

**MINUTES OF HARRISONBURG PLANNING COMMISSION**  
**JANUARY 14, 2015**

The Harrisonburg Planning Commission held its regular meeting on Wednesday, January 14, 2015 at 7:00 p.m. in the City Council Chambers, 409 South Main Street.

Members present: Richard Baugh, Gil Colman, MuAwia Da'Mes, Judith Dilts, Deb Fitzgerald, Jefferson Heatwole, and Henry Way.

Members absent: None.

Also present: Stacy Turner, Director of Planning and Community Development; Adam Fletcher, City Planner; and Alison Banks, Senior Planner/Secretary.

City Planner Adam Fletcher opened the regular meeting of the Planning Commission and called for nominations for Chair of the Planning Commission for 2015.

Mr. Da'Mes nominated Deb Fitzgerald for Chair. Mr. Way seconded the nomination and Dr. Dilts moved to close the nominations for Chair.

All voted in favor of Deb Fitzgerald as Chair of the 2015 Planning Commission.

Chair Fitzgerald then opened nominations for 2015 Vice Chair.

Mr. Da'Mes nominated Henry Way for Vice Chair.

Mr. Heatwole seconded the nomination and Dr. Dilts moved to close the nominations for Vice Chair.

All voted in favor of Henry Way as Vice Chair.

Mr. Da'Mes nominated Alison Banks for the office of secretary, which was seconded by Dr. Dilts.

All voted in favor of Mrs. Banks as secretary.

Chair Fitzgerald called the meeting to order and determined there was a quorum with all members in attendance. She then asked if there were any corrections, comments or a motion regarding the minutes from the December 10, 2014 Planning Commission meeting.

Dr. Dilts moved to approve the minutes as presented.

Mr. Way seconded the motion.

All members voted in favor of approving the December 2014 minutes (7-0).

**New Business**

***Special Use Permit – 1854 East Market Street (Section 10-3-91(9) Reduced Side Yard Setback)***

Chair Fitzgerald read the request and asked staff to review.

Mrs. Banks said the Comprehensive Plan designates this area as Commercial. This designation states that these areas include uses for retail, office, wholesale, or service functions. These areas are generally found along the City's major travel corridors and in the Central Business District of the City.

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

Site: Commercial building and parking lot, zoned B-2

North: Across Terri Drive, commercial buildings and shopping center, zoned B-2

East: Financial institution, zoned B-2

South: Restaurant and shopping center, zoned B-2

West: Across East Market Street, shopping center, zoned B-2

The applicant is requesting a special use permit per Section 10-3-91 (9) of the Zoning Ordinance to allow a reduction in the required 10-foot side yard setback to zero feet along a property line adjoining a parcel zoned B-2. The property, which is comprised of two parcels, is located at the southeast corner of the East Market Street/Terri Drive intersection. Currently located on the property is a multi-tenant commercial building and a parking lot, which serves the commercial uses. If a special use permit is granted, the applicant intends to construct an uncovered loading dock and dumpster enclosure within five feet of the southeastern property line.

The existing building was constructed prior to annexation in 1983 and is situated approximately one foot from the southeastern property line. Within the B-2, General Business District a 10-foot building setback is required from side and rear lot lines; therefore, this structure is considered non-conforming to setback requirements and cannot be enlarged or structurally altered in any manner that would compound the setback encroachment. The property owners desire to build a loading dock on the rear of the building to serve a proposed tenant and to enclose their dumpsters, but zoning regulations require that both the dock and the enclosure meet the 10-foot setback. After discussion with staff regarding how they could accomplish constructing the addition and still be in compliance with zoning regulations, the applicants decided to apply for a special use permit for a zero setback along the southeastern property line. If approved, the proposed dock and dumpster enclosure and the existing building would all be in conformance with setback regulations to the southeastern property boundary.

