



City of Harrisonburg

City Hall
409 South Main Street
Harrisonburg, VA 22801

Meeting Minutes Planning Commission

Wednesday, January 8, 2020

7:00 PM

Council Chambers

1. Call To Order

The Harrisonburg Planning Commission held its regular meeting on Wednesday, January 8, 2020 at 7:00 p.m. in the City Council Chambers, 409 South Main Street.

Ms. Dang called the meeting to order and said that there was a quorum with all members in attendance.

2. Roll Call/Determination of Quorum, Election of officers for 2020 (chair, vice-chair, and secretary), appointment of BZA member for 2020, and acknowledgement of Ethical Principles in Planning

Members present: Gil Colman; Mark Finks; Brent Finnegan; Zanetta Ford-Byrd; Sal Romero; Kathy Whitten; and Henry Way.

Members absent: None.

Also present: Adam Fletcher, Director of Community Development; Wesley Russ, Assistant City Attorney; Thanh Dang, Assistant Director of Community Development; Alison Banks, Senior Planner; Rachel Drescher, Zoning Administrator; and Nyrma Soffel, Administrative Assistant.

The first order of business is the election of officers for 2020. Are there any nominations for the position of Chair?

Commissioner Finnegan nominated Commissioner Gil Colman.

Commission Finks seconded the motion.

All members voted in favor of appointing Commissioner Colman as Chair for 2020.

Chair Colman continued the meeting. Are there any nominations for the position of Vice Chair?

Commissioner Whitten nominated Commissioner Brent Finnegan.

Commissioner Finks seconded the motion.

All members voted in favor of appointing Commissioner Finnegan as Vice Chair for 2020.

Chair Colman asked if there were any nominations for the position of Secretary.

Commissioner Finnegan nominated Nyrma Soffel.

Commissioner Whitten seconded the motion.

All members voted in favor of appointing Nyrma Soffel as Secretary for 2020.

Chair Colman asked if there were any nominations for the Planning Commission member of the Board of Zoning Appeals.

Commissioner Finnegan nominated Chair Colman.

Commissioner Whitten seconded the motion.

All members voted in favor of Chair Colman as the Planning Commission member of the Board of Zoning Appeals.

Attachments: [Ethical Principles in Planning](#)

Chair Colman said that the Planning Commission members must acknowledge the *Ethical Principles in Planning*.

The *Ethical Principles in Planning* was distributed to the Commissioners with an acknowledgment sheet for the Commissioners to sign and date. The *Ethical Principles in Planning* is a guide of ethical conduct for Planning Commissioners in the performance of their duties on the Harrisonburg Planning Commission. A copy of the document is available on the City website.

3. Approval of Minutes

Chair Colman asked if there were any corrections, comments or a motion regarding the December 11, 2019 Planning Commission minutes.

Commissioner Way moved to approve the minutes.

Commissioner Finnegan seconded the motion.

All members voted in favor of approving the December 11, 2019 Planning Commission minutes (7-0).

A motion was made by Way, seconded by Finnegan, that this be approved. The motion carried by a voice vote.

Attachments: [Minutes](#)

4. New Business - Public Hearings

Consider a request from Harrisonburg Cohousing, LLC to rezone 650 Keezletown Road

Attachments: [PC Memorandum](#)

[PC Site maps](#)

[PC Application, applicant letter, and supporting documents](#)

[PC Master Plan Zoning Requirements for Juniper Hill Commons](#)

[PC Master plan layout](#)

[PC Summary of differences between Master Plan and Zoning Ordinance](#)

[PC Rezoning Narrative for Juniper Hill Commons](#)

[PC Conceptual site layout](#)

[PC Exhibit. 15% slopes based on 2-ft contours](#)

[PC Exhibit - 2018 Comprehensive Plan Land Use Guide Map](#)

[PC Public comments received as of February 7, 2020](#)

[PC Memorandum - January 8, 2020](#)

[PC Master Plan Zoning Requirements for Juniper Hill Commons - January 8, 2020](#)

[PC Public comment received as of January 2, 2020](#)

Chair Colman recused himself due to conflicts of interest and left the room.

