



City of Harrisonburg, Virginia

Planning Commission Meeting

August 10, 2016

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 August 10, 2016 regular meeting.

2) New Business

Preliminary Plat – 150 & 160 Ashby Avenue (Variance to Allow Lots to Not Have Public Street Frontage)

Consider a request from Ikram U. & Shehnaz P. Khan to preliminarily subdivide two parcels totaling 0.721 +/- acres into three parcels with variance from the Subdivision Ordinance Section 10-2-42(c) to allow one lot to not have public street frontage. The properties, zoned R-2, Residential District, are addressed as 150 & 160 Ashby Avenue and identified as tax map parcels 41-C-50 and 41-D-15.

Rezoning – Eastern Mennonite School Master Plan Amendment

Public hearing to consider a request from Eastern Mennonite School, Virginia Mennonite Missions, and Mennomedia, Inc. with representative Eastern Mennonite School to rezone 26.88 acres of property by amending Eastern Mennonite School's existing Master Plan. The request would extend the Institutional Overlay District to several lots that have been added to campus property. The Master Plan approval would allow for a 10-foot building setback to be applied to the entire campus outside boundary, as well as, a zero setback to all interior lot lines. Additionally, Eastern Mennonite School is requesting approval of the parking plan layout, per Section 10-3-25(12). The current Master Plan includes properties zoned B-2, General Business and R-3, Medium Density Residential, and are addressed as 801 Parkwood Drive and identified on tax map parcels 47-N-7. The properties to be added to the Master Plan are zoned B-2, General Business and addressed as 601 Parkwood Drive and 1251 Virginia Avenue, and identified as tax map parcels 47-N 8, 10 & 11.

Zoning Ordinance Amendment – Section 10-3-30.1, Parking Lot Landscaping

Public hearing to consider a request from 217 S. Liberty, LLC with representative Michael Jaffee of Matchbox Realty to amend the Zoning Ordinance Section 10-3-30.1, Parking Lot Landscaping. The amendment would create the ability for parking lots within the B-1 district with 10 or fewer parking spaces to be exempt from regulations of Section 10-3-30.1.

3) Unfinished Business

None

4) Public Input

5) Report of secretary and committees

Proactive Zoning

Staff will be available Tuesday September 13, 2016 at 4:30 p.m. for those interested in going on a field trip to view the sites for the September 14, 2016 agenda.

6) Other Matters

7) Adjournment

Procedure For Hearing Cases

Cases shall be heard in the order in which they appear on the agenda, except a case may be advanced for hearing by order of the Planning Commission upon good cause shown.

At the hearing, the order shall be as follows:

1. Presentation of case and explanation and/or report by City staff.
2. Open public hearing (if necessary)
 - a. Statement of applicant or appellant
 - b. Statements of other persons in favor
 - c. Statement by those opposed
 - d. Applicant's rebuttal
3. Close public hearing (if necessary)

The Chairman may prescribe a reasonable time limit for each side to present its case. To maintain orderly procedure, each side shall proceed without interruption by the other. Cross-examination will not be permitted, but questions may be directed to the Chair who may allow limited questioning. The name and address of each person speaking shall be recorded in the minutes.

Public Input

This section of the agenda is where anyone wishing to speak may speak on any matter not outlined previously on the agenda. The Chair will open the floor for any person or organization that would like to speak to the Planning Commission on any subject at the discretion of the Commission. The Chair may prescribe a reasonable time limit for anyone wishing to speak at this time

Staff will be available Tuesday September 13, 2016 at 4:30 p.m. for those interested in going on a field trip to view the sites for the September 14, 2016 agenda.

MINUTES OF HARRISONBURG PLANNING COMMISSION
July 13, 2016

The Harrisonburg Planning Commission held its regular meeting on Wednesday, July 13, 2016 at 7:00 p.m. in the City Council Chambers, 409 South Main Street.

Members present: Richard Baugh; Gil Colman; Mark Finks; Deb Fitzgerald, Chair; Henry Way; Kathy Whitten.

Members absent: Judith Dilts.

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

Chair Fitzgerald called the meeting to order and said there was a quorum with six of seven members in attendance. She then asked if there were any corrections, comments, or a motion regarding the June Planning Commission minutes.

Mrs. Whitten moved to approve the minutes as presented.

Mr. Finks seconded the motion.

All members voted in favor of approving the June 8, 2016 minutes as presented (6-0).

Special Use Permit – 40 West Washington Street (Section 10-3-97(3) to Allow Business and Professional Offices)

Chair Fitzgerald read the request and asked staff for comment.

Mrs. Banks said The Comprehensive Plan designates this area as Planned Business. This designation states that these areas are suitable for commercial development but need careful controls to ensure compatibility with adjacent land uses.

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

Site: 5,580 +/- square foot building which houses Claudia's Hand Dyed Yarn business, zoned M-1

North: Poultry facility and other industrial uses, zoned M-1

East: Across Norfolk & Southern Railroad, an automotive repair and towing business, zoned M-1

South: Across West Washington Street, George's Food, zoned M-1

West: Across Massanutten Street, parking for industrial uses, zoned M-1 and dwelling units, zoned R-2

The applicants are requesting a special use permit (SUP) per Section 10-3-97(3) of the Zoning Ordinance to allow business and professional offices in the M-1, General Industrial District. The property is located along the northern side of West Washington Street, at its intersection with

Massanutten Street. This section of West Washington Street is a mix of industrial and business uses, along with numerous non-conforming residential uses.

The site is improved with a 5,580 +/- square foot building that was originally constructed in 1959 as an office building for Valley of Virginia Milk Producers Association. Throughout the years it has served as an office or financial institution serving different property owners to include Shenandoah's Pride Milk Company and Wampler Longacre, Inc. In 2006, a change of use was approved and a Certificate of Occupancy was provided for the business Claudia's Hand Dyed Yarns, which is a small-scale manufacturing and processing use that is permitted by-right within the M-1, district.

At this time, the applicants desire to bring back some of the professional and business office uses to the property. If approved, Claudia's Yarns would continue to occupy approximately 2,100 square feet of the building; while Priority Property Management and Swartz Photography would occupy the remaining square footage. The building, in its current state, consists of three existing office areas and a large work area. As stated in the applicant's letter, they intend to continue to utilize the spatial divisions of the building and do not plan to make any building improvements at this time. Staff has informed the applicants that when they decide to make improvements or renovations they will need to apply for all necessary building and trade permits to ensure they are complying with current regulations.

Also discussed with the applicant was that the existing parking lot would need to be clearly marked to delineate the required parking spaces for all uses that operate on site. Parking for the building would be calculated on the square footage of the separate uses, where Claudia's Yarns, being a manufacturing use with only one employee, would require one parking space for every two employees on a maximum shift; thus, one parking space. The remainder of the building would be used as office area and would require one parking space for every 300 square feet of gross floor area, for a total of 12 parking spaces. The applicant has provided a layout that demonstrates they can provide 27 parking spaces; however, only the required 13 parking spaces would need to be marked. Because this parking lot is existing and no additional parking areas will be added, landscaping is not required.

Staff does have a concern regarding the parking area directly in front of the building, which would allow patrons to back onto West Washington Street. Staff suggests a condition of only allowing angled parking, facing west, along the front of the building. The applicants have agreed to this condition.

This area of West Washington Street, which is designated in the Comprehensive Plan as Planned Business, is a mix of residential uses, parking, and industrial uses. Staff has discussed with the applicants that this is still an industrial district and some uses, much more obnoxious than what is currently in the vicinity, could locate in this area. Staff believes the proposed business/professional office use would bring the use of the property closer to compliance with the Comprehensive Plan, further promoting this area for Planned Business.

Staff recommends approval of the special use permit request with the following condition:

- The parking area in front of the existing building shall be striped as angled parking facing west.

Chair Fitzgerald asked if there were any questions for staff. Hearing none, she opened the public hearing and asked if anyone in favor of the SUP request would like to come forward and speak at this time.

Ashley Swartz, 9498 Rawley Pike, Hinton, said she is very excited about moving her business closer to the downtown Harrisonburg area and hopes that Planning Commission will allow us to continue moving forward with these plans.

Chair Fitzgerald asked if there was anyone else desiring to speak in favor of the request. Hearing none, she asked if there was anyone wanting to speak against the request. Hearing none, she closed the public hearing and asked Planning Commission for a motion on the request for the purposes of discussion.

Mr. Way moved to recommend approval of the SUP with the condition as presented by staff.

Mrs. Whitten seconded the motion.

Chair Fitzgerald asked for further discussion on the request. Hearing none, she called for a voice vote on the motion.

All voted in favor (6-0) to recommend approval of the SUP at 40 West Washington Street with the one condition.

Chair Fitzgerald said this will go to City Council on August 9, 2016.

At this time I am going to pause the meeting and go back to one of the items that we had earlier on the agenda regarding the recognition of a former Planning Commissioner.

We always regret when someone who we have worked with for a long time has to rotate off. MuAwia Da'Mes was with us for seven and one-half years. He served as Vice Chair for awhile and was one of those voices that always provided important input and a different perspective. Thank you, MuAwia, from all of us, we will miss you. We have a certificate of appreciation and a print of downtown Harrisonburg for you to remember us by. This is for all of the Wednesday nights spent here helping us to make good decisions for moving Harrisonburg forward.

Rezoning – 480 East Market Street (R-2/R-3 to B-2C)

Special Use Permit – 480 East Market Street (Section 10-3-91(8) to Allow for Reducing Required Parking)

Chair Fitzgerald continued by saying thank you for your patience. The next item on the agenda, and I am assuming we are going to actually do the next two items together, 480 East Market Street rezoning and SUP for reduced parking. She then asked staff for a review.

Ms. Dang said the Comprehensive Plan designates this area as Professional. This designation states that these areas are for professional service oriented uses with consideration to the character of the area. These uses are found in the residential areas along major thoroughfares and adjacent to the Central Business District. Conversion of houses in these areas to office and professional service uses is permitted with appropriate attention to maintaining compatibility with adjacent residential areas in the same manner as described for Planned Business areas.

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

Site: Single-family dwelling, part which is zoned R-3 adjacent to East Market Street and part which is zoned R-2 adjacent to East Elizabeth Street.

- North: Across East Elizabeth Street, single-family dwellings, zoned R-2
- East: Across Sterling Street, personal service establishment (The Beauty Spa) and a mixture of single-family dwellings and professional offices, zoned R-2 and R-3
- South: Across East Market Street, medical and professional offices, apartments, and Woodbine Cemetery, zoned R-3
- West: A mixture of residential dwellings and professional offices, zoned R-3

The applicant is requesting to rezone a parcel containing 26,258 +/- square feet from R-2, Residential District and R-3, Medium Density Residential District to B-2C, General Business District Conditional. Simultaneously, the applicant is also requesting a special use permit per section 10-3-91(8) to allow for reducing required parking areas. Both applications are discussed and reviewed herein. Presently, a residential dwelling occupies this property. As explained in the applicant's submitted letter, if approved, the applicant desires to operate Mossy Creek Fly Fishing, a fly fishing retailer, guide service, and fly fishing educational services use from the building.

The Comprehensive Plan's Land Use Guide designates this area as Professional. This designation states that these areas are for professional service oriented uses with consideration to the character of the area. These uses are found in the residential areas along major thoroughfares and adjacent to the Central Business District. Conversion of houses in these areas to office and professional service uses is permitted with appropriate attention to maintaining compatibility with adjacent residential areas in the same manner as described for Planned Business areas. The proposed rezoning, B-2, General Business District is intended to provide sufficient space in appropriate locations for a wide variety of retail shopping, commercial, automotive, miscellaneous recreational, and service activities.

The subject parcel is also within one of the Comprehensive Plan's designated Corridor Enhancement Areas; therefore, items such as: land use; vehicle, pedestrian, and bicycle circulation; access management; development, redevelopment, and reuse opportunities; conservation of special features; and signage should be considered. Staff has discussed with the applicant the need to be mindful of these matters.

With regard to the rezoning, the applicant has proffered the following (written verbatim):

The property shall be redeveloped by improving and maintaining the existing structure, which may include additions to the building, and where the following B-2 uses will be retained:

(By Reference to Numbered Paragraphs of the Existing B-2 Ordinance with Some Modifications)

- (1) Mercantile establishments which promote the show, sale and rental of goods, personal service establishments and other shops.
- (2) Governmental, business and professional offices and financial institutions.
- (4) Theaters, community rooms, museums and galleries and other places of assembly for the purpose of entertainment or education. In addition, customary recreational and leisure-time activities which are compatible with surrounding uses are permitted.

- (5) Religious, educational, charitable or benevolent institutional uses which do not provide housing facilities.
- (15) Accessory buildings and uses customarily incidental to any of the above listed uses.
- (18) Public uses.

In addition, the applicant would retain the right to seek a special use permit for any uses allowed by such in B-2.

With regard to the site the applicant proffers:

A landscaping buffer with intent to form a dense screen shall be established along the western and northern perimeter of the property as indicated on the site plan, prepared by Engineering Solutions, dated July 6th 2016, and submitted with this application. Existing vegetation may be maintained or new materials planted. When new materials are planted, they shall be 6 feet in height at the time of planting and planted at a minimum of 5 feet on center.

Dedicate right-of-way as needed along East Market Street for the city's future traffic signal improvements at the intersection of East Market Street and Sterling Street / Reservoir Street as indicated on the site plan, prepared by Engineering Solutions, dated July 6th 2016, and submitted with this application.

The southern access to the property along Sterling Street shall be marked as exit only.

All freestanding signs shall be no taller than 10ft in height, and no freestanding sign shall exceed 50 square feet. There will be no LED, scrolling message board sign.

For all intents and purposes, the site plan provided is conceptual. However, the layout demonstrates where the buffering will be located per the submitted proffers and demonstrates that the site can sustain the minimum required parking spaces.

Often, a rezoning that changes a property's zoning from a residential district to a business district would increase the intensity of the permissible uses. However, if the rezoning request with the submitted proffers is approved, the allowable uses under the B-2 district would be quite limited and less intensive than the current R-3 district allows and fits better with the character of Professional land uses.

From the beginning, the applicant has expressed interest in keeping the existing building and has stated in the Description of Proposed Use letter that they will be making improvements inside the building, and that "[t]here are no plans to alter the exterior of the building other than to provide an upgraded entrance."

Initially, staff was concerned that future owners could demolish the building and construct a larger building that could result in higher intensity usage. After discussing this with the applicant, the applicant provided the opening statement in their proffer letter "[t]he property shall be redeveloped by improving and maintaining the existing structure, which may include additions to the building." This allows for improvements and additions to the existing building, and prohibits demolition of the existing structure and prohibits additional buildings on the property. If plans were made to demolish the building, the property owner must amend the proffers.

The applicant proffered a significant limit to the types of uses that would be allowed on the proposed B-2C zoned property. Because this property is adjacent to and serves as an entryway to a residential neighborhood, staff was concerned with the potential for increased traffic on Sterling Street and potential noise and/or lights coming from this property. Of particular note, staff was concerned about restaurant uses. Restaurants are a higher intensity commercial use. Depending on the type of restaurant, a restaurant may have very early hours (e.g. coffee shop), outdoor seating, and/or late night use. Additionally, a restaurant in this building would require 33 parking spaces, compared to the required 17 parking spaces for retail use. The applicants have not included restaurants as an allowable use in their proffer. The proffers satisfy staff's concerns regarding allowable uses on the property.

With regard to the proffer associated with a landscaping buffer, a dense screen will be provided along the western and northern perimeter of the property to provide separation between the allowable commercial uses and neighboring residential district.

The site plan shows that the applicant desires to make one access "enter only" and the second access "exit only" so that boat trailers can pull into the parking lot in an organized fashion. In the rezoning application, the applicant's letter describes "[the retailer] is very low traffic compared to most retailers. The service portion of the business leads to little added traffic as well because most trips meet on the water, and not at the retail store." Staff agrees that high volumes of traffic are not anticipated. Staff and the applicant agreed that the access into the site should be furthest away from East Market Street so that vehicles coming off of East Market Street onto Sterling Street and making left turns into the site do not cause a vehicular back up into the intersection. The applicant has proffered that the southernmost entrance will be marked "exit only." If the applicant desires, the northernmost entrance may be "enter only" or full access for both entering and exiting the site.

With regard to the proffer associated with signage, typically, B-2 zoned properties, if they have enough sign area allotted to the site, can have freestanding signs as large as 240 square feet in area and up to 35-feet in height. Specifically for the site, the property would have about 90 square feet of sign area available for use because the property's street frontage along East Market Street is about 90 feet in length. The applicant has proffered that freestanding signs shall not exceed 50 square feet and shall be no taller than 10-feet in height. Understand that remaining signage square footage allowed on this property may be applied to the building walls as long as it meets other requirements of the Sign Ordinance. Of particular note, since the site is surrounded by residentially zoned properties, as is the case today under the existing R-3 zoning, any use that operates on site would be limited as to the locations of particular advertising. Similar to the setback regulations, this restriction does not specify the restriction being only applicable when the adjacent property is "used" residentially, but rather when the adjacent property is a "residential district." Staff has explained to the applicant that, as is currently regulated within the Sign Ordinance, wall signs (which are signs mounted on the exterior of the building) shall not be placed on side or rear walls of the building that abut and that are within 100 feet of a residential district. Therefore, advertising wall signs would only be permitted that display toward East Market Street.

The applicant is aware that, if approved, future additions to the existing building would be limited by setback regulations. This is because the B-2 zoning district's building setback requirements are 30 feet along the front property line, which is typical of most districts, and then 10 feet on both sides and along the rear; however, when a shared line abuts a residential district,

the minimum setback then increases to 30 feet. Furthermore, if any structure is to be greater than 35 feet in height, then one additional foot of setback is required for each foot above 35 feet adjacent to shared lines of residentially zoned property.

