



City of Harrisonburg

City Hall
409 South Main Street
Harrisonburg, VA 22801

Meeting Minutes - Final Planning Commission

Wednesday, January 10, 2024

6:00 PM

Council Chambers

1. Call To Order

The Harrisonburg Planning Commission held its regular meeting on Wednesday, January 10, 2024, 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: Chair Brent Finnegan; Heja Alsindi; Richard Baugh; and Vice Mayor Laura Dent; Valerie Washington. Dr. Donna Armstrong was absent. Vice Chair Adriel Byrd was late.

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

Ms. Dang called the meeting to order.

Present 6 - Brent Finnegan, Adriel Byrd, Valerie Washington, Richard Baugh, Vice-Mayor
Laura Dent, and Heja Alsindi

Absent 1 - Donna Armstrong

2.a. Election of Chair, Vice-Chair, and Secretary, and appointment of Board of Zoning Appeals member for 2024

Ms. Dang said as one of the first orders of business will be for the Planning Commission to appoint the Chairperson to then take over and do the rest of the meeting. With that I would like to open the floor for nominations of Chair for Planning Commission.

Vice Mayor Dent said I would like to nominate Brent Finnegan for chair.

Commissioner Baugh seconded the nomination.

Brent Finnegan was appointed Chairperson.

Chair Finnegan continued and said we are now looking for a motion for Vice Chair. [To Vice Chair Byrd] Is that something you would like to continue doing?

Vice Chair Byrd said I am willing to continue being Vice Chair if someone is willing to nominate me.

Commissioner Baugh moved to nominate Adriel Byrd for Vice Chair.

Commissioner Washington seconded the motion.

Adriel Byrd was appointed Vice Chair.

Ms. Dang said staff recommends that you appoint Anastasia Auguste to the position of Secretary.

Vice Chair Byrd said I move to appoint Anastasia Auguste as Secretary.

Commissioner Baugh seconded the motion.

Anastasia Auguste was unanimously appointed Secretary.

Chair Finnegan said now we need an appointment of a Board of Zoning Appeals member. [To Vice Chair Byrd] Are you willing to continue serving in that role?

Vice Chair Byrd said considering that I just finished training in September, it would be nice to continue if someone is willing to nominate me.

Vice Mayor Dent moved to nominate Vice Chair Byrd as a Board of Zoning Appeals member.

Commissioner Baugh seconded the motion.

Vice Chair Byrd was unanimously appointed as a Board of Zoning Appeals member.

2.b. Acknowledgement of Ethical Principles in Planning

Chair Finnegan said we now have an acknowledgement of the Ethical Principles of Planning. [To Ms. Dang] Do we just have to make sure everyone has read this and agreed to it?

Ms. Dang said yes, a copy was provided within your agenda packet.

Chair Finnegan asked, has everyone read the Ethical Principles of Planning?

Vice Mayor Dent said I had a hard time parsing one of the provisions here. I mean, I am certainly willing to agree with it, but I cannot quite get my mind around this scenario. That is the “do not disclose confidential information acquired in the course of their duties except when required by law”, maybe you can parse this Richard, “to prevent the clear violation of law or to prevent substantial injury to third persons provided that disclosure in the latter two situations may not be made until after a verification of the facts and issues involved and consultation with other planning

process participants who obtained their separate opinion.” What is that supposed to mean?

Commissioner Baugh said it is not entirely dissimilar from the rules for attorneys, the difference being that we are actually required to follow our rules. It is a serious ethical violation if we do not maintain confidence when we were supposed to. This is a voluntary kind of thing, so I think it is trying to bridge that gap. I think it is also covering the things we have. We have an almost universal... if you are my client and you say something to me, I am not allowed to share that with anybody else unless I have your permission. The classic exceptions to that have to do with... The example that is always given is you can hire me to advise you on how to deal with a crime that you have committed previously, but if you start telling me about the crime that you are going to commit later and I honestly believe that you are going to do it, turns out that is not permission. I feel echoes of this here. So that is why it talks in terms of “well if you think somebody might get hurt”. I am with you here in the sense that I hope I do not have to figure out exactly how they are applying this, but it does seem like it is really saying that well, if I think I am going to have to disclose something that I learned in confidence, which I am still taking a voluntary oath, I am actually not legally bound to keep it confident, in a formal sense that I would discuss it with other people.

Vice Mayor Dent said with other people, as in I give a call to Brent or Richard and say what do you think about this. This is not obviously something we would discuss in Commission. We are under FOIA rules that we cannot talk three of us at a time too, right, like Council?

Commissioner Baugh said it is four for us.

Vice Mayor Dent said I hope that does not come up, but I just wanted to just think through what exactly that is; and I figured Richard would have some explanation. Sounds like it is parallel but not as strict as the attorney’s code. With that discussed, I am fine with it.

Chair Finnegan asked do we need a motion on this?

Ms. Dang said you just need to say that you pledge to use the ethical principles in planning as a guide as you perform your duties on the Planning Commission.

Chair Finnegan said we pledge to use the American Planning Association’s Ethical Principles in Planning document as a guide to ethical conduct while performing our duties as Commissioners of the City of Harrisonburg’s Planning Commission. Do we agree and acknowledge that?

The Commission unanimously agreed to the Ethical Principles in Planning document.

3. Approval of Minutes

3.a. Minutes from the December 13, 2023 Planning Commission Meeting

Chair Finnegan asked if there were any corrections, comments or a motion regarding the December 13, 2023, Planning Commission minutes.

Vice Chair Byrd moved to approve the December 13, 2023, Planning Commission meeting minutes.

Commissioner Baugh seconded the motion.

The motion to approve the December 13, 2023, Planning Commission minutes passed (7-0).

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

4. New Business - Public Hearings

4.a. Consider a request from Harrisonburg Redevelopment & Housing Authority to rezone 715 North Main Street

Chair Finnegan read the request and asked staff to review.

Ms. Rupkey said in 2010, the current owner of the property, Harrisonburg Redevelopment and Housing Authority, requested a rezoning from R-2 to M-1C and requested three special use permits, which were approved by City Council. The 2010 rezoning included the following proffers (written verbatim):

1. The following uses permitted by right in the M-1 zoning classification will continue to be permitted by right:
 - a. Veterinary supply and service establishments including hospitals, laboratories and kennels.
 - b. Maintenance and repair shops.
 - c. Mercantile establishments and office facilities accessory to and supportive of the sale, processing and storage of goods and materials as permitted in this district.
 - d. Hotels, motels and similar types of transient accommodations. Nontransient housing facilities are not permitted nor may existing housing facilities be expanded.
 - e. Accessory buildings and uses customarily incidental to any of the above-listed uses.
 - f. Training facilities and vocational schools.
 - g. Public utilities, public service or public transportation uses or building, generating, purification or treatment plants, water storage tanks, pumping or regulator stations, telephone exchange and transformer or substations.
 - h. Plant nurseries and greenhouses.
 - i. Public uses.

The remaining uses and any future uses added to the uses permitted in the by right section of the M-1 zoning classification being proffered out and thereby not permitted. Also as an

additional general proffer, no buses shall be parked other than for immediate loading and unloading on this property.

2. For purposes of the sign ordinance, the applicant proffers to be bound by that portion of the sign ordinance for the R-1 zoning classification as established in Section 11-7-4 of the City ordinances, the signage permitted in the M-1 zoning classification being proffered out and thereby not permitted.

The three special use permits (SUPs) that the applicant had applied for included: to allow for reduced parking, to allow for charitable and benevolent uses, and to allow for a boarding and rooming house. The SUPs were approved with the following conditions:

- The boarding and rooming house along with the uses permitted by Section 10-3-97 (9) and the reduced parking privileges shall be only for the uses the same as the applicants proposed project.
- The property shall supply no less than five parking spaces.
- If in the opinion of the Planning Commission or City Council, parking issues become a nuisance, the reduced parking special use permit could be recalled for further review, which could lead to the need for additional parking spaces, conditions, restrictions, or revocation of the permit.