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

Ms. Dang said that there would not be a presentation regarding the request to rezone 650 Keezletown Road. Staff issued a memorandum to the Planning Commissioners stating:

Upon recent internal staff discussions, staff recommends continuing the public hearing for the request to rezone 650 Keezletown Road (Juniper Hill Commons) until the February regular Planning Commission meeting.

Since changes will be made to the master plan, staff will not present the staff report this evening to Planning Commission but will do so at the next Planning Commission meeting on February 12, 2020.

Staff recommends that the Planning Commission open the public hearing this evening, without a staff presentation, and continue the public hearing through the regular meeting on February 12, 2020 to allow the opportunity for staff to work with the applicant on making further changes to the master plan. While staff made efforts to communicate with interested parties regarding the continuance, there may be members of the community who would not have known that the hearing would be continued. We recommend that the Planning Commission invite the public to

speaking regarding the request. Between now and the February meeting, members of the community may continue to submit written comments to staff, which we will share with the Planning Commission, or attend the February 12, 2020 meeting and speak at that time.

Vice Chair Finnegan opened the public hearing and asked if there was anyone wishing to speak to the request. Hearing none, he asked if there were any motions regarding staff's recommendation for a continuance.

Commissioner Finks moved to continue the hearing.

Commissioner Whitten seconded the motion.

All members voted to continue the public comment period until the next Planning Commission meeting, as recommended (6-0). The public hearing is continued through February 12, 2020.

A motion was made by Finnegan, seconded by Whitten, to continue the public comment period until the next Planning Commission meeting. The motion carried by a voice vote.

4b Consider a request from Central Valley Habitat for Humanity to rezone 628, 648, and 658 Virginia Avenue

Attachments: [Memorandum](#)

[Planning Commission Extract](#)

[Site maps](#)

[Application, applicant letter, and supporting documents](#)

[Surrounding Properties Notice](#)

[Public Hearing Notice](#)

[PowerPoint presentation](#)

[PC Memorandum](#)

[PC Site maps](#)

[PC Application, applicant letter, and supporting documents](#)

Chair Colman also recused himself for this item due to conflicts of interest and remained absent from the room.

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

Ms. Dang said that the Comprehensive Plan designates this site as Neighborhood Residential. These areas are typically older residential neighborhoods, which contain a mixture of densities and a mixture of housing types but, should have more single-family detached homes than other types of housing. 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 desired character of the neighborhood.

The following land uses are located on and adjacent to the property:

Site: Two undeveloped parcels and one parcel containing accessory structures, zoned R-2

North: Single-family detached dwellings, zoned R-2

East: Single-family detached and duplex dwellings, zoned R-2

South: Single-family detached dwellings, zoned R-2

West: Across Virginia Avenue, single-family detached dwellings, zoned R-2

The applicant, Central Valley Habitat for Humanity (CVHfH), is requesting to rezone three parcels zoned R-2, Residential District to R-8, Small Lot Residential District and R-8C, Small Lot Residential District Conditional. Each parcel is +/- 6,250 sq. ft., thus the total land area to be rezoned is +/- 18,750 sq. ft. The parcels have frontage on Virginia Avenue and are located between 100-ft. and 250-ft. south of the intersection of Virginia Avenue and 3rd Street. The applicant's letter describes that rezoning the parcels to R-8 would enable CVHfH to increase the number of individuals or families served from three to six by allowing the construction of duplexes on the parcels.

With this request, the applicant has proffered the following (written verbatim):

There shall be no driveway entrances along the frontage of 658 Virginia Avenue (TM39-Z-17).

