



City of Harrisonburg, Virginia

Planning Commission Meeting

July 8, 2015

7:00 p.m.

Regular Meeting
409 South Main Street

- 1) **Call to order, roll call, determination of quorum, and review/approval of minutes from the June 10, 2015 regular meeting.**
- 2) **New Business**

Special Use Permit – 210 Charles Street (Section 10-3-97 (2) Convenience Store in M-1)

Public hearing to consider a request from Rawley Enterprises, LC with representative Dennis W. Rawley for a special use permit per Section 10-3-97 (2) of the Zoning Ordinance to allow for a convenience store within the M-1, General Industrial District. The 8,750 +/- square foot property is located at 210 Charles Street and is identified as tax map parcel 41-B-1.

Special Use Permit – 521 Blue Ridge Drive (Section 10-3-34 (6) Major Family Day Home in R-1)

Public hearing to consider a request from Aneta and Christopher Smialek for a special use permit per Section 10-3-34 (6) of the Zoning Ordinance to allow for a major family day home in the R-1, Single Family Residential District. The 15,452 +/- square foot property is located at 521 Blue Ridge Drive and is identified as tax map parcel 29-D-29.

Rezoning – 412 South Main Street (B-2 Conditional to B-1 Conditional)

Public hearing to consider a request from Campbell and Main, LLC with representative Rodney L. Eagle to rezone a 18,901 +/- square foot parcel zoned B-2C, General Business District Conditional to B-1C, Central Business District Conditional. The property is located at 412 South Main Street and is identified as tax map parcel 26-O-3.

Rezoning – Chatham Square 2015 Amendment

Public hearing to consider a request from Chatham Land Co.; 126 Belmont, LLC; Nancy Lantz; Delbert and Lela Snyder, Trustees; and Tonya Taylor Price to rezone 37 lots comprising of 7.6 +/- acres of property zoned R-6, Low Density Mixed Residential Planned Community District by amending the development's master plan originally approved in July 2006. The proposed amendment would reduce the total number of master planned lots from 38 to 26 single family home lots and make amendments to the allowable area and dimensional regulations of the community. The development is located along Betts Road and East Market Street and is served by Alston Circle and Payton Randolph Court—both private streets. The properties are addressed as 2302, 2310, 2313, 2314, 2318, 2319, 2322, 2326, 2330, 2334, 2337, 2338, 2341, 2342, 2346, 2347, 2350, 2354, 2358, 2362, 2366, 2370, 2371, 2374, 2375, 2382, 2386, 2390 Alston Circle and 40, 41, 50, 51, 60, 61, 70, 71, 80, and 90 Peyton Randolph Court. The properties are identified as tax map parcels 74-J-0 through 26, 28 through 30, and 32 through 38.

Staff will be available Tuesday August 11, 2015 at 4:30 p.m. for those interested in going on a field trip to view the sites for the August 12, 2015 agenda.

Zoning Ordinance Amendment – Section 10-3-24 (To Align Definitions of Minor and Major family Day Homes with recent changes to the Code of Virginia.)

Public hearing to consider amending the Zoning Ordinance by modifying the existing definitions of “minor family day home” and “major family day home.” Currently, a minor family day home is a child day care program offered in the home of the provider for one to five children while a major family day home is a program offering care for six to twelve children. In either case, the provider’s children do not count against the total number they are allowed to provide care for. The amendment would change the total number of children allowed in a minor family day home to one to four children while a major family day home would be allowed to have five to twelve children.

Zoning Ordinance Amendment – Sections 10-3-135, 136, and 139 (To Align Article W Board of Zoning Appeals with recent changes to the Code of Virginia)

Public hearing to consider amending the Zoning Ordinance Sections 10-3-135, 10-3-136, and 10-3-139. Section 10-3-135 Powers shall be amended by adding criteria to assist the Board of Zoning Appeals in hearing and deciding appeals. The code will include adding that the determination of the administrative officer shall be presumed to be correct and that the appellant has the burden of proof to rebut such presumption of correctness by a preponderance of the evidence. Section 10-3-136 Variances shall be amended by updating all existing subsections to align with the provisions of the Code of Virginia. The code will, among other things, include adding a new subsection to explain the applicant has the burden of proof that they meet the standards for receiving a variance. Section 10-3-139 Procedure on applications and appeals shall be amended by adding three new subsections including information regarding equal say during hearings, ex parte communications, and when materials of the case shall be available to board members, the applicant, and the public.

3) Unfinished Business

None.

4) Public Input

5) Report of secretary and committees

Proactive Zoning

6) Other Matters

None.

7) Adjournment

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