



City of Harrisonburg, Virginia

DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

409 South Main Street

Harrisonburg, Virginia 22801

Website: <http://www.harrisonburgva.gov>

Telephone: (540) 432-7700 Fax: (540) 432-7777

January 6, 2016

TO THE MEMBERS OF CITY COUNCIL CITY OF HARRISONBURG, VIRGINIA

SUBJECT: Public hearing to consider a request from Spotswood Country Club Inc. with club representatives Aki Heydarian and Ben Amoss and application representative Dick Blackwell to amend the Comprehensive Plan's Land Use Guide map within Chapter 5 Land Use & Development Quality. The proposal is to amend the Land Use Guide designation for 8 acres of land along Country Club Road and East Market Street from Conservation Recreation to Commercial. The subject site includes a 7.25-acre portion of tax map parcel 73-B-1 and the entirety of tax map parcel 73-B-3 (0.75 +/- acres). The property is addressed at 1980 Country Club Road, where the two identified parcels together contain 78.93 +/- acres.

EXTRACT FROM MINUTES OF HARRISONBURG PLANNING COMMISSION MEETING HELD ON: December 9, 2015

Chair Fitzgerald said the next two items on the agenda will be covered in one staff report; she then read the request and asked staff for a review.

Mr. Fletcher said the Comprehensive Plan designates this area as Conservation, Recreation and Open Space. This designation includes the City's parks and golf course, as well as private open space recreation uses, such as country clubs.

The following land uses are located on and adjacent to the property:

Site: Forested, undeveloped acreage of the Spotswood Country Club, zoned R-1

North: Spotswood Country Club, zoned R-1

East: Spotswood Country Club, zoned R-1

South: Spotswood Country Club, zoned R-1

West: Across Country Club Road and East Market Street, commercial uses, zoned B-2

Spotswood Country Club (the Club) is requesting to amend the Comprehensive Plan (the Plan) by changing the Land Use Guide designation for 8.0 +/- acres of their property along Country Club Road and East Market Street while at the same time requesting to rezone the same acreage. The subject site involves two parcels. The first includes a 7.25-acre portion of tax map parcel 73-B-1 (this parcel in its entirety totals 78.18 +/- acres). The second parcel is a 0.75-acre lot identified as tax map parcel 73-B-3. The subject area is undeveloped and is almost entirely forested. It stretches about 638 feet along Country Club Road and about 558 feet along East Market Street.

Proposed amendments to the Plan that occur between official City-led updates are rare. While considering the current request, it is best to understand the requests that occurred in the past. They are often times associated with significant developments and for projects that might be substantially different than the planned land use.

There are only six files documenting requested Plan amendments. Two of the six amendments were text changes put forth by City staff in 1998 and 2008 and were ultimately approved. The other four amendments were Land Use Guide changes, all proposed by private developers. The first was in 2003 when Dunham Bush Holdings, Inc. proposed changing their Land Use Guide designation from General Industrial to Commercial while also proposing to rezone the same property from M-1 to B-2C. Both requests were supported by staff and Planning Commission (PC) and were approved by City Council (CC). The site was then redeveloped to what is now known as Harrisonburg Crossing. The other three requested changes all occurred in 2006. In April of that year, the property now known as Chatham Square—located at the intersection of East Market Street and Betts Road—was reviewed for a designation change from Low Density Residential to Low Density Mixed Residential. Staff and PC recommended approval of the request, but City Council denied the application. However, several months later the property was successfully rezoned from R-1 to R-6 and then developed. Also in April of 2006, a separate developer proposed designation changes for over 150 acres of property now commonly known as “the Quarry” development. The proposed changes were from Commercial and Mixed-Use Development Areas to Medium Density residential, Medium Density Mixed Residential, and Commercial. Staff supported the changes in part, PC recommended approval as submitted, and CC ultimately approved the requests. Portions of the Quarry property were later rezoned to R-7; however, neither the planned commercial or residential components of that planned development have materialized. Lastly, in May 2006, over 60 acres of land in the southern section of the City, adjacent to Interstate 81, was reviewed for designation changes from Commercial to Medium Density Mixed Residential while simultaneously reviewed to rezone the property from B-2 and M-1 to R-7 to make way for a large multi-family residential development. Staff and PC recommended denial of both applications; CC, however, approved both. The planned development never occurred and the property is now owned by James Madison University.

