



City of Harrisonburg

City Hall
409 South Main Street
Harrisonburg, VA 22801

Meeting Minutes - Final Planning Commission

Wednesday, March 12, 2025

6:00 PM

Council Chambers

1. Call To Order

The Harrisonburg Planning Commission held its regular meeting on Wednesday, March 12, 2025, at 6:00 p.m. in the City Council Chambers, 409 South Main Street.

2. Roll Call/Determination of Quorum

Members present: Richard Baugh, Chair; Brent Finnegan, Vice Chair; Kate Nardi; Shannon Porter; and Valerie Washington. Councilmember Laura Dent and Heja Alsindi were absent.

Also present: Adam Fletcher, Director of Community Development; Thanh Dang, Deputy Director of Community Development; Wesley Russ, Deputy City Attorney; Meg Rupkey, Planner; Nyrma Soffel, Planner; and Anastasia Montigney, Development Support Specialist/Secretary.

Chair Baugh called the meeting to order.

Present 5 - Brent Finnegan, Valerie Washington, Richard Baugh, Kate Nardi, and Shannon Porter

Absent 2 - City Council Representative Laura Dent, and Heja Alsindi

3. Approval of Minutes

3.a. Minutes from the February 18, 2025 Planning Commission Meeting

Chair Baugh asked if there were any corrections, comments or a motion regarding the January 8, 2025, Planning Commission minutes.

Vice Chair Finnegan moved to approve the January 8, 2025, Planning Commission meeting minutes.

Councilmember Dent seconded the motion.

The motion to approve the January 8, 2025, Planning Commission meeting minutes passed (5-0).

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

4. New Business - Public Hearings

- 4.a. Consider a request from Bluestone of Harrisonburg LLC for a special use permit to allow multiple-family dwellings of more than 12 units per building at tax map parcel 108-B-2 (Boulder Ridge)

Chair Baugh read the request and asked staff to review.

Ms. Soffel said in February 2021, City Council approved two requests from Bluestone of Harrisonburg LLC:

1. Amended the Comprehensive Plan's Land Use Guide map within Chapter 6 Land Use & Development Quality by modifying +/- 5.54 acres of land from the Commercial designation to Medium Density Residential.
2. Rezoned +/- 5.54 acres from B-2, General Business District to R-5C, High Density Residential District Conditional, while also rezoning +/- 20.76 acres from B-2, General Business District to B-2C, General Business District Conditional.

At that time, the applicant intended to construct six multi-family (apartment) buildings consisting of a total of 72 dwelling units on the +/- 5.54 acres rezoned to R-5C, and to develop commercial uses on the +/- 20.76 acres zoned B-2. Among other approved proffers, one of the existing proffers that was approved in 2021 limits the property to a maximum of 72 units. Information regarding the 2021 application and proffers can be found at

<https://harrisonburg-va.legistar.com/LegislationDetail.aspx?ID=4773418&GUID=C7B6EA8E-F8EA-4020-8442-9DD5E4D3797A&Options=&Search=>>

The first phase of the development, which is located within Rockingham County, is currently under construction following site plan approval in 2024 from the County. If the SUP that is herein requested is approved, the applicant plans to construct three (3) multi-family buildings with 24 units per building rather than constructing six, 12-unit buildings that were conceptually shown during the 2021 rezoning. The proposed 24-unit buildings would be consistent with the approved multi-family buildings that are being constructed in Rockingham County.

Land Use

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

These areas have been developed or are planned for development of a variety of housing types such as single-family detached, single-family attached (duplexes and townhomes), and in special circumstances, multi-family dwellings (apartments). Depending on the specific site characteristics, densities in these areas should be around 15 dwelling units per acre. Non-residential uses may also be appropriate.

Transportation and Traffic

A new traffic impact analysis (TIA) was not required for the SUP request.

Public Water and Sanitary Sewer

Staff has no concerns regarding water and sanitary sewer service. The developer will be required

to extend public water and sewer from South Main Street to the planned development.

Housing Study

The City's Comprehensive Housing Assessment and Market Study (Housing Study) places the subject site within Market Type B, which has "neighborhoods [that] are characterized by high income earning households, large volumes of housing sales and lower population growth." The Housing Study further notes that houses in these markets are quick to sell and that "[p]riorities and policies that are appropriate to Market Type B areas include the preservation of existing affordable housing while at the same time working to increase access to amenities."

Public Schools

Students will attend schools based on which side of the jurisdictional line they live. Staff from Harrisonburg City Public Schools (HCPS) noted that based on their student generation calculations, the proposed 72 residential units is estimated to result in 23 additional students. Based on the School Board's currently adopted attendance boundaries, Bluestone Elementary School, Thomas Harrison Middle School, and Harrisonburg High School would serve the students residing in this development.

For total student population projections, the City of Harrisonburg and HCPS both use the University of Virginia's Weldon Cooper Center for Public Service's projections. These projections are updated annually and are available at: <https://www.coopercenter.org/virginia-school-data>.

Recommendation

Staff recommends approval of the SUP request as submitted by the applicant.

