



City of Harrisonburg, Virginia
Department of Planning & Community Development

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Building Inspections
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November 1, 2018

TO THE MEMBERS OF CITY COUNCIL
CITY OF HARRISONBURG, VIRGINIA

SUBJECT: Public hearing to consider adoption of the comprehensively updated City Comprehensive Plan. The proposed Comprehensive Plan will replace the current Comprehensive Plan, which was last comprehensively updated and approved on May 10, 2011.

EXTRACT FROM MINUTES OF HARRISONBURG PLANNING COMMISSION MEETING
HELD ON: October 10, 2018

Chair Way read the request and asked staff to review.

Ms. Dang said the City of Harrisonburg Comprehensive Plan presents a vision of what kind of community the City would like to be in the future and identifies steps to move toward that vision. The Plan is the central organizing umbrella under which other plans, regulations, and initiatives exist. The Plan establishes the preferred overall long-term vision for our community. The Plan is not a regulatory document but serves as a guide for Harrisonburg and it helps City and community leaders with setting policies and decision-making.

Comprehensive plans deal fundamentally with the physical characteristics of a community. Hence, land use is the core element of a comprehensive plan. However, in order to arrive at an appropriate plan for the use of land, other physical aspects must be addressed, such as environmental features, transportation, water and wastewater facilities, and other public facilities. Additionally, other issues are reviewed by comprehensive plans including, but not limited to, affordable housing, historic resources, employment, and economic development. Components of a comprehensive plan should be well-coordinated and complimentary. Virginia Code Sections 15.2-2223 through 15.2-2232, describes local comprehensive plans.

The Comprehensive Plan contains general recommendations. However, one of the most important and practical purposes of a comprehensive plan is to give guidance to the specific land use regulations adopted by the local government. Such regulations include:

- the Zoning Ordinance,
- the Subdivision Ordinance, and
- other growth management tools (i.e. design standards and guidelines, transportation planning, economic development initiatives, housing programs, and others).

This plan is intended to set the groundwork for the City's growth and development policies for the next five years within a long-term planning horizon of 20 to 30 years.

In Summer 2016, Planning Commission reviewed the 2011 Comprehensive Plan and determined that it should be updated to reflect the City's latest ideals and to adapt the Plan to changes that have occurred since May 2011. A summary of activities that have occurred since Summer 2016 follows:

Sept 2016 – Feb 2017	City staff develops plans for public engagement and updates baseline data within CP chapters.
Feb 2017	Planning Commission and city staff hosts three public information sessions.
March 2017	Planning Commission appoints 48 community members to one of four Advisory Committees.
April – Sept 2017	Advisory Committees provide input and recommendations on chapters; Land Use Guide, Street Improvement Plan; Goal, Objective, and Strategy (GOS) statements, and other elements of the CP. Chapters and GOS statements are updated.
Oct – Nov 2017	Planning Commission and city staff hosts four public workshops and a public comment period.
Dec 2017 – Jan 2017	Planning Commission discusses CP at regular meetings and at a special work session.
Jan – July 2018	City staff updates chapters and GOS statements.
June 2018	Planning Commission reviews Priority Objective Statements.
Aug 2018	Public Open House event and public comment period.
Aug - Sept 2018	Planning Commission and city staff updates the Comprehensive Plan.

The proposed Plan consists of the following chapters: (1) Introduction, (2) Vision and Goals, (3) Implementation, (4) Planning Context, (5) Community Engagement and Collaboration, (6) Land Use and Development Quality, (7) Neighborhoods and Housing, (8) Education, Workforce Development, and Lifelong Learning, (9) Arts, Culture, and Historic Resources, (10) Sustainability and Environmental Stewardship, (11) Parks and Recreation, (12) Transportation, (13) Community Infrastructure, Services, Safety, and Health, (14) Economic Development and Tourism, (15) Revitalization, and (16) Goal, Objective, and Strategy Statements.

