



City of Harrisonburg

City Hall
409 South Main Street
Harrisonburg, VA 22801

Meeting Minutes - Final Planning Commission

Wednesday, January 14, 2026

6:00 PM

Council Chambers

1. Call To Order

The Harrisonburg Planning Commission held its regular meeting on Wednesday January 14, 2026, at 6:00 p.m. in the City Council Chambers, 409 South Main Street.

2. Roll Call/Determination of Quorum, Election of Officers, and acknowledgement of Ethical Principles in Planning

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

Ms. Dang called the meeting to order.

Present 7 - Richard Baugh, City Council Representative Laura Dent, Heja Alsindi, Shannon Porter, Kenneth Kettler, Randall Seitz, and Stanley Jezior

2.a. Election of Chair, Vice-Chair, and Secretary, and appointment of Board of Zoning Appeals member for 2026

Ms. Dang said our next order of business on the agenda is our election of officers and that first officer being the Chairperson. With that I would like to open the floor for nominations for our Chair.

Vice Chair Porter said I would like to nominate Richard Baugh as ongoing Chair.

Commissioner Seitz seconded the motion.

Richard Baugh was reelected Chair by voice vote.

Chair Baugh said I have a few things on the horizon, and while I do not expect that I would resign from this body, this time next year might be a good time for someone else to do this. We can talk

more about this in the future. I will note here for the record the arrival of Councilmember Dent.

Councilmember Dent arrived at 6:01 PM.

Chair Baugh said I will open the floor for nominations for Vice Chair.

Commissioner Seitz said I would like to nominate Shannon Porter for Vice Chair.

Councilmember Dent seconded the motion.

Shannon Porter was reelected Vice Chair by voice vote.

Chair Baugh said we need to appoint a Board of Zoning Appeals member.

Vice Chair Porter said I am currently serving and we have not had a meeting in my tenure. I would be willing to continue in that capacity.

Councilmember Dent said I nominate Shannon Porter for BZA.

Commissioner Alsindi seconded the motion.

Shannon Porter was appointed Board of Zoning Appeals representative by voice vote.

Chair Baugh said we need to elect secretary.

Ms. Dang said historically our staff serves as that. Anastasia Montigney will serve as the secretary so if you would nominate her and appoint her, I would appreciate that.

Councilmember Dent moved to appoint Anastasia Montigney as secretary.

Vice Chair Porter seconded the motion.

Anastasia Montigney was appointed secretary by voice vote.

2.b. Acknowledgement of Ethical Principles in Planning

Chair Baugh said then we have an affirmation of the Ethical Principles of Planning that was presented in your packet and the instructions from staff are that I will read the following and ask

for everyone to affirm by saying aye. “We pledge to use the American Planning Association’s Ethical Principles in Planning document as a guide to ethical conduct while performing my duties as a commissioner of the Harrisonburg Planning Commission.” At this point I will ask all members present to affirm by saying aye. Is there anyone who wishes to say no?

The Commission affirmed the Ethical Principles of Planning.

3. Approval of Minutes

3.a. Minutes from the December 10, 2025 Planning Commission Meeting

Chair Baugh asked if there were any corrections, comments or a motion regarding the December 10, 2025, Planning Commission meeting minutes.

Vice Chair Porter moved to approve the December 10, 2025 Planning Commission meeting minutes.

Commissioner Seitz seconded the motion.

The motion to approve the December 10, 2025 Planning Commission meeting minutes passed by voice vote (7-0).

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

4. New Business - Public Hearings

4.a. Consider a request from Jason Burch for a special use permit at 380 Sunrise Avenue

Chair Baugh recused himself and read the following statement: The Virginia State and Local Government Conflict of Interests Act requires that I make disclosure, to be recorded in the City records, in any matter in which I am prohibited by law from participating. Therefore, I make the following disclosures:

1. The transaction involved is the item taken up on the January 14, 2026 Planning Commission Agenda as, a request for a SUP for a property located at 380 Sunrise Avenue.
2. My personal interest in this transaction relates to the ethical requirements to which I must adhere as a licensed member of the Virginia Bar.

3. I affirmatively state that I will not vote or in any manner act on behalf of the Planning Commission in this matter.

Chair Baugh left Council Chambers.

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

Ms. Rupkey said on May 27, 2025, the property owner rezoned the property from R-1, Single-Family Residential District, to R-8C, Small Lot Residential District Conditional, so that the current structure would conform to Zoning Ordinance (ZO) requirements. In the R-8 district, two-story structures in the R-8 district are required to have a minimum 7-foot side yard setback, while three-story structures are required to have a minimum 10-foot side yard setback. The applicant would like to add a third story to the structure while maintaining the current footprint, but the existing two-story structure is 7.8 feet from the shared property line with 370 Sunrise Avenue. The applicant was aware of this at the time of the rezoning and anticipated that they would return to request a special use permit (SUP) to allow the reduced side yard setback along the shared property line to allow for the addition of a third floor. In the applicant's letter they state that they would like to include a condition that if the SUP were approved that the side yard setback along the shared property line with 370 Sunrise Avenue shall not be less than five (5) feet.

At the December 10, 2025, Planning Commission meeting, AM Yoder & CO, who represents the applicant, proposed an ordinance amendment to Section 10-3-59.4(11) of the ZO. If the amendment is approved by City Council, the ordinance would then allow reduced side yard setbacks with appropriate fire-rated assemblies and that would allow inoperable windows to be permitted only on the first floor. Currently, the Zoning Ordinance allows reduced side yard setbacks for residential uses provided certain fire protection measures are met, including the installation of fire sprinklers or the construction of exterior walls without openings and with a minimum one-hour fire-resistance rating. The Planning Commission recommended approval of the amendment by a vote of 6-0. City Council is scheduled to consider the ordinance amendment at its January 13, 2026, meeting.

During the presentation, Ms. Rupkey stated that the previous evening, City Council voted to approve the ordinance amendment and that the amendment is expected to become effective after City Council's second reading on February 24.

Land Use

The Comprehensive Plan designates this site as Low Density Residential and states:

These areas consist of single-family detached dwellings in and around well-established neighborhoods with a target density of around 4 dwelling units per acre. The low density residential areas are designed to maintain the character of existing neighborhoods. It should be understood that established

neighborhoods in this designation could already be above 4 dwelling units per acre.

Allowing the third story with a reduced side yard setback does not negatively impact the neighborhood.

Transportation and Traffic

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

Public Water and Sanitary Sewer

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

Public Schools

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

Conclusion

The request maintains the existing single-family detached dwelling use, addresses the pre-existing side yard setback that is less than 10-feet, and allows reasonable vertical expansion without increasing land use impacts. The SUP would allow the property owner to build up to the property line if they meet the requirements of the SUP. Staff recommends approval of the requested SUP with the following condition that was submitted by the applicant:

The side yard setback along the shared property line with 370 Sunrise Avenue shall not be less than five (5) feet.