The above submitted proffer means that 658 Virginia Avenue would be conditionally zoned as R-8C, while 628 and 648 Virginia Avenue would be zoned R-8 with no conditions. The proffer addresses staff's concern about new driveway entrances being constructed too close and within the functional area of the intersection of Virginia Avenue and 3rd Street. Staff is concerned that two new driveway entrances, one entrance serving each of the new duplex units, on 658 Virginia Avenue would be within the functional area of the Virginia Avenue and 3rd Street intersection and would also be located where motorists would be queued or waiting for a red light when traveling northbound on Virginia Avenue. Limiting entrances within the functional area of an intersection helps reduce the number of conflict points and decisions that motorists must make while traveling through an intersection and improves safety in the vicinity of an intersection.

The applicant understands that the Zoning Ordinance (ZO) requires each duplex dwelling unit to have one off-street parking space. Considering the proffer, the only location where the two proposed duplex units on 658 Virginia Avenue will have access to have off-street parking would be to the back, eastern side of the parcel by way of the undeveloped alley that runs parallel to Virginia Avenue between 2nd and 3rd Streets. Staff encourages the applicant to consider improving portions of the alley with an all-weather surface.

The applicant has been made aware that the Comprehensive Plan's Street Improvement Plan and the City's Capital Improvement Program (CIP) calls for future widening of Virginia Avenue between Gay Street and 5th Street to create a four-lane roadway. When this occurs, on-street

parking from Virginia Avenue would be removed and the parallel alleys would be improved by the City so that residents can access off-street parking at the rear of their properties. Until then, on-street parking is allowed along this section of Virginia Avenue.

Since the adoption of the R-8, Small Lot Residential District by City Council on June 25, 2019, until now, no property owners have requested to rezone their property to R-8. The R-8 district is intended for medium- to high-density residential development including, single-family detached, duplex, and, in special circumstances, by special use permit townhouse development. As previously described, the Comprehensive Plan’s Land Use Guide designates this area as Neighborhood Residential. These areas are typically older residential neighborhoods, which contain a mixture of densities and a mixture of housing types, but should have more single-family detached homes than other types of housing. The Comprehensive Plan goes on to say 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.

The R-2, Residential District allows single-family detached dwellings and duplexes as by right uses. This neighborhood, however, contains a mixture of housing types including single-family detached units, duplexes, (some of which are likely nonconforming to lot area requirements of the R-2 district), and nonconforming townhomes and multi-family dwelling units. New development within this neighborhood includes two duplex structures (four duplexes) to be built off of Collicello Street-infilling within undeveloped areas, where the lots would not have public street frontage. The development known as Collicello North is also nearby, which is planned to include single family detached homes, duplexes, and townhomes.

The R-2 district’s minimum area and dimensional requirements prohibit the applicant from constructing duplexes on each of the existing subject parcels. Each parcel measures 50-ft. wide and 125-ft. deep, with a total lot area of 6,250 sq. ft. The R-2 district requires each subdivided duplex unit to have minimum lot widths of 30-ft. This means the applicant could construct either one single-family detached dwelling on each parcel or they could construct a duplex structure on 648 and 658 Virginia Avenue and a single-family detached home on 628 Virginia Avenue. In either scenario, the existing R-2 district would allow only a maximum of three units. If rezoned to the R-8 district, because the dimensional requirements are less restrictive, a subdivided duplex structure could be constructed on each parcel, thus doubling the number of units that CVHfH could provide for the community. See Table 1 below for a comparison of the duplex requirements in the R-2 and R-8 districts.

Table 1. Minimum Area and Dimensional Requirements for Duplexes in R-2 and R-8

	Min. Lot Area	Min. Lot Width	Min. Lot Depth	Max. Duplex Density
Duplex in R-2	5,500 sq. ft./unit	30 ft./unit	100 ft.	3 structures (6 units)
Duplex in R-8	1,800 sq. ft./unit	25 ft./unit	60 ft.	12 structures (24 units)

The R-8 district has smaller minimum area and dimensional requirements and requires 25-ft. of

minimum lot width for each side of a duplex structure. However, the R-8 district also allows up to 24 duplex dwelling units per acre, compared to the R-2 district which allows only up to six duplex dwelling units (three structures) per acre. While this is a significant difference in the maximum density allowed in this neighborhood, given the configuration and sizes of existing parcels in this area, along with the Subdivision Ordinance's requirement that all parcels have public street frontage, staff does not believe the rezoning would create incompatibility within this block of this neighborhood.