Ms. Dang reviewed general changes made to the chapters between the 2011 update and the proposed Plan. Chapter 3, Implementation was formerly Chapter 16 and was moved earlier in the Plan to emphasize its importance; a plan is a valuable tool, but requires the implementation of programs, projects, and regulations to fully realize the recommendations of the Plan. Chapter 5, Community Engagement and Collaboration was formerly Chapter 15. This chapter was moved earlier in the Plan following discussions with the Education and Culture advisory committee that this topic needed to be emphasized earlier in the Plan. Chapter 8, Education, Workforce Development, and Lifelong Learning had its title expanded. In 2011, the title of this Chapter was Education. The chapter was also expanded in this Plan to cover all three elements. Chapter 10, Sustainability and Environmental Stewardship, was formerly titled Natural Resources. Natural resources is a term that generally refers to substances and minerals, such as water, air, coal, and natural gas. The Community Facilities advisory committee discussed that the former title of Natural Resources did not represent the chapter and the associated goal well. A new chapter, Chapter 16, Goal, Objective, and Strategy Statements was added to combine all the goals, objectives, and strategies in

one place for easier referencing. The goals, objectives, and strategies still exist within each of the other chapters. Lastly, the former chapter titled Plan Framework was been removed and the topics covered either already existed or were added to the Land Use and Development Quality chapter, the Parks and Recreation chapter, the Transportation chapter, and Revitalization chapter.

Ms. Dang provided an overview of statistics available in Chapter 4, Planning Context including population growth, sex and age, household income, poverty, and building permits.

The Comprehensive Plan includes an updated Land Use Guide and Street Improvement Plan. The Land Use Guide recommends future long-term (20+ year) land uses in the City. All three development types must be considered for the Land Use Guide: new development, infill development, and redevelopment. The Land Use Guide descriptions and map make up the official land use policy of the Comprehensive Plan and is to be used as a guide in decisions on such matters as rezonings, special use permit proposals, and the location of public facilities.

§15.2-2223.1 of the Code of Virginia authorizes the City to designate, if it so chooses, urban development areas (UDAs) that may be sufficient to meet projected residential and commercial growth in the locality for an ensuing period of at least 10 years, but not more than 20 years. Among other things, Section 2223.1 states that areas designated as UDAs should have residential development densities equivalent to at least four single-family residences per acre, six townhouses per acre, or 12 apartment-style dwelling units per acre, and commercial development densities equivalent to at least a floor area ratio of 0.4. The residential densities that are permitted within the City’s Zoning Ordinance meet or exceed the requirements of the UDA. Additionally, UDAs are required to incorporate principles of traditional neighborhood development (TND). Ms. Dang described other Land Use Guide changes including combining “Professional” and “Planned Business” designations into a new “Limited Commercial” designation, and modifying the definition of “Conservation, Recreation, and Open Space.” Additionally, the recommended densities for residential land use designations and the mixed use area designation have been updated as shown below:

	2011 (dwelling units/acre)	Proposed (dwelling units/acre)
Low Density Residential	1 to 4	Around 4
Low Density Mixed Residential	1 to 6	Around 7
Medium Density Residential	5 to 15	Around 15
Medium Density Mixed Residential	4 to 12	Around 20
High Density Residential	12 to 24	Up to 24
Mixed Use Development Area/ Mixed Use	Outside of downtown not to exceed average of 15 In downtown may be higher than average of 15	Outside of downtown should be around 24

It is important to note that, for example, the High Density Residential land use designation is not limited to apartment buildings, but that the Land Use Guide describes that these areas can also include small-lot single-family detached and single-family attached neighborhoods.

More mixed use areas have been designated in the Land Use Guide. An increase from 209.8 acres (2% of the City's land area) in 2011 to 1,392 acres (14 % of the City's land area) in the proposed Plan.

