



City of Harrisonburg

City Hall
409 South Main Street
Harrisonburg, VA 22801

Meeting Minutes - Final Planning Commission

Wednesday, April 12, 2023

6:00 PM

Council Chambers

1. Call To Order

The Harrisonburg Planning Commission held its regular meeting on Wednesday, April 12, 2023, at 6:00 p.m. in the City Council Chambers, 409 South Main Street.

2. Roll Call/Determination of Quorum

Members present: Adriel Byrd, Vice Chair; Jim Orndoff; Dr. Donna Armstrong; and Richard Baugh. Absent: Brent Finnegan, Chair; Vice-Mayor Laura Dent. Valerie Washington arrived at approximately 6:20 p.m.

Also present: Thanh Dang, Assistant Director of Community Development; Adam Fletcher, Director of Community Development; Wesley Russ, Assistant City Attorney; Meg Rupkey, Planner; and Nyrma Soffel, Office Manager/Secretary.

Vice Chair Byrd called the meeting to order and said that there was a quorum with four members present.

3. Approval of Minutes

Vice Chair Byrd asked if there were any corrections, comments or a motion regarding the March 8, 2023, Planning Commission minutes.

Commissioner Baugh moved to approve the minutes.

Commissioner Orndoff seconded the motion.

All members voted in favor of approving the March 8, 2023, Planning Commission minutes.

A motion was made by Baugh, seconded by Orndoff, that this be approved. The motion carried by a voice vote.

3.a. Minutes from the March 8, 2023 Planning Commission Meeting

4. New Business - Public Hearings

4.a. Consider a request from Mainali & Gil Properties LLC for a special use permit to allow multiple-family dwellings and/or mixed use buildings at 1180 Virginia Avenue

Vice Chair Byrd read the request and asked staff to review.

Ms. Dang said the applicant is requesting a special use permit (SUP) per Section 10-3-91 (17) to allow multi-family dwellings and/or mixed use buildings in the B-2, General Business District. The property is +/- 27,697 square feet, has frontage on Virginia Avenue, and is located approximately 250 feet north from the intersection of Virginia Avenue and Mount Clinton Pike. If the SUP is approved, the applicant intends to construct a single structure containing commercial uses on the first floor and up to a total of 12 multiple-family dwellings with units on the second, third, and fourth floors. In this case, while the applicant intends to provide by-right commercial uses on the first floor of the building, approval of the SUP would give permission to construct a building with only residential uses so long as the development complies with the associated development plan and SUP conditions.

With regard to the details of the proposal, as specified by Section 10-3-93 (d) of the Zoning Ordinance (ZO), the applicant has submitted a development plan to be in accord with the requirements of the SUP. Section 10-3-93 (d) states that “[f]or multiple-family dwellings and mixed use buildings, the development plan submitted with the special use permit shall govern development on the site and shall be used as a basis for subdivision and engineered comprehensive site plan approval.” If the SUP is approved, then details of the development plan would be used to ensure that what is proposed and evaluated during the SUP review is what is developed. If significant deviations are desired by the property owner in the future, the property owner must apply to amend the development plan by going through the SUP process again.

Features of the development plan submitted with the SUP that would be used as the basis for an engineered comprehensive site plan approval include, but are not limited to:

1. The general location of buildings and structures as illustrated.
2. The general number of stories within proposed buildings and structures as illustrated.
3. The general location of parking areas as illustrated.
4. The general location of pedestrian connections as illustrated.

Additionally, the applicant has proposed the following conditions, which are described on the development plan as “Developer Self-Imposed Conditions” (written verbatim):

1. Development will not exceed 12 residential units.
2. Units will be a combination of studio, 1-bedroom, & 2-bedroom units.
3. The development shall be no more than 4 stories.

Regarding minimum off-street parking requirements for the multiple-family dwellings, the ZO allows one off-street parking space per unit in the B-2 district and the applicant is showing 12 residential parking spaces. Retail parking is calculated based on a ratio of 1 off-street parking space for every 200 square feet of gross floor area and the applicant is showing 19 retail parking

spaces.