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

Seth Roderick, applicant's representative from Monteverde, came forward to speak to the request. He said it is a pretty straight forward request here. When the project was first proposed we were thinking standard twelve unit, three story, four per floor garden style apartments. Since then, the owners have opted for essentially two of those units pushed together with a fire wall in between. Outside of that everything remains the same. There are two breezeways on the building instead of one singular. It just creates some proficiencies on construction and helps keep some of those costs down. It creates a little more open space. If we start spreading those buildings back out of course all the roadway and parking gets spread out with it. It is just a little less efficient from a multitude of perspectives. With that, I am happy to answer any questions or address any concerns that may be present.

Chair Baugh said you are already straight with the County part of it?

Mr. Roderick said the County portion is approved and under construction at the moment. That side has twelve 24-unit buildings. This is all tied to the same infrastructure, so it helps keep that cohesive aesthetic through the development as well.

Vice Chair Finnegan said what percentage of this property, if it is built the way it is shown here, is for the building itself and what percentage is for car storage?

Mr. Roderick said I would have to get back to you on that Brent, I apologize. That would take a bit of quantification, but I am happy to follow up with you after the fact just to understand where that leads.

Chair Baugh said I am assuming the striping consistency. I remember a time where we looked around and said why do we have nothing but three-story buildings with twelve units in them because that was all you could do.

Mr. Roderick said it is an almost antiquated piece of the ordinance that still remains. It is kind of a thought of yesteryear. I mean that is not to say that it has zero purpose, but this style of construction is much more common these days for the efficiencies we are talking about.

Chair Baugh said it was the old maximum in the region. Nobody would let them build anything denser than that.

Chair Baugh asked if there were any more questions for the applicant or applicant's representative. Hearing none, he opened the public hearing and asked if there was anyone in the room or on the phone wishing to speak to the request. Hearing none, he closed the public hearing and opened the matter for discussion.

Commissioner Nardi said I am ready to approve; the unit count is the same. I feel like design changes happen during processes and that it seems fair and prudent.

Vice Chair Finnegan said this is a small portion that is in the City. As the applicant said, the other part of this is already under construction. I would support this and with that I will move to approve.

Commissioner Nardi seconded the motion.

Chair Baugh called for a roll call vote.

Commissioner Nardi Aye
Vice Chair Finnegan Aye
Commissioner Washington Aye
Commissioner Porter Aye
Chair Baugh Aye

The motion to recommend approval of the special use permit request passed (5-0). The recommendation will move forward to City Council on April 8, 2025.

A motion was made by Finnegan, seconded by Nardi, that this PH-Special Use Permit be recommended for approval to the City Council, due back on 4/8/2025. The motion failed with a recorded roll call vote taken as follows:

Yes: 5 - Finnegan, Washington, Baugh, Nardi and Porter

No: 0

Absent: 2 - City Council Representative Dent and Alsindi

4.b. Consider a request from Divine Unity Community Church to rezone 1680 Country Club Road

Chair Baugh read the request and asked staff to review.

Ms. Rupkey said on April 14, 2009, City Council approved a special use permit to allow for a religious use at 1680 Country Club Road with the following conditions:

1. The special use permit is limited only to Valley Church at this location;
2. The applicant installs a left turn lane from Country Club Road into the site and that no building permits for the church would be released until plans are approved and bonded, if necessary, for the left turn lane or the left turn lane is constructed;
3. The owner dedicates 10-feet of right-of-way along Country Club Road for future road widening; and
4. If seating capacity increased beyond 700, that the request be presented to Planning Commission for further review and a new special use permit.

Today, the applicant is requesting to rezone a +/- 7.35-acre parcel from M-1, General Industrial District to B-2C, General Business District Conditional. The property is owned and operated by Divine Unity Community Church. If approved the applicant plans to operate half of the available building space for worship and community activities, with the remaining area designated for storage and support functions. The church plans for the building to include expanding the children's ministry, increasing capacity for community events, providing additional resources and support for local families, and developing a gym/athletic space.

Proffers

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

1. The following uses shall be prohibited:
 - a. Vehicle, recreation equipment, or trailer sales served by a permanent building facility unless clearly incidental to an existing building. Vehicle

excludes over the road tractors, their trailers, heavy equipment, manufactured homes, industrialized buildings, and agricultural equipment. No vehicle salvage, storage of inoperable vehicles, or sale of junk is allowed.

- b. Repair of vehicles, recreation equipment, or trailers with all activities and storage of inoperable vehicles completely enclosed within a permitted structure. Vehicle excludes over the road tractors, their trailers, heavy equipment, manufactured homes, industrialized buildings, and agricultural equipment.
 - c. Radio and television stations and studios or recording studios.
 - d. Warehousing and other storage facilities with floor area limited to twenty thousand (20,000) square feet, which are contiguous to permitted uses in this district.
 - e. Funeral homes.
 - f. Vehicle fuel stations, bus terminals or other facilities designed for vehicular convenience. Vehicle excludes over the road tractors, their trailers, heavy equipment, manufactured homes, industrialized buildings, and agricultural equipment. No vehicle salvage, storage of inoperable vehicles, or sale of junk is allowed.
 - g. Drive through facilities
2. All traffic generating uses shall be limited to a combined total of 100 vehicle trips in either the AM or PM peak hour as calculated using the latest edition of the Institute of Transportation Engineer's Trip Generation Manual unless the property owner first, at their cost: (1) completes a Traffic Impact Analysis approved by the City Department of Public Works and (2) implements all identified mitigation measures or improvements. The City Department of Public Works may, in its sole discretion, waive, in whole or in part, completion of a Traffic Impact Analysis or any identified mitigation measures or improvements.
3. Prior to issuance of any future building permit, the property owner shall dedicate 15-feet of public street right-of-way along Country Club Road.