The Street Improvement Plan project descriptions and map identify transportation infrastructure improvements that the City may pursue to address safety, congestion, bicycle and pedestrian needs, and new development. The City did not prioritize projects in the Street Improvement Plan. Instead, the City will utilize the Harrisonburg-Rockingham Metropolitan Planning Organization's Long Range Transportation Plan to represent prioritized projects. As required by State Code, the Virginia Department of Transportation reviewed and provided comments on the Transportation Chapter. Their comments and the City's responses are included in the Plan.

Ms. Dang provided an overview of Corridor Enhancement Areas, areas identified as Potential Small Area Plans, and the Goal, Objective, and Strategy Statements.

In 2011, the City prioritized 13 strategies for implementation between 2011 and 2016. A change between the 2011 Plan and the proposed Plan is that the Objective Statements are prioritized, noting that different strategies either identified in this Plan or yet to be recognized could be implemented to achieve the Objective. Ms. Dang reviewed the proposed 14 Priority Objective Statements that should be prioritized for implementation over the next five years by the City and the community.

Planning Commission discussed the August 2018 version of the draft Comprehensive Plan at their September 12 regular meeting. To help ease review, the following is a summary of edits made to the Comprehensive Plan between August and October 1, 2018. (The October 1 version of the draft Comprehensive Plan is available on the City website at <https://www.harrisonburgva.gov/yourplan-draft-chapters>.)

1. Improved Table of Contents
2. Inserted Cover Pages with photos for each chapter
3. Chapter 1, Introduction
 - a. Minor grammatical and formatting edits
 - b. Edited section: "A Community-Based Comprehensive Plan" with summary of latest steps
4. Chapter 2, Vision and Goals
 - a. Minor grammatical and formatting edits
 - b. Inserted Goals statements
5. Chapter 3, Implementation
 - a. Minor grammatical and formatting edits
 - b. Edited titles of sections:
 - i. "2019-2024 Priorities" changed to "2019-2014 Priorities (Priority Objective Statements)"
 - ii. "Revisions to 2019-2024 Priorities" changed to "Revisions to Priorities"
 - c. Combined text under old "Objectives and Strategies not in the 2019-2014 List of Priorities" into "2019-2024 List of Priorities"
 - d. Inserted Goal, Objective, and Priority Statements
6. Chapter 4, Planning Context
 - a. Minor grammatical and formatting edits
 - b. Updated data (tables and figures) throughout chapter with most currently available
 - c. Edited titles of sections:

- i. “Analysis” changed to “Population Characteristics”
 - ii. “Population Characteristics” changed to “Age and Sex”
 - d. Moved “Income” and “Poverty” to a higher level in the table of contents
 - e. Added a paragraph following Table 4-9 with data from ACS on poverty
- 7. Chapter 5, Community Engagement and Collaboration
 - a. Minor grammatical and formatting edits
 - b. Inserted Goal, Objective, and Priority Statements
- 8. Chapter 6, Land Use and Development Quality
 - a. Minor grammatical and formatting edits
 - b. Updated data (tables and figures) throughout chapter with most currently available
 - c. Inserted Goal, Objective, and Priority Statements
- 9. Chapter 7, Neighborhoods and Housing
 - a. Minor grammatical and formatting edits
 - b. Updated data (tables and figures) throughout chapter with most currently available
 - c. Added a paragraph to describe Figure 7-4.
 - d. Inserted Goal, Objective, and Priority Statements
- 10. Chapter 8, Education, Workforce Development, and Lifelong Learning
 - a. Minor grammatical and formatting edits
 - b. Added Figure 8-1, Educational Attainment of People in Harrisonburg and summary
 - c. Inserted Goal, Objective, and Priority Statements
- 11. Chapter 12, Transportation
 - a. Minor grammatical and formatting edits
 - b. Added Figure 12-2. Percent of Workers 16 and over Commute by Mode
 - c. Added text to “Parking” section about impacts of too much parking
 - d. Updated for clarity the first paragraph under the section titled “2019 Street Improvement Plan.”
 - e. Updated for clarity several paragraphs under section titled “Project List”
 - f. Relocated text previously under “Project List” section that described project prioritization after Table 12-3 in a new section titled “Project Prioritization.”
 - g. Inserted Goal, Objective, and Priority Statements
 - h. Added VDOT’s comments and City response letters
- 12. Chapter 13, Community Infrastructure, Safety, and Health
 - a. Minor grammatical and formatting edits
 - b. Inserted Goal, Objective, and Priority Statements
- 13. Chapter 14, Economic Development and Tourism
 - a. Minor grammatical and formatting edits
 - b. Moved text formerly in Chapter 15 about the Retail Revitalization Zones into this chapter under the Retail Revitalization Zones section.
 - c. Moved section titled “Harrisonburg Technology Park” within chapter to before the section titled “Small Business.”
 - d. Inserted Goal, Objective, and Priority Statements
- 14. Chapter 15, Revitalization
 - a. Minor grammatical and formatting edits
 - b. Inserted Goal, Objective, and Priority Statements
 - c. Reordered sections titled: “Central Business District”, “Downtown Economic Revitalization Zone (Central Business District)”, “Downtown Technology Zone”, “Arts and Cultural District”, “Retail Revitalization Zones” to cluster the downtown information together
- 15. Chapter 16, Goals, Objective, and Strategy Statements