Vice Chair Porter asked if there any questions for staff.

Councilmember Dent said I think you said the second reading [for the Zoning Ordinance Amendment] would be February 24, why is it not 10? Is there a minimum number of days between requirements?

Ms. Dang said it is January 27.

Ms. Rupkey said after the next City Council meeting in two weeks.

Vice Chair Porter asked if there were any more questions for staff.

Commissioner Jezior said was there outreach to the owner of property 370 [Sunrise Avenue]?

Ms. Rupkey said the applicant is here today and they will be able to answer that, but I believe they have spoken with them.

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

Jason Burch, the applicant, came forward to speak to the request. He said if I may go ahead and address your question [referring to Commissioner Jezior's question about

outreach] yes, we have spoken with the neighbors several times on the matter. I am here to address any questions or concerns you all have.

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

Councilmember Dent said I guess I have been here long enough I keep getting déjà vu. Did we not see this thing before? On May 27, 2025 it was rezoned but I guess the next step depended on our approving that windows thing last night at Council and that is why it comes back?

Vice Chair Porter said I live in the neighborhood so I will speak to it. I think this is a very well-maintained home and I do not think that this change is going to disrupt the character of the neighborhood. I have even less concerns because of the fact that it is along Chestnut [Drive]. It is not impinging on two sides just simply one. I think if the neighbor is fine with it, we should probably be fine with it as well. I do not see any issues here that might give me any great concern at all.

Commissioner Kettler said I basically agree with that. Additions onto the existing housing or in this case another level on existing housing I think is often a good option to add more housing in a way that is disruptive.

Commissioner Seitz said I move to approve the special use permit at 380 Sunrise Avenue per staff recommendations.

Commissioner Jezior seconded the motion.

Vice Chair Porter called for a roll call vote.

- Commissioner Seitz Aye
- Commissioner Jezior Aye
- Councilmember Dent Aye
- Commissioner Alsindi Aye
- Commissioner Kettler Aye
- Vice Chair Porter Aye

The motion to recommend approval of the special use permit request passed (6-0). The recommendation will move forward to City Council on February 10, 2026.

At this time, Chair Baugh returned to the meeting.

A motion was made by Seitz, seconded by Jezior, that this PH-Rezoning be recommended for approval to the City Council, due back on 2/10/2026. The motion carried with a recorded roll call vote taken as follows:

Yes: 6 - City Council Representative Dent, Alsindi, Porter, Kettler, Seitz and Jezior

No: 0

4.b. Consider a request from Craig D. And Sue W. Smith for a special use permit at 660 Walnut Lane

Chair Baugh read the request and asked staff to review.

Commissioner Seitz said I do not have the official language in front of me, but I must recuse myself from this. Our firm LDDBlueline Inc. is working for Matchbox Realty preparing the permit drawings for this project.

Commissioner Seitz left Council Chambers.

Chair Baugh said one of the reasons I am a bit of stickler for that is that attorneys get stuck. There is no attorney-client privilege for him. There is for attorneys, and I guess in theory the answer is you should not say anything unless you absolutely know you have affirmative permission. Sometimes the thing I read might sound cryptic it is not meant to be evasive it is meant to stay on the right side of the rules.

Ms. Rupkey said the subject property is +/- 16,400 square feet and addressed as 660 Walnut Lane. In 2023, the subject property had been posted unfit for human habitation due to unsanitary conditions, and zoning staff determined the single-family detached dwelling was over-occupied with up to 15 unrelated individuals residing in the unit. The property owner believed they had the nonconforming ability to have 10 unrelated individuals within the structure. However, even if the property owner had been able to demonstrate that the property once had nonconforming occupancy, the property had exceeded 10 unrelated individuals living within the structure, which meant that any nonconforming occupancy status it might have had was terminated and became unlawful per the regulations of Section 10-3-21 (a). In addition to the occupancy violation, zoning staff issued a notice of violation for an illegal fraternity use.

After losing the ability to have higher occupancy within the structure as explained above, the applicant applied for a special use permit to allow for a boarding and rooming house on the property, which, if approved, would have granted the ability to have up to 10 persons within the structure. While the property was (and still is) designated Mixed Use by the Comprehensive Plan's Land Use Guide, at that time, given the known irresponsible upkeep of the building and the reported Police Department calls for service associated with the property, staff did not believe it was in the best interest of the community or the long-term plans for the surrounding area to approve a boarding and rooming house at this location. Staff recommended denial of the boarding

and rooming house SUP. Ultimately, Planning Commission recommended denial of the request 5-2 and City Council unanimously denied the application in January 2024.

The current request is for a SUP to allow the existing single-family detached dwelling to be converted into multiple-family units. The size of the property would allow the structure to be converted into five dwelling units. However, at this time, the applicant plans to provide four, three-bedroom units. The structure has a basement with a kitchen that will be removed, and the space will be used for utilities and storage.

Land Use

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

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

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

The proposed conversion of the existing single-family dwelling into four, three-bedroom apartment units is consistent with the types of uses anticipated by the Mixed Use designation of the Comprehensive Plan.

Parking Lot

A multiple-family building in the R-3 district is required to have 2.5 parking spaces for each

3-bedroom dwelling. Four, three-bedroom units require 10 off-street parking spaces. The site currently includes parallel and angled parking spaces with 14 delineated parking spaces. However, the parking layout does not meet the Design and Construction Standards Manual's (DCSM) dimensional sizing requirements for parking spaces and travelways. Since the applicant is proposing a change of use on the site, they must modify the parking lot to meet DCSM requirements.

The applicant has provided a parking plan that shows the removal of parallel parking spaces, two-way traffic within the parking lot, nine 90-degree parking spaces, and use of two parking spaces on the parcel addressed as 635 South Main Street. In the provided parking plan, the applicant is not showing required accessible parking spaces. They would likely need to remove one of the proposed 90-degree parking spaces in order to accommodate accessible parking space requirements. If the SUP is approved, a parking layout meeting the DCSM requirements must be provided along with a copy of the executed shared parking agreement prior to issuance of a building permit and modification to the parking lot must be completed prior to issuance of a certificate of occupancy. The existing structure at 635 South Main Street is being remodeled into a duplex and would be required to provide one off-street parking space per unit; therefore, it has excess parking spaces to share with 660 Walnut Lane.

Transportation and Traffic

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

Public Water and Sanitary Sewer

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

Housing Study

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

Public Schools

The City contracted with the University of Virginia's Weldon Cooper Center for Public Service to complete a report titled "Population and School Enrollment Projections for the City of Harrisonburg" (April 2025). The report can be found at the following link:

https://harrisonburgva.gov/sites/default/files/city-manager/HarrisonburgSchoolEnrollment_2025-04-30_Final.pdf. This report provides overall student enrollment projections through 2034 as well as estimated student generation by housing type for each elementary school attendance zone.