Land Use

The Comprehensive Plan designates this site as Commercial and states that:

“Commercial uses include retail, office, professional service functions, restaurants, and lodging uses. Commercial areas should offer connecting streets, biking and walking facilities, and public transit services. Interparcel access and connections are essential to maintaining traffic safety and flow along arterials. Parking should be located to the sides or rear of buildings.”

Given the small size of the subject site and its location between a nonconforming residential use (mobile/manufactured home park) and a parcel containing commercial uses (convenience store/fueling station), staff believes that multiple-family units at this location can be a positive outcome and function well with the nonresidential uses that could also be provided on the subject parcel and with the other uses along this section of Virginia Avenue.

Transportation and Traffic

The Determination of Need for a Traffic Impact Analysis (TIA) form (“TIA determination form”) for the proposed SUP is attached. The TIA determination form indicated that the project will not generate 100 or more peak hour trips, which is the threshold for city staff to require a TIA. As always, however, Section 10-3-127(a)(3)(b) of the ZO gives Planning Commission and City Council the authority to require a TIA for SUP requests when they believe it is necessary.

Additionally, as required by the Subdivision Ordinance, the development will be required to construct, and where necessary dedicate land for, a sidewalk on the property because the adjacent property to the south has existing sidewalk.

Housing Study

Generally, approval of the SUP provides an opportunity for the community to create more housing as called for in the City’s Comprehensive Housing Assessment and Market Study (The Housing Study). The Housing Study places the subject property within Market Type D. Among other things, the study notes that “Market type D has lower market activity as well as lower access to amenities. This could be because the areas are stable residential neighborhoods or because the area is less developed and therefore has fewer sales and fewer amenities. Strategies that would be appropriate in the latter case include concurrent development of the housing and economic opportunities through mixed-use developments to build commerce and housing centers across the City.”

When considering the need for providing more housing in the City, providing multi-family units at this location can be a positive result for the community and for those individuals who might reside in such units.

Public Schools

The student generation attributed to the proposed 12 residential units is estimated to be four students. Based on the School Board's current adopted attendance boundaries, Bluestone Elementary School, Thomas Harrison Middle School, and Harrisonburg High School would serve the students residing in this development. Harrisonburg City Public Schools (HCPS) staff noted in their review comments that schools are over capacity in many of the schools.

Recommendation

Staff recommends approval of the SUP as submitted by the applicant including their proposed conditions.

Vice Chair Byrd asked if there were any questions for staff.

Commissioner Armstrong asked if there is no follow-up on this within a certain time period does the SUP expire?

Ms. Dang said the short answer is yes, the SUP would expire if not diligently pursued. Typically, it is a 12 month period according to the Code. At times you have heard applicants suggest a condition that might extend it further. The General Assembly has adopted an extension for SUPs and other types of plans that extends it to July 1, 2025, beyond the 12 months.

Commissioner Armstrong asked would that apply to this?

Ms. Dang said if this is approved, it would. It would not expire within the typical 12-month period.

Commissioner Baugh said to be the devil's advocate, as I sit here, I do not like it. I think that it was acknowledging that it was not just a backlog with the developer, but in some jurisdictions, there might have been a backlog in processing.

Commissioner Armstrong asked what is the time period before expiration if there is not due diligence?

Mr. Fletcher said it would be July 1, 2025 that it would expire if there is not due diligence.

Commissioner Armstrong said that is two and half years.

Mr. Fletcher said that will be true for any SUP before this body at least until that time.

Commissioner Armstrong asked can we apply a condition that shortens that?

Mr. Fletcher said you cannot.