Specifically, with regard to the current requested Plan amendment, the proposed change would occur on the Land Use Guide map, which is part of the Plan’s Chapter 5 Land Use & Development Quality. The proposal is to amend the Land Use Guide designation for the subject property from the Conservation, Recreation, and Open Space designation to the Commercial designation. Concurrently, the applicant is requesting to rezone the subject area from R-1, Single Family Residential District to B-2C, General Business District Conditional.

The Land Use Guide map is a key component of the Plan and illustrates the recommended future land uses for parcels in the City. As explained within Chapter 5 of the Plan, “[i]t is the official land use policy map of the Comprehensive Plan and is to be used as a guide in decisions on such matters as rezoning and special use permit proposals and the location of public facilities.” The Plan describes the Conservation, Recreation and Open Space designation by stating “[t]he City’s parks and golf course are included in this category, as well as private open space recreation uses, such as country clubs.” The Plan describes the Commercial designation by explaining that “[c]ommercial uses include retail, office, wholesale, or service functions. Restaurant and lodging uses are also included. These areas are generally found along the City’s major travel corridors. The largest concentration of commercial land use is located between E. Market Street and Reservoir Street and includes the Valley Mall, a number of shopping centers, and significant office development.”

Regarding the rezoning, the applicant has proffered the following details (written verbatim):

1. Only the following uses allowed in the B-2 General Business District will be allowed:
 - a. Mercantile establishments which promote the show, sale and rental of goods, personal service establishments, restaurants and other shops and stores customary to shopping centers and convenience outlets.
 - b. Governmental, business and professional offices and financial institutions.
 - c. Hotels, motels and similar types of transient accommodations. Nontransient housing facilities are not permitted nor may existing housing facilities be expanded.
 - d. Theaters, community rooms, museums and galleries and other places of assembly for the purpose of entertainment or education. In addition, customary recreational and leisure-time activities which are compatible with surrounding uses are permitted.
 - e. Religious, educational, charitable or benevolent institutional uses which do not provide housing facilities.
 - f. General service or repair shops permitted by right in the B-1 Central Business district but without the limitation as to the number of employees.
 - g. Pet shop or pet grooming establishment and animal hospitals however no outside space shall be permitted.
 - h. Public utilities, public service or public transportation uses or buildings, generating, purification or treatment plants, water storage tanks, pumping or regulator stations, telephone exchange and transformer or substations.
 - i. Public and privately owned parking lots and parking garages.
 - j. Research and development activities which do not cause any more smoke, dust, odor, noise, vibration or danger of explosion than other uses permitted in this district and which involve no more than fifteen (15) percent of the gross floor area in the assembling or processing of products. Any assembling or processing shall only involve products developed on the premises. All services and storage shall be conducted within the principal structure which is to be completely enclosed.
 - k. Plant nurseries and greenhouses provided any outside storage of materials, other than plants, must be screened.
 - l. Public uses.
 - m. Vehicle fuel stations. Vehicles excludes over the road tractors, their trailers, heavy equipment, manufactured homes, industrialized buildings, and agricultural equipment. No vehicle salvage, storage of inoperable vehicles, or sale of junk is allowed.
 - n. Concealed wireless telecommunications facilities, industrial microcells, distributed antenna systems, and macrocells. Telecommunications towers are permitted only by special use permit. Wireless telecommunications facilities are further regulated by article CC.
 - o. Accessory buildings and uses customarily incidental to any of the above listed uses.
2. Special use permits shall be permitted as approved by City Council.
3. Traffic and street improvements as recommended by the Traffic Impact Analysis completed by Ramey Kemp, RKA Project 15175 dated October 2015, shall be constructed and

implemented as required by the City of Harrisonburg. In addition, any traffic and street improvements recommended by revisions to the identified TIA or by future TIAs completed for planned uses on the subject property shall be constructed and implemented as required by the City of Harrisonburg.

The above proffered list of permissible uses is very similar to the by right permitted uses listed in Section 10-3-90 in the B-2 district; however, there is some variation. The applicant specifically omitted subsections (6), (7), (10), (12), and (13), which include the sale of vehicles, recreation equipment, and trailers; the repair of vehicles, recreation equipment, and trailers; radio and television stations and studios or recording studios; warehousing and other storage facilities with floor area limited to 20,000 square feet, which are contiguous to permitted uses in the B-2 district; and funeral homes, respectively. Then, although proffer item “1 g” allows the same uses as those within Section 10-3-90 (9), the stated proffer specifically prohibits outdoor spaces associated with pet shops, pet grooming establishments, and animal hospitals. Lastly, within item “m,” which is similar to Section 10-3-90 (19), the applicant excluded the ability for “bus terminals or other facilities designed for vehicular convenience.”