Additionally, staff believes that the requested rezoning to R-8 and R-8C supports efforts to increase the availability of housing that is affordable for low- and moderate-income households. The requested rezoning also supports the following goals and objectives of the Comprehensive Plan:

Goal 5. To strengthen existing neighborhoods and promote the development of new neighborhoods that are quiet, safe, beautiful, walkable, enhance social interaction, and offer a balanced range of housing choices.

Objective 5.2 To develop approaches to increase the percentage of single-family detached and duplex housing units.

Goal 6. To meet the current and future needs of residents for affordable housing.

Objective 6.1 To promote affordable housing options, including affordable rental properties and affordable homes for ownership.

Objective 6.2 To promote home ownership to increase the proportion of owner-occupied units in the City.

Staff recommends approval of the request.

Vice Chair Finnegan asked if there were any questions for staff.

Commissioner Finks asked if there was discussion among staff about also making 648 Virginia Avenue conditional, as with the adjoining property to 658.

Ms. Dang said that the Department of Public Works was most concerned with entrances within 100 feet of the intersection. It only affects the first northernmost parcel. They were okay with the entrances outside of that functional area.

Commissioner Whitten asked if Habitat has built other duplexes within the City.

Mr. Fletcher said yes.

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

David Wenger, Executive Director of Central Valley Habitat for Humanity, came forward to speak to the request. The CVHfH is a non-profit organization with the mission of partnering with individual families to create decent, affordable housing. We do this by teaming with families, organizations, businesses and local governments to keep the costs of housing down where we can. We are all aware of the need for affordable housing within Harrisonburg. There has been a lot of discussion about that need. We are all aware that solutions are sometimes hard to come by. I was encouraged to hear about the R-8 zoning district that has been implemented. I think that it is appropriate that a group, such as CVHfH, team with the City representatives and staff to use the new zoning district that is created to help address affordable housing needs. Thank you to City staff for the recommendation. I am willing to answer any questions and hope that you will recommend approval of our application.

Commissioner Whitten asked how many duplexes versus single-family homes have been built by CVHfH.

Mr. Wenger said that there may be one third to one half. I believe we have completed 16 homes, or eight duplexes. Most of those are within the City. We are in the process of building a duplex on Roberts Court. We have recently completed two other duplexes there, so we will have six homes in that area. That worked out well with the Northend Greenway coming through there. It seemed like a good community for us. Additionally, we have a presence in the area that we are talking about. We have built some single-family homes there due to the R-2 zoning. With this opportunity, we can build some duplexes that will reflect or will be similar to the visual nature of the houses that we have built there. The staff and the committees of CVHfH take pride in the appearance of those homes and think that they will add to the community.

Commissioner Whitten said that she commends CVHfH for their efforts. Our Chair, as well. He has to sit out this one because he is very active on CVHfH. You all do good work. It is a wonderful organization.

Larry Brown, board member of the CVHfH, came forward to speak to the request. This is a non-profit, as you know, with our offices in Bridgewater, VA. I am also the current Chairman of our Building and Site Committee, which is responsible for most of the recommendations regarding the physical building projects and our planning. As stated previously, we are committed to the creation of affordable, quality, family homes, built in a variety of styles. We do not have a single cookie-cutter plan. They blend well into existing neighborhoods. These homes provide for our families and enable them to become fully contributing members of their new community. They have been built throughout Rockingham County; from Grottoes to Dayton and Bridgewater. Currently, we have a single-family home under construction in Timberville. We have properties that we will be developing in the future. We intend to be County-wide, although based on population, we are most heavily concentrated here Harrisonburg.