Land Use

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

Mixed Use

The Mixed Use category includes both existing and proposed areas for mixed use. Mixed Use areas shown on the Land Use Guide map are intended to combine residential and non-residential uses in neighborhoods, where the different uses are finely mixed instead of separated. Mixed Use can take the form of a single building, a single parcel, a city block, or entire neighborhoods. Quality architectural design features and strategic placement of green spaces for large scale developments will ensure development compatibility of a mixed use neighborhood with the surrounding area. These areas are prime candidates for

“live-work” and traditional neighborhood developments (TND). Live-work developments combine residential and commercial uses allowing people to both live and work in the same area. The scale and massing of buildings is an important consideration when developing in Mixed Use areas. Commercial uses would be expected to have an intensity equivalent to a Floor Area Ratio of at least 0.4, although the City does not measure commercial intensity in that way. Downtown is an existing area that exhibits and is planned to continue to contain a mix of land uses.

The downtown Mixed Use area often has no maximum residential density, however, development should take into consideration the services and resources that are available (such as off-street parking) and plan accordingly. Residential density in Mixed Use areas outside of downtown should be around 24 dwelling units per acre, and all types of residential units are permitted: single-family detached, single-family attached (duplexes and townhomes), and multi-family buildings. Large scale developments, which include multi-family buildings are encouraged to include single-family detached and/or attached dwellings.

Low Density Mixed Residential

These areas have been developed or are planned for residential development containing a mix of large and small-lot single-family detached dwellings, where commercial and service uses might be finely mixed within residential uses or located nearby along collector and arterial streets. Duplexes may be appropriate in certain circumstances. Mixed use buildings containing residential and non-residential uses might be appropriate with residential dwelling units limited to one or two dwelling units per building. Attractive green and open spaces are important for these areas and should be incorporated. Open space development (also known as cluster development) is encouraged, which provides for grouping of residential properties on a development site to use the extra land for open space or recreation. The intent is to have innovative residential building types and allow creative subdivision designs that promote neighborhood cohesiveness, walkability, connected street grids, community green spaces, and the protection of environmental resources or sensitive areas (i.e. trees and floodplains). Residential building types such as zero lot-line development should be considered as well as other new single-family residential forms. The gross density of development in these areas should be around 7 dwelling units per acre and commercial uses would be expected to have an intensity equivalent to a Floor Area Ratio of at least 0.4, although the City does not measure commercial intensity in that way.

Transportation and Traffic

A traffic impact analysis (TIA) was not required for the rezoning request.

As noted in Proffer #3, the applicant would dedicate right-of-way along Country Club Road. The reason for the right-of-way dedication is to assist with the improvement plans for Country Club Road, which includes widening the road to three lanes with sidewalk on one side of the street and a shared use path on the other side. Public street right-of-way is still needed along this property's frontage because the 2009-approved SUP condition to dedicate right-of-way was unfortunately

not fulfilled by the previous property owner. The applicant is specifically proffering that before any new building permit is issued, they would dedicate 15 feet of right-of-way for future improvements to be made by the City.

Public Water and Sanitary Sewer

Staff does not anticipate issues regarding water or sanitary sewer service availability for the proposed rezoning.

Housing Study

The City's Comprehensive Housing Assessment and Market Study (Housing Study) places the subject property within Market Type D, which notes that "[m]arket type D has lower market activity as well as lower access to amenities. This could be because the areas are stable residential neighborhoods or because the area is less developed and therefore has fewer sales and fewer amenities. Strategies that would be appropriate in the latter case include concurrent development of the housing and economic opportunities through mixed-use developments to build commerce and housing centers across the City.

Recommendation

Staff recommends approval of the rezoning request.

Chair Baugh asked if there were any more questions for staff.

Vice Chair Finnegan said churches do not pay property taxes, is that correct?

Chair Baugh said [you mean] real estate tax.

Vice Chair Finnegan said if they are using this to rent out, would they pay taxes on that?

Mr. Russ said it depends on how the rental relates to the church, how frequent it is. Does that space basically exist for the sole purpose of renting out? Are they using it as well? It is complicated.

Commissioner Porter said if it is consistent with their mission, you can make the case that it would be appropriate.

Chair Baugh said similarly if you just rent it out to a professional office, you have actual income you have to report. Presumably the Commissioner of the Revenue figures this out.

Vice Chair Finnegan said I know that it related tangentially to this, and this proposal is not for housing, but if a faith community wanted to build housing on their property... I can follow up with you about that later. I am curious about the tax revenue if housing was built.