As noted by proffer numbers 2 and 3, if approved, the property owners would be able to apply for any available SUP; and, they would be required to implement the approved recommendations of the already completed traffic impact analysis (TIA) or any revision to the TIA or other TIA that could be required depending upon the actual use that is to operate on site.

Importantly, note that the internal layout of the site as depicted on the engineered layout submitted by Blackwell Engineering is only a conceptual layout; it is not proffered.

It should be understood that although it is rarely required at the time of application submission, the Zoning Ordinance requires TIAs to be completed and then reviewed by the City prior to the acceptance of an application for a rezoning or Comprehensive Plan amendment. TIAs are described and implemented by the Design and Construction Standards Manual (DCSM). The DCSM explains that “[a] traffic impact analysis is a study that provides information on the impacts of vehicle trips generated from the proposed land uses on traffic safety and operation within a designated area and provides recommended solutions to mitigate the impacts. These standards and guidelines are to provide applicants the requirements for a comprehensive and acceptable traffic study for development proposals in the City of Harrisonburg.” Within Section 3.2.1.2 of the DCSM is the stipulation that any planned development that is expected to generate 100 peak hour vehicle trips, could necessitate the review of a TIA. In this particular case, due to the recommended uses within the requested Commercial Land Use Guide designation and the unknown factors of potential size and operations of the uses that would be permitted, the threshold for necessitating a TIA was met, and thus the City required a TIA to be reviewed prior to application submission.

The results of the TIA concluded that no improvements were recommended at any of the following studied intersections: East Market Street/University Boulevard, East Market Street/Country Club Road, East Market Street/Evelyn Byrd Avenue, and Country Club Road/Keezletown Road. There were, however, solutions offered to mitigate impacts at both ingress and egress locations studied for the site. With regard to the right-in right-out access, a westbound right turn lane on East Market Street with 150 feet of storage and appropriate taper shall be constructed as well as to construct one ingress lane and one egress lane on the proposed site driveway. With regard to the full access along Country Club Road, a northbound right turn lane and a southbound left turn lane both with 100 feet of storage and appropriate taper shall be constructed on Country Club Road. Lastly, one ingress lane and two egress lanes shall be provided on the proposed site driveway to Country Club Road.

Although not proffered or part of the necessary explanations in the TIA, as the site develops, all typical street frontage improvements associated with any required curb and gutter and pedestrian and bicycle improvements would be required. As depicted on the submitted layout, the applicant already understands that the City would require a shared use path in lieu of a sidewalk along both street frontages.

Concerning utilities, existing public sanitary sewer along Country Club Road will more than likely accommodate additional flows that commercial development on this property would generate. The existing water supply to this area is limited, but can be increased with upgrades or upsizing of existing public water mains at the expense of the developer. Harrisonburg Electric Commission (HEC) has significant power poles along this property and the applicant is aware that any development that impacts those poles or any HEC infrastructure shall be improved or relocated at the developer's expense. The applicant further understands that actual relocation of the large utility poles is limited.

After much consideration, staff is recommending approval of both applications.

First, regarding the Comprehensive Plan amendment, to the best of staff's knowledge this is likely the first time a private property owner has requested to develop something that is not permitted by right on property with the Conservation, Recreation and Open Space designation. As part of this application review, staff determined there are 123 parcels in the City with the Conservation, Recreation and Open Space designation, and of those parcels, only eight parcels are privately owned. Three of the eight are owned by the Spotswood Country Club and one is owned by the Daughters of the Confederacy Monument, which is the parcel where the Turner Ashby Monument stands. In taking a closer look at this issue, and in recognizing where these private properties are located, having all of these private properties or, as is the case for the subject request, all portions of these properties designated as Conservation, Recreation and Open space, is not necessarily the best practice. This is because several of these will likely not remain open space or be "conserved" due to the by right development permissions of the properties' zoning. Given the location of the subject area and the existing and planned uses in this area of the City, staff believes the Commercial designation is more appropriate.

