



CITY OF HARRISONBURG COMMUNITY DEVELOPMENT

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October 6, 2025

**TO THE MEMBERS OF CITY COUNCIL
CITY OF HARRISONBURG, VIRGINIA**

SUBJECT: *Consider a request from Anicira Veterinary Center to rezone 910 North Liberty Street*

**EXTRACT FROM THE DRAFT MINUTES OF HARRISONBURG PLANNING
COMMISSION MEETING HELD ON: September 10, 2025**

Commissioner Seitz stated the Virginia State and Local Government Conflict of Interests Act requires that I make disclosure, to be recorded in the City records, in any matter in which I am prohibited by law from participating. Therefore, I make the following disclosures:

1. The transaction involved is the item taken up on the April 09, 2025, Planning Commission Agenda as Item 5(b), a request for a SUP to professional office.
2. My personal interest in this transaction relates to the ethical requirements to which I must adhere as a licensed member of the Virginia Bar.
3. I affirmatively state that I will not vote or in any manner act on behalf of the Planning Commission in this matter.

He then recused himself from the request and left Council Chambers.

Chair Baugh read the request and asked staff to review.

Ms. Soffel said the applicant is requesting to rezone a +/- 26,800 square foot parcel from M-1, General Industrial District, to B-2C, General Business District Conditional. The property is addressed as 910 North Liberty Street and is identified as tax map parcel 40-B-2. Anicira Veterinary Center currently operates on the site. If the rezoning request is approved, the applicant intends to lease the property to Little Roots Early Learning Center, a childcare center.

The applicant plans to remodel the 2,300-square-foot facility to accommodate childcare for a maximum of 30 children ranging from 12 weeks of age to 6 years old. They plan to operate from 6:45 a.m. to 6:00 p.m., Monday through Friday, with staggered drop-off and pick-up times.

Proffers

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

1. In accordance with the B-2 zoning restrictions and guidelines, the following uses are prohibited on the Property:
 - a. Funeral homes.
 - b. Vehicle fuel stations, bus terminals or facilities designed for vehicular convenience.
 - c. 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.

The conceptual site layout is not proffered.

Land Use

The Comprehensive Plan designates this site as Commercial and states:

Commercial uses include retail, office, professional service functions, restaurants, and lodging uses. Commercial areas should offer connecting streets, biking and walking facilities, and public transit services. Interparcel access and connections are essential to maintaining traffic safety and flow along arterials. Parking should be located to the sides or rear of buildings.

The proposed rezoning from M-1 to B-2 conforms with the Comprehensive Plan's Land Use Guide.

Property Entrance and Parking Lot

The existing entrance width is about 100 feet, which exceeds the City's allowable maximum of 50 feet in width for commercial entrances per the Design and Construction Standards Manual (DCSM). Reducing the single access width or reconfiguring the access to create one-way ingress and egress can enhance safety for vehicle maneuvers and decrease potential conflict points. In addition, if the current configuration of the parking lot utilizes 90-degree parking space design perpendicular to the public street, such a layout appears to use public street right-of-way in order to back out of the parking spaces. The Zoning Ordinance (ZO) Section 10-3-25(5) does not allow on-site parking to depend on the public right-of-way to maneuver into or out of parking spaces.

With regard to off-street parking, the ZO requires a childcare center to provide one (1) off-street parking space for every 300 square feet of gross floor area. For the existing 2,300 square-foot facility, a minimum of nine (9) parking spaces would be required. The applicant expects to have four to five staff on-site during a typical day, and they plan to have contractual drop-off and pick-up times to control the traffic and number of vehicles in the parking lot at any given time.

At staff's request, the applicant submitted a conceptual parking layout demonstrating how the property might accommodate the required entrance and parking requirements. During staff's review of the layout, staff identified several matters that will need to be addressed prior to any redevelopment or change of use on the property. While the existing parking lot is presumed to be nonconforming to parking lot landscaping regulations, any expansion of the parking lot will require compliance with parking lot landscaping regulations per ZO Section 10-3-30.1, which has not been accounted for in the layout. Additionally, it appears that a passenger vehicle would not be able to make the righthand turn from northbound North Liberty Street into the proposed one-way drive aisle in front of the building. Section 10-3-29 of the ZO requires "all off-street parking spaces, loading areas, driveways, travelways, parking bays and entrances shall comply with the city design and construction standards manual." The conceptual layout shows the separation between the two entrances as divided by a fence or chain. Staff is concerned that post and chain is not sufficient. Furthermore, installing a fence in this location presents concerns due to the floodplain because a fence can obstruct the flow of water, can trap debris, and can lead to increased damage of properties. A raised concrete or landscaped island is one option that could better delineate the entrances and potentially prevent issues related to developing in the floodplain.

Upon submission of an engineered comprehensive site plan and/or building permit application that results in a change of use, the property owner will be required to bring the entrances and parking lot into compliance with the ZO and DCSM. If necessary, the applicant is aware that they have the option of meeting minimum parking requirements by entering into a recorded shared parking agreement with an adjacent property owner per ZO Section 10-3-26(b).