Chair Baugh said I know one instance where if a church does that it is generally consistent with their mission... It is like the City Attorney says it really depends on the details of what exactly they are doing and how consistent it is with their exempt purposes.

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

Gabe Crider, Associate Pastor at Divine Unity Community Church, came forward to speak to the request. He said I do not have a lot to add but I am here for any questions that you would have for me specifically.

Commissioner Porter said would any of the additional services that you would be providing, or the potential rentals, change the traffic patterns or increase the times of day where you might have more traffic coming in and out of the facility?

Mr. Crider said the mentioned potential of renting out a portion of the warehouse for athletic use would be for...we are under a lease but the lease we are in conversation about would be for a wrestling club that would be there several evenings a week. It would not really change the traffic, and they would not be allowed to be there during times where we would be using the building for church services.

Commissioner Porter said it would increase the population that would be present during your actual service?

Mr. Crider said not during services. There might be other people there in the offices and whatnot but not a significant number of people.

Chair Baugh asked if there were any more questions for the applicant or applicant's representative. Hearing none, he opened the public hearing and asked if there was anyone in the room or on the phone wishing to speak to the request. Hearing none, he closed the public hearing and opened the matter for discussion.

Commissioner Nardi said I would move to approve based on better utilization of the building, being consistent with the church's mission, and the benefit to the community. They have proffered a number of things that show awareness for the space around them and where the City is coming from.

Commissioner Porter said the right of way is. I think for anybody that travels along Country Club Road, and I do not think they are going to bother any of their other...there is not really anybody else that is going to be bothered by this.

Commissioner Porter seconded the motion.

Chair Baugh said one thing that I like a little bit, that I do not think was really stated, is there is a potential for rental activity in the building now and by going from the M-1 to B-2 it is possible

some potentially less intensive uses would no longer be available there.

Chair Baugh called for a roll call vote.

Commissioner Nardi	Aye
Vice Chair Finnegan	Aye
Commissioner Washington	Aye
Commissioner Porter	Aye
Chair Baugh	Aye

The motion to recommend approval of the rezoning request passed (5-0). The recommendation will move forward to City Council on April 8, 2025.

A motion was made by Nardi, seconded by Porter, that this PH-Rezoning be recommended for approval to the City Council, due back on 4/8/2025. The motion carried with a recorded roll call vote taken as follows:

Yes: 5 - Finnegan, Washington, Baugh, Nardi and Porter

No: 0

Absent: 2 - City Council Representative Dent and Alsindi

4.c. Consider a request from James A. Herr to rezone 532 Hawkins Street

Chair Baugh read the request and asked staff to review.

Ms. Soffel said the applicant is proposing to rezone a +/- 9,178 square foot parcel from R-3, Medium Density Residential District to R-5C, High Density Residential District Conditional. The property is addressed as 532 Hawkins Street and is identified as tax map parcel 27-L-22. If approved, the applicant plans to construct four townhouse-style, two-level multi-family dwelling units with two to three bedrooms each.

Proffers

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

1. Dwelling units may be occupied by a single family or no more than three (3) unrelated persons.
2. A minimum of one and one half (1.5) parking spaces per unit shall be provided.

The conceptual site layout is not proffered.

The R-5 district allows dwellings to be occupied by a family or not more than four persons. Proffer #1 reduces the allowable occupancy of dwelling units to either a family or not more than three persons. The minimum off-street parking requirements of Section 10-3-25 (7) allows for reduced parking when occupancy is restricted in specific districts. If the applicant had not proffered a reduced occupancy, they would have been required to provide up to 3.5 parking

spaces per unit. Since they limited the occupancy, only one parking space per unit would be required by the ZO; however, as indicated in proffer #2, the applicant has proffered a minimum of 1.5 parking spaces per unit.

Land Use

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

These areas have been developed or are planned for development of a variety of housing types such as single-family detached, single-family attached (duplexes and townhomes), and in special circumstances, multi-family dwellings (apartments).

Depending on the specific site characteristics, densities in these areas should be around 15 dwelling units per acre. Non-residential uses may also be appropriate.

Given the mix of housing types within this area of the City, staff believes that the four proposed townhouse-style apartment units would be in conformance with the Comprehensive Plan's Land Use Guide.

Transportation and Traffic

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

Immediately to the west of the subject property is an undeveloped public alley. The applicant is planning to reconstruct and widen the entrance to the alley and improve it to provide access to a proposed parking lot to the rear of the building. The applicant is also conceptually demonstrating the construction of a private sidewalk extending along the side of the alley between the public sidewalk along Hawkins Street and the private parking lot. While the applicant is proposing to improve the alley, they are not requesting to close it and thus it would remain open for the public to use.

Public Water and Sanitary Sewer

While staff does not anticipate issues regarding water or sanitary sewer service availability for the proposed development, the applicant has been advised that they will be responsible for completing a study of the water and sanitary sewer capacity prior to submittal of an engineered comprehensive site plan. Any public system improvements required to meet the increased demands resulting from the project will be the responsibility of the developer.

