

**STATE OF VIRGINIA**  
**CITY OF HARRISONBURG, to wit:**

I, Pamela Ulmer, deputy city clerk, certify that the Harrisonburg City Council will hold a public hearing on Tuesday, November 13, 2018, at 7:00 p.m., or as soon as the agenda permits, in City Council Chambers 409 South Main Street, to consider the following:

*Rezoning – 76 and 85 West Gay Street, and 76, 325, 335, 357, 365, 381, and 394 North Liberty Street (M-1 to B-1C)*

Public hearing to consider a request from Bismarck, LLC to rezone eight parcels totaling 1.4 +/- acres zoned M-1, General Industrial District to B-1C, Central Business District Conditional. The Zoning Ordinance states that the M-1, General Industrial District is intended primarily for manufacturing, processing, storage, and distribution activities, which are not properly associated with, nor compatible with, residential and institutional development. No minimum lot size restrictions exist in the M-1, General Industrial District. The B-1, Central Business District is intended as an urban and regional center for the conduct of commercial, financial, professional and governmental activities to which the public requires direct and frequent access. No minimum lot size or setback restrictions exist in the B-1, Central Business District. The Comprehensive Plan designates this area as Mixed Use Development Areas. This designation includes both existing and proposed new mixed use areas. These areas are intended to combine residential and non-residential uses in planned neighborhoods where the different uses are finely mixed instead of separated. These areas are prime candidates for “live-work” and traditional neighborhood developments. Live-work developments combine residential and office/service uses allowing people to both live and work in the same area, which could be combined in the same building or on the same street. Residential densities in downtown may be higher than an average of 15 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 properties are located at 76 and 85 West Gay Street, and 76, 325, 335, 357, 365, 381, and 394 North Liberty Street and are identified as tax map parcels 34-D-10 and 11, 34-H-15, and 35-L-2, 3, 4, 5, and 6.

*Rezoning – 1353 and 1361 North Main Street (B-2C and R-2 to B-2C)*

Public hearing to consider a request from the Harrisonburg-Rockingham Community Services Board and Richard L. & Betty K. Sampson with representative Harrisonburg-Rockingham Community Services Board to rezone a 0.46 +/- acre portion of a 2.96 +/- acre parcel from B-2C, General Business District Conditional to B-2C, General Business District Conditional by removing existing proffers, and to rezone a 1.56 +/- acre parcel from R-2, Residential District to B-2C, General Business District Conditional. The Zoning Ordinance states that the R-2, Residential District is intended for medium-density, single-family and duplex residential development. The residential density ranges for R-2 are single-family, 7,000 sq. ft. minimum and duplex, 5,500 sq. ft./unit. The B-2, General Business District is intended to provide sufficient space in appropriate locations for a wide variety of retail shopping, commercial, automotive, miscellaneous recreational, and service activities. No minimum lot size restrictions exist in the B-2, General Business District. There are two separate Comprehensive Plan Land Use Guide designations for the subject sites. The 2.96 +/- acre property is designated Public/Semi-Public, while the 1.56 +/-

acre parcel is designated Commercial. The Public/Semi-Public designation states that these lands are designated for public and semi-public use. They include lands owned or leased by the Commonwealth of Virginia, the federal government, the City of Harrisonburg, and other governmental organizations. Examples of uses included in this category are public schools, libraries, City Hall and City administrative and support facilities. The Commercial designation states that these areas include uses for retail, office, wholesale, or service functions. These areas are generally found along the City's major travel corridors. The two parcels are located at 1353 and 1361 North Main Street and are identified as tax map parcels 42-B-3 and 42-B-5, respectively.