The owners must also apply for a minor subdivision because the new dock and enclosure would cross the existing property line between their two parcels; this can be done as a property line adjustment or a property line vacation. The minor subdivision would need to be approved and recorded prior to the release of any building permits for construction of the addition. This proposal has been discussed with the Building Official and, based upon the Virginia Construction Code, an unenclosed loading dock structure, constructed of the same material as the existing building, would be able to be built at the intended location.

Because the parking lot and travel area are rather tight, staff had concern with delivery truck movement to the proposed loading dock area. Section 10-3-30 of the Zoning Ordinance requires that loading and unloading of vehicles is provided on private property and shall not depend on public streets for the maneuvering of such vehicles. The applicant provided an engineered schematic illustrating a 32-foot delivery truck movement to the dock location. Should concerns arise regarding delivery vehicles using the public street for maneuvering; staff can approach it as a zoning violation.

Staff does not have concerns with the requested special use permit and recommends approval of the reduced setback as requested.

Chair Fitzgerald asked if there were any questions for staff.

Mr. Da'Mes asked why a 32-foot box truck was used; do we not usually require a tractor trailer for commercial building deliveries.

Mrs. Banks said that is what the applicant supplied to us; we do not have a requirement.

Mr. Fletcher said there is no requirement within the Zoning Ordinance or the Design and Construction Standards Manual that requires a site to accommodate an eighteen wheeled vehicle onto the site. What is provided is the intended type of delivery vehicle. The existing tenant, Harbor Freight, does utilize an eighteen wheeled vehicle to their loading dock.

Mr. Colman asked why we allow the applicants to do a property line adjustment, instead of vacating the entire property line.

Mrs. Banks explained there is not a requirement that says the line must be vacated; it just needs to be adjusted to rectify the encroachment. It is the applicant's choice how they would like to handle it.

Mr. Colman asked what would be the width of the remaining lot.

Mrs. Banks said if the applicants do an adjustment as shown, the remaining lot would be the same width as it currently is.

Mr. Fletcher said I had a conversation with the applicant regarding this and we recommended that it be vacated in order to clean things up; however, they said that the partners were concerned about losing the fact that they have two lots. Other localities treat things differently; for instance, once you get rid of a lot you might not be able to get it back. In our B-2 district there are no minimum size or width requirements, which I did explain to the applicants. But again, it is up to the applicant how they would like to handle this. They do have a shared parking arrangement in place already for the two parcels.

Chair Fitzgerald asked if there were any further questions. Hearing none, she opened the public hearing and asked the applicant or the applicant's representative if they would like to speak.

Mr. Bob Pingry of Fishersville, VA, said he works with the owners of the property. This has been an exciting project. It was originally a Schewels Furniture Store, in rather rough condition, and it has been an exciting project changing this into a vibrant new building. We need the ability to have deliveries to remaining vacant space at the north end of the building for a future tenant. That led us to meeting with City staff; who was very helpful when discussing workable solutions. On the comment regarding vacating the property line – that was the first thing the City recommended; however, it is the preference of the owners, who feel they have value with two separate lots, to just do a property line adjustment. On the matter of the delivery truck, we did look at a larger truck for deliveries and there were some issues with the ingress and egress, so we went back to the smaller truck. With that, I am here to answer any questions you may have.

Dr. Dilts asked if the prospective tenant would be happy with deliveries from the smaller, box truck.

Mr. Pingry replied yes. We are working with existing conditions and if those conditions restrict an eighteen wheeled truck, then that is the way it must be for a tenant.

Dr. Dilts asked if the prospective tenant could share a dock with Harbor Freight.

Mr. Pingry said no. There is a demising wall within the building, between the two tenants, and there are no doors for access.

Chair Fitzgerald asked if there were any further questions for Mr. Pingry. Hearing none, she asked if there was anyone else who would like to speak either in favor or in opposition of the request. Hearing none, she closed the public hearing and asked for discussion or a motion on the SUP request.

Dr. Dilts moved to recommend approval for the special use permit, Section 10-3-91 (9), at 1854 East Market Street.

Mr. Colman seconded the motion.

Chair Fitzgerald asked if there was any further discussion. Hearing none, she called for a voice vote on the motion to recommend approval.