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

Ed Blackwell, Blackwell Engineering, came forward representing the applicant. My client rents the Holtzman Exxon next door. The Holtzman Corporation owns the land and leases it out. The client, the tenant of the Holtzman space who runs that 7-Eleven Exxon, was having trouble getting employee housing for some of his full-time employees in the area. The thought came up to buy the house next door and use it. I told him he cannot. He thought he might buy the old house next door maybe make it a duplex or a triplex or something. The house that is on the property now is non-conforming. He then asked if he could put an apartment there. I said possibly. That is what generated all this. He is trying to get workforce housing for his employees first, then allow the market. That is his intention with this property. The intention is to move relatively quickly because he wants the housing for his employees.

We worked with staff and looked at a couple different options. We looked at putting the building all the way in the back and it had all the parking in the front. I did not like that. We put it up by the front, with all the parking in the back. The client did not quite like because he has the gas station next door, and he wanted to build it about the same level back as the canopy that is at the Exxon Station. That is why the building is in the middle, with parking in the front and back. That made it so that the commercial retail on the first floor has parking in the front and the residents go around the back. Working with staff, they wanted us to run a sidewalk. We are running a sidewalk across our parking lot toward the Exxon. I do not think that we showed the Exxon putting the sidewalk in, but Mr. Holtzman is okay doing that, mainly because his tenant is the one wanting the parking lot for the apartments next door. I think we can work that out.

We think this is a good fit for the neighborhood. There is manufactured housing next door. They are cash cows. It is hard for those types of properties to switch out to regular... The one on Country Club Road has been looked at to be purchased several times over the decades. It makes so much money as a residential mobile home park that it does not flip to non-residential. I have a feeling that may be the same thing I hear on north Route 42, that property next door. I am not sure that in the near future mobile home parks will change to business uses. I appreciate staff looking at that. It may change, but it may not in the near future. This is a good mix, with having some residential and some commercial. We are not quite sure about what we are doing for the commercial. He is thinking about one of the uses to be possibly like a laundromat, but they have not been tied down. If you ask me what he is going to be doing, it will be something that does not compete with the store next to it.

Water is there. Sewer is there. I think all the utilities work out. Entrances do not have issues with other departments. I think it is a good use for the property. I would appreciate your vote.

Vice Chair Byrd asked if there were any questions for the applicant's representative. Hearing none, he asked if there was 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.

Commissioner Baugh said I think you could have a lot of debates about what would be ideal there. This is certainly an improvement over what is there now. I am happy to hear any objections or concerns that anybody else has. I move to recommend approval of the SUP, as presented.

Commissioner Armstrong seconded the motion.

Vice Chair Byrd called for a roll call vote.

Commissioner Armstrong Aye
 Commissioner Baugh Aye
 Vice Chair Byrd Aye
 Commissioner Orndoff Aye

The motion to recommend approval of the request passed (4-0). The recommendation will move forward to City Council on May 9, 2023.

A motion was made by Baugh, seconded by Armstrong, that this PH-Special Use Permit be recommended to full council to the City Council, due back on 5/9/2023. The motion carried with a recorded roll call vote taken as follows:

Yes: 4 - Orndoff, Byrd, Armstrong and Baugh

No: 0

Absent: 3 - Finnegan, Washington and Dent

5. New Business - Other Items

- 5.a.** Consider a request from Friendship Properties Partners for water and sanitary sewer service for a property located at Friendship Drive in Rockingham County (County tax map parcels 94-(A)-L88 & L88B)

Vice Chair Byrd read the request and asked staff to review.

Commissioner Washington arrived during the presentation.

Ms. Rupkey said individuals owning property located outside the City of Harrisonburg may request to connect to the City’s water and sewer system. Per Section 7-2-4 (b) of the City Code, connection requests for all uses located outside City limits, other than residential uses involving fewer than ten units, shall be reviewed by Planning Commission and then forwarded to City Council for final approval or rejection. This request is for a non-residential connection; thus, Planning Commission review and City Council approval is required.