a. Edited Goal 1 and Objective 1.1 (text below)

Goal 1. To keep the Comprehensive Plan vital and useful. ~~by regularly reviewing its recommendations and the progress toward meeting them.~~

Objective 1.1 ~~To review the Comprehensive Plan at least once every five years.~~ To regularly review the Comprehensive Plan's recommendations and the progress towards meeting them.

Strategy 1.1.1 To prepare and implement a schedule for regular plan updates.

b. Edited Objective 15.3 and made it a strategy under 15.2 (changes below).

~~Objective 15.2~~ Objective 15.2 To provide a well prepared first response force that is capable of response and mitigation as an all hazards organization (includes fire, police, EMS, and others).

Strategy 15.2.1 To continually provide opportunities to develop, train, and update skills and equipment resources.

~~Objective 15.3~~ Strategy 15.2.2 To continue to review and implement a strategic plan to maximize first response service delivery and safety.

Strategy ~~15.2.3.1~~ 15.2.3.1 To provide adequate facilities and resources in the appropriate areas to support the overall response of public safety agencies.

c. Minor grammatical and formatting edits, and updating references.

d. Renumbered Strategy 5.3.3 to 5.3.2 (there was no 5.3.2)

e. Removed Objective 13.3 and inserted Strategies 13.3.1 through 3 under 13.2 as discussed at September 12 Planning Commission meeting

Staff recommends making an additional edit to Chapter 1. Introduction, since steps described in the Comprehensive Plan to move towards the vision are not required. The original sentence was intended to be a general statement to describe what might be necessary but could be misunderstood to mean being required in a regulatory sense. This change is not yet reflected in the October 1 version of the draft available online.

The City of Harrisonburg Comprehensive Plan presents a vision of what kind of community the City would like to be in the future and identifies ~~the steps required~~ to move toward that vision. The Plan is the central organizing umbrella under which other plans, regulations, and initiatives exist. The Plan establishes the preferred overall long-term vision for our community. The Plan is not a regulatory document but serves as a guide for Harrisonburg and it helps City and community leaders with setting policies and decision-making.

There is a sheet of additional changes at your seat this evening. Some of them are minor changes to text or pictures that I needed to identify the source. These things will need to be included in your recommendation to City Council.

1. Chapter 3, Implementation

- a. There were two Strategies numbered 1.3.1. The second 1.3.1 was renumbered to 1.3.2. This was also updated in Chapter 16.

2. Chapter 6, Land Use and Development Quality

- a. Table 6-5. City Land Use as Recommended by Land Use Guide, was corrected and changed from "Mixed Use Development" to "Mixed Use."