All voted in favor (7-0).

Chair Fitzgerald said this item will move forward to City Council on February 10, 2015, with a favorable recommendation.

***Preliminary Plat – Chand Development (Sub. Ord. Variance Section 10-2-42 (c))***

Chair Fitzgerald read the request and asked staff to review.

Mr. Fletcher said the Comprehensive Plan designates this area as Medium Density Mixed Residential. This designation states that these largely undeveloped areas continue the existing medium density character of adjacent areas, but in a different form. They are planned for small-lot single family detached and single family attached neighborhoods where green spaces are integral design features. Apartments could also be permitted under special circumstances. They should be planned communities that exhibit the same innovative features as described for the low density version of mixed residential development. The gross density of development in these areas should be in the range of 4 to 12 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.

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

- Site: Undeveloped property, zoned R-3 (Medium Density)
- North: Single family detached homes and undeveloped single family home lots, zoned R-3 (Medium Density)
- East: Undeveloped parcel, zoned R-3 and Copper Beech student housing complex, zoned R-3 (Multiple Dwelling)
- South: Across Chestnut Ridge Drive, Campus View Apartments, zoned R-5C and Campus View Condominiums, zoned R-3 (Multiple Dwelling)
- West: Townhomes, zoned R-3 (Medium Density), and across Chestnut Ridge Drive, townhomes, zoned R-3 (Medium Density)

The applicant is requesting to preliminarily subdivide one, 8.09-acre parcel into 69 lots. The proposed development is intended for student housing and includes 67 townhome units/lots, each having four bedrooms, as well as a parcel containing a clubhouse, swimming pool, and parking lot, and a common area parcel at the top of the hill above the residential units. Townhouse development is permitted by-right within the R-3 district, but the applicant is requesting a variance to Section 10-

2-42 (c) of the Subdivision Ordinance as many of the lots would not have public street frontage, thus City Council must approve of the development for it to be built. Although the property's address is listed as 705 Stonewall Drive, the property's approximate 625 feet of public street frontage is entirely along the northern side of Chestnut Ridge Drive. Approximately 140 feet to the west of the property, the public street's name changes from Chestnut Ridge Drive to Stonewall Drive. The site is relatively steep and has about 136 feet of elevation change, where the bottom portion has a grade of about 6 to 8 percent; the middle section is around 10 to 13 percent, while the steepest section ranges from 26 to over 29 percent.

Before getting into the details of the current proposal, previous development plans involving the subject property should be understood. In November 2006, the existing property owner requested preliminary plat approval for an 80-lot townhouse subdivision under the same development name. To allow the planned subdivision, the applicant was requesting to deviate from the same Subdivision Ordinance requirement. The layout of that development was relatively similar to the current proposal except that 13 more units were proposed, no clubhouse or pool was planned, and more or less the entire parcel would have been developed including the steepest portions of the property at the northeast section of the lot. (A copy of the 2006 proposal is included within the packet.) Staff recommended denial of that preliminary plat stating the lot was not topographically suitable for a development of that density as the entire hillside would have required significant grading, where most, if not all, of the trees and vegetation would have been removed to accommodate the development. We also stated that constructing 80 units on such steep terrain would have presented challenges not only for the residents but for service providers and emergency responders. We further believed there was insufficient open and recreational space. Planning Commission recommended denial of the request 6-0. One Planning Commissioner specifically noted a significant concern with building the units at the top of the hill. After the Planning Commission review, the applicant tabled the request prior to City Council and ultimately it was considered no longer active.

Less than a year later, in August 2007, the City approved changes to the Zoning Ordinance by adding, what staff often refers to as, the "new R-3" titled R-3, *Medium Density* Residential District. The R-3, *Multiple Dwelling* Residential District was retained in the Code and became applicable only to multi-family buildings constructed by or with Comprehensive Site Plans approved before August 14, 2010 (three years after the amendments were approved), which is also the same date the R-3, *Medium Density* district became effective. The most significant changes in the "new R-3" included: 1) regulations pertaining to screening parking lots in established single family or duplex neighborhoods, and 2) requiring special use permits (SUPs) for multi-family development, where the applicant must demonstrate, among other things, how the project would have minimal impact on steep slopes (see Section 10-3-48.6 (e)).