The +/- 11.02-acre site is located approximately 200 feet north of the City limits, at Friendship Drive. The site is zoned I-1, Industrial District within Rockingham County and is identified as 94-

(A)-L88 (identified on the site layout as Lot 4) and 94-(A)-L88B (identified on the site layout as Lot 5). If the applicant's request to connect to the City's water and sanitary sewer infrastructure is approved, the applicant would extend existing water and sanitary sewer infrastructure located within this area to the subject site.

The owner is planning to subdivide Lot 4 into two parcels. A portion of lot 4 (identified as Lot 4A) is expected to be operated as a trucking business, the residual of Lot 4 is expected to be developed for rental buildings for light industrial uses. Lot 5 is expected to be developed as an event center.

When reviewing previous public utility application requests, staff has discussed that the City needs to be careful about extending more utilities into the County, as it may contribute to using the City's available water and sanitary sewer capacity, which could be detrimental to future development within the City and it may indirectly lead to development around the edge of the City that we do not desire. However, in February 1996, the City and the County entered into an agreement to provide water and sewer to the subject site (referred to as part of the Heatwole properties). An amendment to this agreement occurred later in 2000. In March 2023, the Department of Public Utilities completed the preliminary review of the request and has offered technical approval for extending City water and sanitary sewer service.

Taking into consideration the agreement between the City, County, and property owners, staff recommends approval of the Public Utilities Application.

Vice Chair Byrd asked if there were any questions for staff.

Commissioner Armstrong said my first question is under General Criteria b). It says, "Historically, past Harrisonburg practices in providing services to external County customers at near double rates (rural rates) has provided Harrisonburg customers with the discounted water rates that are in effect today. The subdivision is a potential customer to continue this benefit; however, the following inclusion to the City - County water agreement threatens this advantage..." and "HPU recommends that the subdivision shall be exempted from Item E of the City - County Water Agreement 2006, either by specific reference or preferably by a holistic general revision to the Agreement." That condition is not in place from their approval. It certainly is a big concern that I have. What price are they going to be charged. It does not seem to be clear here.

Ms. Dang said I do not have an answer for that.

Commissioner Armstrong said neither did HPU. Criteria #3: Analysis of sewer treatment capacity states, "In summary, there appears concern for adequate Harrisonburg treatment capacity in HRRSA for the subdivision." In the next sentence, what is I&I?

Ms. Dang said it stands for inflow and infiltration.

Commissioner Armstrong continued “Reserving the HRRSA capacity for I&I, however, is not a desirable business plan.” I think this is a problem if there are concerns Harrisonburg treatment compacity for the subdivision. That is a concern for me because in general I have concerns about our water treatment capacity going forward with all the building that is going on. Those are two concerns. The other concern is that this looks like suburbanization to me. It is on the outside boundary. At this junction for Harrisonburg City with a lot of commercial properties that are a little stressed, they are either vacant or... There is commercial real estate stress in the City. That is a concern for me that we are supporting what looks like suburbanization to me. I do not like that. I think we need to put our focus and our support on the interior of the City of Harrisonburg rather than selling a really valuable resource at some possibly not correct pricing to the County. The other issue that climate change is a huge unknown in all of this. Both water capacity and the capacity to process sewer, sewer management, is very much affected by climate change. I think it is a bad time to encourage anything like this. Of course, the contract was agreed on 27 years ago and revised 23 years ago. It is a pretty dated agreement. That HPU suggests that the amendment be entirely revisited is understandable given this agreement is 23 years old. I would oppose this, strongly, for those among other reasons.