As defined in the Zoning Ordinance, conforming boarding and rooming houses, among other things, are required to complete an annual inspection by October 31st of each year and failure to perform such inspection automatically voids the SUP approval. In this particular case, the boarding and rooming house became null and void in 2019 as records indicate the property owner's last inspection occurred in 2018.

The applicant is requesting to rezone a +/-13,600-square foot parcel from M-1C, General Industrial District Conditional to B-1C, Central Business District Conditional. The property is addressed as 715 North Main Street and is identified as tax map parcel 40-T-10. The applicant plans to lease the property to Strength in Peers, who plan to operate a recovery residence on the site.

Note that staff presented a Zoning Ordinance Amendment to Planning Commission on November 8, 2023 to make way for recovery residence uses. City Council (CC) requested additional information from staff and tabled the ordinance amendment on December 12, 2023. At this time, staff anticipates presenting the Zoning Ordinance Amendment to CC again in February 2024.

Proffers

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

1. 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.
2. Drive-through facilities are prohibited.

3. No parking lot (excluding travel lanes and drive aisles) shall be located between any building and North Main Street.

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 Downtown 2040 Plan identifies the northern boundary of the Downtown Study Area as the intersection of West Washington Street and North Main Street. Although the subject property is outside of what is generally considered downtown, the property is located along a gateway into downtown and is within the North Main Street Corridor Enhancement Area identified in the Comprehensive Plan. The uses and design of this corridor should be taken into consideration while fostering this transition area.

As noted above, the property is designated as Mixed Use in the Comprehensive Plan, which, among other things, is a designation that promotes for “live-work” environments and traditional neighborhood development (TND). The Mixed Use designation description refers to TND, which is explained further in the Comprehensive Plan on page 6-9, and includes promoting walking, biking, and taking public transit. Proffers #2 and #3 promote pedestrian friendly design by prohibiting drive-throughs and restricting vehicle parking areas from being located between buildings and the public street. Note that the B-1 district has no off-street parking requirements.

Transportation and Traffic

The Determination of Need for a Traffic Impact Analysis (TIA) form (“TIA determination form”) for the proposed rezoning is attached. The TIA determination form indicated that the project would not generate 100 or more new peak hour trips, which is the threshold for staff to require a TIA.

Public Water and Sanitary Sewer

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

Housing Study

The City’s Comprehensive Housing Assessment and Market Study (Housing Study) places the subject property within Market Type D, which has “neighborhoods [that] are characterized by the lowest growth of any market type and low housing volume turnover.” Additionally, “[i]ncomes in different pockets vary greatly. Median household incomes across block groups in these neighborhoods have the broadest range: \$20,000 to \$91,000. This could point to a divergence of two conditions found within these neighborhoods: one of stable, high-income, low turnover neighborhoods and one of lower turnover in lower income neighborhoods.

Recommendation

With the proposed proffers, staff believes that the request is in conformance with the Comprehensive Plan and recommends approval of the rezoning request.

Chair Finnegan asked if there were any questions for staff.

Vice Chair Byrd said drive isles, are those when you have a road of some sort and then there are marked lots off the side of that road?

Mr. Fletcher said it is technically any space that is not for storage of vehicles.

Ms. Rupkey said imagine a driveway.

Chair Finnegan said basically they cannot park in the front yard.

Ms. Rupkey said that is correct.

Vice Mayor Dent asked but they can have a driveway if they want?

Ms. Rupkey said in front of the building, yes.

Mr. Fletcher said the driveway gets you to the rear of the property. [To Vice Chair Byrd] Is that what you are trying to decipher between?

Vice Chair Byrd said yes because when we went to the site there was an alleyway. Would this

be not including that?

Ms. Rupkey said correct because the alleyway is excluded from it, it is not part of their property.

Vice Chair Byrd said but to fit another travel lane, would that require destruction of the structure or at least manipulation of the structures existing footprint?

Ms. Rupkey said the concern is not particularly for this use, but in the future if the site were to be redeveloped.

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

Michael Wong, the executive director for Harrisonburg Redevelopment and Housing Authority, came forward regarding the request. He said with me is Nicky Fadley, executive director of Strength in Peers. Just a little more history about the property, we acquired the property back in the early 2010 era to be able to provide a different type of housing that normally the Housing Authority could not provide. We developed a lease with Our Community Place where they also subleased out the property with Tom Benevento's group. They were able to house individuals on the boarding house application, serving individuals that needed housing, but were not able to access housing for whatever reasons through the Housing Authority. It was a way for us to be able to address the need within our community for those who have already slipped through the gaps because of the systems. We were disappointed to hear about the special use permit being dissolved or terminated. We had not heard of the...every letter that we have received in regard for request for inspections we had forwarded on to the leasees and we were disappointed that those were not set up. Last year in July, Our Community Place relayed their plan to discontinue the lease situation and Strength in Peers was in need of a recovery house type of housing to support the clientele that they serve. So, we entered a lease to purchase agreement with them at that time under the stipulation that we are able to get the boarding house access. City staff recommended that we go down this route of the B-1 and then subsequently with the recovery house resolution. This is a little more detail in regard to the history of this property. We anticipate that Strength in Peers would be good partners with us in regard to use of the facility. If you have any questions about the planned uses, I think Nicky can go into detail about that. Thank you for your time and consideration.

Vice Mayor Dent said thank you for answering the question that I would have had, what happened to Our Community Project, Vine and Fig because that was a unique facility and I think they were housing refugees that resettled here, for example, or reentering from incarceration. That is unfortunate that was lapsed, but here we go with another case of boarding houses and what happens when you do not do the inspections. The other question is, since Council has not yet approved what we might revise of the recovery house ordinance, where does that leave this?

Mr. Fletcher said this is somewhat irrelevant between the matters. This is just a rezoning to a

district that would allow the use.

Chair Finnegan said one is not contingent upon the other.

Vice Mayor Dent said right, that was my question.

Mr. Wong said it does have some implications to us, we think. In regard to if the ordinance is not approved, then Strength in Peers would not be able to utilize the facility in the level that it wants to utilize it. Which will be a significant financial impact to them in regard to the utilization and addition to the lack of housing they can provide. At that point, I am not sure we would be able to go and apply for a boarding house application or something of the sort. I guess we will cross that bridge when we get there.

Vice Mayor Dent said as I understand it, the recovery house idea is it should be a by right use, but you are talking about rezoning it to business to be a boardinghouse.

Mr. Wong said no, I am not talking about that at all. B-1 will allow for all of the additional flexibility for the use. The special use permit to be able to have a boarding house would be the requirement we would look at if City Council does not approve the ordinance. I do not think there is any other option we have.

Mr. Fletcher said what Mr. Wong is trying to say is that if for some reason it does not get amended for the recovery houses, they could potentially be left with a zoning district that allows for all different types of residential facilities, but would not allow for the application of a boarding and rooming house because the B-1 district does not allow for that application and that would be their only other option to house the number of people they want to house. The hesitation, and rightfully so, of saying if we rezone it away from M-1 then we lose an opportunity to apply for the boarding and rooming house. What they could do is as they continue forward with City Council, and you play out the scenario where City Council approves the rezoning, they could put the application on pause and request for it to not have a second reading until after the ordinance amendment is approved to their favor.

Ms. Dang said that way it would remain zoned M-1 until that second reading on the consent agenda takes place.

Vice Mayor Dent said so the M-1 would allow for the...

Mr. Fletcher said a boarding and rooming house and a recovery house are two totally different things. All that matters to them, to simplify it, is the number of people. So, disregard anything associated with how they might operate, it has everything to do with the number of people.

Vice Mayor Dent said recovery houses are up to eight by right, boarding house can allow ten.

Mr. Fletcher said that is correct.

Chair Finnegan said I would be interested to hear from the applicant how this property would be used if this goes according to plan.