The requested special use permit per Section 10-3-91(8) is to allow for reducing the minimum required parking spaces so long as the amount of space that would have been used for parking remains as open space and is so noted in the deed to the property. In addition to projected low traffic volumes as one reason for the special use permit request, the applicant describes in their Description of Proposed Use letter: “One unique demand of our retail operation is that there is ample room outdoors in the grass to ‘test cast’ fly rods.” Without this special use permit, the applicant would not have green space for this purpose.

The applicant is requesting approval for only 9 parking spaces to be provided. Per Section, 10-3-25 Off-Street Parking Regulations, without the special use permit, this retail use of 3,223 square feet floor area requires 1 space per 200 square feet, equal to a total of 17 parking spaces required. The applicant has confirmed in the submitted site plan that the minimum required parking spaces of 17 total spaces can be met.

The applicant is also aware that they must meet parking lot landscaping requirements per Section 10-3-30.1 and has noted this on the submitted site plan.

Although not proffered, when a comprehensive site plan is submitted to the City Engineer for review, all typical street frontage improvements are required. As depicted in the submitted layout, the applicant understands that a sidewalk would be required along Sterling Street and East Elizabeth Street. Whether the sidewalk will include the standard 2-ft grass strip or not will be determined with staff at the time of comprehensive site plan development. Buffer strips between the back of curb and sidewalk provide a number of benefits including, but not limited to, providing a place to install traffic signs and utilities, increasing pedestrian comfort by providing additional separation from traffic, providing for a wheelchair recovery zone, providing a place to push and pile snow, and reducing problems with dips and cross slopes at driveway aprons. Staff recognizes that retrofitting sidewalks around already developed sites can be challenging. After careful review, administrative waivers to remove the grass buffer strip may be granted due to site constraints.

During yesterday’s tour there were two items that were brought up by members of Planning Commission; one was a question about negative runoff impacts for the adjacent property owner to the west when a parking lot is constructed in the back portion of the lot. This is something that will be evaluated during the comprehensive site plan phase of the project. The City Engineer is aware that this is something that needs to be looked at when it gets to this point.

The other item of concern that was brought up was parking along Sterling Street. Presently, parking is permitted on Sterling Street. As far as public safety and hazards regarding this parking, that would be something that would be evaluated by staff; and perhaps by the Transportation and Safety Advisory Committee if it becomes a concern. As far as this particular use is concerned, the applicant is providing parking spaces on their property to address their parking needs.

With all of this, staff believes the requested rezoning is acceptable given the significant limitations proffered by the applicant. Staff further supports the requested special use permit per

Section 10-3-91 (8) to allow for reducing the minimum required parking spaces with the following condition.

If in the opinion of Planning Commission or City Council, parking becomes a nuisance, the special use permit can be recalled for further review, which could lead to the need for additional conditions, restrictions, or revocation of the permit.

Chair Fitzgerald asked if there were any questions for staff at this time.

Mrs. Whitten asked has there been any discussion about lighting; do we know what type of lighting will be installed in the parking lot. Will there be restrictions on the lighting because it is adjacent to residential?

Ms. Dang said that has not been discussed with the applicant.

Mr. Fletcher said there would not be any restrictions as such; because there is no regulatory control either. The comprehensive site plan requires for them to indicate the “foot candles” that are released from the site. The restriction is no more than .5 foot candles; aside from that there is no regulatory control. If you have concerns about lighting you could take that into consideration as a condition that is placed on the SUP request.

Mr. Way asked if B-2 was the most appropriate designation for this zoning classification. Is there something that would be better than B-2?

Mr. Fletcher said the front portion of the property is zoned R-3, so by-right a professional office could locate in the existing building. The parcel and the entire block is designated Professional within the Land Use Guide. Technically speaking the rezoning they are requesting does not fit exactly into the Professional category, because they have a retail component. So from a staff perspective and given all of the considerations and the back-and-forth with the applicant, they have proffered and limited themselves so much so that the intensity coming from their use is very, very similar to an office use.

Mr. Way said that makes sense. Does it open the door to future “things” in this area?

Mr. Fletcher replied no.

Mr. Baugh said it potentially opens the door to considering other low impact retail.

Mr. Finks said regarding the Sterling Street parking – would parking still be allowed from the exit of the site, south towards the corner at East Market Street? In looking at the site it does not appear there would be enough room to park a car along this portion of Sterling Street. Why does this not come up as a concern?

Mr. Fletcher said that will be reviewed as part of the comprehensive site plan that was referred to earlier and in the staff report. The City Engineer and the Department of Public Works will look at the stacking queue for the intersection and the exit of the site. Whether or not parking needs to be removed will be evaluated at that time. We are only focusing on the particular use with this request; therefore, much of the infrastructural issues like sidewalk and parking along the street will get worked out during the comprehensive site plan review.

Mr. Finks said I feel that it directly affects whether we can approve the SUP because I think it becomes a problem if the parking is allowed in that area.

Mr. Fletcher said remember the front portion of the property is zoned R-3; so professional offices are permitted by right. It is a concern, but it is also a use permitted by right; so parking must be supplied on site to serve that particular use. Again, the egress and ingress locations on the site, in our view, are not really components of the SUP, because there are already permitted by right uses that are not residential.

Mr. Finks said that makes sense; but I still think that if we are looking at approving whether or not they have to install the appropriate amount of parking right now, if it becomes an issue where we have to reconsider our approval there may be a problem.

Mr. Fletcher said I am sorry, I thought you were talking about the rezoning approval, but clearly you are referring to the SUP. That is a component you can take into consideration with the SUP approval. If you think there would be a loss of spaces along the street that would cause a negative impact to the surrounding neighborhood, then maybe, in your opinion they are not providing enough off street parking spaces with this request. It was not a concern of staff at this point in the game; but, if there is a concern, the condition we are recommending is to call the SUP back if it does become a concern.

Mr. Colman asked how many vehicles do you believe park on that section of Sterling Street between the exit and the intersection. Does anyone park there?

Chair Fitzgerald said to me it seems like a dangerous place to park. She then asked if there were any further questions for staff at this time. Hearing none, she opened the public hearing for the rezoning request and asked if the applicant or their representative would like to speak.

Brian Trow said he is the owner of Mossy Creek Fly Fishing and the applicant representing the property owner, Mr. Richardson, for this request. I would like to thank Planning staff; they have been great to work with on this request. Please know a lot of the proffers put into this request were not just to meet their (staff) needs, they fit with our business model – meaning we like green space, we have very, very low traffic flow with our retail store, we have a very specialized business. Much of our business is service based and we bring people in from all over the east coast to fish all over the Shenandoah Valley. That traffic does not really translate into cars and people at the store all day long. We have a growing eCommerce business, so the retail portion makes up less than half of our business.

Additionally, concerning the parking for our business, I did not even know you were allowed to park along Sterling Street, so to the next point the reduction in spaces was not because we were thinking “we can just park people along Sterling Street.” We were operating under the impression that cars could not even park along the street.

We have wanted to be part of the downtown area for a long time. We have been in business for fourteen years and we have become a Harrisonburg fixture. People come from all over the state of Virginia because there are not a lot of businesses like ours. We send a lot of customers to the City’s downtown. Harrisonburg Downtown Renaissance (HDR) has been after our business to move downtown for more than a decade. The hard part of being downtown is to get someone who is driving down the I-81 corridor to come in and turn along several one way streets, find parking, and so forth in the downtown. So after watching for many years and trying to figure out where our permanent home would be, this property came about. It offers a very unique opportunity. It has the off-street parking space we require. It has that beautiful old building that we love and would make a unique store for our small retail operation.

For all these reasons it was easy to meet staff's concerns regarding the rezoning. Hopefully, through this rezoning request and a comprehensive site plan where we can get the right landscaping and buffer in place that will strike the right balance with the area. Hopefully, all concerns were taken care of through the proffering.

I would be glad to answer any questions you may have for me.

Mr. Finks said in the proposal it says that you will be holding or teaching classes. Can you tell me more?

Mr. Trow said most of our classes will be off-site on the water. We do have, upstairs, a room that will be designated for classes such as fly tying. This is where you have a group of five maybe six people and teach them how to tie a fly or a specific knot; classes of that nature. As for the grassy area in the back of the lot, people like to try out a fly rod before they make an investment that size, so having some green space in the back to allow casting is kind of a big thing. We currently do not have such a space and people go in the back parking lot or alley to test the rods.

Mr. Finks asked when you have a class on the water do you envision meeting folks at the fishing site or would they come to the store location and then you go out to the water.

Mr. Trow said we do have guided trips and classes where customers meet at the store. Our store hours are typical retail, 10 am opening, so a lot of our guide trips will meet at 8 am at the store before they head out to the water. So it is a mix, some folks will meet at the store and go to the water, while others come directly to the water.

Mr. Finks asked do you envision a situation where you would have more than the nine parking spaces that are proposed filled.

Mr. Trow replied no, not even close. If you look at the traffic survey for our rezoning request it was embarrassingly low. We just do not have a lot of vehicle traffic. The beginner classes that we have are generally private, so you may have a husband and wife or a father and son/daughter. The idea of lining up twenty people to take out to the water is not our business model and we do not plan for that.

Mr. Finks said thank you.

Chair Fitzgerald asked if there were any further questions for Mr. Trow. Hearing none, she asked if there was anyone else wanting to speak in favor of the rezoning request.

Tom Richardson, 2444 Massanutta Springs Road, said he is one of two owners of the property. My brother and I inherited the property from our aunt, who inherited it from our grandparents; so we have a long association with this property. I just want to speak in terms of the parking and you mentioned the parking along Sterling Street; over the past four years or so we have had a lot of contractors coming to this property that would park along Sterling Street and traffic would adjust. Sterling Street is a very wide street and they were able to park along there with no problems.

Thank you and if you have any questions for me about the house I would be happy to answer them.

Mrs. Whitten asked how old the house was.

Mr. Richardson said City records show that the property has been there since 1838. My grandparents always told us it was built in 1860. That seems to be right in terms of the age of the bricks and the age of the structure. My grandparents came into possession of the house in the 1940's and at that time I believe it was an upstairs/downstairs apartment. My grandparents converted it back to a single-family home.

Chair Fitzgerald said it is a grand old home.

Mr. Richardson said when we first put it on the market we were afraid that someone would purchase it and tear it down. We are thrilled that someone is going to come along and use the building and actually improve on it; I know my grandparents would approve.

Chair Fitzgerald asked if there was anyone else wanting to speak with regard to the request.

Sherwin Jacobs said he owns the building across the street (Sterling Street) and as far as the rezoning request he is in favor. I was concerned that the building would be torn down. My wife and I own old properties and renovate them, such as the one across the street. So I am very happy to see that it will remain.

The only concern I have expressed to some of you individually, is the parking. It might help with parking along Sterling Street if there was a median line going down the middle. Sometimes I park along Sterling Street with my truck to unload trash and I do cause a bit of a bottleneck in traffic. It could be because the cars traveling towards Market Street are simply over too far in the next lane, which a center line would help. But I was more concerned that the retail aspect would bring in more vehicles and the overflow might start using, on a regular basis, our parking lot across the street. I do not care if the business has a special occasion and you ask to use the parking, I am more than happy to accommodate that. But I would not want people to utilize the parking all the time and interfere with the Beauty Spa parking. When I originally looked at this request it appeared they were providing eleven spaces and now I believe it has come down to nine, I just hope this is enough. The parking is the only thing that I have any concern with. I am very happy that someone is interested in rehabbing the building; there have been too many older buildings torn down in Harrisonburg.

Chair Fitzgerald asked if there was anyone else desiring to speak with regard to the rezoning.

Neil Lewis, 1081 James Place, I have been a customer of Mossy Creek for many years and I have never seen nine cars in their parking lot. I have taken classes countless times and people may meet at the shop but they do not leave their vehicles there; they go out to the site.

I do think they would be a valuable addition to the downtown. I know my family and I spend our time and money downtown, and Mossy Creek is the last bit of money we do not spend downtown. Thank you.

Chair Fitzgerald asked if there was anyone else wanting to speak. Hearing none, she closed the public hearing on the rezoning request and opened the public hearing for the SUP. She then asked the applicant if they would like to speak.

Brian Trow, applicant, said I just wanted to add that there is a lot of green space in the rear of this property. When we first began talking about the site I felt as if we were being encouraged to reduce parking, because it just makes for less runoff for the neighbors, less asphalt on a property that has a lot of grass, and the space was there. This is not something we are requesting just to save some money on pavement. This is what we did because we truly feel we do not need the

parking. Showing that we do have the area reserved and that if our business does ever begin to have more vehicles we will simply put the parking in. For those reasons I do hope you allow us to keep a smaller footprint with regard to the parking. It was never once discussed among us that we would park extra vehicles along the street – as I said, we did not realize you could park on Sterling Street.

Mrs. Whitten asked if the garage that is currently located on the property would stay.

Mr. Trow replied yes. It will be used for storage; we are not about knocking buildings down. The reason the parking went from eleven to nine had to do with the placement of the ADA accessible parking space.

Chair Fitzgerald asked if there was anyone else desiring to speak regarding the SUP.

From the audience Mr. Jacobs reiterated his concern regarding overflow parking.

Brian Koerner, Engineering Solutions, the applicant's engineer, said we were responsible for doing the conceptual site plan. We originally had the accessible space located in front of the garage; however that area was too short. Even as a compact space there is not enough room to put a car in front of the garage, but it could be used as an unloading spot if necessary.

With the future site plan, we will be focused on reducing light pollution and having down lighting with no bleed off onto the adjacent properties would be the conceptual plan. I am a cyclist as well, and I believe that Sterling Street could be lined-off to somewhat reduce the width of the street and have a more calming pattern, that would be great. But I guess that is more of a City responsibility rather than ours as the applicant. We do feel that the nine proposed spaces are more than enough and will not have any overflow into the street. Thank you.

Chair Fitzgerald asked if there was anyone else desiring to speak with regard to the SUP. Hearing none, she closed the public hearing and asked staff if they were looking for two separate motions.

Mrs. Banks said yes.

Mr. Colman moved to recommend approval of the rezoning from R-2/R-3 to B-2C with the submitted proffers as presented by staff.

Mr. Finks seconded the motion.

Chair Fitzgerald asked if there was any further discussion on the request.

Mr. Way said I just want to add that I am pleased the way the proffers were written to capture the concerns and maintain the integrity of the building. The signage has been proffered and appears to be done in a tasteful way. Thank you.

Chair Fitzgerald called for a voice vote on the motion for the rezoning request.

All voted in favor (6-0) of the motion to recommend approval.

Chair Fitzgerald asked if there was a motion for the SUP request.

Mr. Way moved to recommend approval of the SUP as presented by staff. I am always glad to see us try to minimize the parking on these more residential area uses and I believe this makes good sense.

Mrs. Whitten seconded.

Chair Fitzgerald asked if there was any further discussion on the request.

Mr. Finks said I would like the City to consider cutting off parking along the west side of Sterling Street between the exit of the property and the intersection at East Market Street. I know this is not something that can be added to the SUP but I just wanted to get the idea out there for consideration.

Chair Fitzgerald called for a voice vote on the motion for the SUP.

All voted in favor (6-0) of the motion to recommend approval.

Chair Fitzgerald said these two items will move forward to City Council on August 9th with a favorable recommendation.

Unfinished Business

None.

Public Input

None.

Report of Secretary and Committees

Mrs. Banks said proactive zoning is in the fifth cycle and is half way through the cycle. For the month of July zoning inspectors visited the Hawkins Street area where they found 21 violations consisting of signs, inoperable vehicles, debris, indoor furniture; but no tall grass and weeds. Next month they will be in the Greystone Street area.

Mr. Baugh said at City Council last evening there was a full plate of items that came from this body and all were approved unanimously by City Council. There was the water extension for VMRC in Harmony Heights, Collicello Street preliminary plat with variances, Evelyn Byrd Avenue and the Elks Lodge rezoning requests, and the SUP for Pleasant Valley Elementary School.

Mr. Colman said he had a report from the County of Rockingham Planning Commission. They had two items on the agenda and some other matters to discuss; but the meeting lasted less than one hour. Both items were rezoning requests. One was for student housing along Port Republic Road which was tabled and the other was a master plan amendment for Massanutten Village – Woodstone Meadows. There was also an ordinance amendment that was discussed.

Other Matters

Chair Fitzgerald asked staff to review the Other Matters within the agenda.

Ms. Dang said included in your packet was a memorandum from Tom Hartman, Assistant Director of Public Works (PW) that gave you an overview of how PW has hired the Berkley Group to assist with completing the Bicycle & Pedestrian Plan. Included within the memo is a schedule with the tasks that they plan to complete by March 2017. If you have any questions for me regarding this I would be happy to try and entertain them, or get answers from PW for you.

A quick update on the Chicken Permit applications; to date we have two approved applications and two pending applications. What this means is we have received the applications and the Animal Control and Care Officer is going to visit those sites for acceptance. I feel the process

has been working well. There is a page on the City's website where folks can download the permit application and bring to our office where we will help them through the rest of the steps.

Also, I have one other item not listed, this is related to the BZA appointment of Mr. Colman. If we could have a formal motion that the Planning Commission has appointed him as the representative and then we can get that process underway.

Chair Fitzgerald called for a nomination for a BZA representative from Planning Commission.

Mr. Way moved to nominate Mr. Gil Colman.

Mr. Finks seconded the motion.

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

All voted in favor (6-0) of Gil Colman as the Planning Commission representative on the BZA.