Based on the Weldon Cooper Center report's calculation, this development's proposed four residential units are estimated to generate two K-12 students at full build-out. According to the School Board's current attendance boundaries, Keister Elementary School, Thomas Harrison Middle School, and Harrisonburg High School would serve the students residing in this

development.

Conclusion

Staff finds that the proposed SUP for apartments is consistent with the Mixed Use designation in the Comprehensive Plan. Staff recommends approval of the SUP request as submitted by the applicant. While the applicant plans to have four, three-bedroom dwelling units, staff is comfortable with the possibility that the property owner provides the maximum number of multiple-family dwelling units allowed in the R-3 district, which is five dwelling units, and/or increase the number of bedrooms in each multiple-family unit. Note that increasing the number of units and/or bedrooms would also increase the required number of parking spaces.

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

Weston Bayes, applicant's representative with Matchbox Realty, came forward to speak to the request. He said we are excited about the project. We took over control and management of this property in June of 2024. Since then, really our goal is to make it a place where we can beautify what it is there and then also support density and align ourselves with the Comprehensive Plan going forward. So, the thought around this is this is a 6,400 square foot structure. There are four people living in it right now. It is very challenging for them, it has baseboard heat. When we are in February they are paying a \$1,600 heating bill. In order to relieve some of the stress of dealing with some of those things the thought is to have these four different units. Create ownership around those four units. Ensure that it is not just four people living in a large 6,400 square foot house. It would be 12 people living there - which addresses a lot of safety and security concerns that we have on the day-to-day basis of who is kind of in what part of the house and what is being monitored. Our main goal here is the house itself is really beautiful as it stands and is just kind of an interesting piece of history. This house used to sit where historic Cantrell [Avenue] was extended and it was ultimately moved to the location it is now in the 1970s. We really want to preserve some of that character. What we are doing here is bringing a building up to fire and building codes by investing a sprinkler system for the building to ensure that we are meeting any safety occupancy issues. Really why we think this is a good thing is that it matches the density goal for the Comprehensive Plan in what would be this mixed use area. The safety and security, I think we are excited about what is happening with Liberty Street and feel like that plan would really align with ensuring walkability and safety for the residents that live back there. As well as maintaining the property from a standpoint of making sure we can invest back into the property in a way that is responsible and ensures the longevity of the property. With that I am happy to take any questions. I also did want to thank Meg and the team for their help with this process and the pre [application] meeting, I appreciate that you guys do that. That was helpful for me to hear from the different heads of departments.

Councilmember Dent said this is another déjà vu all over again. I remember when it came out as a boarding house and we just said no. You are right, it is a shame to have only four people knocking around in this huge house, so this is a great solution. We knew this is what we would recommend. We could not exactly say “do this” to the owners, but it would take some reconstruction or maybe it is already somewhat in a layout of apartments.

Mr. Bayes said it is in a layout of the apartments. Right now, when you walk in and there is a common stairwell and then there are two doors that enter the units and then on all four units there is a kind of a kitchen area. We would be doing fire doors for each unit to create the separation. There is really not much happening internally.

Councilmember Dent said the sprinklers that is a key thing for a multifamily. I was looking at the layouts and these places are huge. How do the units work? Two living rooms and two kitchens or are these two sperate units.

Mr. Bayes said do you mind if I come up?

Councilmember Dent said sure.

At this time, Mr. Bayes walked up to the dais and reviewed images of the building layout that were provided in the application materials with Councilmember Dent, and then Mr. Bayes returned to the podium.

Chair Baugh said I will note for the people observing that what we have in our packets are diagrams for the two floors. Ideally, we would like to have you [referring to Mr. Bayes] at the podium. If I have thought of a way to accomplish what you just accomplished and do that I would have suggested that. If any of the Commission members want to look at this in more detail and cannot sort it out this way just speak up. It is really looking at these drawings and trying to make sure...Councilmember Dent wanted to make sure she was looking at them and understanding what went where. Basically, four units.

Mr. Bayes said I think also to speak to Councilmembers Dent’s comment about kind of the last time this came up as a boardinghouse. We [Matchbox] were not necessarily involved in that piece and one of the reasons that I think this is kind of gotten to the place it is that we are willing to make the investment of the sprinkler systems. Putting in \$85,000 to make this something that is safe and people feel good about those units.

Vice Chair Porter said can I ask if the existing residents are students? Do you anticipate that this

would likely be student housing?

Mr. Bayes said the four residents that we have are currently students. I would anticipate that future [residents] would be students. I think in that area just the proximity to James Madison University (JMU) those houses on that whole piece have historically passed down from students from year to year from just knowing that JMU is right there.

Vice Chair Porter said just in terms of managing the property, what assurances can we have that we are not going to get a reconfigured version of what was already there previously when we had fifteen nonrelated students living there? We just divided the units up and if you put the same folks back in the same place. Obviously, the sprinkler system is a tremendous upgrade but in terms of ensuring this does not become overcrowded if there is no violation of lease terms, I assume you all would be managing and monitoring that.

Mr. Bayes said absolutely. I think an additional plus is that Matchbox, as a whole, has a management interest but there is also a financial interest from an ownership position. What our policies and procedures that we have put in place from a management standpoint, obviously there is going to be things that happen, but our goal is to be able to be proactive on those things rather than reactive. Right now, for this property specifically, we do interior and exterior inspections on a very frequent basis to ensure that anything that is happening on the property we know about. I personally jumped in on the residential inspections this winter to help with the winter inspections. I was in there making sure the heat was on and the windows were closed. We are very hands on and especially with this property I think the goal is to make sure that it is not a nuisance and that we are being responsible stewards of it.

Vice Chair Porter said how would the leases be configured? Is it going to be any rent by the bedroom in this or this going to be a primary lease holder or a set of leaseholders per unit that share a common lease?

Mr. Bayes said if we had the four units there would be a lease for each unit with the three tenants on that lease. They would be responsible for their bedroom from a standpoint of whatever happens in there. They are saying okay I am in bedroom one, I am bedroom two, and I am in bedroom three, but they are all on the lease together. Which again I think it helps create ownership as a whole pride of ownership of the property and making sure that it is being cared for.

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

Roberta McCorkle, a resident at 95 Campbell Street, came forward to speak to the request. She said I am so thankful to Matchbox for this model. I can only hope that this can be replicated again and again and again so that these houses, that are well built and historic, can be repurposed, can be invested in, and can provide homes. Whether it be for students or faculty members it is so much more compatible for that strip of land for the people who live there. If you see the school buses come in the morning and you think about little children who have to be disturbed at night by cattlemalling and calls for police service and certainly this is a much better model for that area. It is just exciting for that investment of the infrastructure to think that this repurposed home can keep going on. Behind my property is Campbell Court. Campbell Court was built in 1940 and has been occupied continuously. It is also a Matchbox property. I myself lived there when I relinquished my home to my family briefly during Covid. The people who live downtown in these properties they do not have all the bells and whistles, but it is a community of old people, young people, people are newly arrived, people who have lived here forever. I just have to say there is a lot of criticism of people who are landlords. It is tough being a landlord and it is going to get tougher. The costs of renovations are skyrocketing. This is an exciting project and I think if more neighbors were aware of this they would say the same thing. Thank you very much.