3. Chapter 7, Neighborhoods and Housing
 - a. Corrected the first paragraph under “Housing Supply.”

Housing Supply

The City continues to see an overall increase in the housing stock with a total number of units available in 1990 of 10,900 and in 2016 of 18,039. Single-family detached dwellings grew about 48 percent between 1990 to 2016, while during the same time the number of duplex and townhouse units has grown by about 154 percent, and multiple-family units has grown by about 61 percent. This trend is anticipated to continue due to the high rental market, duplexes and townhomes typically being more affordable to

- b. Corrected sources for Table 7-1.
 - c. Corrected labeling issues with some of the Tables and Figures.
4. Chapter 12, Transportation
 - a. In the Chapter Resources section, added web address for Transit Development Plan, <https://www.harrisonburgva.gov/hdpt>.
5. Chapter 13, Community Infrastructure, Safety, and Health
 - a. On the chapter cover sheet, replaced the left photo with updated one on the right due to uncertainty of original source of the left photo:



6. Chapter 15, Revitalization
 - a. On the chapter cover sheet, replaced the left photo with the updated one on the right:



7. Chapter 16, Goals, Objective, and Strategy Statements
 - a. On the chapter cover sheet, replaced the left photo with the updated one on the right due to uncertainty of original source of left photo:



Mr. Fletcher said before we get into any questions or discussion on the Comprehensive Plan, I just want to recognize all the significant and hard-work that staff has put in, and especially to Ms. Dang's leadership. A lot of localities do not have the opportunity to take advantage of the skills of staff internally; a lot of people must go out and get consultants and we did not have to do that. I just think that it is appropriate to recognize Ms. Dang's leadership.

Ms. Dang said I appreciate that, but I could not have done it without the help of all the other City Departments and other agencies who contributed to the Comprehensive Plan and gathered a lot of data for us and came to the workshops.

Mr. Finnegan said he very much appreciated that the ALICE Report made it into the Comprehensive Plan. It is a valuable "other" method for measuring income and housing in the City.

Chair Way opened the public hearing and asked if there was anyone wishing to speak.

Panayotis "Poti" Giannakaouros said wow, this is Thanh Dang's comprehensive plan. I would like to open my comments by acknowledging a person who was in the room earlier, the counsel for the North Liberty Street property who gave us a little bit of history on the Zoning Ordinance, which I believe is under the umbrella of the types of things that will be informed by our Comprehensive Plan. The properties that he, and the previous request with the tire place, were talking about happen to be areas that had been owned and developed by early on freed African Americans, such as Isaac Brown who then later gave to other people.

So, with all that in mind, the counsel for the applicant pointed out to us that our Zoning Ordinance was adopted in 1930 and read to us some of the purpose of zoning at that time, which included to promote convenient and harmonious community and conservation of value. Harmonious community was interesting to hear in the context of 1930. That idea of harmony was something that we heard just the other day, Monday, in Staunton, where they did a wonderful thing by removing the name of Robert E. Lee from their high school. The people who tended to object to the removal were objecting on the basis of division – this is causing division. So, this concept of harmony goes way back in this region. I do not know if it was introduced in 1930, but if it had been, at that time it meant segregation. This concept of segregation was put into zoning and those types of ordinances after a 1924 Supreme Court decision said you cannot explicitly segregate, and so that lead to the emergence of Zoning Ordinances to de-facto achieve this kind of harmony.

Harmony really has that meaning here in this region, going even before that period, when Woodrow Wilson used harmony as his excuse for segregating his cabinet. If you recall Woodrow Wilson is from here, he was from Staunton. Before that, Plessy vs. Ferguson was in part motivated to achieve peace and that goes back very much to Virginia and the incidents in Danville where we first started to crack down and eliminate our brief experiment in democracy in the 1880s.