Chair Fitzgerald asked staff for a review on the Comprehensive Plan Update.

Ms. Dang said to follow-up on the discussion on the Comprehensive Plan Update, Vice Mayor Baugh did speak with City Council members at the June 14th meeting about the idea of a joint City Council/Planning Commission worksession. If I understand correctly, the idea got sent back to City Manager Hodgen and staff to discuss and propose when that worksession may take place.

Mr. Baugh said yes, City Council is open to the idea, but thought it would be best to let staff figure out when and make a recommendation back to us.

Ms. Dang said before trying to decide on specific dates that may work, I would like to make some phone calls to different communities to ask them how their process had worked. This will be my first time taking the lead to facilitate this process, so I have a lot to learn. Therefore, if you all have some questions you would like for me to ask other communities I can ask them all at the same time.

Mr. Way said he had some questions and would it be best to email those directly to you.

Ms. Dang said yes, that would be great. In general, some of the questions I have are, *How long did your process take? Tell me about your citizen advisory committee and what was the make-up of that committee? What are some ideas for the public input process? When was the last time your community did a major update and did you hire a consultant? What was the RFP process for that?*

If you do have some questions to ask, please email them to me within the next week and I can get moving on that. Hopefully, I will have this to bring back to you next month.

Chair Fitzgerald asked if there was anything else for discussion. Hearing none, she asked what the agenda looked like for August.

Mrs. Banks said right now it looks as if the two items that were tabled this month, a preliminary plat with variance and the ordinance amendment, will be on the August agenda. As well, there was a special use permit for a multi-family development in R-3 that was tabled

in May and could be coming in August. Lastly, there is a Master Plan Amendment for Eastern Mennonite School that has been received for next month.

Chair Fitzgerald said I was asked recently by someone in the community about food trucks. I know we had talked about doing some work with that and I was just wondering where that was.

Mr. Fletcher said that is still in the works, but it probably will not get to this body for some time. There is still some internal staff work that needs to be going on back and forth between different departments. This is not just a zoning matter; in fact it is not a zoning matter in many ways. There will be a zoning component the way it will be proposed; overall, it is a City Code amendment. We are really calling this a “mobile vendor” ordinance because it is not just food trucks.

Mrs. Whitten said I have one item that I would like to put out on the radar for this body. I have concerns about our non-conforming use definition and the way it is applied. I think there are things that we could do to make this definition a little tighter and that we should consider looking at that.

Mr. Fletcher said along these same lines, some time back, maybe a year, eighteen months ago, we had a discussion on “community gardens.” This is a project that we have recently done some research on and have begun drafting some language for an ordinance. I just wanted to make you aware that that project did not die off either and staff will have something on that in the near future.

Adjournment

The Planning Commission meeting was adjourned at 8:15 p.m.





City of Harrisonburg, Virginia

Department of Planning & Community Development
409 South Main Street
Harrisonburg, Virginia 22801
www.harrisonburgva.gov/community-development

Building Inspections: (540) 432-7700
Engineering: (540) 432-7700

Planning and Zoning: (540) 432-7700
Department Fax: (540) 432-7777

To: Planning Commission
From: Department of Planning and Community Development
Date: August 10 Regular Meeting
Re: Preliminary Plat – 150 & 160 Ashby Avenue (Variance to Allow Lots to Not Have Public Street Frontage)

Summary:

Consider a request from Ikram U. & Shehnaz P. Khan to preliminarily subdivide two parcels totaling 0.721 +/- acres into three parcels. A variance is also requested to deviate from the Subdivision Ordinance Section 10-2-42(c) to allow one lot to not have public street frontage. The properties, zoned R-2, Residential District, are addressed as 160 & 150 Ashby Avenue and identified as tax map parcels 41-D-15 and 41-C-50, respectively.

Background:

The Comprehensive Plan designates this area as Neighborhood Residential. This designation states that this type of land use highlights those neighborhoods in which existing conditions dictate the need for careful consideration of the types and densities of future residential development. Infill development and redevelopment must be designed so as to be compatible with the existing character of the neighborhood. These are older neighborhoods, which can be characterized by large housing units on small lots.

The following land uses, as well as the properties' existing zoning, are located on and adjacent to the property:

Site: Both properties are zoned R-2. 160 Ashby Avenue is undeveloped and 150 Ashby Avenue consists of a single-family dwelling.

North: Single-family dwellings, duplexes, and apartments, zoned R-2

East: Single-family dwellings, zoned R-2

South: Across Ashby Avenue, single-family dwellings, vacant lots, and the Salvation Army, zoned R-2

West: Single-family dwellings, zoned R-2

Key Issues:

The applicant desires to preliminarily subdivide two existing parcels, which together total 0.721 +/- acres, into three parcels in order to construct two additional single family dwellings. There is an existing single family dwelling on TM-41-C-50 (150 Ashby Avenue). The two proposed single family dwellings are proposed to be constructed in the rear halves of the two existing lots. The proposed subdivision requires Planning Commission's review and City Council approval for a variance to the Subdivision Ordinance Section 10-2-42(c) to allow proposed Lot #3 to not have public street frontage.

The applicant's original application proposed subdividing the two subject parcels into four parcels. The intent was to subdivide TM 41-C-50 into a front and rear half similar to what is shown in the attached plat, and to subdivide TM 41-D-15 into a front and rear half as well. The applicant originally planned to construct a total of three additional single family dwellings and to keep the existing single family dwelling. However, there are significant flooding and drainage issues in this area. The parcels lay at the confluence of two drainage channels coming from the north and the east, and the drainage channels overflow during significant storm events. Given concerns that creating the originally proposed four lots would have forced someone to build a home in the buildable area where flooding often occurs, staff encouraged the applicant and his engineer to conduct a preliminary engineering review of the site, specifically to review base flood elevations. After the review, the applicant decided not to propose building a single family home in the front half of TM 41-D-15, and finalized his proposal for three lots as shown in the preliminary plat. It should be acknowledged that the applicant could demolish the existing single family dwelling and construct 1 duplex (2 units) on each property (for a total of 4 duplex units) as permitted within the R-2, Residential District.

As required by Section 10-2-43 of the Subdivision Ordinance, the applicant will dedicate public general utility easements along the frontage of Proposed Lots #1 and #2, and along the side lot line between proposed Lot #1 and proposed Lots #2 & #3. The public general utility easement can be used for general utility services (electric, cable, phone, etc.) to service any building including Proposed Lot #3.

There is an existing 10-ft public sanitary sewer easement that travels through the property. Staff requested for the 10-ft public sewer easement be increased to the current 20-ft standard. The applicant has granted staff's request.

Public water is available in the right-of-way of Ashby Avenue and public sanitary sewer runs through the existing lots. As required by Section 10-2-23 of the Subdivision Ordinance, the plat demonstrates the locations of private easements for Lot #3 to receive public water and public sanitary sewer connections.

The plat shows dedication of public street right-of-way along the frontages to accommodate a future 5-foot sidewalk and 2-foot grass strip between the back of curb and sidewalk, plus 1-foot of right-of-way behind the future sidewalk.

The City's Design & Construction Standards Manual Section 1.3.2.13, requires a comprehensive site plan for projects involving "[c]onstruction, reconstruction, grading or other work proposed in any floodplain zoning district; regardless of project scope." Although the drainage channels within these parcels are not mapped as part of the regulated flood plain, the City's Design & Construction Standards Manual Section 1.3.1.15 authorizes staff to require a comprehensive site plan when "[a]ny combination of site, building, and/or utility improvements deemed by the City Engineer, Zoning Administrator, Public Works Director or Public Utilities Director to be significant enough to warrant comprehensive review." Given the potential for flooding and damage to the driveway, and the possibility of impacting other properties, staff recommends that the preliminary plat be approved with a condition that the final plat not be approved until the City Engineer approves a comprehensive site plan or other acceptable plan.

The applicant has already initiated a request to meet with the City Engineer, Planning & Zoning, Building Inspections, Public Works, Public Utilities, Fire, and Harrisonburg Electric Commission to discuss the comprehensive site plan and how the applicant plans to address the crossing, existing eroded ditch, and drainage.

Access to Lot #3 will be achieved via the proposed private access easement shown on the preliminary plat. Specifics of dimensions and design of how the driveway will cross the drainage channel will be determined during comprehensive site plan review. The applicant is aware that the Fire Department will need adequate access and should refer to Section 2.11 Emergency Access/ Site Protection of the City's Design & Construction Standards Manual.

The applicant has stated that future dwellings will not have basements. The Building Official has recommended that the future buildings be 6" or higher than adjacent grade, that the grade slopes for an additional 6" away from the house, and that drainage on the lot discharges to an approved location to be determined with the comprehensive site plan.

Environmental Impact:

N/A

Fiscal Impact:

N/A

Prior Actions:

N/A

Alternatives:

Rather than approving the preliminary plat as applied for herein, denial of the applications means the property could be used as permitted within the R-2, Residential District; which could allow for 1 duplex (2 units) on each property.

Community Engagement:

As required by the Subdivision Ordinance, a sign was posted giving public notice to the request for a variance to deviate from the standards of the Subdivision Ordinance.

Recommendation:

Staff recommends approval of the preliminary plat with the condition that the final plat not be approved until the City Engineer approves a comprehensive site plan or other acceptable plan.

Attachments:

1. Site maps (2 pages)
2. Application, letter, preliminary plat (5 pages)

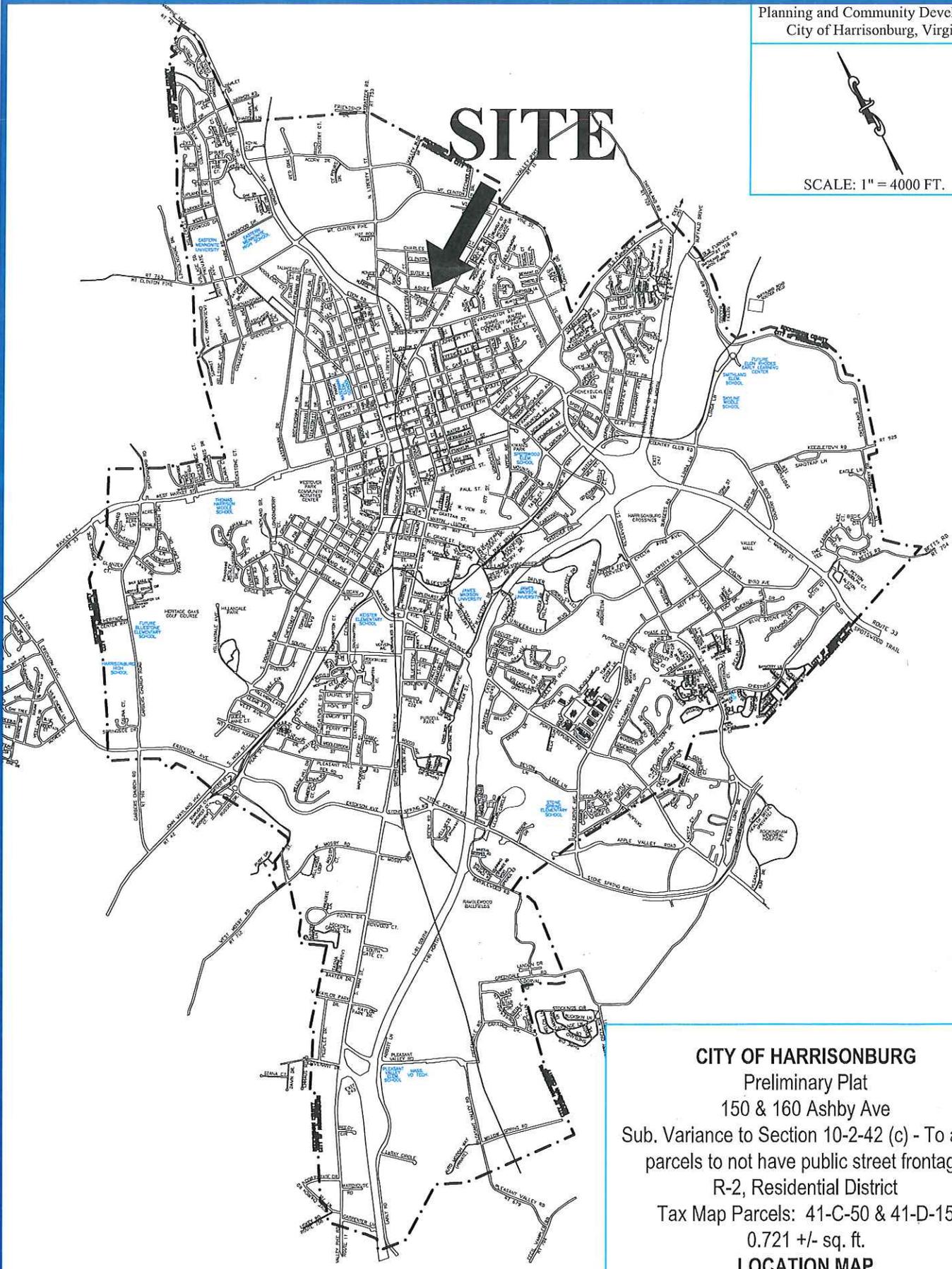
Review:

N/A

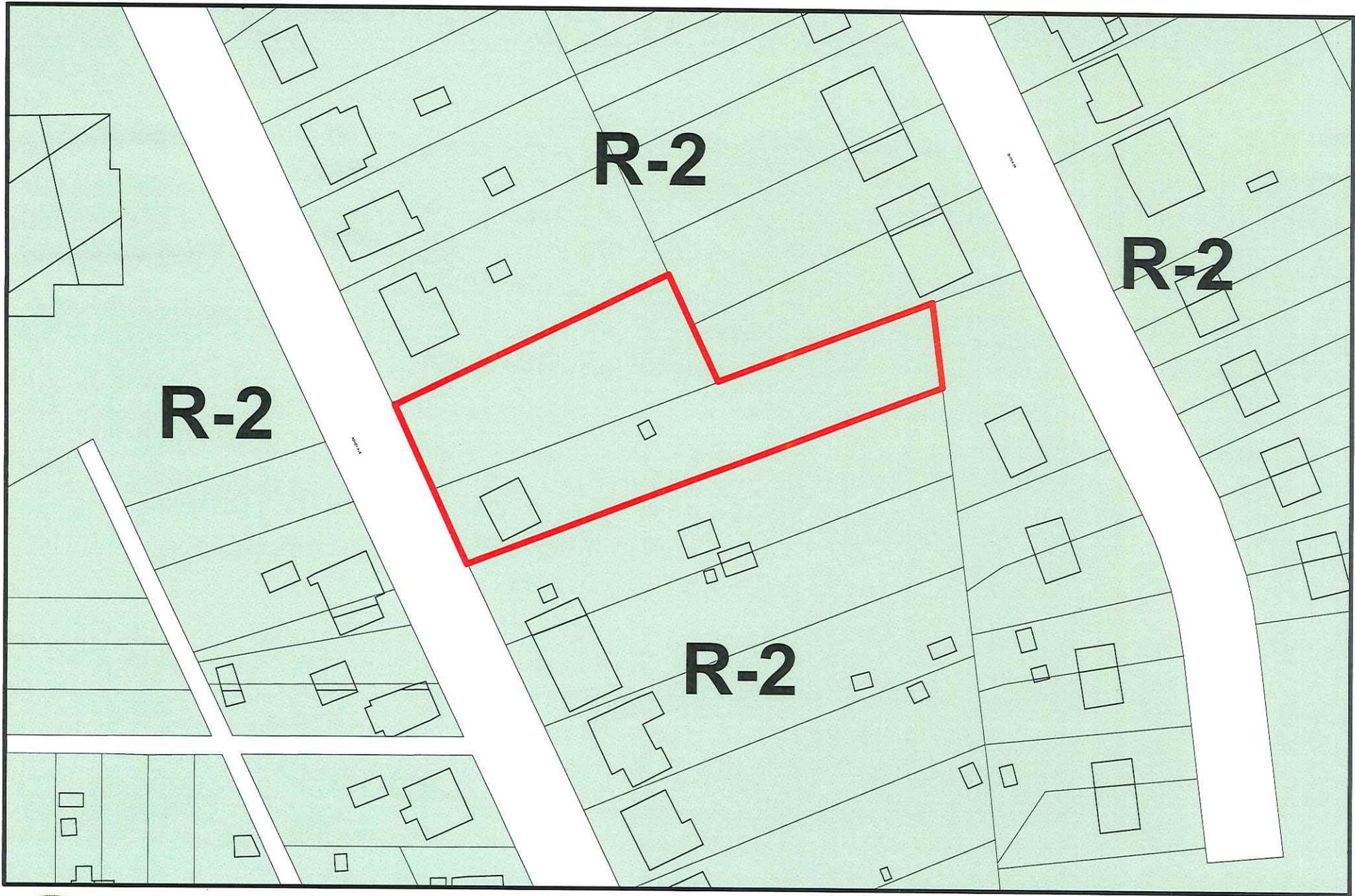


SCALE: 1" = 4000 FT.

