



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, February 14, 2017

7:00 PM

Council Chambers

1. Roll Call
2. Invocation
3. Pledge of Allegiance
4. Special Recognition
5. Consent Agenda (any item placed on the consent agenda shall be removed and taken up as a separate matter, if so requested by any member of Council, otherwise all items will be voted on with one (1) motion)
 - 5.a. Minutes

Attachments: [January 24, 2017 Draft Minutes](#)
 - 5.b. Consider an ordinance closing a 907 +/- square foot portion of a ten foot wide alley, located between 634 Collicello Street and 113 & 123 Third Street in the City of Harrisonburg.

Review & Recommendation: Subject:

Attachments: [Memorandum](#)
[Extract Alley closing and PP 632634 Collicello Street](#)
[Site Maps](#)
[Application, letter, alley survey and preliminary plat](#)
[Neighbor letter of opposition](#)
[Surrounding Property Notices](#)
[PowerPoint](#)
[Ordinance](#)
 - 5.c. Consider enacting Section 13-1-51.1 Bicycle Lanes of the Harrisonburg City Code

Review & Recommendation: Presently, the locations of many bus stops require Harrisonburg Department of Public Transit (HDPT) vehicles to stop in bicycle lanes temporarily, in order to allow passengers to board and disembark. Section 13-1-51.1 clarifies that HDPT vehicles, including school buses, are permitted to stop in bicycle lanes for this limited purpose and only after ensuring it would be safe to do so, while additionally clarifying that this is the sole circumstance in which a vehicle is permitted to stop in a bicycle lane.

Attachments: [Memorandum](#)
[Ordinance](#)

5.d. Consider amending and re-enacting Sections 1-1-6 Penalties of the Harrisonburg City Code

Review & Recommendation: The amendment to Section 1-1-6 inserts a catch-all provision to ensure no penalties imposed by the City exceed the penalties provided by state law for a similar offense. State law prohibits localities from providing for a more severe penalty for violation of an ordinance than the penalty would be under state law for a similar offense.

Attachments: [Memorandum](#)
[Current ordinance reflecting recommended amendments](#)

5.e. Consider amending and re-enacting Section 13-1-61 Issuance of residential parking permits to certain residents and businesses of the Harrisonburg City Code

Review & Recommendation: The amendment to Section 13-1-61 adds a provision allowing up to five (5) residential parking permits be issued to businesses operating in a residential parking area that were operating at the location prior to the passage of this ordinance. This will ensure already-existing businesses have sufficient access to parking, while ensuring future businesses take parking into consideration before opening.

Attachments: [Memorandum](#)
[Current ordinance reflecting recommended amendments](#)
[Updated amended proposed ordinance](#)
[Public Hearing](#)

5.f. Consider amending and re-enacting Section 13-1-69 Parking of Commercial Vehicles near Residences of the Harrisonburg City Code

Review & Recommendation: The amendments to Section 13-1-69 expand and clarify the sorts of vehicles that may not be parked near residences, and removes the provision allowing commercial vehicles to park near residences with the written consent of the owner or tenant of the lot. In practice, the time-intensive nature and difficulty of determining whether the commercial vehicle's owner, operator, or driver had the consent of the owner or tenant to park severely restricted the City's ability to enforce the ordinance.

Attachments: [Memorandum](#)
[Current ordinance reflecting recommended amendments](#)
[Updated amended proposed ordinance](#)
[Public Hearing Notice](#)

6. Public Hearings

6.a. Consider an amendment to the 2015 CDBG Action Plan

Review & Recommendation: This public hearing is required by HUD to receive citizen comments on an amendment to the Community Development Block Grant 2015 Action Plan. Staff proposes that the following amendment be made: \$66,259.70 that was allocated to the 2015 Administration Project (16CDBG05) will be moved to the Price Rotary Senior Center Renovation project (16CDBG04). Staff will make a short presentation, to be followed by a public hearing and a 30 day public comment period. There is no action needed on this item at this time.