Chair Baugh 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 Jezior said I think it is a great use of the property there and I agree with what you want to do there.

Councilmember Dent I was astounded to learn that this whole building was moved when they built what is now MLK [Martin Luther King Jr. Way].

Commissioner Kettler said I have had friends live in units like this where it was one large single family historic home and repurposed to allow multiple different units. I agree it is a great use of a property. It allows for more investment in it and you can keep the building which is great. It is just a cool place to live.

Vice Chair Porter said I also greatly appreciate the fact that we are taking something that is potentially a nuisance to the community and moved it forward and it is going to be managed in a much more responsible manner. I really appreciate the fact that these are being leased by the bedroom. It does open the potential for a family to possibly rent one of these units if they so chose. I realize that its proximity to JMU will make it likely that it could be students and I respect that. The fact is because leases are configured such as they are they would be more likely that

there could be a possibility that someone other than students could rent this space. Where if it was leased by the bedroom, which I find problematic, it could potentially preclude another type of tenant from coming into that space. I also appreciate the fact that there is going to be good oversight.

Commissioner Kettler said I did have one question for staff. I am not as familiar with the Design and Construction Standards Manual for parking layout. I have read it and I am not entirely sure if I understand it still. If you could just explain why those fourteen spaces do not meet those requirements.

Ms. Rupkey said the existing spaces that are there today, the width and length of the parking spaces do not meet the standards that are needed. The distance between the angled parking spots to the existing parallel parking spots that are there does not allow for two-way traffic with the amount of space that is there and then there is also a fire lane that goes through that area.

Commissioner Kettler said basically if someone is trying to re-manuever and try to get out they would be blocking a fire truck on that last part.

Ms. Rupkey said the fire lane is where the existing parking spaces end and where the parallel spaces are there is not enough room for maneuvering two-way traffic at this time. Then the fire lane was just an aspect in there that the parking spaces may have encroached into that fire lane.

Mr. Fletcher said the Design and Construction Standards Manual requires a certain dimension for certain types of parking. What they are showing on the screen here is 90-degree parking so if standard parking spaces are 9'x18', nine feet wide, eighteen feet long. When you have a two-way travel lane you need 20 feet of width behind that area. This area, the way it is built today, does not accommodate those dimensional standards so they will have to figure out a way to make that work. They may have to go out there and sort of dig up some land and put in some new spaces.

Ms. Dang said in this case I believe they anticipate that they would be able to use the existing pavement and just restripe what they need and then borrow the spaces from 635 [South Main Street]. They could also expand the parking lot by taking up existing grassy area and putting new spaces.

Ms. Rupkey said in this proposed parking plan they have removed the parallel parking spaces so it allows for more back out space for cars to provide two-way traffic.

Commissioner Kettler said any potential future change in minimum parking requirements would be

a totally separate issue from the DCSM standards those would still apply where parking does exist.

Ms. Rupkey said correct.

Mr. Fletcher said the way we are moving forward, yes.

Councilmember Dent said the agreement for the borrowed parking spaces around the corner... I came in on Grattan Street to Walnut Street but then I saw that there is essentially a right in/right out off of MLK [Martin Luther King Jr. Way]. That is relatively accessible to that house as well.

Commissioner Alsindi said Mr. Fletcher just a follow up question, the idea is to make the parking wider now?

Mr. Fletcher said from the measurements they just need to ensure when they go through the change of use and when they go through the building permit process they will have to give us a more detailed parking plan and they will have to confirm for us that they are meeting the Design and Construction Standards Manual for the dimensional requirements. If they are not, then they would have to redesign the space or just make it wider to meet those standards.

Commissioner Alsindi said I do not know how relevant it is what I am saying here is, but this just came to my mind that cars in old times were bigger than now making parking lots wider. Nowadays cars are becoming smaller even.

Councilmember Dent said there are big trucks too.

Councilmember Alsindi said yes definitely.

Councilmember Dent said the key problem is the parallel parking behind these which blocks the space so they need the extra two.

Vice Chair Porter said I just wanted to confirm, if they chose to expand this further reconfigure and add another unit or add additional bedrooms or subdivide bedrooms, this would have to come back before us?

Ms. Rupkey said the parking plan would be evaluated within our zoning department. Our zoning team would review it when they are doing building permits.

Councilmember Dent said I move that we approve the request for special use permit at 660 Walnut Lane as presented by staff.

Commissioner Alsindi seconded the motion.

Chair Baugh said I think I support this. It is a challenging property. I think one of the issues that they addressed really well was our issues. Maybe it is as direct as they get what we hinted before, but I do not really think I was thinking about that level of specificity. It is just the way that building could have been used. When you have forced people to live in there it seems like a pretty inefficient use of space. What we proposed before it seemed to be the type of place that was going to have some of the concerns that the Vice Chair was talking about. I think it had 20 people in it to our knowledge before and it was sort of laid out in a way that was going to be accommodating to that. I think all of this is a step in the right direction. It's housing is consistent with what is in the neighborhood. I plan on supporting this.

Commissioner Kettler said I agree. The only other comment that I would add is that I do think the parking minimums in this are overly restrictive. If we are talking about a family and they have four kids they may well not need two and a half parking spaces. This prescribes something that may not necessarily meet those needs. That is no issue of this plan. This is a great plan.

Chair Baugh said I knew of a situation, not in this jurisdiction, that there was a time when I knew a lot less about land use and how government offices work but I sort of guessed right. The short version was a landlord needed some more parking spaces, so he just went out one day and paid somebody to restripe the lot to make all the spaces smaller. Then they started ticketing people with larger vehicles for not parking within the confines of the space. There is that sort of potential that we ought to be open to looking at them as it is right now. In a nutshell the issue is yeah they have parking spaces they are not big enough based on the rules.

Commissioner Kettler said the DCSM standards, has the sizes for a standard parking space changed significantly over time?

Mr. Fletcher said it is very standard like everywhere. You can do compact spaces. It could be 8'x17'. We allow 25% of required parking to be compact spaces. You have to designate them and then sign them appropriately so that people know that they are compact spaces. Design criteria for travel lane widths are relatively standard. There is some flexibility that we have been able to offer at certain sites across the City where if we know it is an in and out or a smaller space in the past our City Engineer has allowed for provisions for flexible arrangements to allow reduced travel lane widths. The best example I can provide and is an example that I hear people complain

most about, in hindsight we should have looked at it a little differently is, James Madison Square along Port Republic Road where the Starbucks is located. That particular parking lot was given some flexible arrangements by the City Engineer to allow for reduced travel widths. If anyone has traveled out in that space and tried to pull in and park you will recognize that some of those turning angles are rather tight. At times when you try to park in a parking spot you might have to do a three point turn to get in and out of certain spaces. Almost every time I go there I think about that. Not that we did anything wrong I am just giving an example.