*Rezoning – 455 and 457 North Liberty Street (M-1 to B-1C)*

Public hearing to consider a request from Robert Nickell Jackson & Other Trustees to rezone two 3,250 +/- sq. ft. parcels totaling 6,500 +/- sq. ft. from M-1, General Industrial District to B-1C, General Business District Conditional. The Zoning Ordinance states that the M-1, General Industrial District is intended primarily for manufacturing, processing, storage, and distribution activities, which are not properly associated with, nor compatible with, residential and institutional development. No minimum lot size restrictions exist in the M-1, General Industrial District. The B-1, Central Business District is intended as an urban and regional center for the conduct of commercial, financial, professional and governmental activities to which the public requires direct and frequent access. No minimum lot size or setback restrictions exist in the B-1, Central Business District. The Comprehensive Plan designates this area as Neighborhood Residential. This designation states that this type of land use highlights those neighborhoods in which existing conditions dictate the need for careful consideration of the types and densities of future residential development. Infill development and redevelopment must be designed so as to be compatible with the existing character of the neighborhood. These are older neighborhoods, which can be characterized by large housing units on small lots. The two parcels are located at 455 and 457 North Liberty Street and are identified as tax map parcels 34-C-4 and 34-C-4A, respectively.

*Zoning Ordinance Amendment – Off-Street Vehicle Parking Regulations*

Public hearing to consider a request from Tim Reamer of Cottonwood Commercial to modify Section 10-3-25 (17), which specifies that retail stores, sales rooms and similar mercantile establishments that are 10,000 square feet or less in gross floor area are to provide one parking space for each 200 square feet of gross floor area and if over 10,000 square feet in gross floor area are to provide one parking space for each 250 square feet of gross floor area. The modification of Section 10-3-25 (17) and the addition of a new subsection within Section 10-3-25 would require retail sales of furniture and/or appliances to provide two parking spaces, plus one parking space for each 1,000 square feet of gross floor area.

*Zoning Ordinance Amendment – Nonconforming Uses and Structures*

Public hearing to consider amending Article E, Nonconforming Buildings and Uses of the Zoning Ordinance by changing the title of Article E to "Nonconforming Uses and Structures" and replacing the entire article with new and updated language to regulate nonconforming uses and structures within the City. Article E describes conditions that must be met for nonconforming uses and structures to legally continue, and also conditions that would result in the termination of nonconforming status. Additionally, the following amendments are proposed to definitions in Section 10-3-24 of the Zoning Ordinance: (1) the "Nonconforming use" definition will be replaced

with “Any lawful use existing at the time of the enactment or subsequent amendment of this chapter which does not conform to the current zoning regulations prescribed in the district in which it is situated.”, (2) “Structure, nonconforming” will be changed to “Nonconforming structure” and its definition is proposed to be “Any lawful structure existing at the time of the enactment or subsequent amendment of this chapter which does not conform to the current zoning regulations prescribed in the district in which it is situated.”.

### *Comprehensive Plan*

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. Virginia Code Section 15.2-2223 requires the City to have a Comprehensive Plan. 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 including, but not limited to, affordable housing, historic resources, employment, and economic development. Components of a comprehensive plan should be well-coordinated and complimentary. As drafted, the proposed Comprehensive Plan will guide the City’s general development for the next twenty years. 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. 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. 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. Information related to the proposed updated Comprehensive Plan is available to review on the Comprehensive Plan website at [www.harrisonburgva.gov/yourplan](http://www.harrisonburgva.gov/yourplan) and at the Department of Planning & Community Development.

Maps and other information are available for review in the Department of Planning & Community Development, 409 South Main Street, 2<sup>nd</sup> Floor, Monday through Friday, 8:00 a.m. to 5:00 p.m. All persons interested will have an opportunity to express their views at these public hearings. Any individual requiring auxiliary aids, including signers, in connection with the public hearing shall

notify the Planner at 540-432-7700 at least five days prior to the date of the meeting. More information is available at [www.harrisonburgva.gov/public-hearings](http://www.harrisonburgva.gov/public-hearings).

See attached list.

**On the 13th day of November 2018 at 7:00 p.m.**

Given under my hand this 12th day of October, 2018



Subscribed and sworn to before me this 12<sup>th</sup> day of October, 2018, a Notary Public in and for the Commonwealth of Virginia.



My commission expires 11-30-2021.