Nicky Fadley, with Strength in Peers, said Strength in Peers is a local non-profit peer run recovery community organization. We are entirely individuals who have personal experience with recovery in mental health substance use and trauma related challenges. We do peer support; our main office is two blocks from this property and one of the main services that peer run organizations provide across the country are recovery residences. They are an evidence-based program. We are very happy with the fact that you all have been supportive of the recovery residence ordinance amendment. A recovery residence, for us...what we are interested in doing at this property is what would be a level two certified recovery residence under the Virginia Association of Recovery Residences. It would be a property that would have a live in volunteer house manager who could have a job during the day but in the evenings and overnight they would be at the house able to provide support and supervision to the people living in the house. They would also help to make sure that people are following rules. They would be the point of contact in case something was to happen, they could contact us as staff in the event of any kind of situation or emergency. They make sure that chores are being conducted, that the house is being kept up, just be our eyes and ears on the property and in exchange for that volunteer service they would have no program fees. We would have seven additional participants who would live in that house. Those would be individuals who are committed to recovery from substance use of drug or alcohol addiction and who agreed to sober living. A recovery residence is considered a sober living house. So, while our organization has other programs that have various kinds of recovery that is supported from harm reduction on, a recovery residence is meant to be for sober living. and that is because if people are all living together and working on recovery and they have various different kinds of recovery, it really could impact negatively one person's safety, health and recovery to have somebody else using or possessing or being affected by drugs and/or alcohol. So, the program would be for as long as people want to stay there, we do not want to kick people out because their recovery path and journey is their recovery path and journey. It would not be considered permanent housing, people would not sign a lease or anything like that, it would be a program which they would be enrolled in and they would have a program fee that they would be responsible for. That promotes their growth and responsibility and living skills. We know that most people do not want to live doubled up in a room with seven other guys for a really long time. And so that promotes people's desire to move on and go on with their lives in a much healthier and happier way. Any other questions?

Vice Mayor Dent said not a question, but I am just really pleased to hear you say there is a live in volunteer resident keeping their eyes on it, that makes all the difference in the safety and the continuity of the program. Excellent work for Strength in Peers.

Chair Finnegan asked if there were any questions for the applicant. Hearing none, he asked if there was anyone in the room or on the phone wishing to speak to the request. Hearing none, he

closed the public hearing and opened the matter for discussion.

Vice Mayor Dent said maybe what I said was more of a discussion than a question. I am still very confused by the zoning thing, but you worked it out.

Chair Finnegan said in Harrisonburg, have we ever had an SRO, single room occupancy, zoning designation or anything like that?

Mr. Fletcher said I cannot recall that we have had a district for it. Boarding and rooming houses, the process was a bit easier in years past because it was by right in certain districts.

Chair Finnegan said is the difference just in number like how many people can live there.

Mr. Fletcher said I honestly do not know.

Chair Finnegan said I just know there are lots of other cities looking into SRO zoning, I was not aware of the differences. How do we feel about this? I would be in favor.

Vice Chair Byrd said I was just trying to make sure I understood the proffers and the difference between how staff presented here and what it was written on our papers here. There are signs that was more concern about number three.

Ms. Dang said in past rezoning applications where similar text has been provided, the word "including" was used in place of where it says "excluding." If you can recall Mr. Sallah's property on West Wolfe Street and then the Lucy Drive where Woda Cooper had done their rezoning, the language was... on the other rezonings it said "no parking lot including travel lanes and drive isles shall be located between any building in whatever the public street is." So that meant that there could be no parking lot and no driveway, no u-shaped pull off, nothing. We just wanted the building to be massed towards the public street. In this case where the applicant has modified the language and said excluding travel lanes, it just means that you can put those travel lanes and drive arounds between a building and the public street. While we as staff would prefer the language as "including," as Ms. Rupkey explained, our thoughts are this is a small lot and there are other benefits with this rezoning that we ended up recommending approval. You may see on another rezoning application along this corridor depending on the situation, we might feel more strongly about the text, how that proffer might be worded. Does that help?

Vice Chair Byrd said yes. It is sounding more like thinking in the future if they needed to deal with the building structure itself and rethink lanes. Only because I knew the alley existed.

Ms. Dang said what I recall is that they were trying to protect their interest on the hypothetical chance that alley could get closed by the City, what other options might they have. While at this point in time staff does not foresee us recommending...the adjacent owners would have to want to come in with an application to close the alley, that was also something that the applicant was

concerned about.

Vice Chair Byrd said that was the part that was really in mind, I was going “there is that island there why would you do this?” Barring that I now understand staff’s comments concerning that proffer, I would be in favor of this. Therefore, I will make a motion to welcoming approval of the rezoning request.

Vice Mayor Dent seconded the motion.

Commissioner Alsindi said I know this comes late but again when we say it is for the wording and meaning, when we say “excluding” does that mean that we still can park over there? The action of parking can happen, that is what is misleading sometimes with the word “excluding” that you are in preference for the “including.” We say no parking lot I know the focus becomes on the lot, but the act of parking is still there when you say excluding travel. Does it mean I can still park in travel lanes?

Mr. Fletcher said it might help to understand that the definition of the parking lot includes all of those things. It includes travel ways, loading areas, driveways, it includes everything, essentially, that is paved. So, what this is saying is they just would not have the parking spaces in front of the building but you would be able to traverse over the area to get to the rear of the property.

Commissioner Alsindi said even any temporary parking happens there takes place.

Mr. Fletcher said I would likely think if somebody were going to stop there and pause for 15 minutes to unload furniture, that is okay, but it is not meant to be for parking.

- Commissioner Baugh Aye
- Vice Chair Byrd Aye
- Vice Mayor Dent Aye
- Commissioner Alsindi Aye
- Commissioner Washington Aye
- Chair Finnegan Aye

The motion to recommend approval of the rezoning request passed (6-0). The recommendation will move forward to City Council on February 13, 2024.

A motion was made by Byrd, seconded by Vice-Mayor Dent, that this PH-Rezoning be approved. The motion carried with a recorded roll call vote taken as follows:

Yes: 6 - Finnegan, Byrd, Washington, Baugh, Vice-Mayor Dent and Alsindi

No: 0

Absent: 1 - Armstrong

5. New Business - Other Items

- 5.a. Consider a request from EP Harrisonburg Owner LLC to preliminarily subdivide three parcels totaling a +/- 62.5-acres addressed as 1010 Garbers Church Road and 1645 Erickson Avenue

Chair Finnegan read the request and asked staff to review.

Ms. Dang said in February 2023, City Council approved a rezoning of +/- 99.75-acres from R-1, Single-Family Residential District, R-3, Medium Density Residential District, and B-2, General Business District to R-7, Medium Density Mixed Residential Planned Community District. The rezoning included the submission of a required master plan regulating text and an associated master plan layout, which together with the submitted proffers are the “zoning” by which the development must abide. A copy of the master plan and proffers are attached herein.

Note that the acreage impacted is 63.65 acres, however this preliminary plat request is to plat +/- 28.31-acres of the total +/- 99.75-acres of the master planned development.

The applicant is requesting to preliminarily subdivide +/- 28.31-acres of property by dedicating public street right-of-way for new public streets and by creating 106 townhome lots, 38 single-family detached/manufactured home lots, two multi-family lots, five common area lots, three lots for stormwater management ponds, and one lot for a private street. The applicant plans to construct 83 multifamily dwelling units on lot 145 and 63 multifamily dwelling units, which are planned to be senior housing, on lot 146. The applicant intends to construct the multifamily buildings after construction of the for-sale housing (single-family detached/manufactured homes and townhomes) begins.

The preliminary plat also includes requests for variances to deviate from requirements of the Subdivision Ordinance.

Note that the proposed street names are preliminary. As part of the administrative final platting process, staff will ensure compliance with street naming and addressing standards. The applicant is also aware that the name of the development will likely not be able to be “Bluestone Town Center” due to other streets and developments in the City having similar names. The applicant is working to propose a new name for the development.

Land Use

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

These areas have been developed or are planned for residential development containing a mix of large and small-lot single-family detached dwellings, where commercial and service uses might be finely mixed within residential uses or located nearby along collector and arterial streets. Duplexes may be appropriate in certain circumstances. Mixed use buildings containing residential and non-residential uses might be appropriate with residential dwelling units limited to one or two dwelling units per building. Attractive green and open spaces are important for these areas and should be incorporated. Open space

development (also known as cluster development) is encouraged, which provides for grouping of residential properties on a development site to use the extra land for open space or recreation. The intent is to have innovative residential building types and allow creative subdivision designs that promote neighborhood cohesiveness, walkability, connected street grids, community green spaces, and the protection of environmental resources or sensitive areas (i.e. trees and floodplains). Residential building types such as zero lot-line development should be considered as well as other new single-family residential forms. The gross density of development in these areas should be around 7 dwelling units per acre and 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.