Chair Baugh called for a roll call vote.

- Commissioner Jezior Aye
- Councilmember Dent Aye
- Commissioner Alsindi Aye
- Commissioner Kettler Aye
- Vice Chair Porter Aye
- Chair Baugh Aye

The motion to recommend approval of the special use permit passed (6-0). The recommendation will move forward to City Council on February 10, 2026.

At this time, Commissioner Seitz returned to the meeting.

A motion was made by City Council Representative Dent, seconded by Alsindi, that this PH-Special Use Permit be recommended for approval to the City Council, due back on 2/10/2026. The motion carried with a recorded roll call vote taken as follows:

Yes: 6 - Baugh, City Council Representative Dent, Alsindi, Porter, Kettler and Jezior

No: 0

4.c. Consider a request from Todd B. Stone to rezone a portion of 2600 and 2580 South Main Street

Chair Baugh read the request and asked staff to review.

Ms. Soffel said the applicant is requesting to rezone a +/- 3-acre portion of a +/- 13.14-acre parcel zoned M-1, General Industrial District to R-3C, Medium Density Residential District Conditional. The property is addressed as 2580 and 2600 South Main Street and is identified as tax map parcel 2-B-5. Today, the property has two non-conforming single-family detached dwellings. If the rezoning is approved, the applicant plans to construct an addition to the larger residential structure. The applicant does not intend to subdivide the parcel; therefore, it will be a

split-zoned parcel.

Proffers

The applicant has offered the following proffers (written verbatim):

1. There shall be no more than three dwelling units.
2. The following uses shall be prohibited:
 - a. College and university buildings and functions, which are either owned or leased by such institutions, and which may include fraternities and sororities.
 - b. Cemeteries.
3. All traffic generating uses shall be limited to a combined total of 100 vehicle trips in either the AM or PM peak hour as calculated using the latest edition of the Institute of Transportation Engineer's Trip Generation Manual unless the property owner first, at their cost: (1) completes a Traffic Impact Analysis approved by the City Department of Public Works and (2) implements all identified mitigation measures or improvements. The City Department of Public Works may, in its sole discretion, waive, in whole or in part, completion of a Traffic Impact Analysis or any identified mitigation measures or improvements.

The conceptual site layout is not proffered.

Existing Structures

The larger residential structure, the "house," was originally constructed around 1805. An addition was constructed in the early 1900s. The area containing the house was annexed from Rockingham County in 1962, while the remainder of the property was annexed in 1983. The house has been owned by the Stone family since 1976, and the applicant has provided evidence that it has been continuously used as a single-family residence. On December 3, 2024, the City issued a letter of nonconformance stating:

Zoning staff has determined that a continuance of nonconformity (Article E. Section 10-3-20) has occurred and the use of the principal structure as a single-family dwelling has been maintained. This use will, therefore, be allowed to continue pursuant to Article E. Nonconforming Structures and Uses.

On April 30, 2025, a building alteration permit was issued for the smaller residential structure, known as "the cottage." The permit included the addition of a full kitchen, effectively making the cottage a dwelling unit. The permit was issued in error and granted a vested right. The cottage is now a nonconforming single-family detached dwelling.

If the rezoning is approved, the two nonconforming residential structures would become conforming uses.

A third structure on the property, the barn, is an accessory structure. The applicant has stated interest in possibly adding a kitchen to the barn in the future. Depending on how the barn would be used, it could become a third dwelling unit or another use, which is why the applicant has chosen to proffer no more than three dwelling units (Proffer #1).

The applicant included information regarding the history of the house. The Comprehensive Plan speaks to historical assets in the City, and while the house is not on the Virginia Landmarks Register or the National Register of the Historic Places, there is documentation relating to the ownership history of the house, and thus there is some relevancy to this property's historical context in the City. While there is no proffer to maintain historic features of the house, staff believes that rezoning the property can help promote maintaining the structure and thus works toward Goal 10 in Chapter 9, Arts, Culture, and Historic Resources of the Comprehensive Plan, which states:

To recognize and promote the value of the City's diverse historic resources and the many benefits that come from protecting irreplaceable assets that embody Harrisonburg's history.

Nonconformances and Setbacks

As stated above, the house and the cottage are nonconforming uses in the M-1, General Industrial District. If the rezoning is approved, up to three dwelling units would be allowed on the property and the two residential units would be conforming uses.

Zoning Ordinance (ZO) Sec. 10-3-48.6(c) allows for more than one principal building to be constructed on a parcel in the R-3 district, but the "open space between each building as measured at the closest point between building walls shall not be less than twenty (20) feet." The cottage is located approximately 12 feet from the house measured at the closest point between the walls. If approved, the separation distance between the house and the cottage will be nonconforming. In addition, a survey would be needed to determine if the cottage meets setbacks.

If the rezoning is approved, it will have an impact on the adjacent M-1 zoned property addressed as 211 East Mosby Road and identified as tax map parcel 2-B-4, which is owned by the applicant and his family. ZO Sec. 10-3-98 requires M-1 zoned properties to have a minimum 30-foot setback when abutting a residentially zoned property. The self-storage buildings at 211 East Mosby Road are located within 30 feet from the property line; thus, if the rezoning is approved, the setbacks of the self-storage buildings will become nonconforming.

Land Use

The Comprehensive Plan designates this site as Commercial and states:

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.

While it may appear that a rezoning to a residential district at this location would not necessarily conform to the Land Use Guide (LUG) designation, the R-3, Medium Density Residential District, allows by-right uses that conform to the office and professional service functions outlined in the Commercial Land Use Guide description. The R-3 district allows for assisted living facilities, institutional care facilities, medical clinics, professional offices, charitable or benevolent institutions, child day cares, and adult daycares. Furthermore, personal service establishments such as barber shops and day spas are allowed by special use permit. Thus, rezoning to R-3 would be moving in the direction of the uses that would align with the surrounding area better than industrial uses. It is also worth mentioning that while the Land Use Guide designates the property Commercial, the shape, size, and location of the parcel may make commercial development difficult. The parcel is accessed via a 50-foot-wide, +/- 570-foot-long driveway and thus the parcel is not easily visible from South Main Street.

Transportation and Traffic

The Determination of Need for a Traffic Impact Analysis (TIA) form (“TIA determination form”) for the proposed rezoning is attached. The applicant has proffered to restrict the traffic generating uses to be limited to 100 vehicle trips during the peak hours or to perform a TIA if proposed future uses exceed 100 vehicle trips (Proffer #3). Therefore, a TIA was not required for the rezoning request.