As already described, properties designated Commercial are usually found along the City's major travel corridors; East Market Street meets this description and, not only is Country Club Road more and more becoming one, the Street Improvement Plan (within the Comprehensive Plan) recognizes this and identifies Country Club Road to be improved to a three lane facility including a center turn lane with bicycle and pedestrian facilities.

Staff is not only recommending for the subject site's Land Use Guide amendment to be approved, we are also suggesting that the City, during the upcoming Comprehensive Plan review, consider whether the other privately owned parcels with the Conservation, Recreation and Open Space designation should be changed to something that would be more practical for overall City planning.

With the belief that the subject site should be designated Commercial, and in considering the submitted proffers, staff is also recommending approval of the rezoning. As a reminder, the submitted layout is not proffered, but is a representation of what the site could look like. In general though, the location of the buildings, the number of parking spaces and the parking lot landscaping regulations appear to be represented accurately. Staff is drawing attention to this because, in particular, the number of trees shown on the parcel is likely what would be required if the site were to develop as shown. With regard to the illustrated evergreen trees shown on the perimeter of the subject site, staff understands this tree buffer is a required private arrangement by the Spotswood Country Club.

If the applications are approved and the site develops as is planned by the applicant, the most observable change that would occur is that the hillside would likely be deforested. Staff understands the importance of urban forests and would like the developer to try to conserve as many mature trees as possible. In knowing this, however, it should also be recognized that the existing zoning of the site does not prevent the property owner from already deforesting this area of their property. If the site is to be built with such an expansive parking lot, where there is significant parking lot street frontage, staff has faith in the minimum stipulations of the parking lot landscaping regulations to end up with a respectably landscaped commercial development.

Staff supports amending the Comprehensive Plan's Land Use Guide designation for the identified 8 acres of property from Conservation, Recreation and Open Space to Commercial, and recommends approving the rezoning from R-1 to B-2C.

Chair Fitzgerald asked if there were any questions for staff.

Dr. Dilts said when the traffic impact analysis (TIA) was done did they look at what was the most likely entrance and exit for the site. If you look at the east entrance, along Market Street, the only way to get in there is to be traveling west on Market Street. If you are traveling east you must either turn at Country Club Road or make a U-turn further up Market Street at the next stop light. Does that increase the number of U-turns happening along this corridor?

Mr. Fletcher said what happens when a TIA is being scoped out is engineers on both sides (public and private), along with the applicant (if desired), sit down and scope out the design. What they are doing is giving percentage designations to areas of where the traffic breakdowns likely occur.

Mr. Fletcher referred to the TIA and noted that the primary trip distributions from the TIA show that:

- 45% of traffic traveling east on Market Street through this area would turn left onto Country Club Road. Of the 45% turning left, 55% of them would turn into the site;
- 55% of traffic would continue traveling on East Market Street;
- 25% of traffic traveling west on Market Street would turn into the site;
- 75% of traffic would continue traveling on West Market Street. Of the 75% traveling west, 35% would turn right at the light onto Country Club Road; which then becomes part of the 55% turning into the sight.

I do not know if this breakdown answers your question.

Dr. Dilts said what you are saying is the traffic study tells us that a majority of the traffic is going to be coming into the site from Country Club Road. Is that a fair analysis?

Mr. Fletcher replied I do not know if that is a fair analysis. What you must remember is the traffic that is studied is not just traffic that is traveling to this site.

Dr. Dilts said I understand that. My concerns are the U-turn possibility happening and the fact that if you come into the site from the entrance off Country Club Road you must then drive through the parking lot – which is not particularly safe.

Mr. Fletcher said you are correct that the entrances are not proffered; however, the entrances are what ...

Dr. Dilts interjected and said I am asking about the layout of the buildings being proffered.

Mr. Fletcher said no, the layout is not proffered.

Dr. Dilts said the largest mass of parking is to the east by the larger building, but to get there from the entrance you must go through all this other parking space.

Mr. Fletcher said yes. I do recall the discussion of the U-turns during the scoping meetings. There were questions about where there could be U-turns – at the first cross-over or would they travel to the light at Evelyn Byrd Avenue. It will be an evolving thing as people learn how to maneuver into the site.

Dr. Dilts asked if we should worry about the increase in the number of U-turns, is it a safety issue.

Mr. Fletcher said I do not know the answer to your question.