The preliminary plat complies with the general layout of public streets and housing areas illustrated in the development's master plan.

The development's master plan requires that parcels containing single-family detached homes, manufactured homes, duplexes, townhomes, and multifamily units shall have a minimum of one (1) parking space per dwelling unit. For multifamily dwellings designated as senior housing, the master plan requires a minimum of one half (0.5) of a parking space per dwelling unit. Off-street parking requirements for the proposed multifamily dwellings will be reviewed more closely during the engineered comprehensive site plan review.

The applicant has explained that they plan to have the front facades of most dwellings face public and private streets. The exceptions would be for townhome lots 1-10 and 61-91, which will have the front facades of the dwellings oriented towards the parking lots located in Common Areas 1, 2, and 5. Staff has no concerns with the front facades of lots 61-91 being oriented towards parking lots. However, staff believes lots 1-10 should orient toward the public street. Staff acknowledges that the townhomes would be between four to nine feet above the grade of the Blazing Star public street and believes that despite the grade difference, the community would be better served if the front facades of lots 1-10 are oriented toward the public street. As discussed below, staff is recommending a condition to require the units on those lots to front a public street.

Transportation and Traffic

A Traffic Impact Analysis (TIA) for this development was performed during the rezoning process. The subject property's existing regulating proffers, a Street Improvement Agreement with the City, and the Master Plan - Public Road Layout document, together provide for the necessary mitigations to address the development's impact on the existing streets, as well as, to create a network of connected streets within the development to distribute traffic. The necessary transportation improvements will be constructed as the development progresses.

On sheet 3 of the preliminary plat, while not a requirement of the master plan, the applicant shows a 10 to 20-foot wide public sidewalk easement between the private street identified as Larkspur

to Garbers Church Road. Should the need arise in the future for sidewalks at this location, the City could build a sidewalk here. The applicant has also illustrated that they will dedicate public access easements over the Larkspur private street and on Lot 145, which are privately owned and maintained streets, travelways, and sidewalks that will be open for the public to use.

Public Water and Sanitary Sewer

As required, all lots would be served by public water and public sanitary sewer. The preliminary plat illustrates where water and sanitary sewer lines would be provided so that each new lot would have access to public water and sewer.

Subdivision Ordinance Variance Requests

Section 10-2-42 (c) of the Subdivision Ordinance requires all parcels to have public street frontage. The applicant is requesting a variance from Section 10-2-42 (c) to allow townhome lots 1-10 and 34-91 to not have public street frontage. This deviation from the Subdivision Ordinance has been approved multiple times throughout the City for many existing townhome communities and staff has no concerns for this project. The same variance is also needed to allow the creation of common area lot 153.

The second variance request is to Section 10-2-43 of the Subdivision Ordinance, which requires a 10-foot-wide public general utility easement along front lot lines and any lot adjacent to public right-of-way and requires at least a 10-foot-wide public general utility easement centered on the sides or rear of lot lines. Sheet 3 of the preliminary plat illustrates the proposed locations of 10-foot-wide public general utility easements, where some of the locations are modified. Public general utility easements are provided for utilities, including water, sanitary sewer, storm sewer, electric, natural gas, television cable, telephone cable, and others deemed a utility by the City. The proposed public general utility easements would not preclude utility companies from negotiating alternative easements with the property owner(s). The requirements, as specified in Section 10-2-43, are intended to ensure that necessary areas are reserved for the needed utilities in traditional subdivisions. Staff does not have concern with the proposed development deviating from this section of the Subdivision Ordinance.

The final two variances being requested are from Sections 10-2-41 (a) and 10-2-61 (a), which are associated with public street design standards. Specifically, Section 10-2-41 (a) states that “[p]roposed streets shall conform to the standards and specifications outlined in the Design and Construction Standards Manual (DCSM) except that variances to the standards for streets, alleys, blocks, easements, sidewalks, and all such related features may be approved on a case-by-case basis by the city council when” particular objectives are met. Section 10-2-61 (a) states that “[t]he subdivider is required to make all such improvements to streets, including grading, subgrade, surface, and curbs and gutters, in accord with the requirements of the city's DCSM.” In particular, the applicant is requesting to deviate from DCSM Sections 3.10.2.3 and

3.6.4.1. The applicant has submitted supporting documentation explaining the reasons for the requested variances. Staff supports all of the variances that have been requested.

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 student generation attributed to the proposed residential units is estimated to be 100 students. Based on the School Board's current adopted attendance boundaries, Bluestone Elementary School, Thomas Harrison Middle School, and Harrisonburg High School would serve the students residing in this development. Harrisonburg City Public Schools (HCPS) staff noted that schools are over capacity in three of the six elementary schools. Note that the City has been planning for the purchase of land for a 7th elementary school for a number of years as such a project continues to be listed in the City's Capital Improvement Program.

Recommendation

Aside from the variance requests as described herein, the preliminary plat meets all other requirements of the Subdivision Ordinance. Staff supports the variance requests and recommends approval of the preliminary plat with the following condition attached to the variance from Section 10-2-42 (c):

- Exclusive of multi-family units, all units shall have their front facade facing a public or private street, except that lots 61-91 may front facades toward private parking lots.

Chair Finnegan asked if there were any questions for staff. This is not a public hearing, are we okay with inviting the applicant to speak to this?

Ed Blackwell, applicant's representative, came forward to speak to the request.

Vice Mayor Dent said I was just scanning through, I have not read word for word, the articles of the covenant and Bluestone Town Center Homeowners Association and what got my attention here is condition...page 8 article 5 Use Restrictions section 5.12 Conditions. I do not know if you are the one to answer this. "Lot improvements shall be kept at all times in a neat attractive safe and structurally sound condition some leeway during periods of construction. Weeds, grass and dead trees shall be routinely cut and building exterior should be routinely painted provided that any change of exterior colors shall require prior approval." What I am concerned about is allowing for natural gardens. I know that in Maryland there was some kerfuffle with a neighbor not liking somebody's pollinator garden. So, it escalated to the point where Maryland passed a law that a homeowners association cannot prohibit natural gardens. Now we do not have that in

Virginia, but I would hate to see a covenant prohibit rain gardens, pollinator gardens deliberately. I mean however it is worded in our tall grass and weeds ordinance that if there is a deliberate intentional natural garden, not just nuisance or neglect, that is maybe a subjective opinion, but I want to be sure that gardens are allowed.

Mr. Blackwell said we can definitely circle back. We came up with a homeowners association document, our attorney got it to staff and there were some comments. Right now, it is still a draft, it is not final until the final plat, so we would be more than happy to look at that and work with Wesley, Adam, and Thanh. That is getting into the weeds that we would be more than happy to...I do not want to exclude somebody. There are some nice water gardens and stuff that can be done but I think both of us would be open to making sure the attorney addresses that to the City staff's satisfaction.

Vice Mayor Dent said noxious or offensive activities, now this is the covenant of the homeowners association, right? So, if a neighbor reports a nuisance, then that is an issue for the homeowner's association and even if it does not escalate to the police, I mean I do not know how those things work.

Mr. Blackwell said the homeowners association has some legal rights that are binding based on the restrictive covenant, the homeowners association documents. That is all they can legally enforce, those documents, which protects all homeowners in the subdivision that they agree to these documents when they buy the home.

Vice Mayor Dent said is there a noise ordinance? Well, we have a noise ordinance.

Mr. Blackwell said there are all types of things and Richard can speak in more detail. You can get a homeowners association really restrictive. I think we are trying to get that middle of the road but there are sometimes where you have a homeowner who kind does more than they are allowed by the homeowners association and City staff cannot do anything about it. It is not a civil problem. When I say civil, it is not a zoning problem or a criminal problem so then the homeowners have the civil right to enforce that covenant. That is getting into the weeds as far as me as the engineer, but we would look at the pollinator and rain gardens and making sure some of those things are addressed.