With all this in mind, my thinking about this Comprehensive Plan is that we seem to have a continuity, we have acknowledged in the early chapters that we had continuity with the earlier plans; plans upon plans. I

do not know if in those continuity of plans if we have ever an explicit stopping and rejection of the legacy that we may not necessarily want in our vision for the City going forward. Today I think that we might appreciate building our City on a truly democratic foundation; a foundation which builds for social equality among people. That is something that even in our rhetoric in the best of times people stayed away from and that would then be codified in our laws and constitutions starting in 1902. Have you ever made a clean break with that? If we are going to do that, then our renaming of Martin Luther King Jr. Way was certainly an attempt among City governance to break with some of those past traditions.

There was a mention that things had changed since 2011; that is the big thing that stands out in my mind. You can see it reflected in almost all of our elected City governance, and now it is trickling into some of our appointed City governance – our City Manager is not from here, our Chief of Police is unprecedented. So, is our Comprehensive Plan reflecting that radically new vision? That total reset? Or is this a continuity from the past? Is it democratic, or is it put in place as a continuity of a non-democratic direction? I would suggest that it is not a people's comprehensive plan. It was trumpeted and advertised as something that the entire community was going to participate in, graphics and videos were produced, and lots of people got very excited. We were at the crest of a wave, people were mobilized for activity and they were moving on to taking that activity to municipal governance. Some people talked about socialism from the left and others were coming forward with ideas. The process of letting those people participate ended up failing like a brick wall when we actually showed up, because when we showed up it turned out that there were going to be a certain number of committees and people were going to be appointed to those committees. The people who were not appointed could still participate, they could be on mailing lists, they could submit their ideas on 3 x 5 cards, and we had multiple sessions moderated by JMU. And people walked out of those sessions saying, "this was pre-planned in advance, nothing I said made a difference." These were not people I knew, these were not people in my circle saying this.

I share all this with you to say it is great that staff has made such an effort on this, there is valuable material in here, it is a great reference that we can hold on to. But, I do not think it would be right to claim that this has the legitimacy of being something that the community produced. I think it was correctly summarized at the end as something that was produced by all the people that were just thanked, and that stopped before we got to any ordinary members in the community. We had the opportunity to challenge some of these things and as I said, in practice it was very constrained. Even so, the challenges we could make were not to the fundamental framing. We could not challenge the framework of goals, even down to objectives and strategies. This plan is built around land use; why, is that the thing that is most needed for a vision of a democratic community facing a future where we have twelve years to act or we are dead from climate issues? A community that has become democratic in a country where these things are being contested like they have never been, is land use the most important lenses in which to see that? Might we have looked through entirely different lenses and envisioned something different.

There are other proposals floating around. If you look at the platform of one of the candidates running for City Council, not to endorse anyone, but Palomo Saucedo has a very fleshed out platform. You could look at that platform as an example of something that is rooted in our popular democracy, reflecting the ideas of our people.

Chair Way interjected and asked if the speaker could wrap this up so that others would have the opportunity to speak.

Mr. Giannakaouros said in drawing this to a close, there is another vision of what our City could look like, there is a painting that hangs in the City Manager's office. So those are two examples of ways that people in the community have expressed themselves and it hasn't necessarily gotten in to the Comprehensive Plan.

A great reference document, I would not recommend it to Council as something claiming to be validated by public participation.

Chair Way asked if there was anyone else wishing to speak regarding the Comprehensive Plan.

Sam Vargas introduced himself and Julian Pena, owners and residents at 714 Greenbriar Drive. From our understanding of the Comprehensive Plan we understand that this is getting reviewed this year and we just had some comments and feedback on some of the changes, especially with the Land Use Guide. Currently, where our residence lies it is classified as a low density area. It is our understanding and from being residents in the area, we believe it should be classified as at least a medium density designation. Part of our justification for this is outlined in the objectives that the Comprehensive Plan is looking to meet, especially with 4.2, to encourage mixed use, and with 6.1, to promote affordable housing. Given the proximity of where we are to James Madison University (JMU), we believe what we are requesting will abide by these future objectives.