One of the major costs in our budget is the cost of the lot and the utility hookups that are necessary to support the finished structure. By approving this rezoning application, the Planning Commission would be taking a very decisive step in supporting the goal of increased affordability and housing options for those parcels. Obviously by doubling the number of homes or houses for families, the land component costs are, in essence, cut in half. For those six families, it represents a major improvement in the affordability and an impact on what will be the finished price of that home. CVHfH has a lot of experience in the construction of efficiently designed duplexes, having previously built duplexes for sixteen families over its 31 years of existence in Rockingham County. In total, we have helped more than 65 families into their personally owned, private, family structures. With your support, we believe that we will be able to add six more to this goal at the conclusion of this project. I thank you for your time and consideration.

Aaron Yoder, local contractor and developer, came forward to speak to the request. I am a local contractor and developer, with over ten years of doing projects in the City. I am the past President of the Shenandoah Valley Builders Association, former board member of CVHfH and current friend and adamant supporter of the CVHfH. I am excited about the application that CVHfH has applied for and am fully in favor of it. I ask that you consider recommending approval. I think it is the perfect opportunity, and what the new R-8 zoning district was designed to achieve. Our City is not growing out. Our City is not growing up. But our City is growing. This new zoning, for the types of projects that I do and for the types of projects that CVHfH does, is very important. I think it is a wonderful opportunity to apply that correctly to this project. As mentioned before me, there is a serious need for affordable housing. Residential contractors, like me, struggle to meet that need. CVHfH is very well positioned to meet that need, specifically with this project and with this rezoning. Thank you for your consideration of it. I hope you approve it. I look forward to seeing more CVHfH on Virginia Avenue.

Jennifer Howard, Harrisonburg resident and EMU graduate, came forward to speak to the request. I am a former employee of the City of Harrisonburg and current employee of the Virginia Department of Health. I am also a Habitat family partner. I want to speak from the perspective of the families that could possibly be in these dwellings. It is extremely important to offer affordable housing. It gives families, like mine and others, the opportunity to live and work within the City of Harrisonburg, to contribute to the revenues through taxes, and cut down on commute times for those of us who do not want to move out into the County to find more affordable housing. Clearly the Comprehensive Plan is in line with what CVHfH is asking. I hope that the City continues their goals for affordable housing.

Vice Chair Finnegan asked if there was anyone else wishing to speak to the request. Hearing none, he closed the public hearing and opened the matter for discussion.

Commissioner Finks said that this is a perfect example of what he was envisioning for the R-8 zoning district. We all know that there is a desperate need for affordable housing in the City of Harrisonburg. As a resident of this neighborhood, I can say that this completely fits with the

character of the neighborhood. There is a lot of R-2, duplexes, and apartments. This rezoning on Virginia Avenue makes sense for this neighborhood. It is needed in the community. I am in strong support of this request.

Commissioner Way said that he agrees. From the perspective of building up more complete neighborhoods, this helps. Anything that we can do to facilitate the infill of these neighborhoods makes a lot of sense, in terms of increasing compact traditional neighborhoods.

Commissioner Whitten said that that most encouraging thing about it is that it is going to strengthen the neighborhood and bring people that will have huge aspirations and goals for homes and for being neighbors. That is what we want in the friendly city.

Commissioner Finks said that talking about our neighborhood, in general, Commissioner Finnegan and I happen to both live in this neighborhood, it is a neighborhood that is set up for walkability. We have a grocery store within walking distance, and multiple restaurants. There are not a lot of neighborhoods that are set up to fit the mold of a walkable neighborhood. Looking at this neighborhood to become denser and finding places for infill makes the most sense.

Commissioner Finks moved to recommend approval of the rezoning request, as presented.

Commissioner Whitten seconded the motion.

Vice Chair Finnegan said that this is his neighborhood. My house showed up on the corner of that map. I echo what Commissioner Finks said. There are a bunch of empty lots right there between Collicello Street and Virginia Avenue. It is a very walkable neighborhood and within walking distance of downtown. It has a very good school.