Vice Mayor Dent said the final thing, 5.19 on the next page, "clothes lines in public view is prohibited it has to be in a fenced area screened from view," but that would mean somebody would have to build a fence in order to put up a clothesline. That kind of seems overly restrictive.

Mr. Blackwell said we can look at that. I think the goal there is not to have it sitting out, you cannot put a clothesline in the front yard.

Vice Mayor Dent said maybe that is a distinction, not in your front yard but maybe in your back yard.

Mr. Blackwell said it is to have it around, so it is just not in the general public view. You are right, if somebody has it in their backyard, even if the yards are fenced and the street is up a little bit, you can maybe still see it.

Vice Mayor Dent said those are very picky, but I just wanted to make sure you are not overly restrictive to the owners, because after all clotheslines are ecologically more efficient.

Mr. Blackwell said I do want to speak on the ten lots that I think we have worked with staff over

the last while and we have this thing pretty tight with this plan. The ten lots when you first come in off of Garbers Church Road on the left, we are coming through some cut and then we get up to a driveway. The first four lots, we have a 15-foot buffer strip between the City right of way in the back of those lots. Then you go in, and you have the house, but the house because of the rock, it is not going to have a basement, especially any of those ten. It has been set back off the road and up anywhere from eight to twelve feet above the street. So, we just want to get those off the road and have those front on the parking lot behind it. I understand staff's concerns because we have had sometimes where the lot line was nearly a foot from the...or even the unit did not front on a public street and did not face the public street. In this case, we have a big grade change, especially those first four. If I have a rear door, it is ten or twelve feet above the road for the first four. As you go up the hill, the units are staying flat, and road is coming up so the next six are about five or six feet to about three feet above the street. So, as they get closer up the street...units 8, 9, and 10 in that packet, I am getting closer to grade. Our thought was we just had the units off the road and with this 15-foot common area buffer we have our tree plantings in there. That was our thought process because of the grade change on the first four we did not want to front those units on the street that is literally right there because you are not getting in those units from the street, you are getting into those units from the back. We went back and forth with City staff about that, and our client would like to keep those units open to fronting on the parking lot with that buffer strip. We had 10 feet at one point, and we made it 15 but there are some grade changes coming from the first four that are probably significant.

Vice Chair Byrd said so you are saying that coming from the street towards those units...

Mr. Blackwell said [pointing to image on screen] the street would be here, and our units would be here. So, if I put a front door on the street side, I am going to be 10 to 12 feet above the street 15 feet over. We thought there is enough gap there in elevation that we did not need to have the front of those units fronting on the street because it is not really accessible to the street.

Vice Chair Byrd said right, because then they would end up with having to have a stairway.

Mr. Blackwell said well, we can make a false front door, but it is somebody's back of their house because they really have to get into it from the parking lot. We have talked with our client and the owners who voiced that they would prefer those units to front on the parking lot and maybe have a little patio there in the back. We would make a front door facing the street, then it would not be able to be used as a front door. I understand where the City's concern is, but it is a way to get some separation to put a 15-foot common area to help... that separation between the street and the houses.

Vice Chair Byrd said so what I am asking is you do not foresee any legitimate exit from the residence onto that street? If I was living in there and I walked out a door, I am not walking straight...?

Mr. Blackwell said I am going to say for the first four. I cannot say units 8, 9 and 10 because the grades are starting to get closer that someone could come out their door and get to the street.

Chair Finnegan asked if there were any questions for the applicant's representative.

Mr. Blackwell asked any questions on the street variance? We worked through that with staff and before I came to a common agreement. I did want to mention that some of the street variance

request we are doing came from the City, therefore the traffic calming should really be in the City's DCSM, it has not really caught up to the City traffic calming in residential neighborhoods has proven to be drastically safer for the kids in neighborhoods. I mean we are talking a 50 percent reduction in deaths or serious injuries in neighborhoods with traffic calming. So, we started putting the streets together, the first thing the City said was "hey, we would like some traffic calming even though it is not quite in our DCSM." I do think there are plans to adjust that DCSM. We were more than happy to work with the City because I did not realize how helpful it really was for [inaudible].

Vice Chair Byrd said can staff remind me again, is it just an aesthetic reason or any other reason for the frontage?

Ms. Dang said I would say that it is for the aesthetic reason so that on a public street you are not looking at people backyards as well as the back of [inaudible].

Mr. Fletcher said but really like the sense of place when you are driving into it. Just to give you a real-world experience, in the City of Harrisonburg if you travel Lucy Drive often you will notice that all of those units have the rear of those units facing the public street. So, some other experiences of what that sense of place is in that area. It is just making sure that those units feel like part of a community.

Chair Finnegan said there also is the one that comes to mind across from Thomas Harrison [Middle School] those townhouses, they do kind of have false fronts that face [Route] 33. Trying to reimagine those being flipped, I think it would be disorienting from 33 to kind of see those.

Mr. Fletcher said I do not know if I would call them false fronts, those are literally the fronts of the units. It is just that they have those really long front yards because it is probably the right of way width of Route 33. When you drive in the back of those, you are just looking at the back of the home, it is like their main entry for their building style.

Chair Finnegan said I guess I bring that up as an example of very few people probably use those front doors, but they seem to function fine. I would be okay with keeping the condition as staff suggested even with what we know about the grade, and we have seen it elsewhere and I agree with staff.

Vice Mayor Dent said I would too, partly for consistency's sake. I mean it is a part of the aesthetics if you have say units 5 through 10 facing the front and then units 1 through 4 are facing the back, then it looks out of kilter. If they were not right side by side, I would be a little bit more lenient with it, but I would say let's keep them facing the public.

Mr. Fletcher said I suspect that the applicant would face all of the units inward even when they could make it work for their own consistency. I presume that they have a particular product that they want to build as a style, and this might make them rethink the style of unit they may put there. I do not know, but we hope that is the outcome.

Vice Chair Byrd said when I was in Winchester, a friend of mine his house fronted a common street and he lived close to a school so it made sense that everything looked like it was a neighborhood but since he lived there and I would visit there often, the back door was basically the practical front door of the house and I was like "do all of neighbors act that way?" and he was like "yeah why would anyone go out of the front door if you are just walking to the street."

Everyone’s cars are in the back” See that those residences, in my limited experience, they were not really concerned with the architecture in which way the building is fronting. I do not think it would hurt the developers with that slight architectural concern in making sure they were able to sell the houses. I will make a motion to approve the preliminary plat and variances with staff’s conditions.

Vice Mayor Dent seconded the motion.

Commissioner Baugh Aye

Vice Chair Byrd Aye

Vice Mayor Dent Aye

Commissioner Alsindi Aye

Commissioner Washington Aye

Chair Finnegan Aye

The motion to recommend approval of the preliminary plat request passed (6-0). The recommendation will move forward to City Council on February 13, 2024.

This Action Item was approved.