More recently, in November 2014, the applicant applied for the SUP (Section 10-3-48.4 (6)) that allows for multi-family dwellings within the R-3, *Medium Density* Residential District. That plan was similar to the 2006 preliminary plat proposal except 65 total units would have been built, a clubhouse and swimming pool were planned, and rather than each unit being individually subdivided, the units would have been located on one large lot and thus would have been categorized as apartments. The proposal was still basically to develop the entire parcel including excavating and building on the steepest portions of the property. The request, however, was never reviewed by Planning Commission because the applicant tabled the request (ultimately withdrawing it) after receiving staff comments. Among other comments, staff questioned whether the SUP

application sufficiently met all of the criteria listed in Section 10-3-48.6 (e). Staff encouraged the applicant to consider changing the development's layout so the steepest section of the hillside and many of its trees could be preserved.

After additional discussions with staff, the applicant and their representative submitted the current request. The proposed subdivision creates two common area parcels and 67 townhouse lots intended for student housing, where each unit would include four bedrooms. Unlike the 2006 preliminary plat, the development includes a clubhouse and swimming pool and more of the site will be left undeveloped. The applicant is requesting a variance to the Subdivision Ordinance Section 10-2-42 (c) as most of the lots would not have public street frontage.

Since the development would be served by private streets, the City would not provide street maintenance, snow removal, or trash pick-up. Public school bus service would be provided as necessary. If approved, the applicant understands that private streets within the development must meet the requirements of the Design and Construction Standards Manual. Among other things, this includes meeting minimum street widths, having sidewalk on both sides of private lanes, and meeting public street grade requirements. The applicant and their engineer believe they will be able to achieve all of these requirements and have not requested variances.

As shown, the development would require 262 parking spaces; the applicant is planning to construct nine more than the minimum. There are planned parking areas adjacent to two single family home lots (tax map parcels 81-E-11 and 12) located to the north of this property, therefore these lots must be screened from the parking areas per the requirements of Section 10-3-48.6 (b). To meet this requirement, the applicant plans to install a 6-foot vinyl fence. Although not required, the plat also demonstrates a single row of Leyland Cypress trees planted on 15-foot centers along much of the northern property boundary adjacent to townhome lots already developed and along the single family home lots impacted by the parking areas.

As required, all lots would be served by public water and sewer. At this time, there does not appear to be any conflict in providing adequate water and sewer service. However, the Preliminary Engineering Report, which must be submitted prior to the Comprehensive Site Plan submission, will determine if there are any issues.

At this time, the Harrisonburg Department of Public Transportation (HDPT) would like the developer to construct a bus pull-off and bus shelter along this property's public street frontage. To meet these desires, the applicant identified where this could be accommodated. HDPT further noted, however, that during design and/or construction of the development, circumstances with providing public transportation around this area may change resulting in not needing the bus pull-off or shelter. Because of this, staff is suggesting a condition be attached to the plat regarding this matter and is listed at the end of the report.

With regard to stormwater management, at this point in the development proposal process, it is not necessary for the applicant to address all issues related to controlling and treating stormwater. As shown on the plat, they are indicating where they plan to detain much of the stormwater. In addressing water quality, at this time they plan to purchase nutrient credits. During this review process though, staff took the opportunity to convey to the applicant the City's expectations for stormwater management, which must be addressed during the Comprehensive Site Plan review.

The applicant plans for the project to be constructed in one phase and for units to be ready for occupancy in fall 2016. They plan for the clubhouse and swimming pool to be constructed when the

adjacent residential units along Chand Road 4 are built. The developer should understand that certificate of occupancies will not be issued for any unit until all parcels are final platted.