Housing Study

The City's Comprehensive Housing Assessment and Market Study (Housing Study) places the subject property within Market Type C. Along with other details of this market type, it is the smallest but fastest growing market type in the City. Among other characterizations, Market Type C has a large number of university students. The Housing Study states "[l]ike Market Type A, Market Type C has above median overall access to amenities such as public transit within walking distance, full-service grocery stores, and multiple parks and recreation facilities." It goes on to say

that “Market Type C has above median access to amenities yet is the most affordable market type in the City. The creation and preservation of affordable housing and construction of middle-income housing would be appropriate here as there are already amenities in place that would make these areas attractive locations for housing...” The Housing Study also notes that “[h]aving an adequate supply of smaller apartments in Market Types A and C is important because these block groups have higher scores for access to amenities such as jobs, parks, full-service grocery stores, and public transit.”

When considering the need for providing more housing in the City, providing multi-family units at this location can be a positive result for this area of the City and for those individuals who want to reside in the City.

Public Schools

Staff from Harrisonburg City Public Schools (HCPS) noted that based on their student generation calculations, the proposed four residential units is estimated to result in four additional students. Based on the School Board’s currently adopted attendance boundaries, Spotswood Elementary School, Skyline Middle School, and Rocktown High School would serve the students residing in this development. HCPS staff also noted that currently four of the six elementary schools exceed effective capacity.

For total student population projections, the City of Harrisonburg and HCPS both use the University of Virginia’s Weldon Cooper Center for Public Service’s projections. These projections are updated annually and are available at:

<https://www.coopercenter.org/virginia-school-data>.

Recommendation

Staff recommends approval of the rezoning request, as presented.

Chair Baugh asked if there were any questions for staff. Hearing none, he invited the applicant or applicant’s representative to speak to their request.

Gil Colman and James Herr, the applicant and the applicant’s representative, came forward to speak to the request. Mr. Colman said I think what is interesting about it, as you saw on that exhibit, is we are trying to maximize the use of that property in many ways. It is one of the ways we have discussed many times with the City. How can we infill in the City in a way that is constructive and a way that provides, in our case, more affordable housing. This is something that we are proposing here that provides potential housing for three families. I want to say that the property itself is zoned R-3 which would allow for multifamily, however the density is what was limiting for us. Given the density of R-3 we could not have three units. I think it was just maybe two. That is why we are pursuing the rezoning to be able to accommodate two more units there. There were some questions also about the parking lot being in the back. That is on purpose. Having the parking lot in the back brings the units to the front and keeps all of the cars in the

back. Having been on Planning Commission and all, that is something that we always look for and here we are achieving that. That is also thanks to the Fire Department and Public Works in terms of using the alley as the access to the parking lot. It is a public alley it is public access which will benefit us but also the neighbors and anybody developing behind us or to the side. Hopefully it is a win-win for everybody. We are thinking that we would like to put a playground here also because of the use of the units for families that are likely with young kids. It is a very tight site. We are working with something very tight and very difficult to accommodate, but we are hopeful that we can make it work. Any questions for us?

Vice Chair Finnegan said I had a question about the alley, would you be paving that or would it that be gravel? Right now is it just grass?

Mr. Colman said correct, it is undeveloped, it is grass.

Vice Chair Finnegan said what that alley that is shown on the left on that image, what sort of treatment would you be doing to that alley?

Mr. Colman said one of the discussions that we had with the Fire Department was where they would require us to pave it. There are requirements that we can build it in such a way that could support the 80,000 pounds which is the fire engine [weight] to get back in there. Whether we pave it or not, at this point I do not think there is a commitment to pave it yet, but it is something that we may do. It is not a large alley so maybe there is a possibility. We have not really spoken in terms of whether we are going to have that paved or not. Right now, we do not know.

Vice Chair Finnegan said I live in a neighborhood with a lot of gravel and dirt alleys and so after a lot of car use it will rut them out.

Mr. Colman said I think in this case because of the requirement of the Fire Department it is going to have to be pretty well packed and maybe less likely to create ruts. Mainly because the ruts occur because you use lose gravel and that stuff starts spreading out once you are driving on it. Given the requirements here, I would think we would have something much sturdier than that. Perhaps it will be paved. Maybe the cost of the whole site dictates whether it gets paved or not.

Commissioner Porter said have you engaged in conversation with your neighbor to the west regarding this?

Mr. Herr said yes, some are here tonight and some of them may speak when invited. The second property just to the north is owned by a group of folks who said that if this moves forward they

would be happy to work with us in any way that they could. This driveway would be constructed with a base that would be prepped for pavement. It will be a pretty solid compacted base.

Vice Chair Finnegan said I will just add that I appreciate that the parking is being put out of the way as opposed to fronting on the street. I think there is just far too much of that in Harrisonburg and I like the idea of putting the parking behind.

Mr. Colman said I think it also works in terms of if we do put a playground or if there are kids there all that is in back. For the playground purposes it is next to cars, but the cars are not going to be driving by there they are just going to be parked. Also having the sidewalks in the front, there are sidewalks already there. So it is easy to walk towards downtown or other areas. That was certainly something that we thought was fitting and it worked well for us also. As I mentioned before, it works better to have the parking in the back than in the front because of the setbacks.