Yes: 6 - Finnegan, Byrd, Washington, Baugh, Vice-Mayor Dent and Alsindi

No: 0

Absent: 1 - Armstrong

5.b. Presentation by Commissioner Heja Alsindi - "From Vision to Reality: A Strategic Approach to Comprehensive Planning"

Commissioner Alsindi said thank you very much fellow commissioners and staff, thank you for this opportunity. I stand before you here today in three capacities: commissioner, but also an ex-university professor and a consultant in this area, planning. The idea behind this presentation is to share with you perspective, perspectives for some of the experiences that I have experienced. By no means am I criticizing, but maybe giving critical or critiquing certain things just to provide a constructive perspective to make things better in relation to the Comprehensive Plan, generally. Especially that we are heading towards planning and then coming up with a new Comprehensive Plan. Why vision totality? I will be very frank, from the experiences that I have seen, visionists consider it as sometimes as insignificant, secondary, a dream, imagination, not related totality hence it is not taken as seriously as it should be. Today, I want to present the opposite of that point of view with some observations. I have been using this and I am really in support of and fond of this saying that summarizes probably the whole presentation “Vision without action is a dream. Action without vision is simply passing the time. Action based on vision is making a positive difference.” And by positive difference there is a linear explanation change from A to B to Z. From what I have seen in certain cases, especially overseas where I have been involved with the International US and United Nation organizations, many of the local authorities and public organizations mostly fall into the second part of the statement, the action more than the vision. I

would like you to think: Where is the action? Where is the vision in order every time we meet? Which one is mostly action? Which one is the vision? Which one are we busier with? Where is zoning from these sentences? I also believe that if it does not change, then there is no real hand behind any planning. So, you can become who you want to be. If you do not know who you are... first we need to start by knowing where we are. Where is Harrisonburg from what we think we should be? If you do not know who you are, that is also an issue. You can become who you want to be or the different/the new version of Harrisonburg, you, in this perspective. In this case we are talking about planning in the City. I also agree...I was going through the certification program but also reading again and again this sentence, it caught my attention. That one comment [unintelligible] as it has evolved over the 80 plus [years] is that today its members tend to spend most of their time reviewing, processing development requests at the expense of larger planning issues that have long term consequences for the community. The fact is that we need to establish a vision, that is our main job. That does not mean we do not do other actions. However, to establish a vision, citizens want to know that leadership is doing more than just reacting to day-to-day issues and that their decision making is based on a long-term vision to serve as a basis for review. How many times do we look at the vision, think of the vision, and put it in front of us while we make decisions regarding the action side of the statement? The plan should be used as a regular of the Planning Commissions review of development applications to ensure that they are consistent with the communities. There is the long term, but, again, the vision. So, as I probably presented in my summary, strategic planning does not mean long-term necessarily. The Planning Commission guide also states that it may go by different names such as "General Plan" or "Master Plan." I think this distracts planners from the real essence of Comprehensive Plans. Whatever it is called, its purpose is to establish an overall vision. I put "overall" in red because I think sometimes people are taking, by mistake, the word comprehensive... not considering everything, which is necessary, but to then being master of all, jack of nothing in that document. So, the "overall" is there but again the word "vision" is there and "overall vision" not just an "overall plan." Yes, indeed the best plans should be strategic. The words strategy, strategic and [unintelligible] come from strategists, the commander, the one who knows where to take the army. There is a direction, there is a destination, again, there is the B, C, D; rather than a dream sheet. We need to consider the internal and external issues that are happening or might happen and might end a certain situation in the coming years. I find it necessary to establish some notions here. Values are like a compass that keep us headed in a desired direction and are distinct from goals. This, to me, is very necessary. While goals are the specific ways you intend to execute your values. By the way, please if you have a question, you can stop me. A graduation of how planning is done usually; you start by defining your values, what do you believe in with regard to Harrisonburg? And then we develop the mission from those values which is equally as interchangeable. The mission is who are we, so the idea, it is those values put together that represent us, then we can decide. Only then we can decide on what is the change that we need to be, the different us. That is why then we develop the vision and then we decide on the implementation or the strategy and then we have the different outcomes. Stable environment, investors the way we want to [inaudible]. This is just an example to show you that a long time ago, this is probably from the 70s how organizations... I

mean we scrutinize; we have an irrational view of how mission statements and visions should look. This is a matrix that identifies if the mission statement for Company X, as an example, has those dimensional aspects that they need to cover. Does it have the philosophy? Yes. Is there a self-concept dimension? No. Is there concern for public image? No. Is there concern for employees? No. There are dozens of more criteria aspects that are considered. So, this is how we evaluate if a mission statement is going to make a difference. The same is applied to vision statements as well. I would like to draw your attention to the vision statement for Harrisonburg 2018, these are the main key words the closest example to a vision is probably a constitution of a country. There are flexible constitutions and more rigid constitutions and each of which have their pros and cons, however, key words in having a content analysis for mission statements tell us what is going on. "The City of Harrisonburg - where citizens are inspired," that is the first key word as a citizen that I would look at, "to work together to create a great place to live, to raise a family, to learn, to work and to prosper." Now, I know there is much that comes afterwards that this is the vision now, it captures the rest of the document. I am not here to ask you, but just to consider, if we go to the definitions of value and goals again and put them as key definitions here for us and look into those key words in the vision statement on the left, are these more values or goals? What is the implication if they are merely values or goals? If they are goals, are they clear and specific enough to implement and evaluate later on by us and the public? I will leave the answer key to [unintelligible] Just take an example like to raise a family, is that a value or is that a goal? Now, universal definitions, visions yes, that is what in fact decides values as visions and idealizes it. Yes, it is achievable. It is vision, it is something that we see, it is not a dream again. It is something that we should be able to see in the future. Of where and what an organization, being the City here, would like to be in the future. Where are we in the future? Learning, working together, raising a family or what. A mission is an enjoying statement of purpose, who are we? It describes what the organization does, who does it, how it does it, and the guiding principles. Again, the philosophy of the values that we believe in. What are the values that we believe in? Are they [unintelligible] Values and philosophy of an organization that guides the behavior of its members, being the people who live in the City. Now, I am sure you have heard, you have done, you have practiced a SWOT analysis but let me give you some examples on how it is used in strategic planning for city, towns, and Comprehensive Plans. Every weakness and strength here are inside the City, threats and opportunities or challenges are outside the City. Every one of these could be values or could be objective issues that could be turned into goals, or it could be turned into values. Let us take an example of this weakness in this case study. Lack of positive media coverage, they have a water issue, but could you imagine how this weakness should be cured, solved, how it should be injected in the vision for the City in the future. Is it a value or should it be turned into a goal? Same applies to others. I have used this example probably 15 years ago, that is not a good statement because that would be too old and it is old but it is a case study and the interesting part is that I have used it back overseas and I never knew at this time that I would be standing here in a city in the United States, proudly, talking about the same case study that I have used elsewhere. This the Emory Health Vision, there is the time factor span. Again, one of the aspects of evaluating good missions and visions. What does it say ladies and gentlemen? To be

recognized as the leading healthcare system in the geographies over there. The main goal is that they are leading healthcare differentiated by discovery, one, innovation, two, and compassionate patient-focused care. Each of those words, are they values or can they be measured the more objective and they look like goals more? The interesting part is that I remember that I have used this example many times and I have said could it be the case you believe that in a...well I have used it in a less advantaged systems. I have said if I put this word in red, compassion, would you believe it that a health system in the United States, even in 2007, as compared to elsewhere they lack this.” This means do they have this as a goal and the answer is yes, because in SWOT analysis that statistically there are uncompassionate with patients. If they continue this way, they will lose patients, they will lose budget as well. Yes, they are uncompassionate, they probably deal less humanely with patients, questionnaire surveys have proven that. Same implies for innovation, they do not innovate but now they want to innovate, they want to be compassionate, they want to be patient-focused, they know what they are doing and they are taking this organization to a certain place and the budget is going to be improved based on that, it is going to be money after this is approved. Same applies to another example, school of medicine. Let us go back to the mission statement because first you start with the mission and the values are over there. The mention of Emory University School of Medicine is to provide outstanding education programs, it looks like a goal outstanding, but it is a value, to develop excellent scientists who create knowledge and integrate it into the practice of medicine and so on and so forth. They are accountable for these words but then above there is a vision statement, the vision of this university is to be competent, they are taking responsibility for this, stacked by 2012 timespan. As a leader in what innovation, they need new ideas. Research achievement, they are bad in research, and clinical excellence, I love that. It means they are not good as clinicians. I can read through this vision statement what they lack and what they want to be and they are definitely looking to their selves from the perspective of others as well. Again, they have been graduating people who lack clinical excellence. Probably most likely depending on results on tests and machines and so on, there is no diagnosing. Let us take a look at some visions from Comprehensive Plans in cities I have captured. The City of Fort Collins in Colorado, I am not saying these are perfect. “Vision for the world class community,” okay there is inspiration but let us see if there is also measurable goals. “Through innovation” why did they say innovation? “Sustainability” they are afraid to lose what they have achieved “and connections” the word connections is very critical here. “the City of Fort Collins aspires to create a vibrant energy dynamic,” it means they do not have it. What do we need? That is a value turned into a goal and they are responsible in countering for that. Same goes for Austin’s future. I love the way they have put it, “a vision for Austin’s future is the time as it approached the 200th anniversary. Austin is a beacon of sustainability and economic opportunity. “Social equity” here is more a value than a goal. “Economic opportunity,” how? I will be asking the Department of Economic Development, tell me how this is going to be achieved. “Where diversity and creativity are celebrated,” value, “where community needs and values are recognized,” seems that there is diversity over there and they want to create some equal opportunities and so on. “Where leadership comes from its citizens,” seems that is also an issue for them, “and where the necessities of life are affordable and accessible to all.” How many of us