Mr. Way said the City keeps an eye on this type of thing. If you look further west on Market Street, where Chick-fil-A is located, that used to be an area where you could make a U-turn; but, no longer can you do that. It appears to be something that the City looks at as far as safety.

Mr. Fletcher said I am trying to recall if there is a sign at the Evelyn Byrd Avenue intersection that prohibits U-turns. I do not think that there is. However, I do recall this discussion – regarding someone wanting to make a U-turn at this intersection. If someone wants to do it they would probably never want to do it again because the timing sequence of the light deters someone from being able to turn left. There is no left turn light; therefore, someone would be sitting there for awhile waiting for a break in traffic.

Mr. Colman said what that means is most of the traffic will come through Country Club Road onto the site.

Mr. Fletcher said yes, if you are traveling east bound on Market Street.

Mr. Colman said this seems like an opportunity for the City to improve traffic flow on Country Club Road right in front of this property. I know many of us have probably sat at that traffic light on Country Club Road waiting to queue through the intersection and with this plan it all stays the same; except there will be additional traffic. Will the traffic leaving this site even be able to get out onto Country Club Road?

Mr. Da'Mes said what dictates a traffic study being done now given that there are a lot of unknowns at this point? Why not do the TIA during the site approval process?

Mr. Fletcher replied they may be required to do another TIA at that point.

Mr. Da'Mes asked what would dictate that.

Mr. Fletcher said the proposed uses. The reason it is done now is because there are so many unknowns. Having it done now gave us a better grasp as to if it were built this way, what are the mitigating factors. As is proffered there could be revisions that are necessitated or a whole other traffic study. Those are requirements of the Comprehensive Site Plan review and they will have to abide by that.

Mr. Da'Mes asked who dictates who completes the TIA. Will it be done by the same party or is it at the selection of the developer.

Mr. Fletcher replied it is private. It is usually performed by a traffic engineering firm. Ramey Kemp is one that the City has seen many times. When a traffic study is done the engineering firm puts forth their information and the City has to accept it. The City may say they disagree and ask that proportions be rearranged or changed and re-evaluated. The City has accepted this TIA.

Dr. Dilts said does the City have its own traffic study group?

Mr. Fletcher said we do not have folks that perform traffic impact analysis, but we have particular people that review them when they are provided to us. It is mainly evaluated out of the Department of Public Works with the Transportation Planner and the Assistant Director of Public Works. The City Engineer has a hand in on it as well.

Mr. Da'Mes said getting back to the improvements along Country Club Road and understanding that there are some restrictions due to the overpass for Interstate 81 and the bottlenecking that occurs. There have been some changes made along other areas of Country Club Road with McDonald's and when the school went in with the extension of Linda Lane; but when was the last time the road was looked at in terms of its capacity and what Country Club Road should look like.

Mr. Fletcher replied to the best of my knowledge it was 2011. The Comprehensive Plan designates it as a three lane facility, so for all intended purposes you are getting that here at this location with the center turn lanes. The TIA recommended no improvements for additional lanes at the intersection.

Mr. Way said with regards to the multi-use trail, what drives that connection between this site and the Chatham Square trail? Would that be whenever the City would start to do something or whenever the area is privately redeveloped?

Mr. Fletcher said one of the two; whichever occurs first.

Mr. Colman said it is interesting that we have the entrance to this site at one location along Country Club Road and then the entrance to the Country Club is just maybe 200 feet down the road. Was there any thought to have the two entrances in one place?

Mr. Da'Mes said on Port Republic Road with the Ashby Meadows property we talked about the numerous entrances and interchanges along a short portion of Port Republic Road. I feel there was a nice compromise to that with the one entrance into the residential area and then from there into the health center; not creating an extra entrance off Port Republic Road. I could see from a smart planning perspective that same concept being better utilized here.

Chair Fitzgerald asked if there were any further questions for staff. Hearing none, she opened the public hearing and asked if the applicant or applicant's representative would like to speak.

Mr. Joseph Funkhouser said he is a member of the Spotswood Country Club as well as the Club representative for this transaction. Speaking to the Comprehensive Plan change, the Club is in favor of this amendment.

Chair Fitzgerald said we will hear both the Comprehensive Plan amendment and the rezoning request as one public hearing.