Commissioner Baugh said I think that there may be some additional context to this. One is that while I know what it is reading, I have heard a lot of presentations from Mike Collins, Director of HPU, that does not reflect... Now I not sure why they chose to write it this way. I am fairly confident that they are not actually concerned about the capacity issues. I can tell you about the rate. This is a long-standing thing. When I hear this, what I am hearing is they are repeating the fact that in theory we are looking at a rate structure for water and have been doing so for many years. It is on the list of things for HPU to make a recommendation to City Council. I remember some presentations from Mr. Collins talking about how our current pricing structure is outdated and does not serve us very well. The last time that they took a hard look at it is before I was ever on City Council. That means that it was 15 years ago, at least. They decided then to kick the can down the road. We know we have to do something. The central issue is that, as anything you do when you change rates, there are some people who will end up having to pay more. If I am remembering correctly, it is your water is especially cheap for the classic single-family detached homeowner. The formulas that you would do, that he likes to bring up, cause those people to take a big hit right away. Some of it is to eventually get around to figuring out some recommendation to get him where he wants to be, phase it in a way that it would be politically or otherwise palatable to the elected officials and the community. I think that is what this is. We had one of these many years ago. I mentioned it during the site visit. I will suggest that another option we have, if there is concern on the Planning Commission about this... We had one several years ago where we tabled it and invited Mr. Collins to come to a later meeting and have some direct communication with the Planning Commission about this. That would be another option. I think that if we want to vote on it right now, I would be inclined to vote in favor of it, but I would not have any objection to tabling it.

Mr. Fletcher said I wonder if I am interpreting this incorrectly. Under item b) City Customer Discounts, I wonder if what they are saying here is that HPU are recommending that in this

specific instance this customer is exempted from item E. meaning that they will not have a reduction in rates.

Commissioner Armstrong indicated agreement.

Mr. Fletcher said I wanted to make sure that we were all on the same page with that.

Commissioner Baugh said that has been my understanding.

Mr. Fletcher asked, Commissioner Armstrong, what was the other component that you were unsure of regarding HPU's recommendation?

Commissioner Armstrong said they have a qualifier in there about wastewater management for the subdivision indicating that they had uncertainty about that. Then they had another sentence that qualified that and reversed it with that I&I abbreviation. They said that they did not think that should hold up business plans, which we are at a time where the environment may have to hold up business plans. It is the reality. We are hitting it there at the water. I have a lot of respect for Mr. Collins. I have heard his presentations, too. I have a lot of respect for his attention to detail and his diligence, but we are at a time where the climate is changing radically, where you have repeated rivers coming out of the sky in California and we are very arid right now. I almost feel like we are living in California because it is so hot and arid in the middle of April. We have a changing climate, and no one can predict what we are going to see going forward. I think that municipal water needs to be prudent. There are a lot of municipal water systems, I say a lot if there are any, in the United States that are failing. They are failing their residents. We should not see that. I think we need prudence.

Commissioner Baugh said this does not get into, and is something we can take a deeper dive in. It came up a little bit in the site visit yesterday. The alternative here is that they have to get it from the County. The County faces a serious challenge because for them to run their municipal water system it has this big hole in the middle of it called Harrisonburg, which is not part of their system. It is a very decentralized, ad hoc may be too strong a phrase or may not be, system. My understanding is that a lot of the thought on this, particularly for these properties that are very close to the City line, is also the efficiency of when you have a system that is relatively close buy that can provide the service versus the engineering that you have to go through to get it from another provider that would be more of a challenge. Now, how hard it would be for them to get it from the County, I do not know.

Mr. Fletcher said I do not know the answer to that either. I would be curious if the applicant understands whether or not if they do not get it City whether they have to get a septic and well or not.

Commissioner Armstrong said the same argument goes that the [waste]water treatment has to traverse the entire Harrisonburg in order to be treated for this facility. When you are talking about

not located adjacent, that is going to apply to Harrisonburg to treat this [waste]water. It has to traverse the entire City to the south to go to the treatment plant.

Commissioner Baugh said or go around the City to get to it.

Commissioner Armstrong said it says in there that it would have to traverse the City.

Commissioner Baugh said I am talking about in a County system, the County system being further.

Commissioner Armstrong said I think the provision of this should influence... They do not have to build there. This influences where they build. That is not something that the City owes to the County. I hope that is not a publicly offensive statement. That they should necessarily build this at that location.

Ms. Dang said I notice here in the Executive Summary on the first page of the HPU evaluation they have recommended "moving forward subject to the following." Should we consider recommending those? Were they intended to be conditions? Is that their recommended condition? I did not think of that at the time when we were reviewing.