Commissioner Nardi said do you have a sense of what the rental rates will be?

Mr. Herr said if this project were to move forward, this property would be sold to Bridge of Hope who provides housing for typically single women, single mothers. Right now, they have 12 families that they care for and their challenge is finding housing when they need it. I think we can offer this at an affordable rate that would allow them ownership. This is a national organization. I think there were two other places in the country that have their own units. This would be a big boost for this local organization.

Chair Baugh opened the public hearing and asked if there was anyone in the room or on the phone wishing to speak to the request.

Patricia Sayer, a resident at 182 Reservoir Street, came forward to speak to the request. She said Jim has come to us and talked to us about the different things that are possible. We have told him if we can work together somehow, I am in agreeance for this to go through. I think it would be a good thing to raise the neighborhood through there. There is a lot of on street parking on through there. I have lived there all my life; I grew up there. I think we are okay, and I think we can work with Jim to make this work out.

Chair Baugh asked if there was anyone in the room or on the phone wishing to speak to the request. Hearing none, he closed the public hearing and opened the matter for discussion.

Vice Chair Finnegan said I think this is a good use. This is a good example of zoning infill with thoughtful treatment of parking not in the front but in the back. I certainly support the mission of

Bridge of Hope.

Commissioner Porter said I would definitely speak to the issue at hand here which is affordable housing and also an organization like Bridge of Hope. I am a nonprofit director at Mercy House and I am very familiar with Bridge of Hope. I believe that they would be outstanding stewards of this property should they acquire it. I think that it would be exactly the sort of thing that neighborhood would want to have anchor it. I assure you I believe that they would be good neighbors. When I saw the property yesterday my first concern was for you, so I am glad you guys have had a good conversation. I would strongly encourage the commission to consider this just based on multiple merits.

Commissioner Nardi said I would agree with both statements. We are increasing the number of units available and we want to do that. The density and use of the site and again the parking in the back and a benefit to the community.

Commissioner Porter said I would like to make a motion to accept the request.

Vice Chair Finnegan seconded the motion.

Chair Baugh called for a roll call vote.

Commissioner Nardi	Aye
Vice Chair Finnegan	Aye
Commissioner Washington	Aye
Commissioner Porter	Aye
Chair Baugh	Aye

The motion to recommend approval of the rezoning request passed (5-0). The recommendation will move forward to City Council on April 8, 2025.

A motion was made by Porter, seconded by Finnegan, that this PH-Rezoning be recommended for approval to the City Council, due back on 4/8/2025. The motion carried with a recorded roll call vote taken as follows:

Yes: 5 - Finnegan, Washington, Baugh, Nardi and Porter

No: 0

Absent: 2 - City Council Representative Dent and Alsindi

- 4.d.** Consider a request from Cat's Cradle of the Shenandoah Valley, Inc. to amend the Zoning Ordinance to allow pet adoptions in B-1

Chair Baugh read the request and asked staff to review.

Ms. Soffel said Cat's Cradle, a local nonprofit cat rescue located at 122 South Main Street, is requesting to amend the Zoning Ordinance to allow cat adoptions as a by-right use within the B-1, Central Business District. While the B-1 district allows retail as a by right use, which would allow for businesses such as pet supply stores, it does not permit pet shops, grooming establishments, or animal hospitals. These uses are permitted by right within Section 10-3-90 (9) of the B-2 district, and because the same set of uses are not listed within the uses permitted by right or by special use permit sections of the B-1 district, they are not permitted downtown.

Currently, Cat's Cradle is unable to complete cat adoption transactions at its downtown office due to restrictions in the B-1 district. Instead, they transport the cats off-site to finalize adoptions. This process is challenging since they cannot close their business during working hours and rely on volunteers for transportation and transactions, which leads to delays and occasionally discourages potential adopters.

To allow for cat adoptions in the B-1 district, the Zoning Ordinance would be amended by adding definitions for "pet adoptions" and "pet shops," and then adding the uses within the B-1 and B-2 districts accordingly. If approved, Section 10-3-24 Definitions would be amended by adding the two definitions as follows:

Pet adoption: The transfer of ownership of a dog or cat, or any other companion animal from a releasing agency to an individual. Such transfer of ownership does not include the purchase, sale, transfer, exchange or bartering of companion animals for compensation or profit.

Pet shop: Retail establishment where companion animals are bought, sold, exchanged, or offered for sale or exchange, to the general public.

At the same time, Section 10-3-84. Uses Permitted by Right in the B-1, Central Business District, would be amended by adding subsection (15) as shown below:

(15) Pet adoptions, limited only to cats.

The final proposed amendment would modify Section 10-3-90. Uses Permitted by Right in the B-2, General Business District, by explicitly including "pet adoption" alongside pet shops and grooming establishment to avoid any ambiguity. Section 10-3-90 (9) would be amended as follows:

(9) Pet adoption, pet shop, ~~or~~ pet grooming establishment, and animal hospitals.