SITE



CITY OF HARRISONBURG
Preliminary Plat
150 & 160 Ashby Ave
Sub. Variance to Section 10-2-42 (c) - To allow
parcels to not have public street frontage
R-2, Residential District
Tax Map Parcels: 41-C-50 & 41-D-15
0.721 +/- sq. ft.
LOCATION MAP



150 and 160 Ashby Avenue
Preliminary Plat with variance request to 10-2-42 (c)

Date Application Received: _____

Total Paid: \$280⁰⁰ *Abganda*

Application for Preliminary Subdivision Plat Approval

City of Harrisonburg, Virginia

Fee: w/o Variance Request \$175.00 plus \$20.00 per lot Plus fees for TIA reviews where applicable (see back for details)
Variance Request \$200.00 plus \$20.00 per lot

I, Ikram Khan, hereby apply for preliminary subdivision plat approval for the following property located within the City of Harrisonburg:

Description of Property

Title of Subdivision: 150 & 160 Ashby Avenue D 15
Location (Street Address): 150 & 160 Ashby Avenue Sheet: 41 Block: C Lot: 50
Total Acreage: 0.721 Number of Lots Proposed: 4 Zoning Classification: R-2

Proposed Use of Property: Single Family Residential

Property Owner's Name: IKRAM U. C SHEHNAZ P. KHAN
Street Address: 1120 DECCA DR. Email: Ikramu5618@yahoo.com
City: HARRISONBURG State: VA Zip: 22801
Telephone: Work 540-879-3147 Fax _____ Mobile 540-421-6203
AFTER 2 P

Owner's Representative (if applicable): _____
Street Address: _____ Email: _____
City: _____ State: _____ Zip: _____
Telephone: Work _____ Fax _____ Mobile _____

Developer: _____
Telephone: _____ Email: _____

Surveyor/Engineer: Site Planning & Design - Daniel F. Llewellyn, LS
Telephone: 540-282-8072 Email: danllewellyn@comcast.net

VARIANCES

NOTE: If a variance is requested, please provide the following information:

I (we) hereby apply for a variance from Section 10-2-42(c) of the City of Harrisonburg Subdivision Ordinance and/or Section _____ of the City of Harrisonburg Design and Construction Standards Manual, which require(s):
Frontage: All lots shall front on a public street and no lot shall embrace any portion of a street or alley.

I (we) believe a variance should be granted based on the following "unnecessary hardship" which is peculiar to the property in question (See Section 10-2-2 of the Subdivision Ordinance):

The lots were created by two different subdivisions approved in 1946. The lots are narrow and very deep, thus creating unusable space in the rear of each lot. The owner would like to create two additional lots (4 total) to better utilize the property and bring the lot area closer to the current standard of 7,000 square feet for the R-2 Zoning District.

The City of Harrisonburg's preliminary plat and subdivision requirements are in the code of the City of Harrisonburg, Subdivision Ordinance Sections 10-2-1 through 10-2-86. Please read these requirements carefully.

Certification: I have read the ordinance requirements. I also certify that the information contained herein is true and accurate.

Signature: *Ikram Khan* Property Owner Signature: *Shehnaz P. Khan* Applicant, if different from owner

See Back for Additional Application Fees Regarding TIA Reviews

PRELIMINARY PLAT 150 & 160 ASHBY AVENUE CITY OF HARRISONBURG, VIRGINIA



LOCATION MAP
NOT TO SCALE

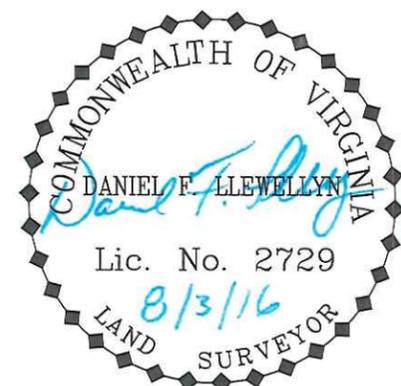
OWNER/DEVELOPER: IKRAM U. & SHEHNAZ KHAN

SUBMITTED: JUNE 6, 2016

REVISED: JULY 15, 2016

REVISED: AUGUST 1, 2016

REVISED: AUGUST 3, 2016



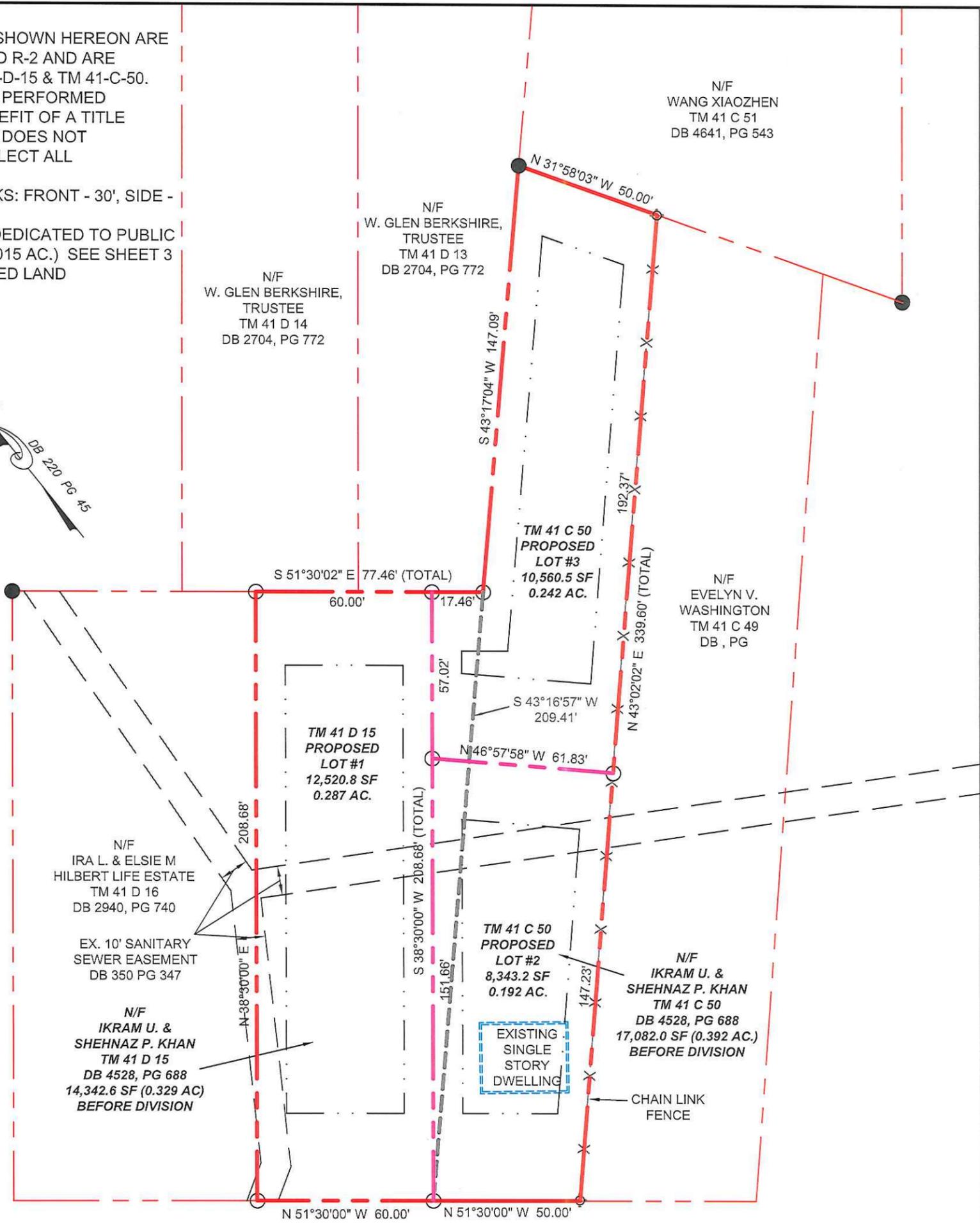
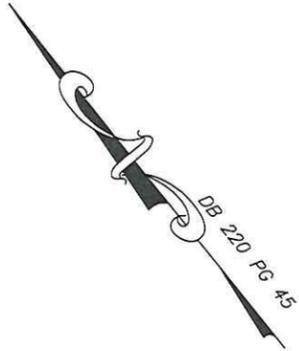
I HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL OF THE REQUIREMENTS OF THE PLANNING COMMISSION AND ORDINANCES OF THE CITY OF HARRISONBURG, VIRGINIA REGARDING THE PLATTING OF SUBDIVISION WITHIN THE CITY HAVE BEEN COMPLIED WITH.

GIVEN UNDER MY HAND THIS 3RD DAY OF AUGUST, 2016.

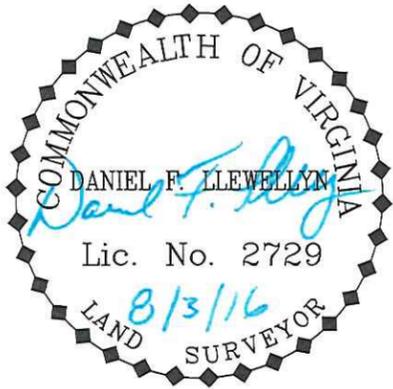
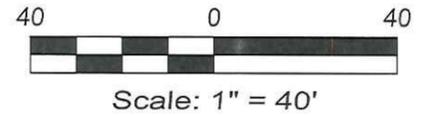
DATE:	06/03/2016	PRELIMINARY PLAT TITLE SHEET	Site Planning & Design, LLC
SCALE:	NONE		
DRAWN BY:	DFL		
PROJECT No.:	004-31	IKRAM U. & SHEHNAZ P. KHAN	3170 Arrowhead Road, Harrisonburg, Virginia 22801 Phone: 540-282-8072
SHEET 1 OF 4		DB 4528, PAGE 667 (TM 41 C 50 & TM 41 D 15) 150 & 160 ASHBY AVENUE HARRISONBURG, VIRGINIA	

NOTES:

1. THE PROPERTIES SHOWN HEREON ARE CURRENTLY ZONED R-2 AND ARE LABELED AS TM 41-D-15 & TM 41-C-50.
2. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE EXAMINATION AND DOES NOT NECESSARILY REFLECT ALL ENCUMBRANCES.
3. BUILDING SETBACKS: FRONT - 30', SIDE - 10', REAR - 20'.
4. THE TOTAL AREA DEDICATED TO PUBLIC USE IS 661.4 SF (0.015 AC.) SEE SHEET 3 OF 4 FOR PROPOSED LAND DEDICATIONS.



ASHBY AVENUE
(40' R/W)



LEGEND	
●	REBAR FOUND
○	REBAR W/CAP SET
⊙	FENCE POST FOUND
•	CALCULATED POINT
---	PROPERTY BOUNDARY
---	NEW DIVISION LINE
---	VACATED PROPERTY LINE
---	EXISTING EASEMENT
---	BUILDING SETBACK LINE

DATE:	06/03/2016
SCALE:	1" = 40'
DRAWN BY:	DFL
PROJECT No.:	004-31
SHEET 2 OF 4	

PRELIMINARY PLAT

IKRAM U. & SHEHNAZ P. KHAN
DB 4528, PAGE 667 (TM 41 C 50 & TM 41 D 15)
150 & 160 ASHBY AVENUE
HARRISONBURG, VIRGINIA

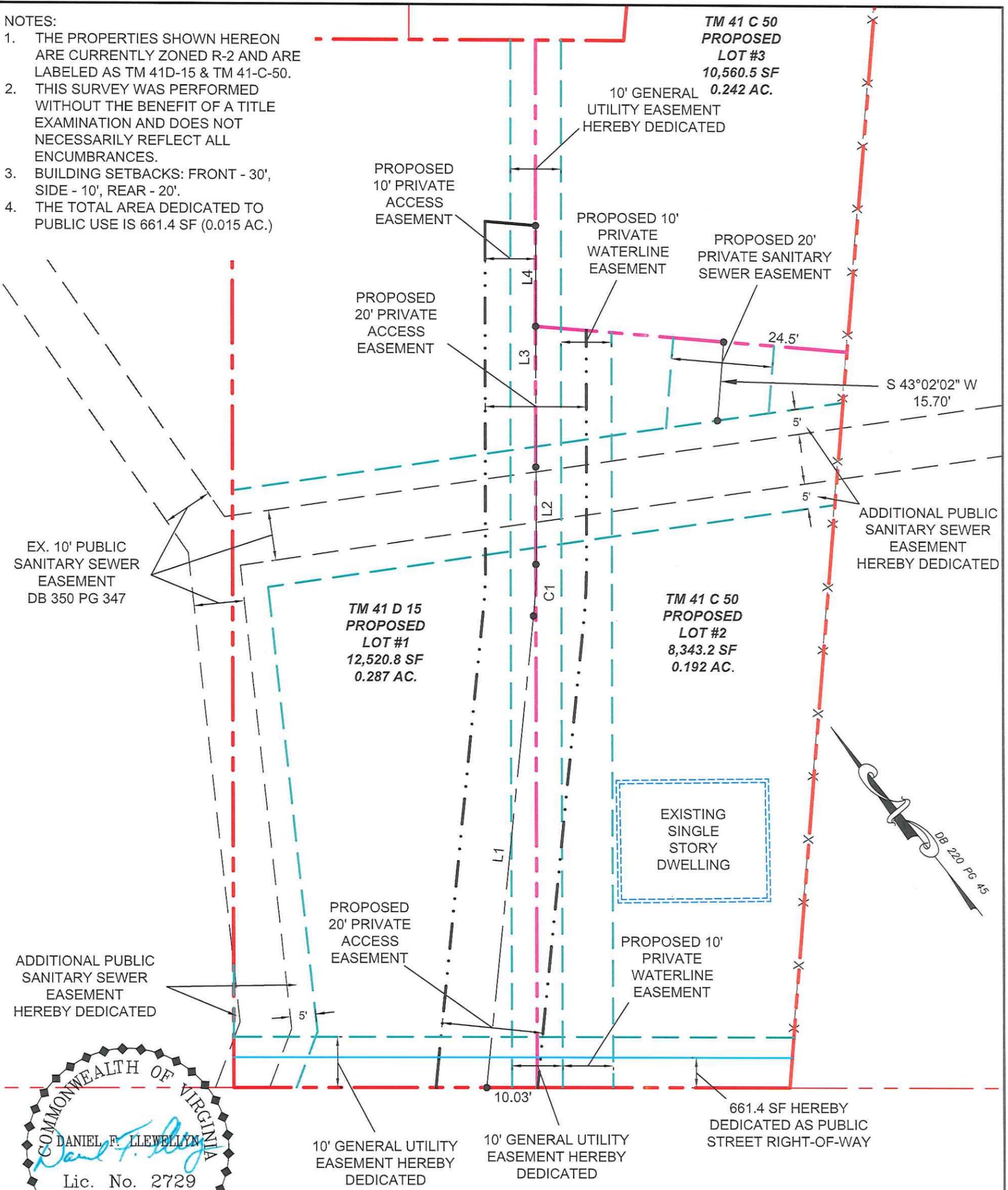
SPD
& D

Site Planning
&
Design, LLC

3170 Arrowhead Road, Harrisonburg, Virginia 22801
Phone: 540-282-8072

NOTES:

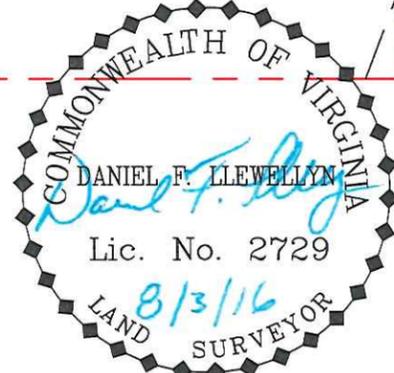
1. THE PROPERTIES SHOWN HEREON ARE CURRENTLY ZONED R-2 AND ARE LABELED AS TM 41D-15 & TM 41-C-50.
2. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE EXAMINATION AND DOES NOT NECESSARILY REFLECT ALL ENCUMBRANCES.
3. BUILDING SETBACKS: FRONT - 30', SIDE - 10', REAR - 20'.
4. THE TOTAL AREA DEDICATED TO PUBLIC USE IS 661.4 SF (0.015 AC.)



TM 41 C 50
PROPOSED
LOT #3
10,560.5 SF
0.242 AC.

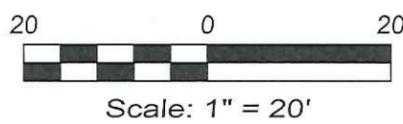
TM 41 D 15
PROPOSED
LOT #1
12,520.8 SF
0.287 AC.

TM 41 C 50
PROPOSED
LOT #2
8,343.2 SF
0.192 AC.