Mr. Fletcher said I cannot recall a time that we discussed conditions like this and whether or not this is a question for City Council because it has to do with rates. The Planning Commission does not have authority over rate issues. It might be a matter that should be brought up at a City Council meeting.

Commissioner Baugh said the history on this, even though what we have in place has been in place for a while, it created a system. If I remember correctly, as part of the angst between the jurisdictions from the last annexation, this agreement provided for this where it was not provided for before. The driver was this idea of for areas that are immediately adjacent to the City or we had some other exceptions for things that were immediately adjacent to supply lines. I think that there are a few that we have approved some distance outside the City but they got the water supply line going right by them. That at least was the spirit of this. It may not be a dispositive factor, but I think in many respects it was trying to patch up relationships and be good neighbors in the aftermath of some history of some hard feelings. My recollection is that we have always approved them, and they have always been either these types of properties that were just across the line or some of the ones out west of the City that are along the supply line. Presumably, in the future we will have something from the east.

Mr. Fletcher said we have had one or two on the east side of the City. There was one that was questionable in the southwest. You mention that we have always approved all of them. I am trying to recall.

Commissioner Baugh said you are like me that we were around the time that it came up when Mr. Collins came in and talked with the Planning Commission about it. That would have been early

2004.

Mr. Fletcher said the question, high-level, is really about, is it in line with good planning? That is the question for the Planning Commission. That is where the question comes up. We speak to that in the staff report. To always be cautious of asking that question. Is the development inconsistent with where we want our adjacent developments to be? It is a reality that if you are promoting the extension of water in an area where anyone may not want to see that, but it does offer potential development opportunities where they might not have existed. Maybe the economies of scale are just too great, and it is not viable.

Commissioner Armstrong said I think that since I have been on the Planning Commission, we have had a residential home petition for water access across the line. I have no problem supporting that, but this is 11 acres. This is a large commercial... This is a large process here.

Commissioner Orndoff said what is interesting, too, in looking at the Executive Summary, they recommend approval subject to two or three modifications on the way the City handles this. Maybe this is the appropriate time to open up that discussion.

Commissioner Armstrong said I am not sure that I know what the phrase in number two “new drought water sources” means. I would hate to guess. That is a worst case scenario.

Mr. Fletcher said that in the Capital Improvement Program, Mr. Collins is always planning far into the future, as he should. He does a great job at it, making sure that there are always opportunities to provide water.

Commissioner Armstrong said that is all well and good, but we cannot plan way out into the future with climate change. It just does not permit it. We do not know. They are having travel predicting the weather at this point because it is so anomalous. California does not get 24 inches of rain. That does not happen, but it has. That is the problem. That is why I said that I have a great deal of respect for Mr. Collins. I have seen him present and thought it was a great presentation. He does not have a crystal ball either. When there is a phrase in here that says “developing new drought water sources” that makes me nervous, particularly with all this infill development that Harrisonburg is approving. There are a lot more people living in the City. I am not sure that has been taken into consideration, the changes in climate.

Commissioner Baugh said I am all for whatever dialogue we need to have for someone to get better insight into this. I am reading this almost more of a if or when you developing new drought water... The operative piece is not that, it is that we want it understood that if and when those things develop, we do want to adjust impact fees or availability fees. They are not going to get a free ride. Even if they are outside the City limits, we would look at having them pay their proportional share of those things if and when they happen.

Vice Chair Byrd said as in once you are part of the system, you are part of the system.

Commissioner Baugh said yes, that you are not getting locked in to something like where you are right now. I may not be the best person to answer that question.

Vice Chair Byrd said whether that is legally true or not, City Council will have to take that into account, regardless of what our recommendation is because we do not make decisions about fees.

Mr. Fletcher said that if you have a list of questions you would like for us to follow up with HPU before you make a decision, or if you would like us to invite someone who can speak to some of these questions that you have we could arrange that.