Commissioner Romero said that he is a big fan of CVHfH. I have been in conversations with Mr. Brown and Mr. Wenger in the past. I am very excited. I have seen the benefit that this has provided to individual families in my neighborhood and around the City. I look forward to this project and any future projects in the City.

All members voted in favor of recommending approval (6-0) of the rezoning, as presented. The recommendation will move forward to City Council on February 11, 2020.

Commissioner Colman returned to the meeting room at the conclusion of this agenda item.

This PH-Rezoning was recommended for approval to the City Council due back on 2/11/2020

Consider a request from Diversified Properties LLC to rezone 690 Pear Street

Attachments: [Memorandum](#)
[Planning Commission Extract](#)
[Site Maps](#)
[Application, Letter and Other Supporting Documentation](#)
[Conceptual Site Development Layout](#)
[Public Hearing Notice](#)
[PowerPoint presentation](#)
[Surrounding Property Notice](#)
[PC Site maps](#)
[PC Memorandum](#)
[PC Application, applicant letter, and supporting documents](#)
[PC Conceptual site development layout](#)

Chair Colman read the request and asked staff to review.

Ms. Banks said that the Comprehensive Plan designates this site as Medium Density Mixed Residential. These areas have been developed or are planned for small-lot single-family detached and single-family attached (duplexes and townhomes) neighborhoods, where commercial and service uses might be finely mixed within residential uses or located nearby along collector and arterial streets. Mixed-use buildings containing residential and non-residential uses and multi-family dwellings could be appropriate under special circumstances. 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. Like the Low Density Mixed Residential designation, 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 could be around 20 dwelling units per acre. 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 following land uses are located on and adjacent to the property:

Site: Vacant parcel, zoned R-1
North: City parcel (stormwater best management practice), zoned R-1, and C&W Railroad right-of-way
East: Across Pear Street, vacant land, zoned R-1
South: Across Russel Drive, detached single-family dwellings, zoned R-3C, and vacant land, zoned R-1
West: Across Bartlett Court, detached single-family dwellings, zoned R-3C

The subject parcel was created after the City purchased property in this area for the relocation of Pear Street and extension of Erickson Avenue. This included a stormwater best management practice (BMP) area and staging location for the construction of Erickson Avenue and the Pear Street realignment. A residual portion of old Pear Street was retained and became Bartlett Court and in December 2016, the +/- 17,931 sq. ft. parcel was divided off from the remaining City owned property and sold to the current owner, Diversified Properties, LLC.

The applicant is requesting to rezone a +/- 17,931 sq. ft. parcel from R-1, Single Family Residential District to R-2C, Residential District Conditional. If approved, the property would be subdivided into two lots for the construction of a duplex dwelling on the site. (It should be understood that while the applicant desires to construct a duplex on the site, this is not proffered, and two single-family detached dwellings could be constructed instead.)

With the requested rezoning the applicant has proffered the following (written verbatim):

- All driveway entrances for 690 Pear Street (TM Parcel 8-D-11) and any new parcel(s) created by future subdivision(s) of this parcel will only be placed along Bartlett Court.

Section 3.10.2.3 of the City's Design and Construction Standards Manual (DCSM) requires a 50-ft. minimum distance between an entrance and street intersections for local streets; therefore, no driveway entrances would be allowed along Russel Drive. As well, staff is concerned with allowing entrances along Pear Street, a major collector street. The proffer addresses this concern by limiting driveway entrances for the subject site to Bartlett Court.

As part of this request, the applicant has provided a proposed subdivision showing how the parcel could be divided for the duplex structure (two dwellings). The parcel is a unique shape, having three public street frontages and right-of-way remnants from the Pear Street relocation. The proposed sketch indicates 30-ft. front setbacks along Bartlett Court, Russell Drive, and Pear Street, as required. Although the remainder of the property lines are adjacent to public right-of-way, the Zoning Administrator has determined that because these public areas are for stormwater management and it is unlikely that a public street would be constructed in these portions of public right-of-way, the property lines may be considered as sides and rears, thus allowing a side yard setback of 10-feet from the northern property line and a rear yard setback of 25-feet from the eastern property line.