Regarding student housing development, at the end of October 2014, staff completed an update to an inventory of student housing within the City. (This information is included within the packet.) As shown in this information, for the 2014-2015 school year, the listed complexes and on-campus dormitories could accommodate 19,446 students. Note, however, the off-campus housing list is not a complete list of units but rather a listing of complexes that City staff is aware of and has researched to determine bedroom configuration. The off-campus housing inventory does not include many small scale apartment buildings, individually owned townhomes, duplexes, or single family homes rented to students. Furthermore, complexes that did not appear to be student oriented were not included. Per James Madison University's (JMU's) Office of Institutional Research (OIR), JMU's total on-site enrollment at the beginning of the Fall 2014 semester, was 19,990. (Note that JMU's grand total enrollment is 20,855, which includes students that are enrolled in locations other than JMU's main campus. JMU's OIR 2014 Statistical Summary is also included within the packet.) Staff believes there may already be sufficient units to accommodate the student population and given this knowledge, it is difficult to recommend in favor of proposals requesting to construct more of such units. However, at this particular location, staff is supporting this request, but not without several suggested conditions.

In acknowledging that the property is designated Medium Density Mixed Residential, and not simply Medium Density Residential, staff would like to have seen a proposed development that would have increased home ownership, where an innovative design could have prompted a small-lot single family detached and/or single family attached neighborhood development rather than more rental units. Yet, we recognize the existing surrounding uses are predominately student housing complexes, which would not be the best adjacent use for single family neighborhoods.

For the most part, the applicant has accommodated most of staff's concerns. One in particular was our concern of preserving the steepest part of the hillside. Although there will still be significant grading site wide to accommodate the design, it is staff's hope that the upper hillside will be preserved with the current layout. When comparing the original 2006 design to the proposed plat, the residential units are about 125 feet further down the hill. The closest planned unit to the northeastern property boundary in 2006 was about 45 feet away, and now the closest planned unit to the same line is about 170 feet away.

Aside from the variance that is requested to allow many of the lots to not have public street frontage, the development meets all other requirements of the Subdivision and Zoning Ordinances. As townhome development is a by-right use within the R-3 district and at this location it would be compatible with the surrounding neighborhood, staff is recommending in favor of the development. However, since the development is fronting most of its lots on private streets rather than public streets and is relying heavily on counting the parking areas and travel ways within the complex to meet the minimum lot dimensional and area requirements to achieve the proposed density, staff's recommendation for approval is contingent upon the following conditions:

- The evergreen buffer as shown along the northern property line shall be installed and maintained. Such trees may be of any species that may mature to form a dense screen. The trees shall be 6-feet in height at the time of planting and no more than 15-feet on center.

At the time of Comprehensive Site Plan review, if HDPT desires a bus pull-off and/or bus shelter along the subject property's public street frontage, the developer shall construct both at their expense. If a bus shelter is required to be installed, the property owner shall be responsible for all cleaning, maintenance, repairs, and replacement.

Chair Fitzgerald said for the record please note that Mr. Way had to leave the meeting (7:25 p.m.), but there is still a quorum present. She then asked if there were any questions for staff regarding the request.

Dr. Dilts said I have several question. There appears to be a "non-treed" area on that parcel and then, towards the north of the parcel it runs into a tree line. How far up the tree line will the project go?

Mr. Fletcher showed a picture of the site and described, as best possible, where development would end on the parcel.

Dr. Dilts asked what does this do to stormwater management on this parcel, even though you may not be removing all the trees. Trees are very important in maintaining the soil and preventing stormwater runoff. I notice in the staff report you mentioned that you are not really worried about it at this time; but it is a concern of mine. When you begin to deforest it does need to be a concern.

Mr. Fletcher said there are new stormwater management regulations that went into effect July 1, 2014 and the developers have to comply with those measures. When I commented that they were not planning to make any onsite BMP's (Best Management Practices), they can do so as long as they buy nutrient credits, which is what they are planning to do right now. They are buying into a credit bank where someone has planted more trees and is maintaining them in perpetuity, hopefully; therefore banking the nutrients that they are losing here.