Attachments: [Memorandum](#)
[Public Hearing Notice](#)
[Schedule](#)

- 6.b. Consider a request from Ken Bell of Bell Investments, LLC, with representative Shawn Gatesman, the Friendly Fermenter, LLC, for a special use permit within the B-1, Central Business District, to allow manufacturing, processing and assembly operations, when not employing more than 15 persons on the premises in a single shift and provided all storage and activities are conducted within a building, at 20 South Mason Street

Review & Recommendation: Planning Commission recommended approval (6-0) of the special use permit per Section 10-3-85 (1) to allow a brewery at the 3,255 +/- square foot property identified as tax map parcel 26-A-4.

Attachments: [Memorandum](#)
[Extract](#)
[Site Maps](#)
[Application, applicant letter and other supporting documents](#)
[Surrounding Property Letters](#)

- 6.c. Consider a request from John Rittenhouse, with representative Blackwell Engineering, for a special use permit to allow the reduction in the required side yard setback to zero feet along the lot line of an adjoining lot or parcel zoned B-2 on property zoned B-2, General Business District and located at 1930 Erickson Avenue

Review & Recommendation: Planning Commission recommended approval (5-0) of the special use permit per Section 10-3-91 (9) of the Zoning Ordinance for a zero setback on a 1.07 +/- acre property identified as tax map parcel 112-A-4.

Attachments: [Memorandum](#)
[Extract](#)
[Site maps](#)
[Application and supporting documents](#)
[Surrounding Property Notice Letters](#)

7. Regular Items

- 7.a. Consider a request from Dick Myers Chrysler, with representative Ken Patterson, Patterson Consulting, LLC, for a comprehensive sign plan as per section 11-7-6.1 (7)

Review & Recommendation: Section 11-7-6.1 (7) of the Sign Ordinance permits City Council approval of signage with the B-2, General Business District that does not meet all Sign Ordinance requirements. Staff is recommending approval of the request with the following condition: No freestanding signage be allowed on the middle parcel (tax map 10-B-12).

Attachments: [Memorandum](#)
[Site map](#)
[Applicant's letter & supporting documents](#)

- 7.b. Consider a request from Fisher & Thompson Inc. per Section 7-2-4 of the City Code for the City of Harrisonburg to provide water service onto property located at 4448 Rawley Pike (Route 33) within Rockingham County

Review & Recommendation: Planning Commission recommended approval (6-0) of the Public Utilities Application for 4448 Rawley Pike as presented.

Attachments: [Memorandum](#)
[Extract](#)
[Site Map](#)
[Public Utilities Application](#)

- 7.c. Consider submission of a grant application to ArtPlace America and the National Creative Placemaking Fund

Review & Recommendation: Representatives from several sectors of the Harrisonburg community-higher education, public schools, government, nonprofits, and business-will collaborate to employ the arts to improve the pedestrian walkway connecting Liberty Park with Turner Pavilion, which is an element of the City's Downtown Streetscape Plan. This group is applying for a grant from ArtPlace America and the National Creative Placemaking Fund. Because public property is involved, we will return to City Council to propose the specific art projects for approval if we are successful in obtaining the grant.

Attachments: [Memorandum](#)

- 7.d. Municipal Building Feasibility Study

Review & Recommendation: John Mather of Mather Architects will present the findings and recommendations of a feasibility study his firm conducted on approaches to renovating the Municipal Building. A memo is attached to this agenda item with further details.

Attachments: [Memorandum](#)

- 7.e. Consider a resolution authorizing the Director of Public Transportation to execute certifications and assurances and grants

Review & Recommendation: It is recommended that resolutions be updated at least every seven (7) years to reflect authority under current public transportation legislation (49 USC Chapter 53), currently the FAST Act. At this time, the Federal Transit Administration is requesting Region III Grantees review their authorizing resolutions and update them, as needed.

Attachments: [Memorandum](#)
[Resolution](#)
[2003 Delegation of Authority](#)
[2003 Authorizing Resolution](#)

8. Supplement Appropriation

- 8.a. Consider a supplemental appropriation for the General Capital Projects Fund in the amount of \$720,511.82

Review & Recommendation: The Public Works Department is currently preparing to award the MLK Jr. Way Improvement and Grace Street Extension (JMU) projects, and James Madison University is providing funds to assist with the construction. This supplemental appropriation will place the received JMU funds into the appropriate project accounts.

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

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 City Staff

10. Boards and Commissions

11. Closed Session

11.a. Subsection 7 for the consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel

11.b. 2.2-3771(A)(1) Discussion concerning personnel matters

12. Adjournment