Floodplain/Floodway

The building and entire property is located within the floodplain and a portion of the property is in the floodway. Several floodway and floodplain concerns have been identified on the property:

- According to the elevation certificate dated August 6, 2025, the top of the bottom floor is not fully elevated above the Base Flood Elevation (BFE), which may require floodproofing.
- There are fences on the property that were installed without a floodplain development permit. The existing fencing may need to be removed or replaced, and the applicant will have to obtain a flood development permit for the existing and any future fencing.
- In addition, any changes to the parking and entrance configurations, including landscaping barriers and other traffic control installations, must comply with floodplain regulations and may require floodplain development permits.

The applicant should be aware that floodplain development permits may require engineering analysis.

In general, staff does not endorse the idea of locating a childcare center on this parcel due to the flooding risks and knowledge that this area of North Liberty Street is prone to flooding. However, staff recognizes the great need for childcare in our community and further acknowledges that providing childcare in the City works toward the following Goal, Objective, and Strategy within the City's Comprehensive Plan:

Goal 7. To provide a wide, accessible, and equitably distributed range of educational opportunities for all.

Objective 7.1 To adopt a holistic approach to education that considers the academic, social, emotional, intellectual, and physical needs of individual children.

Strategy 7.1.2 To support quality and affordable public and privately-run child care and education for children under 5 years old.

The applicant has engaged in discussions with the City's Deputy Emergency Coordinator regarding flood alert systems and intends to implement safety procedures.

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.

Public Water and Sanitary Sewer

Staff has no concerns with the requested rezoning regarding water and sewer matters.

Conclusion

While staff does not endorse the idea of operating a childcare center within the floodplain and floodway due to the flooding risks, the proposed rezoning of the property from the M-1, General Industrial District, to the B-2, General Business District, aligns with the Comprehensive Plan's Land Use Guide. Staff recommends approval of the rezoning request to B-2C.

Vice Chair Porter said do we have any information about the last time that area flooded?

Ms. Soffel said I do not know any particular dates. I did contact Public Works, and they said that North Liberty Street does regularly flood and they have to close it to traffic.

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

Erin Layman, the applicant's representative, came forward to speak to the request. She said I came to answer any questions that you might have but also to let you know Anicira and Little Roots, the proposed daycare center, are very concerned about safety for the children that are going there. There are strict licensing compliance issues through the Department of Social Services in order to get their license. One of those is an emergency protocol. They are very aware of the fact that they

are in the floodplain and they do want to make whatever necessary adjustments in order to make sure the children are protected safely. Nyrma did mention that the first floor is not above the baseline flood elevation, however, it is only five-hundredths of a foot off. That is something that we would address as part of this adjustment in the renovation of the building to convert it to childcare. Based on the public comments that I had seen submitted, I did also just want to indicate that this is a request rezoning mostly because of this childcare necessity. Even if things fell apart, the childcare opted out, the veterinary clinic is still authorized under either designation, the M-1 or the B-2. It is not like the property would be not used. Obviously, the goal at this point is to move forward so that the childcare center could open. When my clients originally approached me about this, they also indicated that they had called around other local daycares and there is a four-month waiting list for most of them. There was only one that said maybe in 30 days. I feel like this is addressing a need in our community and something that we hope that you guys would support. Did you have any questions for me?

Vice Chair Porter said where is Anicira going to move their operations?

Ms. Layman said they currently have their main office on Medical Avenue behind the Valley Mall. Right now, they are renovating that space and because they are doing renovations, they are using this facility again. Whereas before they were using it for other storage needs and things of that nature. They intend, once they get their renovations complete, to go back to the Medical Avenue location and continue their operations there.

Chair Baugh said they had not been conducting operations there for a good while...Other than where they are right now because of the renovations. When do you expect that to end?

Ms. Layman said I think within around six months from when they started. Probably into the next year. So about a month or two.

Councilmember Dent said I was just looking to see how many children. It says a maximum of thirty, twelve weeks to six years old. That would be separate rooms for the different ages as I have seen in other childcare centers, correct?

Ms. Layman said that was in the original drawing and plans, however, I think now I do not know how they would divide them out. I do not have all the ins and outs of that but it would be in compliance with whatever DSS [Department of Social Services] requirements are.

Vice Chair Porter said have we confirmed that DSS is aware or they have begun the process of seeking licensure that the site would be acceptable?

Ms. Layman said yes.

Chair Baugh said I am familiar with that system. There is considerable state regulation on this.

Councilmember Dent said the number of staff to children per age and so on.

Chair Baugh said they look at the building and they think the way you have set it up will not accommodate the number of children that you would like to have then you are going to have the amount they say you can have.

Chair Baugh asked if there were any questions for the applicant's representative. Hearing none, he 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.

Chair Baugh closed the public hearing and opened the matter for discussion.

Vice Chair Porter said I would certainly be inclined to support this based solely on my understanding that there is going to be a lot of oversight and scrutiny that is going to go into this process before we get to the point where children are actually on site. Between the building permit process, the flood permitting and obviously the rigorous oversight from DSS will ensure that this is going to be a safe site for kids, I do not have any doubt of that. I will say what I think is probably going to be repeated and seconded several times here is we are very much aware of how important these childcare slots are to our community and we definitely need more childcare in our community.

Councilmember Dent said it is reassuring to see facilities cropping up because they know we have the need.

Commissioner Kettler said I concur with that. I move to approve the rezoning request as presented by staff.

Commissioner Alsindi seconded the motion.

Chair Baugh called for a roll call vote.

Vice Chair Porter	Aye
Councilmember Dent	Aye
Commissioner Alsindi	Aye
Commissioner Kettler	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 October 14, 2025.