Mr. Pena said I have a question for staff. Were the comments that we submitted included with the agenda tonight?

Ms. Dang replied that all the Planning Commissioners had received a copy of the comments.

Mr. Pena said there is a small area where we live that we feel belongs more within a medium density residential area. A little background on the three homes that I am referring to, 706 Greenbriar Drive is a nonconforming home, it has been rented out to four students since before 1999 when Greenbriar Drive got rezoned to R-1. The current owner of the house at 710 Greenbriar Drive purchased it in 2010 with the intention of renting it out to four unrelated persons; that did not work out. Lastly, there is our home at 714 Greenbriar Drive. The previous owners bought this house to use it as student housing for their son who attended JMU; we purchased it from them with the intention of living there for a few years and then at some point move on to a different use for this home. We just found out recently that we are very restricted with the potential use for our property.

So, some of the reasons we think this area should have the medium density designation are: the existing homes do not maintain the characteristics of the existing neighborhood; the low density designation is not desired by the owners of these homes; and our recommendation of medium density aligns with the principles of which the Land Use Guide was built on – the Traditional Neighborhood Development principles. Based on these reasons we ask that staff and the Planning Commission consider changing this small area designation from low density to medium density.

Chair Way said you are asking that we look at the broader area, not just the lots in particular? Did you make any comments regarding this earlier in the year when we were discussing the land use?

Mr. Pena replied unfortunately not, we did not have the opportunity to participate earlier; mainly because we were not aware.

Mr. Vargas said we have follow-up questions for the Planning Commission. What is the expected time line for this Comprehensive Plan? This plan looks out twenty years; when would it be reviewed again?

Chair Way said we are hoping it will move into completion phase this year. We hope to possibly be sending it to City Council with a favorable recommendation for the November meeting. By State regulation, the Comprehensive Plan must be reviewed by Planning Commission once every five years to see if an update is needed. So, right now, we are updating our 2011 plan.

Mr. Fletcher said I would like to ask a clarifying question of Mr. Vargas and Mr. Pena. You all are talking about wanting your land use designation changed from low density to a medium density, but are you more interested in the occupancy of those dwelling units, rather than the designation of the Land Use Guide plan?

Mr. Pena replied our motivating factor here is the options that we would have available to us in the future. From what I can tell from looking at the Land Use Guide and the Zoning Map, everywhere that is designated as Low Density Residential areas will become an R-1 zoning district. An R-1 district is very restrictive, so that is our main motivation; we feel very restricted with our home. We do not see very many uses for it in the future if it were to stay as R-1. I think a lot of the neighbors along Greenbriar Drive would attest to this because there have been houses for sale that are not selling because Greenbriar Drive is not a single family, low density area. It is surrounded by high density student housing. The types of owners who are coming in to buy these houses are like us; looking to have other options for these houses rather than just single family.

Chair Way said you do understand that our job as Planning Commission is to listen to these requests, as well as to balance out other needs, desires, and plans that may or may not include the immediate needs of those property owners. We are not trying to be punitive in any way, we are trying to balance it out and look at the bigger picture.

Mr. Fletcher said my question was intended to help them understand about the difference between land use designation and zoning. The land use designation does not mean always that the zoning will be a direct connection and that by changing to medium density does not necessarily mean that you would get four occupants per unit.

Mr. Pena said we do understand, we have looked at other rezoning applications that people have submitted and see that the Land Use Guide designation is always referenced. That is kind of why we are here, to look at that early in the process.

Chair Way asked if there was anyone else wanting to speak regarding the Comprehensive Plan. Hearing none, he closed the public hearing and asked for discussion.

Mrs. Whitten said I just cannot disagree more than I do with the previous speaker, as to the effort that was made, the monumental effort that was made to encourage people to participate in every way. I think every good intention was made to encourage public input. At public meetings there were nights that went on and on so that the last person could be heard.