ACCESS EASEMENT CENTERLINE		
LINE	BEARING	DISTANCE
L1	S 44°17'05" W	94.51'
L2	S 38°30'00" W	19.57'
L3	S 38°30'00" W	27.98'
L4	S 38°30'00" W	20.06'

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	100.00'	10.10'	10.09'	S 41°23'33" W	5°47'05"



LEGEND	
●	CALCULATED POINT
--- (red dashed)	PROPERTY BOUNDARY
--- (pink dashed)	NEW DIVISION LINE
--- (teal dashed)	OTHER EASEMENTS (AS LABELED)
--- (blue solid)	NEW RIGHT-OF-WAY
--- (black dash-dot)	PRIVATE ACCESS EASEMENT
--- (grey dashed)	EXISTING EASEMENT

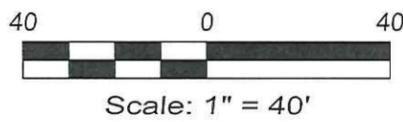
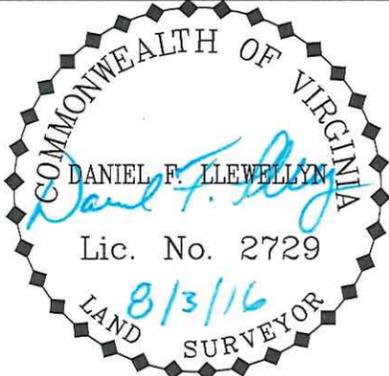
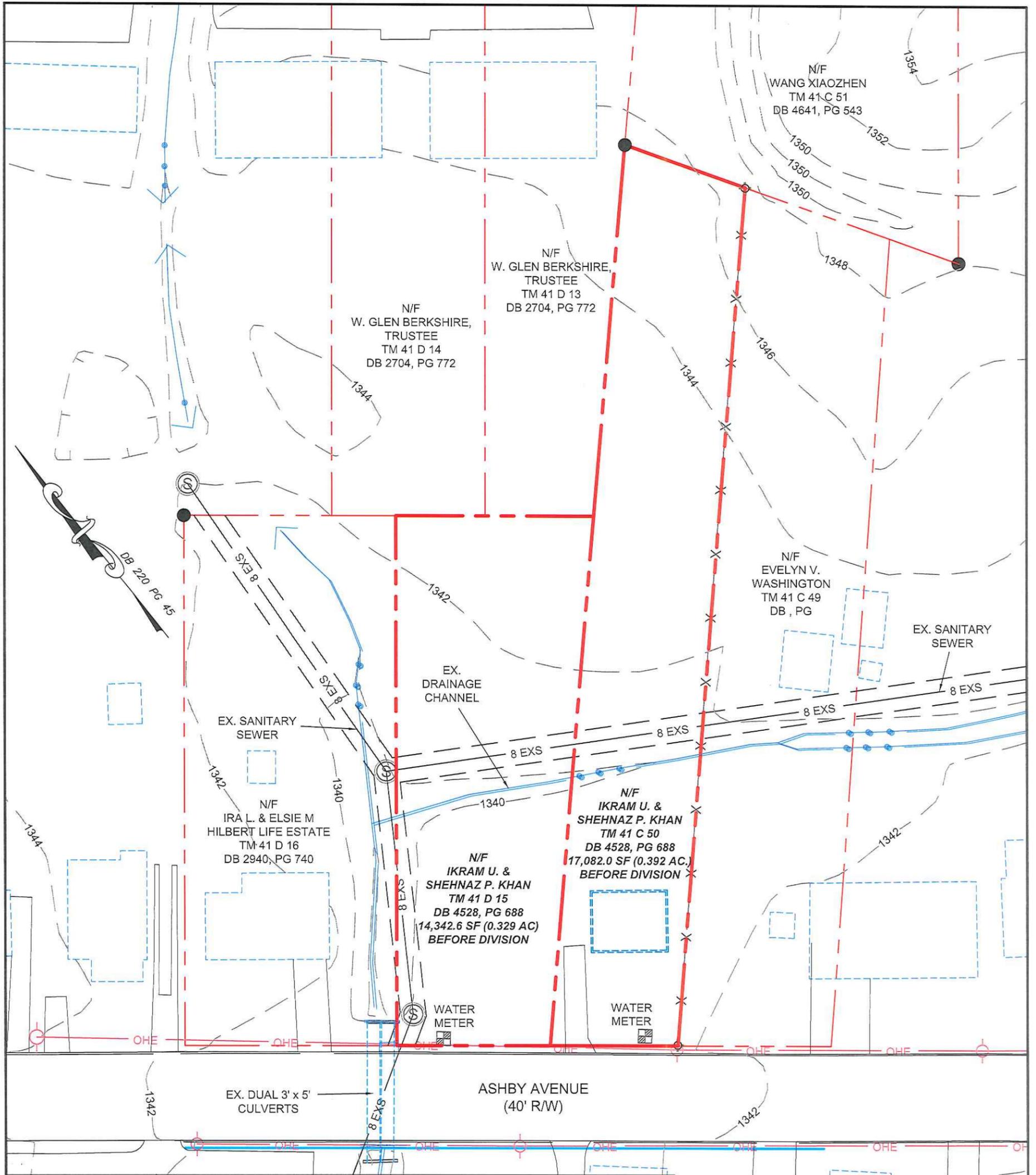
DATE:	06/03/2016
SCALE:	1" = 20'
DRAWN BY:	DFL
PROJECT No.:	004-31
SHEET 3 OF 4	

**PRELIMINARY PLAT
EASEMENT EXHIBIT**

IKRAM U. & SHEHNAZ P. KHAN
DB 4528, PAGE 667 (TM 41 C 50 & TM 41 D 15)
150 & 160 ASHBY AVENUE
HARRISONBURG, VIRGINIA

Site Planning
&
Design, LLC

3170 Arrowhead Road, Harrisonburg, Virginia 22801
Phone: 540-282-8072



LEGEND	
●	REBAR FOUND
○	REBAR W/CAP SET
◇	FENCE POST FOUND
---	PROPERTY BOUNDARY

DATE:	06/03/2016
SCALE:	1" = 40'
DRAWN BY:	DFL
PROJECT No.:	004-31
SHEET 4 OF 4	

**PRELIMINARY PLAT
EXISTING CONDITIONS**

IKRAM U. & SHEHNAZ P. KHAN
DB 4528, PAGE 667 (TM 41 C 50 & TM 41 D 15)
150 & 160 ASHBY AVENUE
HARRISONBURG, VIRGINIA

**Site Planning
&
Design, LLC**

3170 Arrowhead Road, Harrisonburg, Virginia 22801
Phone: 540-282-8072



City of Harrisonburg, Virginia

Department of Planning & Community Development
409 South Main Street
Harrisonburg, Virginia 22801
www.harrisonburgva.gov/community-development

Building Inspections: (540) 432-7700
Engineering: (540) 432-7700

Planning and Zoning: (540) 432-7700
Department Fax: (540) 432-7777

To: Planning Commission
From: Department of Planning and Community Development
Date: August 10, 2016 Regular Meeting
Re: Rezoning – Eastern Mennonite School Master Plan Amendment 2016

Summary:

Public hearing to consider a request from Eastern Mennonite School, Virginia Mennonite Missions, and Mennomedia, Inc. with representative Eastern Mennonite School to rezone 26.88 acres of property by amending Eastern Mennonite School's existing Master Plan. The current Master Plan includes properties zoned B-2, General Business and R-3, Medium Density Residential, and are addressed as 801 Parkwood Drive and identified on tax map parcels 47-N-7. The properties to be added to the Master Plan are zoned B-2, General Business and addressed as 901 Parkwood Drive and 1251 Virginia Avenue, and identified as tax map parcels 47-N 8, 10 & 11. Additionally, Eastern Mennonite School is requesting approval of the parking plan layout, per Section 10-3-25(12).

Background:

The Comprehensive Plan designates this area as Institutional and Professional. The Institutional designation states that these areas are for development by certain nonprofit and public institutional uses such as private colleges and universities, hospitals, offices of nonprofit organizations, community assembly uses and institutions that provide for the shelter and care of people. The Professional designation states that these areas are for professional service oriented uses with consideration to the character of the area. These uses are found in the residential areas along major thoroughfares and adjacent to the Central Business District. Conversion of houses in these areas to office and professional service uses is permitted with appropriate attention to maintaining compatibility with adjacent residential areas in the same manner as described for Planned Business areas.

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

- Site:** Facilities of Eastern Mennonite School, zoned R-3/I-1 and B-2/I-1; Virginia Mennonite Missions and Mennomedia, Inc. offices, zoned B-2
- North:** Across Parkwood Drive, single-family dwellings, zoned R-3; facilities of Eastern Mennonite University; and facilities of Virginia Mennonite Retirement Community, zoned R-3/I-1
- East:** Across Virginia Avenue, non-conforming manufactured home park, non-conforming dwellings and convenience store, zoned B-2
- South:** Across Mt. Clinton Pike, commercial shopping centers, zoned B-2
- West:** Facilities of Eastern Mennonite University, zoned R-3/I-1

Key Issues:

Eastern Mennonite School (EMS) is requesting to amend their approved master plan and to incorporate three new parcels, totaling 2.08+/- acres, into the plan. The site is located in the northern area of the City and is bounded by three streets, Parkwood Drive, Virginia Avenue, and Mt. Clinton Pike. If approved, the master plan would include a total of 26.88+/- acres.

The City's Zoning Ordinance, Section 10-3-103 (1), Uses permitted by right in the I-1, Institutional Overlay District allows for "[c]ivic, educational, charitable, scientific, religious, and philanthropic uses for a public or nonprofit institutional organization." EMS fits within this classification and is an allowed use. Additionally, under Section 10-3-106 (a) of the I-1 District, a master plan process allows an applicant to request approval of a master plan for development that may include uses which do not meet the dimensional requirements – such as setbacks and building height – or parking minimum off-street parking requirements.

The original master plan for EMS was approved in September 2002 and had two specific areas that did not meet all necessary requirements – a dugout planned to be located parallel to Mt. Clinton Pike would encroaching into the 30-foot setback requirement by five feet, and relief to the required parking separation located along the western property line that adjoins Eastern Mennonite University (EMU) was approved as part of the master plan. The remainder of the 2002 approved master plan provided for the orderly development of the EMS campus, which included building expansions, parking lots, and athletic fields.

As described within the Master Plan Narrative dated August 3, 2016, EMS is requesting that the 2002 master plan be replaced with the proposed 2016 plan in order to include the additional acreage within the Institutional Overlay and to accommodate a proposed elementary school, which is currently located offsite. If approved, EMS would vacate all interior lot lines, creating one campus. In addition to the incorporation of the new land and elementary school, EMS desires a 10-foot building setback be applied to the entire campus perimeter to allow for flexibility with future building expansions and additions. Currently, a 30-foot setback from public streets would be required. As indicated on the proposed master plan site drawing, the existing MennoMedia office building would be updated and renovated to become the new elementary school. Future additions and expansions, which may or may not need setback relief, are proposed for both the high/middle school building and the elementary school building. The 10-foot building setback would also allow the dugout along Mt. Clinton Pike that received relief in the 2002 master plan to continue to be conforming to setback regulations.

Additionally, the site drawing shows where parking areas will be located on the grounds. A large portion of the parking currently exists; however, any new parking area or any redevelopment of existing parking area would be required to meet regulations per Section 10-3-30.1 Parking Lot Landscaping. EMS is asking to deviate from the required parking lot landscaping ordinance for the new parking areas, provided that landscaping as shown on the proposed master plan will be installed near the perimeter of the parking lots rather than at otherwise required internal landscaping islands. The master plan also notes that access easements and/or shared parking agreements will be provided for Virginia Mennonite Missions and Eastern Mennonite University to allow them access to their parking areas via EMS property.

Lastly, EMS has stated within the master plan narrative (and as shown on the attached "Exhibit A" drawings), they will dedicate the needed right-of-way and easements to the City for the future widening of Mt. Clinton Pike. This would include stormwater facilities, public utilities, and a shared-use path, all to be constructed by the City, along with necessary slope maintenance and temporary construction easements.

Along with their request for master plan approval, EMS is seeking parking approval per Section 10-3-25 (12) of the Zoning Ordinance; therefore, Planning Commission must review and approve the proposed off-street parking plans for the proposed uses. EMS conducted a traffic and parking study, which is

included as part of this packet. The study indicates a total of 135 parking spaces is sufficient to meet the needs of the school campus. The study took into consideration traffic flow and drop-off/pick-up areas for students. A total of 410 parking spaces are proposed for the campus. Staff believes the projected number of 135 parking spaces is adequate for the proposed uses and also understands their desire for additional spaces due to extra-curricular activities and functions.

Staff has reviewed the master plan and finds that the development as shown is in compliance with the requirements of the I-1, Institutional Overlay District. The relief and flexibility in building setbacks allows for the cohesive development of the structures, parking, and athletic fields within the campus. In addition, the development is not detrimental to the public health, safety and welfare of the neighborhood and is not in conflict with the policies and principles of the Comprehensive Plan. Therefore, staff recommends that the amended master plan, as submitted, be approved.

Environmental Impact:

N/A

Fiscal Impact:

N/A

Prior Actions:

N/A

Alternatives:

Rather than approving the 2016 master plan amendment as submitted, the application could be denied and Eastern Mennonite School would continue to operate under the existing 2002 master plan. The elementary school could relocate to the MennoMedia building at 1251 Virginia Avenue as a use permitted by right; however, it would not be considered part of the EMS Institutional Overlay and would be required to meet all regulations within the Zoning Ordinance.

Community Engagement:

As required, the request was published in the local newspaper twice advertising for Planning Commission's public hearing for the rezoning request. The advertisement was published as shown below:

Public hearing to consider a request from Eastern Mennonite School, Virginia Mennonite Missions, and Mennomedia, Inc. with representative Eastern Mennonite School to rezone 26.88 acres of property by amending Eastern Mennonite School's existing Master Plan. The request would extend the Institutional Overlay District to several lots that have been added to campus property. The Master Plan approval would allow for a 10-foot building setback to be applied to the entire campus outside boundary, as well as, a zero setback to all interior lot lines. Additionally, Eastern Mennonite School is requesting approval of the parking plan layout, per Section 10-3-25(12). The current Master Plan includes properties zoned B-2, General Business and R-3, Medium Density Residential, and are addressed as 801 Parkwood Drive and identified on tax map parcels 47-N-7. The properties to be added to the Master Plan are zoned B-2, General Business and addressed as 601 Parkwood Drive and 1251 Virginia Avenue, and identified as tax map parcels 47-N 8, 10 & 11.

In addition, adjoining property owners were notified of the public hearing, the property was posted with signage advertising the request, and a notice was provided on the City's website at <https://www.harrisonburgva.gov/public-hearings>.

Recommendation:

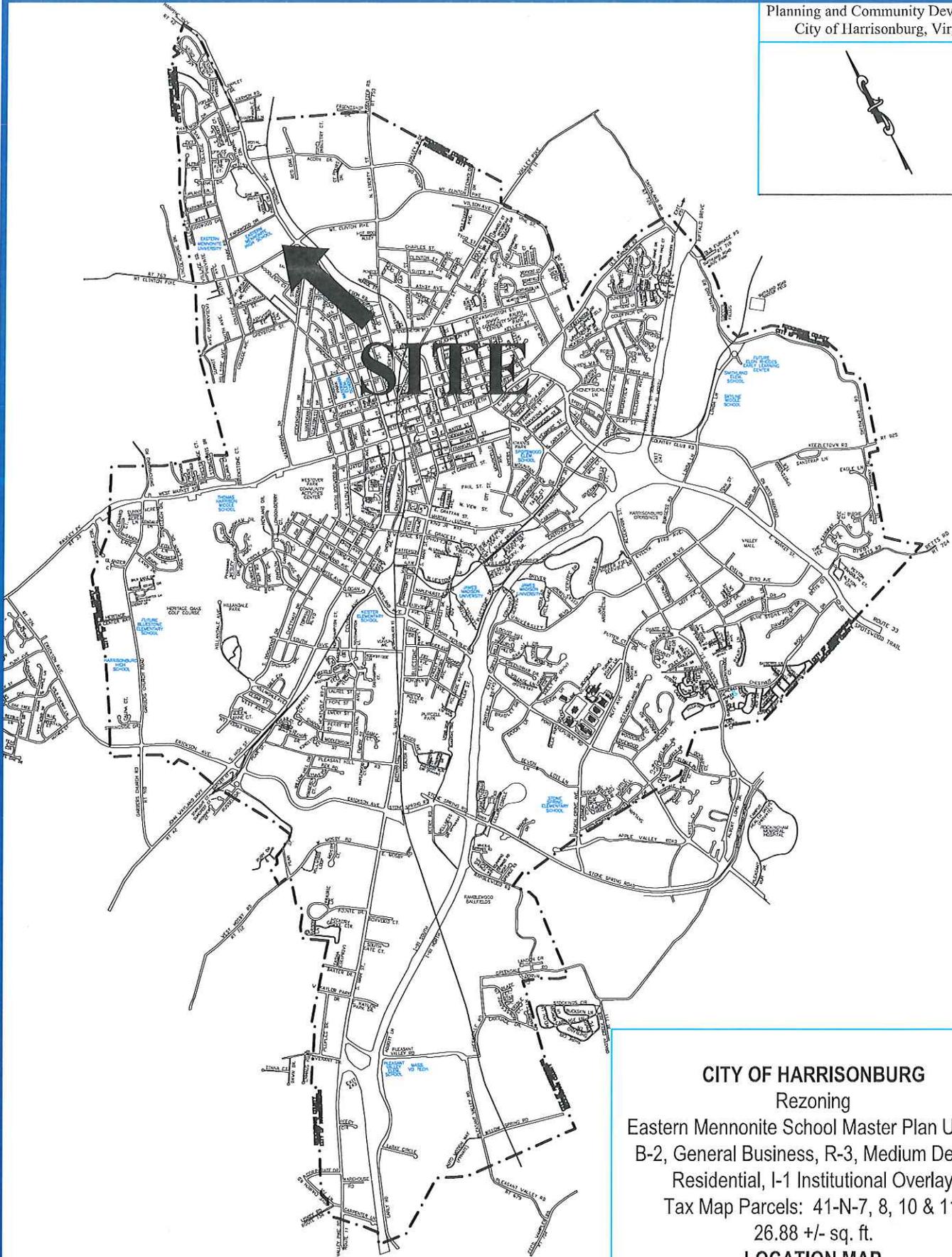
Staff recommends that the Eastern Mennonite School Master Plan Amendment 2016 be approved as submitted. Staff also supports the provided parking layouts for the facilities.