Dr. Dilts said what is the cost to us, the City, for them doing this trade-off? In other words, what is the cost of losing the trees?

Mr. Baugh said in theory it is netted out.

Dr. Dilts said my third question is – are we putting a bunch of people into cars in an area that already has a lot of people in cars? What is the impact on traffic? I know we are preparing to upgrade Reservoir Street; but how does all this extra traffic affect the traffic on Reservoir?

Mr. Fletcher said the Department of Public Works did not have any concerns about the effect on traffic in the area. Actually, this development did not even meet the threshold for even requiring a traffic impact analysis; they are well under the threshold. When Reservoir Street was designed for improvements, they knew what the zoning of this property was, and my guess is that they took that into consideration when they were doing the connections and planning out the improvements.

Dr. Dilts asked if there would be a light at the intersection of Reservoir Street and Chestnut Ridge Drive.

Mr. Fletcher replied I think there is.

Chair Fitzgerald said I was confused by the paragraph which reads "at this time there does not appear to be any conflict in providing adequate water and sewer service." What might that conflict be that does not appear to exist?

Mr. Fletcher said likely none. This is at a preliminary platting stage, so what they are showing is where they believe they will be able to accommodate water and sewer. Prior to going through the

comprehensive site plan they will have to do a PER (preliminary engineering report), where they have to verify fire flow, make certain they meet all elevations for sanitary sewer, water pressure, and so forth; this is the time they could encounter an issue. Public Utilities looked at this and they did not have any concerns; they stated they would deal with water/sewer issues during the PER.

Chair Fitzgerald said I understand that during the 2006 review there was some concern about emergency vehicles making it all the way to the top of the development. Is there not that concern now with this plan?

Mr. Fletcher replied they have to meet the public street grade requirements; therefore, it is not as much of a concern with this development.

Dr. Dilts said regarding the on campus housing list, I just wanted to remind you there is a new housing development going in on Grace Street.

Mr. Fletcher said that is correct; but, there are two dormitories that will be removed when the new one opens.

Chair Fitzgerald said we are not required to hold a public hearing on this; however, we do offer the applicant or their representative the opportunity to speak and answer any questions.

Mr. Ed Blackwell, Blackwell Engineering, said he represents the owners of Chand Development and is here to answer any questions you may have. We have worked a lot with staff with regard to pulling the units downhill away from the top steep, forested part. This will help not only with grade issues, but it provides a tree buffer between the development and the single family homes behind. My client would like to develop this with a density of about eight units an acre; so it is right in the middle of the range for Medium Density Mixed Residential. We will address all stormwater during the comprehensive site plan phase. They do intend to buy some stormwater credits on the market. Typically we take an acre of crop land, which can have over a ton of phosphorus put on it per year, which will get .8 pounds of credit for this project. It is a huge change – we are able to plant over 500 trees per acre, so we are planting a whole lot more than we will lose here. The State does have a nice program and it is how we are going to meet the water quality. On the site we will have to do stormwater detention and release the water at the rate the downstream pipe system can handle. The upper two-thirds of this property, goes into the detention pond that Copper Beach has; this was designed under the old stormwater guides for water quantity only. We will need to provide some extra on-site detention and volume reduction. We will probably do this with an underground system, perhaps under the parking lot. This will have to be provided during the comprehensive site plan phase. All of the water quantity and volume reduction on-site will be addressed and the water quality will be done through the credits we purchase through the State system.

Dr. Dilts asked if the intent was to keep the upper portion of the parcel treed as much as possible.

Mr. Blackwell replied that everything behind the rear property lines of the upper most units we will try to keep treed. When we begin clearing for this development I am going to ask the surveyor to pin those rear property lines and then that is as far back as we want to go. Until I get into the detail grading I do not know where the top of my slope will be. We hope to have a good 100 – 130 feet of undisturbed tree area in the rear of this development.

Chair Fitzgerald said are you free to say what level of the student housing market is your client aiming at with this development?