Chair Way said I echo your thoughts. The collective spirit of the enterprise was very much engaged; but also, individually, we on Planning Commission have fielded a lot of questions and considerations. Staff has always been very accessible as well, I have never felt that staff was being exclusionary.

Mrs. Whitten agreed and said I hope it is not a popularly held belief. I know everyone is entitled to their opinions. But, the generalization of people walking out saying it is already decided, could not be further from the truth.

Chair Way asked if there was any discussion or a response to the request about the Greenbriar Drive area.

Mr. Colman said I think it is very interesting, and I do not necessarily agree with this idea; but, I am surprised of the change from R-4 to R-1 around Greenbriar Drive. I think if it were a rezoning request, perhaps due consideration would be given where it is located.

Mrs. Whitten said correct me if I am wrong, but the history of that street was it was all single family homes and the apartments kind of came up around it.

Mrs. Banks said it is a master plan project that began when the area was still in Rockingham County. The project was master planned in the County and included the townhouses in the front and the single family homes to the rear. There was also the idea of the apartments along Devon Lane, but the annexation occurred in 1983 right in the middle of development. I cannot recall the zoning classification in Rockingham County at the time, but it most closely associated with the City's R-4, Planned Residential Development when it was annexed in 1983, that is why the R-4 zoning was over-laid on the area. A

majority of the townhomes were already constructed when annexation occurred and many of those townhomes are, still today, nonconforming to occupancy with five unrelated persons in each. Some of the single family homes were already existing and others were constructed in the City. The apartments started being built shortly after annexation, in the location that they were shown on the original master plan; it also included the convenience center where the gas station and Dave's Taverna are located. Through the years the R-4 area has been sold off in different portions, to developments like Forest Hills Townhomes. So, it does have quite a history. As for Greenbriar Drive, there are three known nonconforming houses, with regard to occupancy – the one the gentlemen spoke about at the end of the street that has four tenants; another one that was converted, legally, into a duplex and has four persons living in each unit for a total of eight; and a third house further into the cul-de-sac that has four unrelated persons.

Mr. Fletcher said without going back and reading the minutes from the R-1 rezoning, those single family home conversions may be the reason the community came out as a whole and said we do not want this to happen, we want to rezone and be R-1.

Chair Way said it is sounding that we are not wanting to change the Land Use Guide at the moment.

There was an acknowledgement from the Planning Commission to not change the Land Use Guide.

Chair Way asked if there was any further discussion. Hearing none, he asked if there was a motion regarding the Comprehensive Plan.

Mr. Fletcher said I have one thing before we move to a motion. On pages 4-15 and 4-16, and this is specifically associated with the population projections, on lines 267 to 270, as well as figure 4-6, which we reviewed tonight in the slide show, I want staff to double check the data on the projections and be able to make changes if necessary. I am thinking there are corrected numbers from Weldon Cooper on this, so if this body is thinking of moving forward with a recommendation to City Council, maybe build in some flexibility to that motion to allow staff to double check those numbers and make any needed corrections. We may not need to do any corrections; but if it is built into the motion it would be helpful.

Ms. Dang reminded everyone that the motion would need to include the changes that were discussed tonight as well.

Mrs. Fitzgerald moved to recommend adoption of the Comprehensive Plan with the corrections as presented here tonight and distributed to Council beforehand, and with the provision to double check the data from Weldon Cooper on pages 4-15 and 4-16 for accuracy.

Mrs. Whitten seconded the motion.

Chair Way said we have a motion and a second; he then asked for a voice vote on the motion.

All voted in favor (7-0) of the motion to recommend adoption of the Comprehensive Plan along the lines as discussed in the motion.

Chair Way said this will also go to City Council on November 13th.

Respectfully Submitted,

Alison Banks

Alison Banks
Senior Planner