Public Water and Sanitary Sewer

While staff has no concerns with the requested rezoning regarding water and sanitary sewer matters, the applicant has been advised that, if subdivided, each parcel must have access to water and sanitary sewer mains.

Housing Study

The City’s Comprehensive Housing Assessment and Market Study (Housing Study) places the subject site within Market Type B, which has “neighborhoods [that] are characterized by high income earning households, large volumes of housing sales and lower population growth.” The

Housing Study further notes that houses in these markets are quick to sell and that “[p]riorities and policies that are appropriate to Market Type B areas include the preservation of existing affordable housing while at the same time working to increase access to amenities.”

Public Schools

The City contracted with the University of Virginia’s Weldon Cooper Center for Public Service to complete a report titled "Population and School Enrollment Projects for the City of Harrisonburg" (April 2025). The report can be found at the following link:

https://harrisonburgva.gov/sites/default/files/city-manager/HarrisonburgSchoolEnrollment_2025-04-30_Final.pdf. This report provides overall student enrollment projections through 2034 as well as estimated student generation by housing type for each elementary school attendance zone.

Based on the Weldon Cooper Center report’s calculation, this development’s proffered maximum of three residential units are estimated to generate one K-12 student at full build-out. According to the School Board’s current attendance boundaries, Bluestone Elementary School, Thomas Harrison Middle School, and Harrisonburg High School would serve the students residing in this development.

Conclusion

The rezoning request has both advantages and disadvantages. Rezoning to R-3 would make the residential use conforming but creates a nonconformance to the distance between principal buildings. While rezoning to R-3 does not conform to the Commercial LUG designation, it creates the opportunity for some commercial uses while removing the ability for intense M-1 uses that would be in opposition to the Commercial LUG designation.

Staff believes that the advantages outweigh the disadvantages of this request and recommends approval of the rezoning request.

Commissioner Kettler said why cemeteries as a prohibited part of the proffers?

Ms. Soffel said staff suggested it. Current good land planning practices do not encourage cemeteries. It is completely voluntary on the part of the applicant but he agreed not allowed cemeteries.

Commissioner Kettler said so this is not a specific concern that there is going to be a cemetery?

Ms. Soffel said right.

Ms. Dang said in a commercially designated area it did not seem like a good use there.

Vice Chair Porter said was it staff’s suggestion that only the small portion of the lot be rezoned? Did we suggest the 3 acres or 2.5 acres or whatever it is that is currently being rezoned as

opposed to the whole property?

Ms. Soffel said they did not want to rezone the whole property. In fact, they were looking at a slightly smaller portion still including all three buildings. However, if they were ever to want to subdivide the property, they would have to consider setbacks. Therefore, they expanded a little bit to the south of the barn in order to ensure they would have sufficient setbacks should they decide to subdivide in the future.

Commissioner Seitz said if the barn were to be used as an event center, is that permissible in the R-3?

Ms. Soffel said my understanding is yes.

Commissioner Seitz said with the M-1 property becoming noncompliant because it is too close to the property line what impact does that have on...it is nonconforming in a very specific area but what impact, if any, does that have on any changes, renovations or whatever to the rest of that storage property?

Ms. Soffel said any of the structures within the 30-foot setback can be renovated but they cannot be expanded. Any structures outside of that 30-foot setback it has no effect on them.

Commissioner Seitz said can you elaborate at all on how the permit for the renovation on April 30, 2025 was issued in error?

Ms. Soffel said my understanding is it was based on a definition of what attached means. [Referring to the picture on the screen] The beam that is between the two structures that connects them, in our definition if there is a roof line or if there is a breezeway, then that makes something one structure. There was a difference in interpretation, that after having discussed it further, once it became under scrutiny, we noticed this and discussed it further and do not think it should have been issued at that point. It should have remained as an accessory structure.

Mr. Fletcher said I think there was also a component of misunderstanding of what type of kitchen was in the building before. It was a kitchenette which we do allow. It starts to get into a gray area and a staff member just erroneously approved the permit to be a full kitchen.

Ms. Dang said I do not want to call anybody out but just know it was an individual who was new on staff who was doing their best and missed some questions that they should have. They know now to ask.

Mr. Fletcher said there was a question about whether or not the barn could be used for commercial use. First and foremost, the R-3 district does not allow for a barn to be used for commercial purposes in that manner. Secondly, there would have to be building improvements made changing the use of the accessory structure which is a barn to meet commercial code,

accessibility standards. There would be quite a bit that would need to be done to that barn to allow it. Nonetheless it would also have to be scrutinized under the Zoning Code.

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

Todd Stone, the applicant, came forward to speak to the request. He said we appreciate the opportunity to be here. To your point Commissioner Kettler about the cemetery, in the interest of full disclosure, there might be a couple of horses buried out there. This has been my home property where I grew up. I went away for 30 years and came back and we very much want to live here. I have two sons. That is the home that was built in 1805 and as I told Councilmember Dent earlier today Thomas Jefferson was President when the house was built. It is in a M-1 zone, a manufacturing zone. We would like to have the ability to expand the footprint at least on a small portion of the front corner of the house and that is why we are here. We love Harrisonburg. We love our land there and I am happy to answer any questions that any of you have with respect to the property.

Councilmember Dent said what a beautiful property. The historic house and the barn is really a time capsule in this industrial zone.

Mr. Stone said thank you I appreciate it. We want to try to make it even more beautiful and more residential. As I told you earlier, we planted 32 trees right in the front portion to try and shield it some from the industry around. We voluntarily got on the City sewer. It was on a septic system and we eliminated it. We want to be good stewards of the property and good citizens of the City. I am pretty sure that when the house was built in 1805 the word manufacturing would not have meant anything to anybody at that point. We just want to keep it in the same flavor in which it was built and live there and focus on the remaining property there. Certainly I appreciate the City's Comprehensive Plan and designation of commercial use for that and so there is another ten acres that we certainly would like to see the City's plan with respect to that property and other property around there develop in a way that is beneficial to all the City residents and especially the south end of town which I think needs as much care as we can give it.

Vice Chair Porter said do you anticipate utilizing any of the other ten acres for any specific purpose in the near future?

Mr. Stone said not in the near future, no. We have some ideas but it is not...we would want to live there if we were going to develop it. We are sort of taking it a step at a time and we do not have any plans with respect to the property at this point. We appreciate the City's Comprehensive Plan and would also like to see that end of town developed into a nice business use. I know with the high school out there, students when they come out of the high school they are probably not so interested in car dealerships, as they are in coffee shops and restaurants and that sort of thing. We would like to see that as well, but we do not have any plans.

Councilmember Dent said come to think of it to follow up on that, if there were some development in the other chunk of your property the part that would stay M-1, what would the access be? The regular driveway that also goes to your house?