Mr. Blackwell said my client has other student housing in the area and the four bedroom/four bathroom units stay full; there is a waiting list. I do not know how you rate the student housing market; it is not the 865 East type of development where you have card access, but it is like all the adjoining ones in this area.

Mr. Colman asked if the adjacent single family homes were at grade higher or lower than the proposed development.

Mr. Blackwell said it is about the same level along the upper units, it does start to drop as you go lower. The fence and the trees will buffer much of this out. The new regulations require the buffering and one reason we agree with this requirement is that the students will migrate from development to development. My clients hope to prevent students from walking through this development into the single family neighborhood. Therefore, we are in favor of the evergreen buffer recommendation, as well as the bus shelter recommendation placed on this preliminary plat.

Chair Fitzgerald asked if there were any further questions for Mr. Blackwell. Hearing none, she asked for further discussion or a motion on the request.

Mr. Da'Mes said in contemporary planning techniques how do we curtail vehicular use in these developments? Is that something we are looking at doing in the future? Can it be done through planning means? There just seems to be a lot of vehicular use on our campus. I know a road in JMU is gated and we did review their master plan several years ago where they discussed alternative transportation to the center of campus; so is there a planning objective to reduce that vehicular use?

Mrs. Turner said I do not know if I really understand what your question is. You have a concern about increasing traffic, but I do not know what the question is.

Mr. Da'Mes said is there a means in which we as a City, or this body, or as a developer, we can encourage non-vehicular use. The bus stop is great, as well as bike lanes and bike racks on site; but what more can we do?

Mrs. Turner replied the things that you just named – we are providing bike lanes, sidewalks, bus service, we require the bike racks within the development. Other than these things, I do not know that we have got any other idea. Those are all initiatives we are using to try to reduce traffic.

Mr. Baugh said everything that I recall within the Comprehensive Plan is along the lines of affirmative statements encouraging alternative transportation uses. The things that JMU has done on campus has worked, in the sense that bus ridership is up. We are hopeful that part will continue. While there has been no official decision on this, I believe it is in the early stages of study that JMU is probably going to be encouraging more on campus housing. They are going to be looking in the future at the direction of pulling some of these people back onto campus; which will contribute to the City's issue of an over abundance of dense housing stock.

Chair Fitzgerald said that is an entirely different issue we have to look at. When a new student housing development gets built and all the students move there leaving the older developments. Now these older units fill up with young families and we have to consider the fact that we have these families living in areas where they were not planned for.

Mr. Baugh said that leads back to the conversation we had with the school board a few years ago, when the first day of school brought about more students than even the public school system had planned for. Along with that was the need for more school buses to serve the Port Republic Road

corridor area. Families had moved into the older housing units. I guess this all comes down to do we need Comprehensive Plan amendments along these lines.

Before us tonight we have a use allowed by right that needs a minor variance that we approve on a routine basis and is consistent with the development around it. Do we need to take a more aggressive stance towards some of this? There may be ways for us to articulate how to say “no” to things like this if that is what we want to do. We probably have not done enough of that.

Dr. Dilts said the thing that worries me about the traffic is that the area on Reservoir Street between Neff Avenue and Evelyn Byrd Avenue is just awful. Are we dumping more traffic into that area? Unless something happens in that area it will only get worse. We are worried about housing, but I feel we need to be concerned with the traffic situation in that area as well.

Mr. Baugh said as long as you are allowing development of dense residential you will have traffic issues.

Dr. Dilts agreed and said there are issues in there that you could address. If you are going to continue to put a lot of people in that area then there need to be some studies done to make sure that those areas do not continue to be as congested as they are. When you have to sit through the same traffic light several times it means there is something wrong.

Mr. Baugh said the traffic piece is an incredibly long piece to look at. We know the Reservoir Street project is in line right now, it is going to happen. Chicago Avenue is in line after that. Frankly, there might be an opportunity for “what is the next big thing for us to tackle after these projects.” But again you are talking about something where you are breaking ground six, seven, even eight years down the road. I agree we need to think about it.

Mr. Colman said the issue here is not just student housing, it is density. These are townhouses and could be occupied by anybody. Maybe the Comprehensive Plan should look at that.