If the Zoning Ordinance is amended as requested by the applicant, it would allow for cat adoptions, like those conducted by Cat's Cradle, to occur in the B-1 district. Staff recommends approval of the Zoning Ordinance amendments.

Chair Baugh said I will go ahead and ask because the specific request from Cat's Cradle is pet adoptions and we are sort of adding the pet shops in there. I have not had anybody reach out to me on this one, but I have in some other context before. There are some aspects of some pet shops that are considered less savory among folks. I was just wondering if there were any thoughts on why we are including [pet shops].

Ms. Soffel said pet shops are already allowed in B-2 without being defined. Since we are defining pet adoptions we want to make sure that by defining pet adoptions we are not creating any confusion as to what a pet shop would allow.

Commissioner Nardi said pet shop is already allowed?

Ms. Soffel said yes, without a definition.

Commissioner Washington said is there a reason why it is limited only to cats?

Ms. Soffel said simply because that is the request. We have not evaluated allowing other pets. There could be other implications with other pets such as dogs; noise, where they would do their business, the need to move around a little bit more. We have not evaluated that fully.

Chair Baugh said I have not looked at any stats recently but historically the pattern is that one of the reasons you do not have an equivalent [to Cat's Cradle] for dogs is because it is not the same kind of issue. Dog adoptions tend to go fairly quickly. Going back a few years when there was a lot more discussion about euthanasia in animal shelters. In fact, one of the reasons we had a high euthanasia rate here was that our area essentially produced a lot more cats than people who could easily get them, which is not true nationwide. With cats there is a whole lot more people that have them and getting places where they can give them to people who want them in other communities. There is a whole other level of things that is developed with cat adoptions that has not been an issue with dogs.

Vice Chair Finnegan said there is a cat café downtown, what does that fall under?

Ms. Soffel said as long as they are processing adoptions that are not for profit, they would be allowed to do so as well on their property. This would benefit them as well.

Vice Chair Finnegan said Cat's Cradle used to be located downtown across from Jimmy Madison's. Was that nonconforming?

Ms. Soffel said I do not think they are in the same suite that they had been previously.

Vice Chair Finnegan said Cat's Cradle as they used to operate prior to the renovation of that building, was that a nonconforming use?

Ms. Soffel said it is allowed.

Ms. Dang said they are just keeping the animal on the premises. We had that discussion in the hallway just yesterday about how I think about the gentleman who has the shop along the Water Street [Parking] Deck who has a dog in his shop window there. There is nothing in our ordinance that prohibits people from having the animals present. It is the activity of the adoption, or the sale, that type of transactional activity that had been prohibited.

Mr. Fletcher said I will add about ten years ago there were pet adoptions occurring from Cat's Cradle and there was a concern that was submitted to us that they were doing so illegally. We investigated the matter and worked very closely with Cat's Cradle at the time to help them get into compliance and that is when they changed their operation and then moved off site to do the adoptions.

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

Sherri Heishman, the applicant, came forward to speak to the request. She said we do about 600 adoptions a year at the local PetSmart. You can imagine that is a lot of traffic traveling back and forth. Today, we had a couple come in they were both 80 years old. They came in they fell in love with a cat. They had to pack everything up that they brought, get into their car, we had to teach them how to get over to PetSmart. Then we had to call a volunteer in to meet them over at the PetSmart to hand the cat over. We would love the opportunity to have that happen right there in our locality that we are at now. We are right across from Jimmy Madison's. We used to be at the end and they moved us over one unit because that end cap was a lot more attractive real estate and so we are in a smaller location. We have our cats in two front windows and usually there is between two and three cats in each window unless they are kittens then we could have more. We are also sanctioned by the Virginia Department of Agriculture [and Consumer Services]. We have to make sure that the cats are fed properly, that they have the right climbing apparatuses. We have to make sure we have an isolation area if the cat were to get sick. All of our people are trained on those specification. We do about 600 adoptions a year. We also helped with 3,925 spay and neuter assistance last year and we did 1,400 trap neuter returns between Augusta County and Rockingham. That is why you are seeing the intake at the shelters go down.

Chair Baugh asked if there was anyone in the room or on the phone wishing to speak to the request. Hearing none, he closed the public hearing and opened the matter for discussion.

Vice Chair Finnegan said to the point of the comment that you just made, I have been to PetSmart exactly one time and it was to pick up cats. I would have preferred to just go downtown. I would be supportive of this.

Commissioner Nardi said I am also supportive of it. I move to approve the ordinance amendment as presented.

Vice Chair Finnegan seconded the motion.

Commissioner Porter said this seems like one of those opportunities where the government can get out of the way and let somebody do something that makes sense. This is a common sense move that we are making this change.

Chair Baugh said not so much recently but over a large majority of time a lot of positive things have happened in recent years in this area.

Chair Baugh called for a roll call vote.

Commissioner Nardi	Aye
Vice Chair Finnegan	Aye
Commissioner Washington	Aye
Commissioner Porter	Aye
Chair Baugh	Aye

The motion to recommend approval of the ordinance amendment passed (5-0). The recommendation will move forward to City Council on April 8, 2025.