have heard of Lawrence Halprin? This is the architect who designed the Downtown Mall for Charlottesville. I would like to quote his way of looking into modernism “to be properly understood, modernism is not just a matter of cubist space but of a whole appreciation of environmental design,” by the way, why did they hire him in 1969? The idea emerged from meetings by the Chamber of Commerce, but why this man who has also has a part in Downtown New York. “, as a holistic approach to the matter of making spaces for people to live...modernism, as I define it, and practice it includes and is based on the vital archetype needs of human being as individuals as well as social groups.” It seems they have this issue in Charlottesville. “Completed in two phases between 1976 and 1980, the Downtown Mall serves as an excellent example of the urban design vision to accommodate for movement through space.” And “in his best work he constructed landscape architecture as a narrative.” I took some snapshots from [Harrisonburg] Downtown 2040 plan and I was looking at those two [unintelligible], great job, on the left these are the ideas of how to connect Downtown Harrisonburg to its rich history. Is it more of a how much of these were implemented? I do not know; I would like to hear me more. Is this a dream sheet? Is it an introspective? On the right, there is a photo which implies more of the we love Harrisonburg the way it is, which is fine, the question is how much are we irrational and how much are we normative? Normative means that we look into what people love. The rational side of it like what Harrisonburg needs truly downtown, for example, is also an issue in planning that needs to be considered. How much that has been captured, that is he question. I was looking at the Chamber of Commerce for Charlottesville, again, I am not doing any advertisements just stating facts from a very objective scientific point of view. I saw that they have a mission and visions as well. Again, I am not saying it is perfect but the engine behind that thinking I was interested in what they believed in and Charlottesville and the Chamber of Commerce advocates, that is the mission. Engages to strengthen business in the greater Charlottesville region.

This is the history that I mentioned. So, from left to right, not to do incremental changes to the downtown but drastic radical ones, the vision. Taking it from A to B to Z, the change, the understanding of the difficulties, economic social ones that they can do this and spend money increasing that kind of walkability over here. Not just passing by, we have curbs, but the close interaction amongst people what made them think of that. I was interested... on the left I took that picture in Charlottesville and on the right is Harrisonburg, this is our downtown. Again, vibrant downtown, that is the keyword in the constitution, their vision. They were responsible for it, and they did it in that way. Then I looked into yeah, cities have characters, colors, identity. What is the identity and character that we are looking for in the next four years in Harrisonburg? That is the imaginative side of a vision. They created this walkability, if you look at it, the close interaction because there is probably segregation happening and they want to pull people to be in touch with each other, rather than just walking on the sides of pavement. Plus, the economic advantage. Now, this is a framework for strategic planning. We do SWOT, strength, weaknesses, opportunities and threats and take an example of it. If you have a weakness called low interaction amongst citizens, and I am not saying necessarily that is the case, there is low interaction, that is the SWOT, it becomes a value for us to think of, what we believe in. More chances to meet

others, that is the value that we believe in because we are trying to overcome the issue and then it becomes a part of our mission. That is where the Friendly City fits and then one keyword of the vision could be a vibrant downtown, that is what we want. A vibrant downtown will become something like this. Now, how much the document has achieved that is a different question. I believe that moment answers all the questions on if the Zoning Ordinance should be before or after. For me, definitely after. If you do not have a vision, actions will be just passing the time. You will not reach your vision if you keep changing things back and forth because you do not know where you are heading. Most of the quotations here support that. Well-crafted community plans can serve as your guide for values and then ensuring that investments align with the plans of vision. If I were to put together a mission statement for the City of Harrisonburg, first who are we? Unless you know who you are, you cannot have a version of this. The City of Harrisonburg believes in value one, socializing diverse citizens. That is what we say, we say we are a welcoming city were a friendly city, what is next? Socializing, that is the action. Value two: interactive walkability, not just walkability, interactive. Strong economy as a result of walkability in downtown, closing the road and that is what I am advocating for. Clean environments, fine, understood and environmentally friendly. The vision would be as an example “the City of Harrisonburg by 2027...” the time always reminds the public and puts accountability on us as well “...will be recognized” we need to recognize ourselves. You need to have your identity, character. “...as the top vibrant and social city in the Valley...” geography and the main goal is there. “...through having an interactive walkability downtown...” now we need to design and allocate the budget for it. “...diverse and economic functions...” shops will boost in that mall or plaza, “...exceptional learning and job opportunities...” where is JMU and EMU from the story of creating this identity with us. “...and parks and environmentally friendly recreation.” The values are now turned into objectives.

Chair Finnegan said thank you. Do we have questions for Commissioner Alsindi? Thank you for putting that together.

Vice Mayor Dent said the key thing I heard you say is that if we can act on this would really change what we do and I have wondered about this, the chicken and egg, which comes first, the Zoning Ordinance or the Comprehensive Plan. And I believe I heard you say the Comprehensive Plan definitely should come first to nail down the vision. Now, as I understand it, staff has planned the other way around to start with the zoning. Is there a chance to change that?

Ms. Dang said I would not say that staff planned to do it the other way around. We have a 2018 Comprehensive Plan and from that effort that is where we started beginning to engage the work on the Zoning Ordinance. I recognize a lot has changed. But as we discussed last time, I would be concerned that if we did the Comprehensive Plan first and put the Zoning Ordinance on hold, we would not make the big changes that we were already moving towards with the Zoning Ordinance rewrite for another five years or more. I do not think our community wants to wait for us to do that. So that is why we are recommending doing the Zoning Ordinance first with what knowledge and information we have. I actually just pulled up also Harrisonburg’s adopted Council vision it is probably going to help us as well and just recognizing it is a continual evolution and cyclical process of changing evolving visions and amending any ordinances to change with our community.

I think ideally Commissioner Alsindi is correct that ideally, we would do the Comprehensive Plan and shortly following we would do a Zoning Ordinance evaluation rewrite.

Chair Finnegan said I agree with the timeline piece of it. The idea of waiting another five years for that is way too long.

Vice Mayor Dent said does it really take five years to update the Comprehensive Plan?

Chair Finnegan said were you a part of the group Comprehensive Plan rewrite last time? I was and it took a long time.

Vice Chair Byrd said the section you were talking about using the SWOT and things to review in the mission statement, I found very useful because often I will read people's mission statements or vision statements and a lot of it just reads like a lot of, I like to say, big words and I go how am I supposed to act on any of this even in the company I work for they are like "this is our vision" and I am like "what does that even mean to me?" and I just go about.

Commissioner Alsindi said there is a saying that says people in any organization they do not know the vision statement and the mission values by heart then those statements are not effective, they are not indicative. They are just written; they do not reflect where those organizations, entities are heading. People get hired sometimes or they do not get hired because of one critical question, what is the vision statement of our organization? And if somebody has not gone through it that means they have applied for everything, fine, but not because they believe this organizations vision and mission.

Commissioner Washington said I agree that mission, vision and values are very important and honestly a lot of meetings I go into we view that first. We go over mission, vision and values and say "hey, is this decision values aligned? Does this move us towards our mission? How does it fit into our vision?" I think having those conversations to say "hey, are these decisions that we are making values aligned with where we want to go create this friendly City that we talk about so often."

Chair Finnegan said I always pay attention to this in every staff report there is the future land use guide map and I hope that is not something we just flip past because I think that of all the things in all of the staff reports, the future land use guide map does speak...I hope that we are all paying very close attention to that. It is easy to get into the weeds with is the setback no more than zero, less than, as much as zero, getting caught up in the words, but I hope we are looking at the big picture for that.