Attachments:

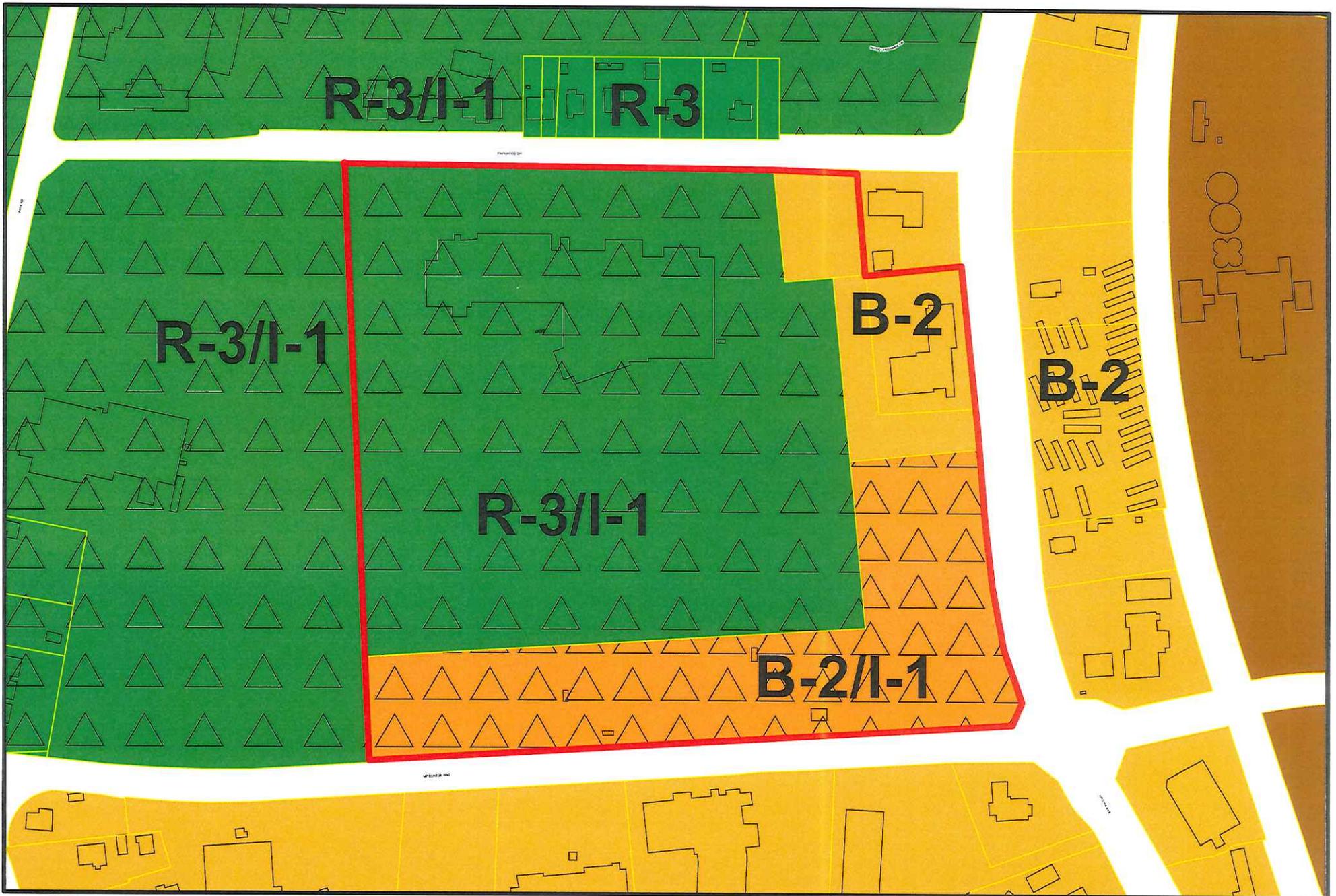
1. Site maps (2 pages)
2. Application and applicant letter (2 pages)
3. Eastern Mennonite School Master Plan Narrative (4 pages)
4. Eastern Mennonite School Traffic and Parking Study (1 page)
5. Eastern Mennonite School Master Plan Site Plan Drawing (1 page)
6. "Exhibit A" drawings (3 pages)

Review:

N/A



CITY OF HARRISONBURG
Rezoning
Eastern Mennonite School Master Plan Update
B-2, General Business, R-3, Medium Density
Residential, I-1 Institutional Overlay
Tax Map Parcels: 41-N-7, 8, 10 & 11.
26.88 +/- sq. ft.
LOCATION MAP



Eastern Mennonite School Master Plan 2016 Amendment

Date Application Received: 7-11-16

Total Paid: 1,185.00 ✓ pd
Bank

Application for Change of Zoning District City of Harrisonburg, Virginia

Application Fee: \$375.00 plus \$30.00 per acre

Section 1: Property Owner's Information

Name: EASTERN MENNONITE SCHOOL
Street Address: 801 Parkwood Drive Email: _____
City/State/Zip: Harrisonburg, VA 22802
Telephone (work): 540-236-6040 (home or cellular): _____ (fax): 540-236-6028

Section 2: Owner's Representative Information

Name: Michael Stoltzfus, Director of Business Affairs
Street Address: 801 Parkwood Drive Email: stoltzfusm@easternmennoniteschool.org
City/State/Zip: Harrisonburg, VA 22802
Telephone (work): 540-236-6040 (home or cellular): _____ (fax): 540-236-6028

Section 3: Description of Property

Location (street address): 801 Parkwood Drive, Harrisonburg, VA 22801
Tax Map Number: Sheet: 47 Block: N Lot: 7-8-10,11 Total Land Area (acres or square feet): 26.88 ACRES
Existing Zoning District: B-2, R-3, AND B-2 & R-3 Institutional Overlay Proposed Zoning District * : B-2 & R-3 Institutional Overlay
Existing Comprehensive Plan Designation: Institutional Overalay

**If applying for conditional rezoning, provide a letter stating proffers on separate sheet of paper*

Section 4: Names and Addresses of Adjacent Property Owners (Use separate sheet for additional names)

North: See attached sheet
East: Virginia Avenue (Rt. 42) - see attached sheet
South: See attached sheet
West: Eastern Mennonite University, 1200 Park Road, Harrisonburg, VA 22802

Section 5: Certification

I certify that the information contained herein is true and accurate. Signature: Paul J. Lee
1251 Virginia Avenue (47-N-10,11) Property Owner _____ Property Owner
601 Parkwood Drive (47-N-8) Property Owner _____ Arnon M. Kanffner

PLEASE NOTE - If a Traffic Impact Analysis is required, this application shall not be considered accepted until the TIA has been reviewed and TIA fees paid. More information at www.harrisonburgva.gov/site-development

ITEMS REQUIRED FOR SUBMISSION

- | | |
|--|---|
| <input type="checkbox"/> Completed Application | <input type="checkbox"/> Fees Paid |
| <input type="checkbox"/> Survey of Property | <input type="checkbox"/> Source Deed |
| <input type="checkbox"/> Description of Proposed Use | <input type="checkbox"/> Proffers (if applicable) |
| <input type="checkbox"/> Adjacent Property Owners | <input type="checkbox"/> _____ |
| <input type="checkbox"/> TIA Determination Form OR Accepted TIA Letter, signed by Public Works | |

Eastern Mennonite School

Adjacent Property Owners

To The North-

EASTERN MENNONITE COLLEGE
1200 PARK RD
HARRISONBURG VA
22802

OLIVER PEGGY JO
850 PARKWOOD DR
HARRISONBURG VA
22802

RUSH JAMES L GERALDINE W
780 PARKWOOD DR
HARRISONBURG VA
22802

SWARTZ TED K SUSAN A
650 PARKWOOD DR
HARRISONBURG VA
22802

VMRC
1301 VIRGINIA AVE
HARRISONBURG VA
22802

To The East-

CABALLERO BORIS R NORA C
1877 PARK RD
HARRISONBURG VA
22802

VIRGINIA MENN CONF CENTER INC
901 PARKWOOD DR
HARRISONBURG VA
22802

PARK HOMES LLC
1290 VIRGINIA AVE
HARRISONBURG VA
22802

JC PROPERTIES INVESTMENT LLC
PO BOX 162
HARRISONBURG VA
22803

PROVIS LLC
1890 S MAIN ST
HARRISONBURG VA
22801

To The South-

MASSANUTTEN BANK & TRUST NATIONAL
ASSOCIATION
PO BOX 167
WINSTON-SALEM NC
271020167

MAXWELL PROPERTIES LLC
PO BOX 1305
HARRISONBURG VA
22803

HARRISONBURG GIFT & THRIFT SHOP INC
731 MT CLINTON PIKE
HARRISONBURG VA
22802

CHRISTIAN LIGHT PUBLICATIONS INC
PO BOX 1212
HARRISONBURG VA
22803

Eastern Mennonite School

Master Plan Narrative

August 3, 16

The attached Eastern Mennonite School (EMS) Master Plan is being submitted for review and approval under Section 10-3-106, "Master Plan Requirements." This Narrative follows the guidelines of Section 10-3-106, items 1-4:

Item 1:

The boundaries of the area involved and the ownership of properties contained therein, as well as all existing public streets and alleys within and adjacent to the site.

The EMS campus is composed of one large lot TM: 47-N-7, with 17.75 acres zoned R-3, and 7.05 acres zoned B-2. Both zonings are covered by an institutional overlay and are owned by Eastern Mennonite High School.

Two other lots TM: 47-N-10 (1.07 acres) and 47-N-11 (0.79 acres), owned by Mennomedia Inc., as well as a portion of lot TM: 47-N-8 (0.22 acres), owned by Virginia Mennonite Board of Missions, all zoned B-2, are being added to the EMS campus to be able to accommodate a proposed Elementary School (currently located offsite).

EMS requests that the current Master Plan be replaced by the proposed Master Plan Update dated 7/2016, and that the Institutional Overlay be extended to include all the lots added to its campus property, and that a 10-foot building setback be applied to the entire campus outside boundary to allow for maximum flexibility on the proposed structures as well as on future building expansions and additions. All interior lot lines created as a consequence of the proposed campus expansion will be vacated before or during the comprehensive site plan process.

The proposed expanded EMS campus is located within three existing public streets: Parkwood Drive to the north, Virginia Avenue to the east, and Mt. Clinton Pike to the south. The property is bordered to the west by Eastern Mennonite University.

EMS will dedicate the needed right-of-way and easements to the City of Harrisonburg for the proposed widening of Mt. Clinton Pike and associated stormwater facilities, public utilities, and shared-use path, all to be constructed by the City of Harrisonburg. EMS will also grant the necessary slope maintenance and temporary construction easements for the same project. The approximate location

of the proposed right-of-way and associated easements are shown in the drawings provided to us by the City of Harrisonburg dated 4/13/2015. (See attached "Exhibit A").

Item 2:

The location and use of all existing buildings on the site, as well as the approximate location, height, dimensions and general use of all proposed buildings or major additions to existing buildings.

The current EMS campus houses the Eastern Mennonite School's Middle School and High School facilities, composed of one large building with classrooms, administrative offices, conference rooms, a dining hall, an auditorium, and a gym. The existing gym is expected to be expanded to the north in the future as shown on the Master Plan.

EMS facilities also host four church congregations each week: on Sunday mornings Aletheia uses the auditorium, and Shalom uses the Student Commons; on Sunday and Thursday evenings, Centro Cristiano uses the Student Commons; and also on Sundays, Kingdom of God Ministries uses the Dining Hall Foyer. These congregations also use various classroom spaces for Sunday school purposes, etc.

The existing Mennomedia building located on lots 47-N-10 and 11, will be remodeled and reshaped to house the proposed Elementary School, as shown on the Master Plan. The proposed building is also expected to be expanded to the north in the future, as shown on the Master Plan.

Item 3:

The location of all existing parking facilities and the approximate location of all proposed parking facilities, including the approximate number of parking spaces at each location and all existing and proposed means of vehicular access to parking areas and to public streets and alleys. Any proposed changes to public streets and alleys within and adjacent to the site shall also be shown on the plan.

The existing EMS campus parking and drives provide more than sufficient parking for both the High School and the Middle School needs, as well as for special events held at the auditorium and/or athletic fields and gym. The facility also provides sufficient parking to accommodate its use by four church congregations, as described under Item 2.

The current parking use at the facility is as follows:

The Front Circle Lot (Parking Lot 1) has a current maximum capacity of 15 parking spaces, including 6 regular spaces, 1 handicap space, and 8 loading/unloading

spaces. During normal school operations the observed maximum use of this parking lot is 9 vehicles (60% capacity).

The Dining Hall Lot (Parking Lot 2) has a current maximum capacity of 68 parking spaces, including 66 regular spaces and 2 handicap spaces. During normal school operations the observed maximum use of this parking lot is 50 vehicles (74% capacity).

The Auditorium Lot (Parking Lot 3) has a current maximum capacity of 226 parking spaces, including 218 regular spaces and 8 handicap spaces. During normal school operations the observed maximum use of this parking lot is 25 vehicles (11% capacity). Full house auditorium events use up to 230 spaces, overflowing to adjacent lots.

The Gym Lot (Parking Lot 4) has a current maximum capacity of 80 parking spaces, including 78 regular spaces and 2 handicap spaces. During normal school operations the observed maximum use of this parking lot is 35 vehicles (44% capacity). Packed gym events use up to 100 parking spaces, overflowing to adjacent lots.

Eastern Mennonite Elementary School is currently located offsite and uses up to 15 parking spaces during normal school operations. Additionally, there is a 480-foot-long one-way lane queuing as many as 24 vehicles during student pick-up and drop-off times.

The proposed on-campus Elementary School is expected to use up to 20 parking spaces during normal school operations, up to 90 parking spaces for K-5 school events, and a 25-vehicle pick-up / drop-off queuing drive length.

The proposed Master Plan update includes expansion and/or reconfiguration of the existing parking lots and drives, as well as new internal traffic patterns. It also includes a one way drive to the south of the current EMS building, to serve as the Elementary School's queuing lane for student pick up and drop off.

Based on the parking use analysis provided above, EMS believes that a total of 135 parking spaces will satisfy all the school current and projected parking needs.

The proposed parking spaces provided are shown on the Master Plan as follows:

- Parking Lot 1: 28 spaces with 2 handicap spaces
- Parking Lot 2: 69 spaces
- Parking Lot 3: 200 spaces with 8 handicap spaces
- Parking Lot 4: 84 spaces with 4 handicap spaces
- Parking Lot 5: 23 spaces with 11 bus/truck spaces
- Parking Lot 6: 6 spaces with 2 handicap spaces

Parking Lot 4 will be shared by the proposed Elementary School and the current and expanded Gym.

Parking Lot 6 will be used for temporary parking and will not be counted towards the Elementary School parking needs.

EMS has determined that the combined parking requirements for all Elementary, Middle, and High Schools will be 135 parking spaces. The total parking provided will be 410 spaces.

EMS requests that the proposed Master Plan be allowed to deviate from required parking landscape for new parking areas. Landscape will be installed near the parking lots instead of internal to the parking lots as required by the parking ordinance.

Access easements and/or shared use parking agreements will be provided for Virginia Mennonite Missions Board to allow access to their parking lot, located adjacent to the north of the proposed Elementary School; and for Eastern Mennonite University to allow access to their parking lot, located adjacent to the west of the EMS property.

Item 4:

The general use of major existing and proposed open spaces within the site and specific features of the plan such as screening, buffering or retention of natural areas, which are intended to enhance compatibility with adjacent and nearby properties.

A large portion of the EMS property is utilized for athletic fields, as well as areas of conserved open space or riparian buffers located along the eastern and western boundary lines.



faith

excellence

integrity

service

801 Parkwood Drive, Harrisonburg, VA 22802

Phone • Fax: (540) 236-6028 • Email

www.easternmennoniteschool.org

Eastern Mennonite School wishes to revise its Master Plan to incorporate grades PK-12 into a unified campus. As part of these Master Plan revisions, the School has completed a traffic and parking study, identifying existing traffic patterns and parking loads and capacities at each separate campus during the course of normal school operations. The study spanned multiple weeks, with samples taken on different days and at different times of day, including during peak traffic times of drop-off and pick-up before and after school. Additionally, aerial photos of parking lots were taken periodically through the duration of the study, parents were interviewed to determine any points of frustration with the current flow, and rental groups were reviewed to determine parking volume during peak events. Data resulting from this study informed the design of the proposed site plan.

Current Parking Needs - Elementary Campus

The current Elementary Campus has a maximum parking capacity of 88 vehicles. Daily parking volume during normal school operations averaged 15 vehicles during the study. There are 10 full-time (10-month) and four part-time employees working in the elementary division. Additionally, it is not unusual to have one or two parent volunteers on campus during the school day, with occasional drop-offs and pick-ups throughout the day.

Morning drop-off and afternoon pick-up have had a line of up to 24 vehicles, requiring a queue length of at least 480 feet. During drop-off and pick-up, no passing is allowed, so it is important to have one-way traffic in the area.

Current Parking Needs - Main Campus

The Main Campus has four parking lots, with a total capacity of 368, plus 13 designated handicap spaces. Main Campus includes grades 6-12, with enrollment capacity is 295 students (approximately one-third of which could have driver's licenses). Additionally, Main Campus employs 50 faculty and staff.

The "Front Circle" Lot has 6 designated parallel parking spaces, plus 1 handicap space. Additionally, there is space for another 8 vehicles to park along the sidewalk during non-drop-off and pick-up times, though this space is rarely used during the school day, and is preserved for loading and unloading only. During drop-off and pick-up times (the 20 minutes before and after school), an average of 75 (am) and 42 (pm) vehicles moved through the lot, with a maximum of 9 parked (unattended) vehicles occupying the space at any given time.

The Dining Hall Lot, with a capacity of 66 + 2 handicap, is primarily used for student parking. Daily parking volume during normal school operations averaged 50 vehicles (75% capacity) during the study.

The Auditorium Lot, with a capacity of 218 + 8 handicap, is used by some students and some faculty for parking during school days. Daily parking volume averaged 25 vehicles (11% capacity). This lot is primarily used for special events held in the auditorium.