Mr. Stone said the driveway right now is I think 30 feet wide and that was the original deed. They expanded that to 50 feet. They purchased an extra 20 feet off of what is currently Suter's Furniture there. There is room to make that wider. We both would like to see our driveway kind of upgrade a bit. We have put in 32 trees but we would like to put in more trees down there and make a nice little roadway and it would provide a nice access to the portion that is directly behind Suter's Furniture, which is about three acres. Then there is also the hill next to the high school which would still be accessible from that same access road. That is potential development down the road in the future if that is something that seems feasible. Obviously, we would be back here to talk to you folks if we were in a position to do something like that.

Councilmember Dent said the keeping of the M-1 looks like you worked out presumably with staff that the shape allows it to be further developed at some point in the future.

Mr. Stone said I think that it is not that we necessarily wanted to keep it as M-1, it is just that at this time what we wanted to do was try to get our residence so that we can live there and then focus on those things down the road. So, I would expect that we certainly do not envision putting warehouses out there or anything like that. We would not want that I can tell you. We would be back here if it is something that was not consistent with the M-1 zoning.

Commissioner Seitz said it was stated that the storage unit business is also owned by your family. When were those units built?

Mr. Stone said the first one I think was in 1976 give or take a year. My folks added onto that about every year up until probably three or four years ago and just kept expanding it. It has kind of grown around the house. It originally was not M-1 it just became M-1 after they grew the storage business back there I think.

Commissioner Seitz said was there family discussions about the proximity of these storage units to what is a significant historical artifact?

Mr. Stone said my father's opinion was nobody would ever want to live in that house. That is one way I disagree with him. I agree with him in a lot more ways than I disagree with him. We are back here and we do want to live in the house.

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

Councilmember Dent said I was sort of musing on the historical stuff it is really fascinating. I will

move to approve the request from Todd B. Stone to rezone a portion of 2600 and 2580 South Main Street as presented.

Commissioner Kettler seconded the motion.

Chair Baugh said I guess two concerns that I think some people could have could be I mean it is not really the way that textbook would ask you to design how you put your zoning map together. I guess what I would say is I am not concerned about the precedential value of this. We do not have that many 1805 structures that are not only surrounded by industrial but [is industrial that] is the very same family that owns the dwelling. In some of these extreme cases, I can think of two other cases, not exactly the same but same in that South Main corridor we have that narrow strip of the City that kind of goes down... In those cases, they were both older residential dwellings. One of which had managed to keep a residential zoning through annexation. One was just no longer being used as residential and the other one had deteriorated to the point where it really could not be used as residential and [unintelligible] they literally ended up doing a boundary line adjustment with the County to bring it into the County because it is very close to the line. To allow them to tear down a house that there was no way to even bring back into habitation. We have a few of these odd ball spots down in that area. The other is, I actually talked to the City's Economic Development Director today and he confirmed to me and I was reminded that in terms of the Land Use Guide the decision for looking at future development here being commercial was not something that was brand new and was also something that he was fine with. I think because of the configuration of this property and one of the reasons I do not think it has precedential value is this is not the camel's nose under the tent because it is the development that is on the edge of a bunch of undeveloped property, you are wanting to set the tone, this is the exact opposite of that. He assured me that there are other parts of the City where he thought people were nibbling away at the M-1 he would object to rezoning. Anyway, I expect I will be supporting this.

Commissioner Seitz said I agree with your statements Chairman Baugh. I do think there is a little bit of a strange logic in fixing one situation of nonconformity by creating another one. Since it is all the same property owners I do feel this is a fairly unique...It does actually highlight some of the things that you have to think about in terms of why we do zoning versus how we establish Land Use Guides versus how do we accommodate these unique positions. I think staff has probably done this. I am ultimately persuaded by the desire and what I perceive to be the sincerity of the family to want to continue living here and to want to be able to adapt the house to continually suit your needs. I support it.

Chair Baugh said I guess I had the other thought, nobody said this out loud but it is sitting there for anybody to look at, for future development purposes they are in the not entirely unenviable position to have property zoned in a category and is planned for another one. Of right development they can do whatever they can get within the guidelines for an industrial property but if they ever wanted to come for a commercial rezoning, it is not an automatic that it would be yes. They start off a bit on the right side of the ledger because we have said that is the type of development we prefer to see out there. Again, which was a decision that has been made a while

back and since somewhere in the not too distant future we are going to be working on the next iteration of the Comprehensive Plan. That would also be a time where it would be perfect for us to revisit that at that time if that is something we want to do.

Vice Chair Porter said this is one of the most unique cases I have seen. I sit there and I look at this house and where it located and a beautiful historic home that is unique in lots of ways. To be located where it is located, I would have said would have been a failure of previous zoning. Obviously, this house clearly is grandfathered in the trustiest sense of the word. In these sorts of circumstances, you are not bothering anybody where you are at and all these issues to me are somewhat academic. This is property that has clearly been in your family for a while. The commercial uses that are around, you have ownership of the largest commercial use near you. God bless you folks and enjoy your property out there and I hope that it goes well for you. I do not see any reason why we should even be making an issue out of this... its a unique set of circumstances.

Councilmember Dent said what you said about resolve one nonconformity by creating another one with the setbacks and all of that...

Chair Baugh called for a roll call vote.

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

The motion to recommend approval of the rezoning request passed (7-0). The recommendation will move forward to City Council on February 10, 2026.

A motion was made by City Council Representative Dent, seconded by Kettler, that this PH-Rezoning be recommended for approval to the City Council, due back on 2/10/2026. The motion carried with a recorded roll call vote taken as follows:

Yes: 7 - Baugh, City Council Representative Dent, Alsindi, Porter, Kettler, Seitz and Jezior

No: 0

5. New Business - Other Items

5.a. Consider the FY2026-2027 through 2030-2031 Capital Improvement Program

Please refer to attachment 9 in Legistar for full minutes extract.

A motion was made by Porter, seconded by Jezior, that this PH-Action Item be

recommended for approval to the City Council, due back on 2/10/2026. The motion carried with a recorded roll call vote taken as follows:

Yes: 7 - Baugh, City Council Representative Dent, Alsindi, Porter, Kettler, Seitz and Jezior

No: 0

6. Public Comment

None.

7. Report of Secretary & Committees

7.a. Rockingham County Planning Commission Liaison Report

Commissioner Seitz reported on the January 6, 2026 Rockingham County Planning Commission meeting. The following items were on the agenda:

- Public hearing request from John and Kathryn Johnson to amend the proffers on a 2.716 -acre portion of Tax Map # 125-A-263 and 125-A-261, zoned R-3 C (General Residential with Conditions)-Approved (6-0)

7.b. City Council Report

Councilmember Dent reported on items from Planning Commission that were presented to City Council.