A motion was made by Nardi, seconded by Finnegan, that this PH-Zoning Ordinance be recommended for approval to the City Council, due back on 4/8/2025. The motion carried with a recorded roll call vote taken as follows:

Yes: 5 - Finnegan, Washington, Baugh, Nardi and Porter

No: 0

Absent: 2 - City Council Representative Dent and Alsindi

5. New Business - Other Items

6. Unfinished Business

- 6.a.** Consider a request from Janis Brown Enterprises LLC to rezone two parcels addressed as 1211 and 1231 Smithland Road

Please refer to attachment 17 in Legistar for the full minutes extract.

A motion was made by Porter, seconded by Nardi, that this PH-Rezoning be recommended for disapproval to the City Council, due back on 4/8/2025. The motion passed with a recorded roll call vote taken as follows:

Yes: 3 - Baugh, Nardi and Porter

No: 2 - Finnegan and Washington

Absent: 2 - City Council Representative Dent and Alsindi

7. Public Comment

None.

8. Report of Secretary & Committees

8.a. Rockingham County Planning Commission Liaison Report

Commissioner Nardi said there were two items on the agenda. One was Redi-Mix and they were approved to add a 16,120 square foot addition to their facility plus an indoor-outdoor common area. I will leave it at that but if you want pages of everything, I would be happy to share that. Then an ordinance amendment to require special use permits for data centers. Which we had just talked about in Harrisonburg. They were going to meet some folks in Fairfax County and Loudoun County to do some sort of work. One of the Supervisors asked about the Regional Housing Study that was done and asked staff if there were any takeaways and what staff might pursue. The representative said they would pursue manufactured homes and looking at the inventory of what was there and that was centered around manufactured homes. That was their next step based on the Regional Housing Study.

Commissioner Washington said to go back, the conversation on data center, where did that end?

Commissioner Nardi said the special use permit was approved so that anyone coming in requesting a data center must come through a special use permit.

Vice Chair Finnegan said they essentially did the same thing we did.

Commissioner Nardi said they did the same thing we did so that you have some sort of vetting given the infrastructure that is taxed by that request.

Commissioner Washington said I also love talking about manufactured homes, so I am glad that conversation is going on.

Commissioner Nardi said I am too, anything to add to the inventory.

Vice Chair Finnegan said I just wanted to get clarification from staff, manufactured homes are currently prohibited in the City except for in R-7?

Ms. Dang said that is correct.

8.b. Board of Zoning Appeals Report

None.

8.c. City Council Report

Mr. Fletcher said during the February 25 meeting City Council voted on the Lucy Drive special use permit and rezoning; that was approved. That is the one on the corner of Lucy Drive and Deyerle Avenue where there was conversation about the buffering to the rear of the property. They did not add a condition for that, so it was approved as presented and recommended by staff. The other was the Zoning Ordinance amendment associated with nonconforming single-family homes in the B-2 and M-1 zoning districts. That was approved. This month we will have another one of these late meetings where City Council did not meet last night so the items that we discussed will be discussed on March 25.

9. Other Matters**9.a. Review Summary of next month's applications**

Ms. Dang said we have three items on the agenda. A special use permit, a rezoning, and the alley closing for Newtown Cemetery.

Vice Chair Finnegan said before we adjourn, I would just use this platform to add that Harrisonburg is in the North American competition for the Strongest Town from the organization Strong Towns. We are one of 16 cities competing for the title of Strongest Town. I do not think there is a cash prize that goes with that, but there is national attention that goes with winning. It is a way to highlight what the City is doing to make housing more affordable and to make biking and walking better.

Commissioner Nardi said I just want to thank the City of Harrisonburg and staff for the Land Use Education Program training. I know it is a requirement, but kudos. It is well worth it. Just the opportunity to go and to do that is helpful.

10. Adjournment

The meeting was adjourned at 7:58 PM.

NOTE TO THE PUBLIC

Staff will be available at 4:00 p.m. on the Tuesday before the next Planning Commission meeting for those interested in going on a field trip to view the sites on the next agenda.

INTERPRETATION SERVICES

Language interpretation service in Spanish, Arabic and Kurdish is available for Planning Commission meetings. To ensure that interpreters are available at the meeting, interested persons must request the accommodation at least four (4) calendar days in advance of the meeting by contacting the City Clerk at (540) 432-7701 or by submitting a request online at: www.harrisonburgva.gov/interpreter-request-form

El servicio de intérpretes inglés-español está disponible para las reuniones públicas de la Comisión de Planificación. Para asegurar la disponibilidad de intérpretes, cualquier interesado deberá solicitar la presencia de un intérprete al menos cuatro (4) días calendarios antes de la reunión comunicándose con la Secretaría Municipal al (540) 432-7701 o por medio de la página por internet al:

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

NOTE TO THE PUBLIC

Residents/Media will be able to attend the meeting.

The Public can also view the meeting live on:

- The City's website, <https://harrisonburg-va.legistar.com/Calendar.aspx>
- Public Education Government Channel 3 and Channel 1084

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

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

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