The Gym Lot, with a capacity of 78 + 2 handicap, is used primarily by faculty & staff, plus a few students for parking during school days. Daily parking volume averaged 35 vehicles (45% capacity) during the study. This lot is adjacent to and used to access our designated fleet parking area and rear maintenance area. This lot sees the highest level of usage during indoor sporting events (held in the late afternoon and evenings), at which point it often reaches capacity.

Conclusion

Eastern Mennonite School, after conducting a traffic and parking study, has determined that 135 parking spaces are sufficient to support its normal operations, including student, staff, and visitor parking. This number of spaces is sufficient to support a unified K-12 campus with present and projected enrollment capacity within the currently proposed facility.

Michael Stoltzfus
EMS Director of Business Affairs

EASTERN MENNONITE SCHOOL MASTER PLAN



PROPERTY INFORMATION:

EASTERN MENNONITE SCHOOL
801 PARKWOOD DRIVE
HARRISONBURG, VA 22802

LOT TAX MAP: 47-N-7
ZONED: R3 INSTITUTIONAL OVERLAY
AREA: 17.75 ACRES
ZONED: B2 INSTITUTIONAL OVERLAY
AREA: 7.05
LOT ADDITION FROM TAX MAP: 47-N-8
ZONED: B2 (INSTITUTIONAL OVERLAY REQUEST)
AREA: 0.22 ACRES

LOT TAX MAP: 47-N-10
ZONED: B2 (INSTITUTIONAL OVERLAY REQUEST)
AREA: 1.07 ACRES

LOT TAX MAP: 47-N-11
ZONED: B2 (INSTITUTIONAL OVERLAY REQUEST)
AREA: 0.79 ACRES

TOTAL AREA = 26.88 ACRES

PARKING INFORMATION:

PARKING LOT1: 28 SPACES
(2 HANDICAP SPACES)

PARKING LOT2: 69 SPACES

PARKING LOT3: 200 SPACES
(8 HANDICAP SPACES)

PARKING LOT4: 84 SPACES
(4 HANDICAP SPACES)

PARKING LOT5: 23 SPACES
(11 BUS/TRUCK SPACES)

PARKING LOT6: 6 SPACES
(2 HANDICAP SPACES)

TOTAL PARKING PROVIDED: 410 SPACES (16 HANDICAP SPACES)

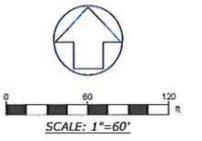
PARKING REQUIREMENTS:

EASTERN MENNONITE HIGH & MIDDLE SCHOOLS
SPACES REQUIRED: 115
SPACES PROVIDED: 200

PROPOSED EASTERN MENNONITE ELEMENTARY SCHOOL
SPACES REQUIRED: 20
SPACES PROVIDED: 28

ADDITIONAL PARKING SPACES PROVIDED FOR SPECIAL
EVENTS AND OTHER USES: 182

TOTAL PARKING REQUIRED: 135 SPACES
TOTAL PARKING PROVIDED: 410 SPACES



PROJECT MANAGER: Thomas, Hartman, P.E. 1540434-5928
SURVEYED BY: WKL, Inc. (804)654-4600
DESIGN SUPERVISED BY: B.J. DeLoag, (804)762-5800 (McCormick Taylor, Inc.)
DESIGNED BY: McCormick Taylor, Inc. (804)762-5800

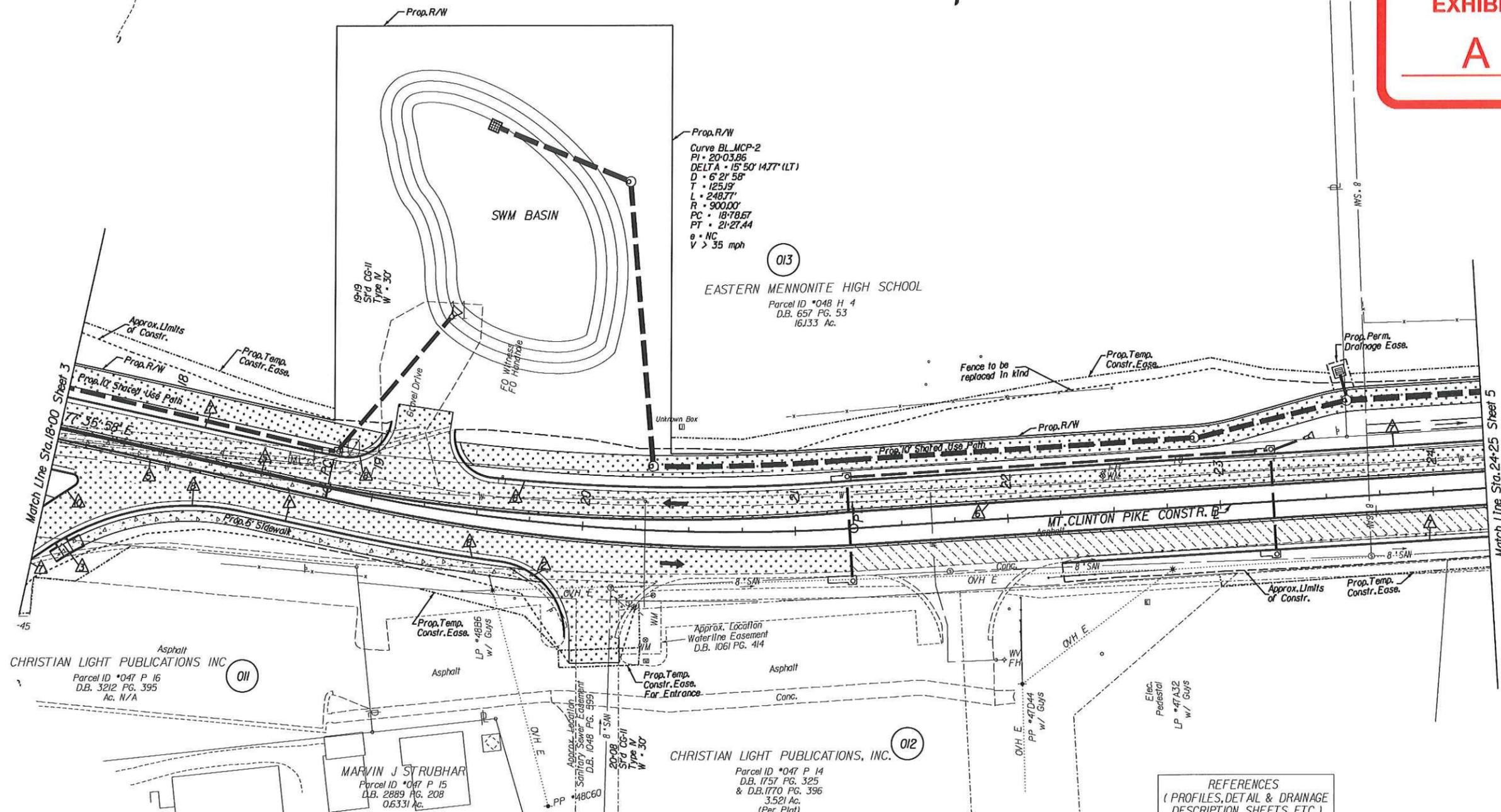
REVISED	STATE	ROUTE	STATE PROJECT	SHEET NO.
	VA.	763	U000-115-R31, P101	4

PUBLIC HEARING PLANS

THESE PLANS ARE UNFINISHED AND UNAPPROVED AND ARE NOT TO BE USED FOR ANY TYPE OF CONSTRUCTION OR THE ACQUISITION OF RIGHT OF WAY.

DESIGN FEATURES RELATING TO CONSTRUCTION OR TO REGULATION AND CONTROL OF TRAFFIC MAY BE SUBJECT TO CHANGE AS DEEMED NECESSARY BY THE DEPARTMENT

EXHIBIT
A



SCALE 0 25' 50'	PROJECT U000-115-R31	SHEET NO. 4
--------------------	-------------------------	----------------

PROJECT MANAGER: *boas, Hartman, P.E.* 15401434-5928
SURVEYED BY: *W.L. Jac.* (804) 649-4600
DESIGN SUPERVISED BY: *B.J. DeLoag.* (804) 762-5800 (McCormick Taylor, Inc.)
DESIGNED BY: *McCormick Taylor, Inc.* (804) 762-5800

PUBLIC HEARING PLANS

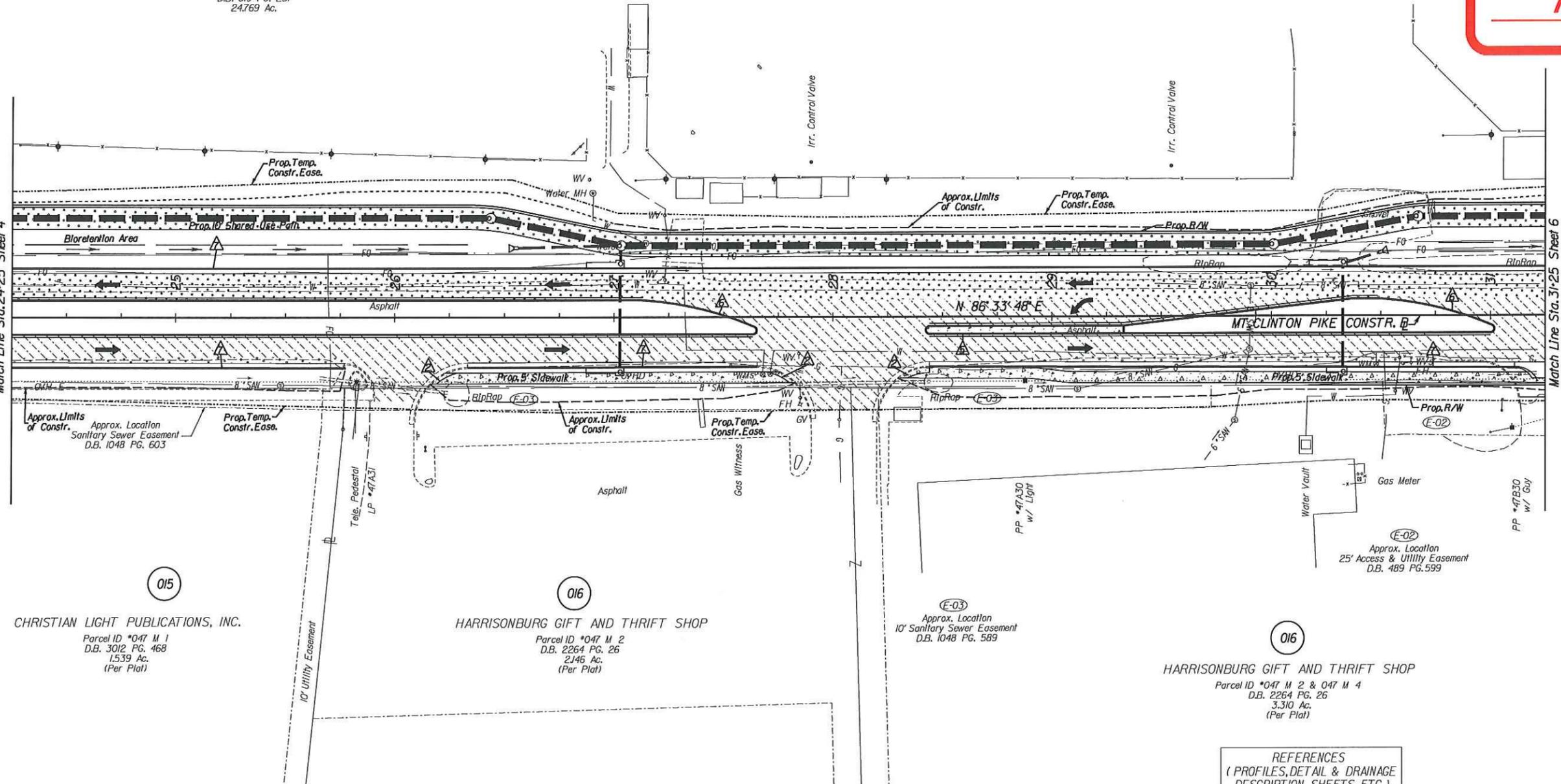
THESE PLANS ARE UNFINISHED
AND UNAPPROVED AND ARE NOT
TO BE USED FOR ANY TYPE
OF CONSTRUCTION OR THE
ACQUISITION OF RIGHT OF WAY.

REVISED	STATE	ROUTE	STATE PROJECT	SHEET NO.
	VA.	763	U000-115-R31, P101	5

DESIGN FEATURES RELATING TO CONSTRUCTION
OR TO REGULATION AND CONTROL OF TRAFFIC
MAY BE SUBJECT TO CHANGE AS DEEMED
NECESSARY BY THE DEPARTMENT



014
EASTERN MENNONITE HIGH SCHOOL, INC.
Parcel ID *047 N 7
D.B. 819 PG. 251
24,769 Ac.



Match Line Sta. 24+25 Sheet 4

Match Line Sta. 31+25 Sheet 6

015
CHRISTIAN LIGHT PUBLICATIONS, INC.
Parcel ID *047 M 1
D.B. 3012 PG. 468
1,539 Ac.
(Per Plat)

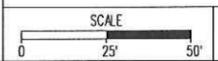
016
HARRISONBURG GIFT AND THRIFT SHOP
Parcel ID *047 M 2
D.B. 2264 PG. 26
2,146 Ac.
(Per Plat)

016
HARRISONBURG GIFT AND THRIFT SHOP
Parcel ID *047 M 2 & 047 M 4
D.B. 2264 PG. 26
3,310 Ac.
(Per Plat)

LEGEND:

- Denotes Construction Limits In Cuts
- Denotes Construction Limits In Fills
- Note: *Dat-dashed* lines denote Proposed Permanent Easement and Utility Easement
- Note: *Dat-dotted* lines denote Proposed Temporary Easement
- NS Street Print
- Denotes New Pavement
- Denotes Resurfacing
- Denotes Demolition of Pavement
- Denotes Concrete Sidewalk
- TBA - To Be Abandoned
- TBR - To Be Removed
- Denotes S'd CG-12 Ty.A Req'd
- Denotes S'd CG-12 Ty.B Req'd
- Denotes S'd CG-12 Ty.C Req'd
- Denotes S'd MS-1 Req'd
- Denotes S'd MS-1A Req'd
- Denotes S'd MS-2 Req'd
- Denotes S'd CG-6 Req'd
- Denotes Rad CG-6 Req'd
- Denotes S'd CG-2 Req'd
- Denotes Rad CG-2 Req'd
- Denotes Mod. CG-3 Req'd

REFERENCES
(PROFILES, DETAIL & DRAINAGE
DESCRIPTION SHEETS, ETC.)
Mt. Clinton Pike Profile 5A



SCALE	PROJECT	SHEET NO.
0 25' 50'	U000-115-R31	5

PROJECT MANAGER: *Travis Hartman, P.E. 1540434-5928*
 SURVEYED BY: *NXL, Inc. (804) 644-4600*
 DESIGN SUPERVISED BY: *B.J. DeLoag, (804) 762-5800 (McCormick Taylor, Inc.)*
 DESIGNED BY: *McCormick Taylor, Inc. (804) 762-5800*

PUBLIC HEARING PLANS

THESE PLANS ARE UNFINISHED
 AND UNAPPROVED AND ARE NOT
 TO BE USED FOR ANY TYPE
 OF CONSTRUCTION OR THE
 ACQUISITION OF RIGHT OF WAY.

REVISED	STATE	ROUTE	STATE PROJECT	SHEET NO.
	VA.	763	U000-115-R31, P101	6

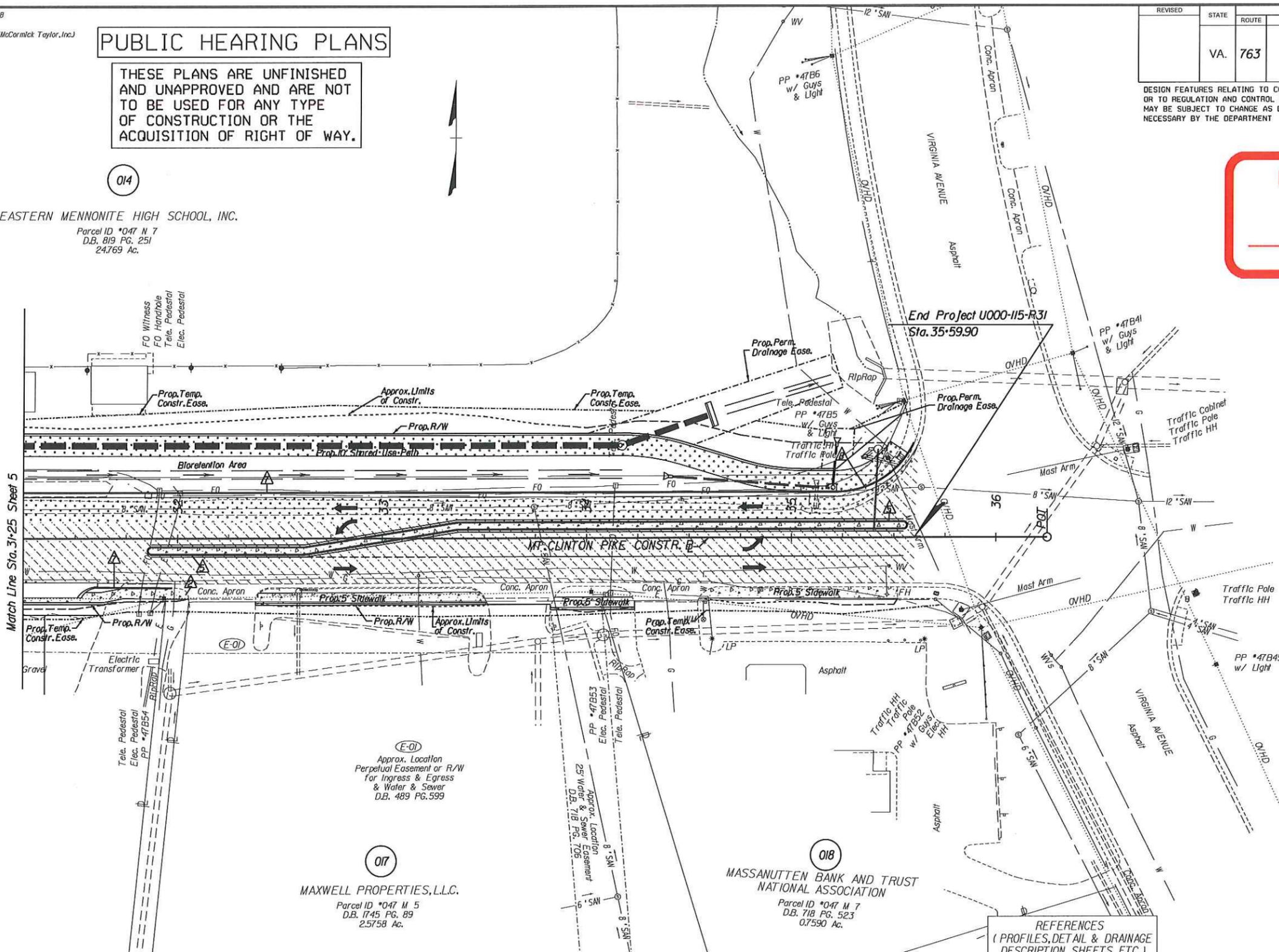
DESIGN FEATURES RELATING TO CONSTRUCTION
 OR TO REGULATION AND CONTROL OF TRAFFIC
 MAY BE SUBJECT TO CHANGE AS DEEMED
 NECESSARY BY THE DEPARTMENT



EASTERN MENNONITE HIGH SCHOOL, INC.