Commissioner Armstrong asked would that require tabling it?

Mr. Fletcher said yes.

Commissioner Armstrong moved to table the request to get further clarification on some of the issues that have been raised, the exempt item E and these items in the Executive Summary. I would also ask them about their statement about wastewater treatment and that they had concerns about the subdivision. I would ask them other questions. I would not want to restrict it to just these two.

Commissioner Baugh seconded the motion.

Vice Chair Byrd asked for clarification on the motion.

Commissioner Armstrong said to get further clarification on some of the issues that have been raised, the exempt item E and these items in the Executive Summary. I would also ask them about their statement about wastewater treatment and that they had concerns about the subdivision. I would ask them other questions. I would not want to restrict it to just these two.

Mr. Fletcher said we can invite them here and refer them to the minutes to make sure they evaluate it. The conversations that you are beginning to have, are conversations we have had internally about that there will come a point at which point very difficult decisions need to be made at the periphery of the City regarding water and sewer and whether you would want to approve these types of requests.

Vice Chair Byrd called for a roll call vote.

Commissioner Armstrong Aye
 Commissioner Baugh Aye
 Vice Chair Byrd No
 Commissioner Orndoff Aye

Commissioner Washington Aye

The motion to table the request passed (4-1).

Mr. Fletcher said we will reach out to the applicant regarding the next steps.

Luis Pineda, one of the owners of the subject property, came forward with a question. Since item was tabled, would the next session be open to the public so that we can comment.

Ms. Dang said that it is not a public hearing, but the Chair has the discretion to allow the applicant the opportunity to speak and answer questions.

Commissioner Baugh said historically we have generally allowed people who want to speak do so.

Mr. Pineda asked since it was voted on and tabled, would the next one when you open it back up and bring in the subject matter experts, will we also be able to speak and bring our point of view?

Mr. Fletcher said it is not about a public hearing. It is about allowing an applicant to speak to their application. Historically, for things like preliminary plats, public utility applications, things that are usually not a public hearing we have allowed the applicant to speak on behalf of their application regardless of whether or not it is a public hearing.

Commissioner Orndoff asked we can get HPU in here and have a conversation with them?

Mr. Fletcher said yes.

Mr. Pineda said we would like to address some of the concerns.

Commissioner Baugh said the concerns were not so much that we do not know enough about what you intend to do. The concerns are much more general about the policy, the fact that there is a sea of industrial property up there across the line. The questions are a bit more at a larger policy level. If you can show us that you are not going to make enough demand, it is not that you are the straw that broke the camel's back.

A motion was made by Armstrong, seconded by Baugh, that this Action Item be tabled. The motion carried with a recorded roll call vote taken as follows:

Yes: 4 - Orndoff, Armstrong, Washington and Baugh

No: 1 - Byrd

Absent: 2 - Finnegan and Dent

6. Unfinished Business

None

7. Public Comment

None

8. Report of Secretary & Committees**8.b. Rockingham County Planning Commission Liaison Report**

Commissioner Washington said they heard two ordinance amendments. One was amending to allow electric message centers by SUP in agricultural districts. It was approved 4-1 with staff continuing to research with supplemental research standards. The second was to allow expanding screening options for outdoor storage options, such as fences and vegetation. It was approved 5-0. There was a rezoning request that was postponed. They un-tabled the Valley View Village rezoning and then tabled it again.

8.c. Board of Zoning Appeals Report

None

8.d. City Council Report

Mr. Fletcher said last night was the Capital Improvement Program (CIP) presentation to City Council. It was approved unanimously 4-0. Vice Mayor Dent was absent. All items that were planned to be at last night's meeting, that we had discussed last month, were bumped to the second meeting in April because of the presentation of the budget.

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

Ms. Dang said before you is a list of five items, but with the tabling of the Public Utilities application, there will be six total applications for next month. We continue to recommend having it in one meeting.

The commissioners agreed.

10. Adjournment

The meeting adjourned at 6:55 p.m.

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

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 3

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