BISMARCK LLC  
420 NEFF AVENUE  
SUITE 215  
HARRISONBURG, VA 22801

35-L-1 M-1  
MERCY HOUSE INC  
PO BOX 1478  
HARRISONBURG, VA 22803

35-L-11 R-2  
BAILEY BENJAMIN W HANNAH E  
320 COLLICELLO ST  
HARRISONBURG, VA 22802

35-L-10 R-2  
WHEELBARGER EARL W JR JUDY M  
340 COLLICELLO ST  
HARRISONBURG, VA 22802

35-L-9  
MAPM Investments LLC  
140 Ott Street  
Harrisonburg, VA 22801

35-L-7 & 8 R-2  
BURKETT ROBERT F  
132 W GAY STREET  
HARRISONBURG, VA 22802

34-D-12 M-1  
GEORGE' FAMILY FARMS LLC  
ATTN MARY AKIALIS  
PO BOX 2030  
SPRINGDALE, AR 72765

34-C-6 R-2  
BARTELLS BECKY L  
406 COLLICELLO STREET  
HARRISONBURG, VA 22802

34-C-1 & 2 M-1  
LOUCKS C GLENN  
206 SOUTH AVENUE  
HARRISONBURG, VA 22801

34-C-3 M-1  
ERVIN LEON C & OTHERS  
C/O DEBRA WORKMAN-HUFFMAN  
1250 MT OLIVET CHURCH ROAD  
ELKTON, VA 22827

34-D-9 & 9A B-1  
City Exchange LLC  
1531 Hillcrest Drive  
Harrisonburg, VA 22802

34-H-14 M-1  
SNYDER KENNETH R DEBORAH  
6119 N VALLEY PIKE  
HARRISONBURG, VA 22802

RZ Bismarck  
W Gay St and  
N Liberty St

HARRISONBURG ROCKINGHAM  
COMMUNITY MENTAL HEALTH  
1241 N MAIN STREET  
HARRISONBURG, VA 22802

SAMPSON RICHARD L BETTY  
1361 N MAIN STREET  
HARRISONBURG, VA 22802

COUNTY OF ROCKINGHAM  
ATTN: STEPHEN KING  
PO Box 1252  
HARRISONBURG, VA 22803

42-A-2 M-1  
GSW INVESTORS  
PO Box 1234  
HARRISONBURG, VA 22803

42-B-8C R-2  
Northside LLC  
9527 Centerville Rd  
Bridgewater, VA 22812

42-B-8A & 8B R-2  
MOORE JOSEPH LINDA  
75 WILSON AVENUE  
HARRISONBURG, VA 22802

42-B-6  
PINZON NANCY  
1363 N MAIN STREET  
HARRISONBURG, VA 22802

42-D-18 M-1  
TRIPLE D INVESTMENTS  
1358 N MAIN STREET  
HARRISONBURG, VA 22802

42-D-19  
AB MCHONE & SONS LLC  
75 COURT SQUARE  
HARRISONBURG, VA 22801

42-D-36 R-4  
BLAKELY LLC  
2340 S MAIN STREET  
HARRISONBURG, VA 22801

RZ 1353 : 1361  
N Main Street

34-C-4 & 4A M-1  
JACKSON ROBERT NICKELL & OTHERS  
449 EASTOVER DRIVE  
HARRISONBURG, VA 22801

34-C-3 M-1  
ERVIN LEON C & OTHERS  
C/O DEBRA WORKMAN-HUFFMAN  
1250 MT OLIVET CHURCH ROAD  
ELKTON, VA 22827

34-C-11 R-2  
FRANCES VICKIE L  
427 COLLICELLO ST  
HARRISONBURG, VA 22802

34-C-10 R-2  
DELLINGER ALICE ANN  
381 MARYLAND AVE  
HARRISONBURG, VA 22801

34-C-12 R-2  
Reichenbach Jean Randall D  
482 Collicello Street  
Harrisonburg, VA 22802

34-C-5 M-1  
DAVIS MICHAEL K ALYSIA M  
459 N LIBERTY STREET  
HARRISONBURG, VA 22802

34-D-12 M-1  
GEORGE' FAMILY FARMS LLC  
ATTN MARY AKIALIS  
PO BOX 2030  
SPRINGDALE, AR 72765

*RZ 455/457 North  
Liberty Street*