The applicant, Diversified Properties, LLC, is also the developer of the R-3C, Multiple Dwelling Residential District Conditional single-family detached neighborhood located to the west of the subject property. This site was rezoned from R-1 to R-3C in January 2005 to allow only the by right uses allowed in the R-1 district; however, area and dimensional requirements of the R-3 district apply. Both staff and Planning Commission recommended approval of the 2005 rezoning,

In 2018, an adjacent County parcel, with frontage along Pear Street in the City, was rezoned from Agricultural to R-5C, Planned Neighborhood District Conditional to allow for a mix of

single-family detached, duplex, and townhouse dwellings. (The City's portion of the City/County parcel is zoned R-1.) During the City's most recent Comprehensive Plan update (2018), the land use designation for this area was changed, increasing the planned residential density from Low Density Mixed Residential, to the current designation of Medium Density Mixed Residential. The Medium Density Mixed Residential calls for small-lot single-family detached and single-family attached (duplexes and townhomes) neighborhoods, where commercial and service uses might be finely mixed within residential uses or located nearby along collector and arterial streets.

The requested rezoning to R-2C is supported by the Comprehensive Plan and staff recommends approval.

Chair Colman asked if there were any questions for staff.

Commissioner Ford-Byrd asked if the mention of the two single-family detached dwellings was a concern.

Ms. Banks said that it was not a concern. If it is subdivided, the lot size would still be large enough in R-2 that you could build a single-family home on each lot or you could construct a duplex. It is still two units, either way.

Commissioner Finnegan asked if the 30-foot setback is proffered or required.

Ms. Banks said that a 30-foot front yard setback is required from a public street. Since the other areas were considered City right-of-way, but they are not functioning as a public street, the 30-foot setback is not required.

Commissioner Finnegan said that it seems that it falls into a gray area because of the specifics of the lot.

Ms. Banks said that off of Pear Street, Bartlett Court, and Russel Drive there would be 30-foot front yard setbacks because they are actually streets.

Chair Colman said that it makes sense in terms of land use, since they are going to have a pond on the other side. There is no street there.

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

Brandon Trump, land surveyor with Lotts & Associates, P.C., came forward on behalf of the owner to speak to the request. As Ms. Banks stated, he wants to rezone from R-1 to R-2, which gives him the flexibility of possibly dividing the property into a duplex lot or keeping it as one single-family lot for future building purposes.

Chair Colman asked if there was anyone else wishing to speak to the request. Hearing none, he closed the public hearing and opened the matter for discussion.

Commissioner Finnegan said that he wished that more Planning Commission meetings had requests to upzone. Anywhere in the City where we can fit two residences, where there would originally have only been one, particularly in a place like this where it is tucked away, I am in favor of it.

Commissioner Whitten said that it is complimentary of the surroundings.

Commissioner Finnegan moved to recommend approval of the rezoning request, as presented.

Commissioner Whitten seconded the motion.

All members voted in favor of recommending approval (7-0) of the rezoning request, as presented. The recommendation will move forward to City Council on February 11, 2020.

This PH-Rezoning was recommended for approval.to the City Council

5. New Business - Other Items

None.

6. Unfinished Business

None.

7. Public Comment

None.

8. Report of Secretary & Committees

8.a. Proactive Code Enforcement

Ms. Banks said that the proactive code enforcement will be temporarily suspended pending the hiring of a Zoning/Planning Technician.

8.c. Rockingham County Planning Commission Liaison Report

Ms. Banks said that staff will provide the members with a sign-up sheet for the 2020 Rockingham County Planning Commission Liaison assignments.

8.b. Board of Zoning Appeals Report

None.

8.d. City Council Report

None.

9. Other Matters

Commissioner Finks asked if the Planning Commission was waiting for a new member to be appointed by City Council.