Mr. Funkhouser then continued by saying Spotswood Country Club was founded in the Harrisonburg area in 1926, which will be 90 years next year. During that time we have had a very positive relationship with the City. The eight acres we are referencing tonight, is basically land that the Club feels would be very hard to put single-family dwellings on; it is just not practical. The Club has held on to the acreage as somewhat of a safety net for when the time came, and a financial crunch were here, we could possibly sell the land off. That time has come.

The reason being, as we all know, is the economic downturn in the economy has hurt all of us, especially with the golf or club business here in the mid-Atlantic area. It is not so much the loss of or the gaining of members, it is a point that the financial institutions made a decision to not do financing with golf courses and if you did have financing with them, then they were not going to renew. That is pretty much how it was for all of the mid-Atlantic area, and probably throughout the United States.

This is also happening with churches as well, the financial institutions are not lending because they do not like to have to foreclose.

As you know we built a new facility a number of years ago, that is open for others to use as well. We have always met our payments to the bank; however the lending institution today is saying no. In order for us to continue to operate and service our members and the City and County as well, we need to gain from the sale of this property and not have to deal with the lending institutions that are choosing not to deal with us.

The other factor along those lines is that we have conscientiously worked very hard to make sure that whoever we sold this land to would be someone who was willing, and had the drive, to put something in there that would be a good neighbor to the adjoining land owners and anyone else around that area. Mr. Collier, who is the contract purchaser of this land, has agreed to do that, so we have a good development there that the City populous can use. At the same time it is something that fits in with the community very well.

The last thing I would like to say to you is with this rezoning it will help the Club become sound for 90 years come 2016. That is the largest green area that is privately owned in all of the City of Harrisonburg. For 90 years we have maintained that like a park and it is used by the population of Harrisonburg for special events. We maintain all of that land. With this rezoning and the change in the Comprehensive Plan, it will allow us to have the financial well being to continue operating Spotswood Country Club without the banks help. We will be able to continue the same service and celebrate 90 years next year.

Dick Blackwell, Blackwell Engineering, said he would be glad to answer any technical type questions regarding the request. As noted in the report, the site plan is not proffered, although the large building is currently under contract negotiations with the proposed developer. We have shown the building the way the tenant insists it needs to be placed.

As for the entrances that are shown, basically, City staff told us where they would go as we were working on the TIA. It is not as much our decision as it is the staff's decision. We have been very involved with staff during the TIA process. Because we are not aware of all the tenants that would go into the development when we did the TIA, we took a use that would be very heavy traffic in the morning with another use that would be very heavy traffic in the evening and did somewhat of a hybrid TIA. Basically, we considered the worse conditions for the site. I am sure that there is something that could come up that was unexpected and we may have to revise the TIA.

We are cutting down a lot of trees, but interestingly, with this particular layout using the required landscaping, there will be about 96 trees added back to the site. This is not counting the tree border between the development and the Club.

I would be happy to answer any questions you may have.

Mr. Colman said I asked the question earlier and I will ask again now – did you consider the common entrance for the development and the Club.

Mr. Blackwell said we do not really know how to make that work. The traffic would still have to come through the development and we do not want the traffic to have to drive through the development to get into the Club. We did discuss the two entrances with the City and they did not have a problem with it. Also, the U-turns that were mentioned earlier are somewhat of a concern for me personally; however City staff feels they have ways to handle that issue.

Chair Fitzgerald said the trees that are shown around the border, I imagine that they are going to try and keep some of the existing trees to the best extent possible.

Mr. Blackwell replied they will and then they will fill in with new trees. I am not sure of the agreement that the Club has with the developer regarding the trees; but I do know that they want it screened. They do not want the people in the swimming pool or tennis court looking at the development; therefore they will have to put something in that really screens.

Chair Fitzgerald said the incentive for the Club to minimize the number of trees that get pulled up because of development aligns nicely with what the City would like as well. I think the heartburn that some people will have when they read about this is the taking down of so many trees. However, there is the case that the incentive is there to leave as many as possible.

Mr. Blackwell said as you saw from the photos many of the trees are deciduous. Therefore, in the winter you can see through. I believe what they will put back in will be evergreen; a screening type tree that will be good for the Club and the development as well.

Mr. Colman said I think that the commercial type use fits in here and I do not have a problem with that. It certainly is the access that is the challenge and you have done the best you can.

