



City of Harrisonburg

409 S. Main Street
Harrisonburg, VA 22801

Meeting Agenda - Final-revised City Council

Mayor Christopher B. Jones
Vice-Mayor Richard Baugh
Council Member Ted Byrd
Council Member Kai Degner
Council Member Abe Shearer

Tuesday, January 12, 2016

7:00 PM

Council Chambers

1. Roll Call
2. Invocation
3. Pledge of Allegiance
4. Comments from the public, limited to five minutes, on matters not on the regular agenda. (Name and address are required)
5. Consent Agenda (any item placed on the consent agenda shall be removed and taken up as a separate matter, if so requested by any member of Council, otherwise all items will be voted on with one (1) motion)

5.a. Minutes

Attachments: [December 8, 2015 Draft Meeting Minutes](#)

- 5.b. Consider a request from Edwin Joya to rezone a 7,461 +/- square foot parcel located at 707 North Main Street, from R-2, Residential District to M-1, General Industrial District

Review & Recommendation: Planning Commission recommended approval (5-0) of the rezoning request for the property identified as tax map parcel 40-T-9.

Attachments: [Extract RZ 707 North Main Street](#)
[Staff Report RZ 707 North Main Street](#)
[Application & other supporting documents](#)
[Site Maps](#)

Legislative History

12/8/15 City Council approved on first reading

- 5.c. Consider a request from 137 Water, LLC, with representative Barry Kelley to rezone a 2,460 +/- square foot parcel located at 137 West Water Street, from M-1, General Industrial District to B-1C, Central Business District Conditional

Review & Recommendation: Planning Commission recommended approval (5-0) of the rezoning request for the property identified as tax map parcel 25-C-7 with the following proffer:

The subject property shall be permitted to utilize all abilities granted by the B-1 zoning district, except that residential use of the existing single family structure shall be limited to two, one-bedroom units, where occupancy shall be restricted to a family or not more than two (2) persons.

Attachments: [Extract RZ 137 West Water Street](#)
[Staff Report RZ 137 West Water Street](#)
[Application & other supporting documents](#)
[Site Maps](#)

Legislative History

12/8/15 City Council approved on first reading

6. Public Hearings

6.a. Consider a supplemental appropriation in the amount of \$9,874,000 for the issuance of bonds in December 2015 and for VDOT Revenue Sharing Funds

Review & Recommendation: On December 22, 2015, the city issued \$7,622,000 in bonds to finance the (1) Park View water tank project, (2) renovations to Fire Station No. 1, (3) Reservoir Street improvement project, and the (4) Pleasant Valley Road bridge replacement project.

Included in the supplemental appropriation is \$2,252,000 available from VDOT Revenue Sharing funds for the Reservoir Street improvement project and the Pleasant Valley Road bridge replacement project.

This represents an increase of over 1% of the total city budget. Code of Virginia Section 15.2-2507 requires a public hearing for budget amendments that exceed 1% of the budget. A public hearing notice was advertised in the January 5, 2016 Daily News-Record.

Attachments: [Supplemental Appropriation](#)
[DNR \(Public Hearing Notice\)](#)

6.b. Consider Community Development Block Grant (CDBG) funding priorities

Review & Recommendation: This will be the first of two public hearings by HUD to receive citizen comments on CDBG funding priorities for the 2016-2017 Program Year. The entitlement amount will most likely be approximately \$542,005. Staff will make a short presentation outlining city needs and objectives as outlined in the CDBG Strategic Plan, to be followed by a public hearing.

There is no action needed on this item at this time.

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

6.c. Consider a request from Spotswood Country Club Inc. with club representatives Aki Heydarian and Ben Amoss and application representative Dick Blackwell to amend the Comprehensive Plan's Land Use Guide map within Chapter 5 Land Use & Development Quality

Review & Recommendation: The proposal is to amend the Land Use Guide designation for 8 acres of land along Country Club Road and East Market Street, identified as 1980 Country Club Road, from Conservation Recreation to Commercial. Planning Commission recommended approval (7-0) of the Comprehensive Plan's Land Use Guide map amendment for the subject site which includes a 7.25-acre portion of tax map parcel 73-B-1 and the entirety of tax map parcel 73-B-3 (0.75 +/- acres).

Attachments: [Extract CPA - Spotswood CC](#)
[Maps](#)
[Staff Report CPA and RZ Spotswood Country Club 8 Acres](#)
[Applications & Supporting Documents](#)
[Site Maps](#)
[Surrounding Property Notice](#)

- 6.d.** Consider a request from Spotswood Country Club Inc. with club representatives Aki Heydarian and Ben Amoss and application representative Dick Blackwell to rezone a total of 8 acres located at 1980 Country Club Road, from R-1, Single Family Residential District to B-2C, General Business District Conditional

**Review &
Recommendation:**

Planning Commission recommended approval (7-0) of the conditional rezoning request for the subject site which includes a 7.25-acre portion of tax map parcel 73-B-1 and the entirety of tax map parcel 73-B-3 (0.75 +/- acres). The proffers are as follows:

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

Attachments:

[Extract RZ Spotswood CC](#)

[Maps](#)

[Staff Report CPA and RZ Spotswood Country Club 8 Acres](#)

[Applications & Supporting Documents](#)

[Site Maps](#)

[Surrounding Property Notice](#)

- 6.e. Consider a request from Dean Weaver to amend the Zoning Ordinance Section 10-3-57.5 Area, density and dimensional regulations of the R-7, Medium Density Mixed Residential Planned Community District

Review & Recommendation: Planning Commission recommended approval (7-0) of the Zoning Ordinance amendment that would modify subsection (b) by increasing the maximum density allowed in the R-7 district from 12 dwelling units per acre to 15 dwelling units per acre.

Attachments: [Extract ZO Amend R-7 Density](#)
[Staff Report ZO Amend. Section 10-3-57.5\(b\)](#)
[Existing R-7 Regulations and Proposed Amendment](#)
[Application & Supporting Documents](#)

7. Regular Items

- 7.a. Consider a request from Walter W. Carr III and Cindy H. Carr per Section 7-2-4 of the City Code for the city to provide water and sewer service to a commercial use within Rockingham County

Review & Recommendation: The property is located at 1380 Blackberry Lane, Harrisonburg, Virginia, 22802 and is identified by Rockingham County's tax maps as parcel 93-(3)-L2B. Planning Commission recommended approval of the request (7-0).

Attachments: [Extract PUA Blackberry Lane](#)
[Maps](#)
[PUA Memo 1380 Blackberry Lane Staff Report](#)
[Application & Other Supporting Documents](#)

- 7.b. Presentation regarding Church World Service

Review & Recommendation: The director of Church World Service, a refugee resettlement organization, will provide an update on refugees and explain the process.

8. Other Matters

9. Boards and Commissions

- 9.a. Board of Equalization

Review & Recommendation: The city clerk was informed that Sara Ardrey-Graves moved out of the area. Currently, there is an application on file from Chris Pipkins from 2014 and he is still interested in serving. The person appointed to this position would be serving an unexpired term to expire on December 31, 2016.

Attachments: [Chris Pipkins](#)

- 9.b. Building Code Board of Appeals

Review & Recommendation: There are three upcoming vacancies and the city clerk has notified the individuals that are up for re-appointment and hasn't heard anything to date. The city clerk has also contacted an individual that had their application on file to see if he was still interested in serving. These three terms expired November 30, 2015.

119.3 Officers and qualifications of members.

The LBBCA shall annually select one of its regular members to serve as chairman. When the chairman is not present at an appeal hearing, the members present shall select an acting chairman. The locality or the chief executive officer of the locality shall appoint a secretary to the LBBCA to maintain a detailed record of all proceedings. Members of the LBBCA shall be selected by the locality on the basis of their ability to render fair and competent decisions regarding application of the USBC and shall to the extent possible, represent different occupational or professional fields relating to the construction industry. At least one member should be an experienced builder; at least one member should be an RDP, and at least one member should be an experienced property manager. Employees or officials of the locality shall not serve as members of the LBBCA

9.c. Deer Population Task Force

Review & Recommendation: There are two current vacancies. The city clerk has received one application and it is attached. The newly appointed would serve until they are no longer interested in serving.

Attachments: [Steve Parsons](#)

9.d. Industrial Development Authority

Review & Recommendation: Chris Pipkins was appointed to the IDA during the November 24, 2015 meeting and in the meeting minutes his expiration term reflects the year 2015 instead of 2019.

Currently, there are still three vacancies on this board. The city clerk has contacted the three members whose terms expired to see if they are still interested in serving. One of those members is interested in serving again and his application is attached. The Virginia State Code and the Harrisonburg City Code do not reference any limitations on how many terms someone can serve.

Attachments: [James Acker](#)
[Eileen Shifflett](#)

9.e. Parks and Recreation Commission

Review & Recommendation: There is one at-large current vacancy on the Parks and Recreation Commission that expired December 31, 2015. The city clerk has contacted Mr. Anthony Hill, current member, and hasn't heard about his interest in serving. There is an application attached of someone who is interested in serving. The term for this appointment would expire December 31, 2019.

Attachments: [Chris Pipkins](#)

9.f. Transportation Safety and Advisory Commission

Review & Recommendation: Mr. Calvin Ferrell's (SE) term expired on December 31, 2015. Mr. Ferrell has contacted the city clerk stating he is not interested in serving another term. There is an application attached of someone who is interested in serving. The newly appointed term would expire December 31, 2018.

Attachments: [Chance Ebersold \(SE\)](#)

9.g. Shenandoah Valley Airport Commission**Review &****Recommendation:**

Joe Bowman's ninth term is due to expire on January 28, 2016. Mr. Bowman contacted Council Member Byrd stating he was interested in serving another term. Mr. Bowman's new term, if appointed, would expire January 28, 2019.

10. Adjournment