Ms. Dang said that the City Council agenda reflects that there are four people that City Council may consider. We will see if they appoint someone at their next meeting.

There are four items for the next Planning Commission meeting. They are the Zoning Ordinance amendment for the fuel station in B-1 and a SUP for the 7-11 on Mason Street. These requests had been tabled so that the applicants could work on their requests. We will hear from the Juniper Hill Commons rezoning that is being continued from this meeting. There is a special use permit from the Virginia Mennonite Retirement Community (VMRC) for a multi-family in R-3.

Chair Colman asked what the long-term agenda is for the Planning Commission. What are we going to look at, this year? Are we going to address the Zoning Ordinance?

Ms. Dang said that staff is finalizing the request for proposals (RFP) for the amendments to the Zoning and Subdivision Ordinances. The RFP is to solicit consultants to make proposals to work with us to update the Zoning and Subdivision Ordinances. It is expected that it will be a three-year project. I anticipate that the RFP will be released by the end of this month or February. The RFP review process will last several months before selecting a consultant.

Chair Colman asked if there was interest from the Planning Commission members in being part of the interview process.

Ms. Dang said that staff has thoroughly noted the discussions of the Planning Commission. I would suggest that your role is that when the consultants are selected, there may be work sessions with you. I will discuss with staff regarding your participation in the RFP process.

Mr. Fletcher said that we are still working through the specifics of the RFP. We are still working on scope. We will give you updates as we progress.

Chair Colman said that he wants to ensure that if it is within the Planning Commission's purview to have participation, that we do have it. I know that there are many views and interests regarding zoning, and I would like to ensure that those are considered when we select someone.

Commissioner Whitten asked for the status of the Capital Improvement Program (CIP).

Mr. Fletcher said that he has been waiting for information from the Harrisonburg City School Board. We cannot finish the CIP until we have those numbers. The School Board has not yet voted on their CIP. As soon as they do that, those numbers will be inserted into the document,

then we will give it to you. We are a little behind schedule. At this point of the month, I do not anticipate that we would get the CIP to the Planning Commission until March. It is theoretically possible to get it to you by February, but I would rather wait to March to give you time to look at it. I do not want to reduce your review time. If they vote tomorrow and approve it, we could potentially have it ready. I can send it to you digitally and as a printed copy. The intent is that you would get it weeks ahead. The schedule builds in giving the CIP to you a month in advance. That is why I do not anticipate it coming to the hearing until March. That gives you the opportunity to thoroughly review it, ask questions through us that are given to the department directors and other CIP representatives, and we can get written comments to you.

Commissioner Ford-Byrd said that there were some items that staff was going to address after the December Short-Term Rental (STR) work session. What is the status of those items?

Ms. Dang said that staff will have those items ready for March.

Commissioner Whitten asked how things are going with the STR. Have you had any complaints or concerns?

Ms. Dang said that staff has not received any other public comments since the work session.

Chair Colman asked if staff was still proactively enforcing STR regulations.

Ms. Dang said that she has discussed the matter with the Zoning Administrator. Given the current vacancy, there are other priorities at this time. Once we fill the vacancy, proactive code enforcement, as well as, proactively checking STR listings online will resume.

Mr. Fletcher said that if concerns come in, we do investigate them.

Ms. Banks said that the Commissioner of the Revenue's office does check on them, as well, as part of the Business License process.

Ms. Dang said that if anyone has concerns about a property that you believe to be illegally operating a STR, or not following their conditions, please let us know. We will investigate.

Commissioner Finnegan asked if there can be a value per acre analysis of the City. I have heard of other cities doing this. They are looking at tax revenue. There could be a value per acre map of Harrisonburg. Has that ever been done?

Mr. Fletcher said that he is not aware of it ever being done, but we can set up a time to talk about it.

10. Adjournment

The meeting adjourned at 8:06 p.m.

NOTE TO THE PUBLIC

Staff will be available at 4:30 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.

Language interpretation service in Spanish 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:
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<https://www.harrisonburgva.gov/interpreter-request-form>