Mr. Blackwell said that when we first met with the City it was discussed to have the access directly across from Kohl's entrance. But the more the City thought about it they became concerned with having stop lights so close; but if you do not have a light there it would create a problem. There is also a large drainage swale in that area that would have to be piped and filled-in to create a turn lane. But ultimately the City was concerned it would not be a safe intersection. There is the possibility that people will do U-turns; but once they get used to the area they will realize the easiest way would be to turn onto Country Club Road. Until then I am sure there will be U-turns.

Dr. Dilts said that goes to my question regarding the number of people going to the Country Club Road entrance in order to get to the large box tenant on site. There is often a road that does not have parking along it which allows you to go from one end of the site to the other without being in the actual parking lot. This looks really convoluted to get from the entrance on Country Club Road to the large box building.

Mr. Blackwell said I agree with you and we actually have the drive aisle wider than required; however, we just cannot make it work otherwise.

Mr. Da'Mes said a majority of the people leaving the parcel will be exiting at the Country Club Road entrance as well or go out through the East Market Street entrance, merge over to the left, and make a U-turn at the stop light there. It's complicated.

Chair Fitzgerald asked if there was anyone else wishing to speak in favor of the request.

Michael Collier said he is the contract purchaser for the property. I wanted to be here to answer any questions that you may have for me. I will tell you, as Mr. Funkhouser stated earlier, we are like minded on what we want to see for here – to be able to develop the property effectively, but still retain the feel for the Club.

In looking at the overall concept and the way it is laid out, if you look at the front and envision what is there today – shrubs and power poles, it will be cleaned up. What we will be able to do at the entrances and the primary corner of the property is create some very nice green space to enhance and landscape. While seven or eight acres seems like a lot, it is really kind of spread out more along the frontage of the site. This allows for a lot of frontage perimeter green space and planting. This will make for a very attractive entrance. Along with the landscaping ordinances that the City has in place will make this for

a very nice development. Part of the reason we like this plan, and although it is not proffered, it allows for a nicer fill area as opposed to a strip mall shopping center. We think it will take this prime corner, that is treed now, and make it a very nice place.

With respect to the entrance along Country Club Road, one of the reasons the City likes where it is, and the reason we think it is logical, is that it is directly across from McDonald's. The one thing you do not want in this area is staggered entrances in close proximity. The Club entrance is relatively close, but still is pretty far away. The two uses are really not very compatible for a shared entrance. What it would do would be to further compound the concerns expressed here tonight of having people travel through the development itself. This is a reasonable and nice compromise and as the developer we want to make certain the traffic is as safe and flows as best it can on site; our tenants are going to demand that. Even though it looks some distance it is not really that long of a traverse through the parking area. Again, some of these buildings may morph and we can reconfigure the parking within that space.

We feel that working with the traffic engineers, Blackwell Engineering, and City staff we are really at the best location for an entrance along Country Club Road. You have to be able to get into and out of the site and believe me we want the best locations.

Just a bit about me – I am with a company out of Northern Virginia and we have been developing and building properties of different sizes and uses for 30 years now. We have properties up and down the Interstate 81 corridor; however, nothing this far south. I actually have been coming here for awhile, my son is a senior at James Madison University this year and I am very excited to have the opportunity to develop something in this area. If you have any questions that I could further answer I would be happy to do so.

Mr. Da'Mes said we welcome development to Harrisonburg. My question is in terms of maximizing the usage of the space – buildings and impervious pavement is what would be there. You could reduce the footprint in terms of either buildings or pavement and I may feel a bit better if you were not particularly maximizing that usage within this space. Is there a better configuration that, as a developer, you could do that would reduce the size and create a more suitable traffic flow?

Mr. Collier said I may have to refer to staff or Blackwell Engineering, but I am fairly confident here with this eight acre site, that given the maximum B-2 zoning development, we are substantially under what the maximum would be allowed. I believe we have considerably more open or green space within the development than what is required by the ordinance. That is all intentional. We are not maximizing the development that could be on the site.

Mr. Fletcher said I cannot confirm or deny that; I have not seen the numbers for parking lot square footage or green space. Some of the other issues that were discussed such as traveling through the property to get to the big box store, we did ask if the building could be relocated to the other side of the property. The answer was that they do not want to be there; it is a visibility thing for the tenant.

We understand the concerns of Planning Commission as far as the general access and drivability on site; however it is not something that we have authority of within the existing code. In a perfect world, if somebody said "here you go staff, lay it out how you want it," it would probably look significantly different. The fact is we do not control the internal layout. At the same time you could make the argument that doing this type of layout is better because people are visually slowing down to get to locations within the development. It could be argued either way, but I do understand your concerns.