At the January 13 City Council Meeting:

- Public hearing on the Zoning Ordinance amendment to modify special use permit requirements to reduce required side yard setbacks in the R-8 districts-Approved
- Public hearing on the Zoning Ordinance amendment to allow meat processing and storage by special use permit in M-1-Approved
- Public hearing to rezone 797 Chicago Avenue-Approved

Public hearing to rezone 1110 N Liberty Street-Approved

8. Other Matters

Commissioner Alsindi said I have been absent for the last two meetings and I am starting now with my teachings at Eastern Mennonite University (EMU) in February through to April. My classes are on Wednesdays weekly 6pm-10pm. I guess just generally this is impacting the functionality by the Commission in terms of input. I can step down and someone else would be more available. I would like to stay but this is the reality of my situation. Legally wise if the number of absences is not allowed, or a certain number or even from the quality point of view, please feel free to let me know what you think. I am totally fine with anything that you decide.

Chair Baugh said my visceral reaction is I do not want to see you go. I am going to say something that I have said when I was a member of boards a few times when the boards wanted to discuss these things. This is not really our decision, this is a Council decision. We are all appointed by Council. Well that is a bit of an overstatement but I think within the bylaws, if I am remembering them correctly, it is something we certainly could do or recommend. I think what you are really saying is if we recommended to you that you resign you are saying you are going to resign?

Commissioner Alsindi said if you recommend if I should. I really did not know who or when to talk about it.

Chair Baugh said I think this is great.

Commissioner Alsinid said I am fine if you recommend for me to resign. I am fine with that as well.

Chair Baugh said for me this is just coming to my attention so I do not want to do too much of anything. I certainly think that we are capable of functioning and accommodating your situation. Maybe others feel differently. My sense of it would be my inclination would be to work with you on this. This is the curve life has thrown at you. We are welcome to have you aboard but there are people here who outrank me. If there was a sense out of Council that they thought that you did not like having someone on your board who is going to miss a bunch of meetings, I think we have to pay attention to that.

Councilmember Dent said I would turn to Wesly and say what are the bylaws.

Ms. Dang said I am looking at the bylaws and I could not find anything but I would like to take a closer look. Commissioner Alsindi, if you would like, I would be happy to talk to you on the phone. Is it just about the spring semester or is it in the fall? For you to make that decision, just some questions that I have and to offer some thoughts.

Commissioner Kettler said I would just like to thank you for being upfront and just recognizing there is an issue and we should talk about it.

Councilmember Dent said I am just playing calendar in my head. If you are talking about the spring semester, Wednesday nights, could there be one month when it is spring break where you could show up? You would be absent a couple months, here on a month. You can look at your schedule and see if that adds some flexibility.

Vice Chair Porter said just back of the napkin, we are talking four meetings here effectively. February, March, April and May. Would you go any further than that?

Commissioner Alsindi said it ends in April so in May I should be available. I have already sent an email to Thanh saying that I am available to attend the Rockingham Planning Commission meeting in May and June. Just because I was absent and traveling and now I am going to be absent again for the next three or four meetings. I feel it is too much and I feeling accountable and responsible I feel I have to candidly mention this.

Chair Baugh said do not forget the Vice Chair's point there. I have had this happen before; granted I am not full time academic. I adjusted the schedule so I did not miss Planning Commission meetings but that was my choice. That was something that I was able to accommodate with the academic calendar. Yes, there was a spring break week where it was not an issue. I am thinking maybe you [unintelligible] at the March meeting. You are not going to teach the week that everyone is on spring break.

Commissioner Alsindi said if this starts in February and continues to March. It is four universities, including EMU, and it is online and I have to be there. We have to finish the seven or eight weeks. It is not my choice I was told that it was a Wednesday. I would have considered the meetings and would have negotiated on that but I have just inherited it. It has been three years I am teaching the same days. Next year it is going to change to Thursdays.

Councilmember Dent said if it is up to me to recommend to Council I would say keep him on. We will have a few months of six people, worse that could happen is we have a split vote now and then.

Chair Baugh said that means it is not [recommended] approved whatever the motion was.

Councilmember Dent said what does not approved mean? Does it still go to Council as a split vote?

Mr. Fletcher said the motion did not pass. If it was a motion for denial or a motion for approval.

Chair Baugh said in many respects I think the way Council ends up looking at it as did it or did it not come forward with a favorable recommendation. The answer is if it is a three-to-three vote it did not come with a favorable recommendation.

Councilmember Dent said it would still roll to Council as not passed.

Vice Chair Porter said that could happen at any meeting really. I would only point out that we have had significant turnover on the Commission. I would hate to lose your expertise and experience that for a small number of meetings I think we can withstand this and I would hope that you would continue to stay with the Commission.

Councilmember Dent said especially since you just brought up this idea of how to proactively incorporate the Planning Commission with the CIP.

Commissioner Alsindi said that is the main reason why I have interest and want to be a part of this body. It happens to be the same thing that I teach. I teach strategic planning at the university. If you would like to take some time to think of it, I am open to that.

Councilmember Dent said I think we are good sort of thinking through it now.

Chair Baugh said Councilmember Dent I did not mean to suggest that I thought it was up to you. I think I would just say more that I would think of it more of if there was a tie you and your colleagues would win the tie. I was not thinking you needed to be proactive it is just that if Council has a preference on this, we are probably going to need to follow up with Council's preference.

Councilmember Dent said it is kind of hard to imagine how that would play out. Do I bring a recommendation to Council to dis-appoint someone?

Commissioner Alsindi said my understanding was you consult the legal point of view and just let me know. It is just ironic that my class that I teach is strategic planning in a multi-cultural light. Even if you lose me, I am still with you guys.

8.a. Review Summary of next month's applications

Ms. Dang reviewed the two items anticipated for the February agenda:

- Subdivision Ordinance Variances - The Edge (Franklin Street) (related to design of public streets)
- Subdivision Ordinance Variance - 1176 Nelson Drive (proposed lot without public street frontage)

One meeting is recommended.

9. Adjournment

The meeting adjourned at 8:16 PM.

NOTE TO THE PUBLIC

Staff will be available at 4:00 p.m. on the Tuesday before the next Planning Commission meeting for those interested in going on a field trip to view the sites on the next agenda.

INTERPRETATION SERVICES

Language interpretation service in Spanish, Arabic and Kurdish is available for Planning Commission meetings. To ensure that interpreters are available at the meeting, interested persons must request the accommodation at least four (4) calendar days in advance of the meeting by contacting the City Clerk at (540) 432-7701 or by submitting a request online at: www.harrisonburgva.gov/interpreter-request-form

El servicio de intérpretes inglés-español está disponible para las reuniones públicas de la Comisión de Planificación. Para asegurar la disponibilidad de intérpretes, cualquier interesado deberá solicitar la presencia de un intérprete al menos cuatro (4) días calendarios antes de la reunión comunicándose con la Secretaría Municipal al (540) 432-7701 o por medio de la página por internet al:

<https://www.harrisonburgva.gov/interpreter-request-form>

NOTE TO THE PUBLIC

Residents/Media will be able to attend the meeting.

The Public can also view the meeting live on:

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

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

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

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