an unexpired term of December 31, 2018. Deputy City Clerk reached out to previous applicants as well as advertised on city website. JT. Logan and Zach Armstrong are no longer interested in servicing on this board, Marian Lebherz is still interested and the application is attached.

Attachments: [Marian Lebherz](#)

11. Adjournment