Mr. Way said one way to try and reduce the number of vehicles traveling into the site would be to try and encourage more people to walk or use bicycles to get to the site, which is one reason I was

inquiring about connection of the multi-use trail to Chatham Square. Another thing that could be looked at might be moving the building closer to the street with parking more to the rear.

Mr. Collier said these are all very fair concerns and questions. To speak to the placement of the big box building, we did try to look at it over on the north side. If you look, the site is very shallow on that end and the building just does not fit. When we moved it to the south side, we encouraged a fair amount of parking be placed along the sides as opposed to all in front. With this we were able to get more islands and could disperse the parking throughout the site.

Mr. Way said I am very encouraged to hear about your interests in the design quality and to try and make sure it is well landscaped. This site falls within a corridor enhancement area, so questions of design and making an attractive entryway into the City are really important. So I am glad to hear you are taking those seriously.

Mr. Collier said I believe this corner could go from big power poles and overhead lines to an attractive entrance to a pleasing shopping area. We want that for this highly visible corner.

Dr. Dilts said I understand that this is a good use of this land, but for me the trees that must come down are not just what you see and look at, but for what they provide for us. One of the things that they provide is slowing down run-off; the development would create an area where water would no longer be able to sink into the ground as it is suppose to. Have you given any thought as to rather than just putting in impervious surfaces, perhaps another type surface that would allow water to seep through?

Mr. Collier said we have not been into that level of detail with our engineers yet. We have talked about some unique ways in which we could retain and control the quality of water that comes off of the site. These are things that we will have to do in order to meet our obligations for stormwater management.

Chair Fitzgerald asked if there were any further questions. Hearing none, she asked if there was anyone else desiring to speak regarding the two requests.

Dick Gardner said I have lived nearby on Fairway Drive since 1988; although I am not a member of the Club, I am in favor of the requests. My thing is that I would like to see some of the trees removed in the area. My home borders along the golf course and we get a lot of wildlife that comes from further east and they like to cross through the private residential property in order to stay in the wooded area. You see so much wildlife that gets killed in the roads within this area because they are in these woods. I like to see the trees as much as anyone; however, this is not the best location for wildlife to reside.

Chair Fitzgerald asked if there was anyone else wishing to speak with regard to the two requests. Hearing none, she closed the public hearing and asked for discussion or a motion.

Mr. Colman said we will probably discuss this on the update for the Comprehensive Plan, but will we extend that commercial designation further east along East Market Street.

Mr. Baugh said the one thing that did not come up this evening is the history behind Chatham Square, which is further east along East Market Street. There was a lot of sensitivity to that area and the Fairway Hills Neighborhood about commercial development along this stretch of East Market Street. I do think it is something that we will look at during Comprehensive Plan review, but I just want to remember that there is a history with the residential area and not having so much commercial.

Mr. Colman said if the character of this development enhances that corner that is what we are looking for. I think this could potentially be a great feature as traffic comes into the City.

Mr. Way said it is heartening to hear about the design quality issues for this development. This is a corridor enhancement area and we all know parts of the City where this issue has come up and the

development has not really enhanced the corridor. Given the neighbor of this development, the Club, you feel that there is some pressure to make this a high quality development along this corner.

Chair Fitzgerald said I am happy to support the requests. I feel we all agreed that concentrating development within the central part of the City is important, but it is not necessarily an “either/or”, you can do both at the same time and I think this project does that.

Dr. Dilts said I support this, but I want to reiterate what others have said and add to it as well. It will be a nice entryway into the City. I am very concerned about the traffic and the possibility of U-turns and would encourage someone to pay attention to that. I am concerned about the impervious surfaces and encourage you to perhaps become a model for the City about ways to handle water, other than just shuttling it off somewhere else. With that said, I would like to make a motion to recommend approval of the Comprehensive Plan amendment and the rezoning for the eight acres of Spotswood Country Club.

Mr. Colman seconded the motion.

Chair Fitzgerald asked if there was any further discussion. Hearing none, she called for a voice vote.

All voted in favor of the motion (7-0).

Chair Fitzgerald said these items will move forward to City Council on January 12, 2016, with a favorable recommendation.

Respectfully submitted,

Alison Banks
Senior Planner