Vice Chair Byrd said this whole situation reminded me a lesson I learned during my first year I was presented with the Capital Improvement [Program] from staff and I did not know what I was really looking at but then the following year we had a rezoning where staff was going "well in the Comprehensive Plan this and then any future projects it may be this road built or that road." And the citizens who become concerned about one thing about the rezoning are then going "wait a minute, there is a road coming?" and it changed their whole attitude about what was going on and it reinforced in my mind that I need to look carefully at what is being presented in the Capital Improvement to be aware of where is the City going in the future, whether it is funded or not. For this year, it may have to be delayed because there is not funding available. It is still on the list of we plan on doing these things. I forget if it was last year, but some people who were at that

particular rezoning came to another one and they had mentioned it again that some people knowing about there will be a future road maybe in five or ten years we will be going “well maybe we should move out of here because it will not be what it is today.” What it is today is what they like the most and so they are going to go if it is not going to be that in the future and thinking “we need to plan out our life.” This reminded that while thinking about the vision and reviewing the Comprehensive Plan that our actions do have an effect and to remind the citizens what the City’s plan is for the future so that they can make proper decisions about how they want to live in the City.

Vice Mayor Dent said as we were this past year in the City Council retreat where we were updating the City Council vision and mission and all of that, we had gotten a lot of questions or criticism for saying in our previous version “homelessness is a thing of the past” and people were saying no it is not and I had to explain every time, this is aspirational. So, we rephrased it, the idea of homelessness is kind of passe because it is a label. We rephrased it in some varying in-depth way something to the effect of “people’s housing needs are addressed...” I do not remember how, but people are stably housed and when they need housing, there are services available to understanding that homelessness as a transitional issue will continue and just making sure we have the services to address that and have them stably housed. It is still aspirational, but much more tied to feasible actions that we plan to do.

Commissioner Alsindi said thank you. The recommendation usually in such cases for vision is not to have any word that has a passive, or negative, connotation. Here they are saying to be compassionate. It is understood implicitly, indirectly but in a very positive way of being realistic that they lack being compassionate. They are saying you need to become this. It is the way you phrase indeed... because you do not want to disappoint or frustrate people from the vision. We are trying to accommodate people who do not have homes, nothing wrong about that. You are stating something, a fact, maybe you are also putting it in a positive expression, and it is realistic, and it is measurable as well. Just to share with you one point, we usually used to use this example and say if you land a helicopter on a deck of a ship and you are a reporter and you ask the captain of the sails people “where are you heading?” the most unacceptable answer will be “we are sailing” they should be answering and telling you where that ship is heading, Italy, Spain, in what timeframe. Then the rest comes how much fuel? How much food they have? Any vision that does not answer the destination means that it is everything, but it is not the vision; it is a Master Plan, it is a logo, it is a banner, it is a slogan, it is a statement.

Chair Finnegan said thank you for sharing your expertise outside of Planning Commission.

Commissioner Washington said one thing that I find that something like this includes is like historical context. Where is the ship going but where did it come from? That is so important because when we talk about mission, vision, and values of the City the historical context being left out definitely leaves out a lot of people in regard to how we are as a City. Why are we here? What are we doing? Especially when going to the conversation about Charlottesville downtown versus Harrisonburg. The architect did a great job with building a downtown that pedestrians use but the conversation about the demolition of a historically black neighborhood is never in that conversation and the same about Harrisonburg and how redlining has destroyed a lot of the black

community here and folks are still dealing with that. While we are talking about where we are going there is never any conversation about like reparative planning. So, we can talk about spending money downtown to improve how people walk and talk with each other, but we never talk about the reparative issues that the City still needs to do. That is always left out of a lot of these conversations. When we talk about the Comprehensive Plan, if you look at a lot of different Comprehensive Plans, you never see the history included, which is a disservice to a whole bunch of people who can be here but do not know where they are living and who lives there and are part of their communities.

6. Public Comment

None.

7. Report of Secretary & Committees

7.a. Rockingham County Planning Commission Liaison Report

Chair Finnegan said I do not know I think Commissioner Loomis was not there and I do not know if he resigned because I also saw something that district three is looking for a new Planning Commissioner. I do not know if that is just a term is up or I am not sure. We had a rezoning to rezone 8.59 acres from I-1C to I-1C industrial with conditions. It was a proffer amendment to add the use for a church and this was out on Kratzer Road and Pulses Hill Lane. There was no water or sewer there so this church that wants to go there is going to have to build their own well and septic and that was in district two, that was approved four to zero. Then there was another request to amend the proffered layout for a R-3C, General Residential with conditions. The property was on Bear Crossing Road on the south side of Spotswood Trail on [Route] 33. There was a lot of opposition to that one because it was a private road, they are potentially going to put more townhouses. They were essentially increasing density where density had already been increased and there was concern about bus stops and traffic. That was denied four to zero. I guess we will see what the Board of Supervisors says about that, but that was denied unanimously. There was an ordinance amendment to amend the supplemental standards for poultry operation and that was tabled because they have a committee looking at that of a lot of different poultry farmers and growers, different folks that are trying to give input. The supplemental standards for poultry operation to include the maximum density and maximum square footage per parcel for these poultry operations. That amendment would include a minimum separation distance between poultry operations and adjacent parcels, so basically setbacks for poultry operations. The staff tabled it until February 16th, they are expecting to make a decision hopefully by then and if they have not then they will recommend denial. They went over the Planning Commission Annual Report. There were 31 rezoning requests, 27 presented to Planning Commission, 25 approved and only 2 denials. Who has February?

Vice Chair Byrd said me.

Chair Finnegan said Commissioner Byrd has February. Do we have all of the gaps filled in?

Ms. Dang said yes, and I can send to you all the dated schedule through the middle of the year.

7.b. Board of Zoning Appeals Report

Vice Chair Byrd said we did not meet and since you approved me as a BZA member I will be there but Mr. Jenkins is not going to renew his term. So, we will be getting a new BZA member at some point.

7.c. City Council Report

Vice Mayor Dent said the best I can recall there were four items from Planning Commission that we dealt with. The Nelson Drive driveway configuration, the Tuscan Village development that we recommended and that was enthusiastically received and so was the 865 East and then we got to the boarding house on Walnut Street. Which, I did not have to say anything my colleagues were similarly skeptical, and we ultimately unanimously denied it. In my motion I said, "as recommended by Planning Commission." So, I only just inserted a couple of moments from our discussion, I do not recall exactly what right now, but that was all in tune with Planning Commission's recommendation.

Mr. Fletcher said there was the Foley Road rezoning and preliminary plat.

Vice Mayor Dent said oh right, even that too. Just for coincidence and good timing, on the next meeting January 23 we have a work session before hand to work through staff's expansion on the City Councils vision statement. Working from the priorities into goals and tasks. We are drilling down from the vision statement into what we actually want to do to make it happen. So, a very important presentation.

Ms. Dang said what I will do is I will send an email with the link to the vision statement that was just endorsed by Council last month. I realized as you were presenting that this has not been circulated with the Planning Commission.

8. Other Matters

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

Ms. Dang said I did not have the opportunity to email you the list but I printed off a list of items we are expecting for February. Unfortunately, I misnumbered it, there are two number ones but ultimately there are six items here to be considered for five sites and staff recommends holding one meeting on February 14.

Chair Finnegan said we good with that? I will follow up with you with an email, but I do not know that I will be able to make that meeting.

Mr. Fletcher said if I could, I would like to bring the point up that if you all would be so kind to get me any comments that you might have on the CIP, February 2nd is a Friday.

Vice Mayor Dent said I request having it put into a binder please.

9. Adjournment

The meeting adjourned at 8:02 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

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

NOTE TO THE PUBLIC

Residents/Media will be able to attend the meeting.

The Public can also view the meeting live on:

- The City's website, <https://harrisonburg-va.legistar.com/Calendar.aspx>
- Public Education Government Channel 3

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

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

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