Mr. Fletcher said when Reservoir Street was in the design phase, it was known what the zoning was for this property, and they also knew what the Comprehensive Plan called for. Four to twelve dwelling units per acre is what this property is designated for land use wise and they are only at eight. The Public Works Department did not have any concerns about the traffic impact of this development on Reservoir Street.

Mr. Baugh said no, this does not help the actual traffic problem; but it was planned for. Where you really do traffic damage is when you take a property that has not even been planned for dense development and then you rezone to it. At that point you really have added numbers to something that no one has planned for.

Chair Fitzgerald asked if there were other comments or a motion on the request.

Dr. Dilts moved to recommend approval of the preliminary plat of Chand Development 2015 with the plat variance and the suggested stipulations from staff.

Mr. Colman seconded the motion.

Mr. Da’Mes said for the record he is planning to abstain from this vote, not because he has any conflicts of interest, he just chooses to.

Chair Fitzgerald called for a voice vote.

All voted in favor (5-0) of the motion to recommend approval.

Chair Fitzgerald said this will move forward to City Council on February 10<sup>th</sup>.

**Unfinished Business**

None.

**Public Input**

None.

**Report of secretary and committees**

Mrs. Banks said proactive enforcement again targeted two sectors of the City – Court Square and 500-600 South Main Street areas. Violations consisted of inoperable vehicles, discarded materials, and indoor furniture placed outside. We hope to double up again next month on the proactive zoning inspections.

Mr. Baugh said at City Council last night the only thing we had was the special use permit for 57 Paul Street, You Made It Art Studio; which was approved unanimously. I will also report that I attended the County's Planning Commission meeting and they had a light agenda of several ordinance amendments where they were just correcting some housekeeping pieces in their ordinance.

Dr. Dilts said along the lines of this traffic issue, would it be possible to have a report from traffic planning about how it all comes together. I am just really interested in how they get the numbers and what is out there.

Mr. Fletcher said I can give you a name and phone number and I know that he would be happy to have the conversation with you (referring to Brad Reed, Transportation Planner with the Department of Public Works).

Dr. Dilts said I was just thinking as a Planning Commission it might be beneficial for us.

Mr. Colman said perhaps asking what the volume capacity of the main arterials are and then perhaps it would be something we could use in decision making when these questions come up.

Dr. Dilts asked if the Reservoir Street redevelopment was stopping at Neff Avenue.

Mr. Baugh said it is essentially east of the Interstate 81 bridge to the City limits out towards the hospital.

Dr. Dilts said so as that is done, these issues we are talking about tonight will get better.

Mr. Baugh said it will definitely help the flow of traffic on Reservoir Street once completed. Your point is well taken, this entire area of Copper Beach, Campus View – it was not long ago that it was just woods. This area is the poster child for changing the R-3, by right apartment use; it was like pulling teeth to get it done. I remember going out to the area in 2006 – 07 and it was nothing but woods. Now it is a connector street between Reservoir Street and Route 33.

Mr. Fletcher said to give a response to the transportation/traffic concern – one of the things that is in the Comprehensive Plan is a strategy about requiring traffic impact analysis during the time development, even if it is outside of our threshold. It is the developer's responsibility to give us the numbers. Our threshold is 100 vehicles in the peak hour and this development did not even come close to it.

**Other Matters**

Mr. Fletcher asked if there was any desire of changing the tour time. I know some folks said last month that they cannot make the Monday afternoon time. The only two options for staff are really Monday or Tuesday, anytime.

There was a consensus among the Commissioners that Tuesday afternoon at 4:30 p.m. would work for all.

Mr. Fletcher said we do not have any new agenda items for next month. We are striving to get you a draft for telecommunications. We are also still waiting on additional information from Harrisonburg City Public Schools before the CIP can be finalized and then reviewed by Planning Commission.

**Adjournment**

Planning Commission adjourned at 8:20 p.m.

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Chair Deb Fitzgerald

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Secretary, Alison Banks