Parcel ID *047 N 7
 D.B. 819 PG. 251
 24.769 Ac.

Match Line Sta. 31+25 Sheet 5



(E-01)
 Approx. Location
 Perpetual Easement or R/W
 for Ingress & Egress
 & Water & Sewer
 D.B. 489 PG. 539

017
MAXWELL PROPERTIES, L.L.C.
 Parcel ID *047 M 5
 D.B. 1745 PG. 89
 2.5758 Ac.

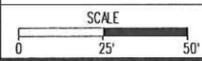
018
**MASSANUTTEN BANK AND TRUST
 NATIONAL ASSOCIATION**
 Parcel ID *047 M 7
 D.B. 718 PG. 523
 0.7590 Ac.

LEGEND:
 [Symbol] Denotes Construction Limits In Cuts
 [Symbol] Denotes Construction Limits In Fills
 Note: Dot-dashed lines denote Proposed
 Permanent Easement and Utility Easement
 Note: Dot-dot-dashed lines denote
 Proposed Temporary Easement

[Symbol] NS Street Print
 [Symbol] Denotes New Pavement
 [Symbol] Denotes Resurfacing
 [Symbol] Denotes Demolition of Pavement
 [Symbol] Denotes Concrete Sidewalk
 TBA - To Be Abandoned
 TBR - To Be Removed

[Symbol] Denotes SI'd CG-12 Ty.A Req'd
 [Symbol] Denotes SI'd CG-12 Ty.B Req'd
 [Symbol] Denotes SI'd CG-12 Ty.C Req'd
 [Symbol] Denotes SI'd MS-1 Req'd
 [Symbol] Denotes SI'd MS-1A Req'd
 [Symbol] Denotes SI'd MS-2 Req'd
 [Symbol] Denotes SI'd CG-6 Req'd
 [Symbol] Denotes Rad CG-6 Req'd
 [Symbol] Denotes SI'd CG-2 Req'd
 [Symbol] Denotes Rad CG-2 Req'd
 [Symbol] Denotes Mod.CG-3 Req'd

REFERENCES
 (PROFILES, DETAIL & DRAINAGE
 DESCRIPTION SHEETS, ETC.)
Mt. Clinton Pike Profile 6A



PROJECT	SHEET NO.
U000-115-R31	6



City of Harrisonburg, Virginia

Department of Planning & Community Development
409 South Main Street
Harrisonburg, Virginia 22801
www.harrisonburgva.gov/community-development

Building Inspections: (540) 432-7700
Engineering: (540) 432-7700

Planning and Zoning: (540) 432-7700
Department Fax: (540) 432-7777

To: Planning Commission
From: Department of Planning and Community Development
Date: August 5, 2016
Re: Zoning Ordinance Amendment – Section 10-3-30.1, Parking Lot Landscaping

Summary:

Public hearing to consider a request from 217 S. Liberty, LLC with representative Michael Jaffee of Matchbox Realty to amend the Zoning Ordinance Section 10-3-30.1, Parking Lot Landscaping. The amendment would create the ability for parking lots within the B-1 district with 10 or fewer parking spaces to be exempt from regulations of Section 10-3-30.1.

Background:

The Comprehensive Plan's 2011-2016 Action Plan identifies priorities that should be implemented starting in 2011 and completed by the end of 2016. One of the priorities identified is Strategy 8.4.5, which states "[t]o consider adding street tree planting and other landscape requirements for new development and redevelopment in the City's land use codes." In 2012, staff presented the Parking Lot Landscaping Regulations Section 10-3-30.1 of the Zoning Ordinance to Planning Commission and to City Council. The regulations were adopted and became effective September 1, 2012. Amendments to clarify the regulations were adopted by City Council on May 26, 2015.

The 2012 regulations built on the previously existing regulations, which required landscaping of at least 15-percent of the area to be used for parking and maneuvering. The base requirement of 15-percent was not increased in 2012, but further requirements were added to ensure that developments and properties develop in a way that is consistent with the guidelines of the City's Comprehensive Plan.

Sections 10-3-30.1 (1) through (15) apply to developing and redeveloping parking lots in all zoning districts. Section 10-3-30.1(16) is associated with non-conforming parking lots and, among other things, states that "[r]epaving, regraveling, redesigning, or restriping a parking lot or increasing the number of parking spaces without increasing the net square footage of a parking lot does not constitute an enlargement," and, thus, is not required to meet Parking Lot Landscaping Regulations.

In addition to supporting the Comprehensive Plan Strategy 8.4.5, parking lot landscaping:

- creates green spaces,
- enhances aesthetics of the property,
- creates a friendlier, more walkable environment,
- reduces air temperatures by shading parked cars and pavement,
- reduces stormwater runoff and water temperatures of Blacks Run, and

The City With The Planned Future

- helps parking lots last longer because trees cool the pavement surface.

Key Issues:

Presently, 217 S. Liberty, LLC with representative Michael Jaffee of Matchbox Realty is requesting an amendment to the Zoning Ordinance to exempt new parking lots within the B-1 district with 10 or fewer parking spaces from Section 10-3-30.1 Parking Lot Landscaping regulations.

217 S. Liberty, LLC wants to install parallel parking spaces along the southern side of the driveway and cul-de-sac off South Liberty Street serving the Ice House. It should be known that during engineering design and comprehensive site plan review for the Ice House Phase II redevelopment, the driveway and cul-de-sac were shown to be a smaller size and were approved to function only as a driveway with fire lanes. A note on the Ice House Phase II site plan reads:

“There will be no off-street parking associated with these plans and as such does not require parking lot landscaping. If parking is added, compliance with Zoning Ordinance Section 10-3-30.1, Parking Lot Landscaping, will be required.”

During construction, the driveway and cul-de-sac were built larger than what was approved.

The applicant’s proposed amendment occurs within the opening paragraph of Section 10-3-30.1 and is shown below. (Hereafter, the applicant’s proposed amendment shall be referred to as Amendment A.)

This section is applicable to all uses, and to all parking lots, both required and not required, ~~except single family detached and duplex dwelling units with the following exceptions:~~

- Single-family detached and duplex dwelling units, and
- Within the B-1 district, parking lots with 10 or fewer parking spaces.

All properties being developed or redeveloped shall conform to all regulations of this section. Reference the Design and Construction Standards Manual Example Parking Lot Landscaping drawings 2.6.8 Examples A and B for visual aids of the applied regulations.

Exemption from Section 10-3-30.1 Parking Lot Landscaping requirements would include exemptions from (in summary): separation from public street right-of-way by a landscaping border of not less than 10-ft. in width, separation from side and rear property lines by a landscaping border or fence, minimum landscaping areas equal to at least 15-percent of the total area of the parking lot, a landscaping island of 140 square feet at the terminus of each parking bay, and rows of parking spaces divided at intervals of no more than 12 parking spaces by a landscaping island. (For reference, the full text of Section 10-3-30.1 is provided as an attachment.)

If Planning Commission supports the applicant’s proposal to exempt parking lots within the B-1 district with 10 or fewer spaces, staff recommends further amending the opening paragraph of Section 10-3-30.1 as shown below (text bolded to show differences). (Hereafter, this version shall be referred to as Amendment B.)

This section is applicable to all uses, and to all parking lots and enlarged portions of existing parking lots, both required and not required, ~~except single-family detached and duplex dwelling units with the following exceptions:~~

- Single-family detached and duplex dwelling units, and
- Within the B-1 district, 10 or fewer parking spaces are provided on one parcel.

All properties being developed or redeveloped shall conform to all regulations of this section. Reference the Design and Construction Standards Manual Example Parking Lot Landscaping drawings 2.6.8 Examples A and B for visual aids of the applied regulations.

Adding “enlarged portions of parking lots” clarifies the intent of Section 10-3-30.1 Parking Lot Landscaping regulations. Furthermore, in recognizing that a single parcel could have two or more independent parking lots, staff recommends limiting the exemption to a total number of parking spaces on one parcel.

Regardless of whether Amendment A or Amendment B is chosen, for added clarification of interpretation and implementation staff further recommends amending Section 10-3-30.1(16) as shown below. (Hereafter, this amendment shall be referred to as Amendment C.)

Nonconforming landscaping: An existing building/use that has parking lot landscaping that is nonconforming as to the minimum landscaping requirements of this section may be enlarged; however, parking lot landscaping requirements shall apply to all enlarged portions of existing parking lots, including parking lots in the B-1 district that are enlarged beyond the exemption threshold noted in the opening paragraph of this section. ~~required landscaping shall be at least proportionate to any enlargement of the parking lot.~~ Any enlargement of a parking lot on any property having an existing landscaping border separating parking spaces from public street right-of-way lines, which is five (5) feet or larger, shall provide trees within the border as required by subsection 10-3-30.1(4). (Note: Repaving, regraveling, redesigning, or restriping a parking lot or increasing the number of parking spaces without increasing the net square footage of a parking lot does not constitute an enlargement.)

Prior to receiving 217 S. Liberty, LLC’s application to request amending Section 10-3-30.1 Parking Lot Landscaping regulations, staff had internally discussed proposing amendments to Section 10-3-30.1 to offer a relief mechanism for B-1 property owners to be able to construct a small amount of off-street parking for onsite uses without having to comply with the landscaping regulations. Staff recognizes that that there is limited space for off-street parking in the B-1 district, where parking is not required, and that in certain circumstances by attempting to provide a few spaces, the effort and resources may not be worthwhile. (Note that principle use parking lots and parking garages in the B-1 district are permissible only by special use permit.)

Although staff supports a relief mechanism for properties within the B-1 district with limited land areas to construct off-street parking spaces for onsite uses without providing landscaping, staff does not recommend the amendment as proposed by the applicant (Amendment A) to exempt new parking lots with 10 or fewer parking spaces. Rather, staff recommends an exemption for fewer parking spaces.

Table 1, below, shows the number of 90-degree parking spaces that could be provided in the same land area with and without applying the landscaping requirements per Section 10-3-30.1(15), which requires landscaping islands of 14-square feet at the terminus of each end of a parking bay.

Table 1. Number of 90-degree parking spaces with and without applying Section 10-3-30.1(5) Parking Lot Landscaping.

<i>n</i> -parking spaces (including 1 handicap accessible parking space)	With landscaping island requirements, <i>n</i> - parking spaces (including 1 handicap accessible parking space)
1	0
2	0
3	1
4	2
5	3
6	4
7	5
8	6
9	7
10	8

Table 1, above, illustrates that if a parcel has land area for 4 or less parking spaces, 50% or more of the available land area would be required for landscaped islands. With land area available for 5 spaces, a parcel could achieve 3 parking spaces with landscaped islands, which is more than half.

Staff recommends amending Section 10-3-30.1(16) as shown previously in Amendment C and also amending the opening paragraph of Section 10-3-30.1 to read as shown below to allow an exemption for 6 or fewer parking spaces in the B-1 district. (Hereafter, known as Amendment D.)

This section is applicable to all uses, and to all parking lots and enlarged portions of existing parking lots, both required and not required, ~~except single family detached and duplex dwelling units with the following exceptions:~~

- Single-family detached and duplex dwelling units, and
- Within the B-1 district, when 6 or fewer parking spaces are provided on one parcel.

All properties being developed or redeveloped shall conform to all regulations of this section. Reference the Design and Construction Standards Manual Example Parking Lot Landscaping drawings 2.6.8 Examples A and B for visual aids of the applied regulations.

To further understand staff's position, staff created Figures 1 through 8 (attached herein) to illustrate general parking lot layouts with 90-degree parking and parallel parking for 6 and 10 parking spaces, exempt and not exempt from Section 10-3-30.1 Parking Lot Landscaping. Given the vast number of layout scenarios, depending upon location and size of the land area available for a parking lot, for purposes of simplicity, only exemptions from landscaping islands of Section 10-3-30.1(5) are illustrated.

Environmental Impact:

N/A

Fiscal Impact:

N/A

Prior Actions:

N/A

Alternatives:

1. Recommend denial of any amendments to Section 10-3-30.1 and take no further action.
2. Recommend approval of 217 S. Liberty, LLC's request for exemption as presented by the applicant without staff's recommendation for additional amendments to Section 10-3-30.1. (Amendment A)
3. Recommend approval of 217 S. Liberty, LLC's request for exemption of 10 or fewer parking spaces in B-1 with staff recommendation for additional amendments to Section 10-3-30.1. (Amendments B & C)

Community Engagement:

As required, the request was published in the local newspaper twice advertising for Planning Commission's public hearing for the zoning ordinance amendment. The advertisement was published as shown below:

Zoning Ordinance Amendment – Section 10-3-30.1, Parking Lot Landscaping

Public hearing to consider a request from 217 S. Liberty, LLC with representative Michael Jaffee of Matchbox Realty to amend the Zoning Ordinance Section 10-3-30.1, Parking Lot Landscaping. The amendment would create the ability for parking lots within the B-1 district with 10 or fewer parking spaces to be exempt from regulations of Section 10-3-30.1.

In addition a notice was provided on the City's website at <https://www.harrisonburgva.gov/public-hearings>.

Recommendation:

Staff recommends the following,

1. Deny the ordinance amendment as presented by 217 S. Liberty, LLC,
2. Amend the opening paragraph of Section 10-3-30.1 Parking Lot Landscaping to exempt 6 or fewer parking spaces in the B-1 district (Amendment D) as shown below.

This section is applicable to all uses, and to all parking lots and enlarged portions of existing parking lots, both required and not required, ~~except single family detached and duplex dwelling units~~ with the following exceptions:

- Single-family detached and duplex dwelling units, and
- Within the B-1 district, when only 6 parking spaces are provided on one parcel.

All properties being developed or redeveloped shall conform to all regulations of this section. Reference the Design and Construction Standards Manual Example Parking Lot Landscaping drawings 2.6.8 Examples A and B for visual aids of the applied regulations.

3. Amend Section 10-3-30.1(16) to read (Amendment C) as shown below.

Nonconforming landscaping: An existing building/use that has parking lot landscaping that is nonconforming as to the minimum landscaping requirements of this section may be enlarged; however, parking lot landscaping requirements shall apply to all enlarged portions of existing parking lots, including parking lots in the B-1 district that are enlarged beyond the exemption threshold noted in the opening paragraph of this section. ~~required landscaping shall be at least proportionate to any enlargement of the parking lot.~~ Any enlargement of a parking lot on any property having an existing landscaping border separating parking spaces from public street right-of-way lines, which is five (5) feet or larger, shall provide trees within the border as required by subsection 10-3-30.1(4). (Note: Repaving, regraveling, redesigning, or restriping a parking lot or increasing the number of parking spaces without increasing the net square footage of a parking lot does not constitute an enlargement.)

Attachments:

1. Application, e-mail confirmations, and applicant letter (4 pages)
2. Zoning Ordinance Amendment, as proposed by the applicant (3 pages)
3. Section 10-3-30.1 Parking Lot Landscaping of the Zoning Ordinance, full text (3 pages)
4. Figures 1 through 8 illustrating general parking lot layouts. (4 pages)

Review:

N/A

Zoning Ordinance Amendment

To amend Section 10-3-30.1 Parking Lot Landscaping, to create the ability for parking lots within the B-1 district with 10 or fewer parking spaces to be exempt from Section 10-3-30.1.

ORDINANCE AMENDING AND RE-ENACTING SECTION
10-3-30.1
OF THE
CODE OF ORDINANCES
CITY OF HARRISONBURG, VIRGINIA

**Be it ordained by the Council of the City of
Harrisonburg, Virginia:**

That Section 10-3-30.1 Parking Lot Landscaping is amended as shown:

This section is applicable to all uses, and to all parking lots, both required and not required, ~~except single family detached and duplex dwelling units with the following exceptions:~~

- Single-family detached and duplex dwelling units, and
- Within the B-1 district, parking lots with 10 or fewer parking spaces.

All properties being developed or redeveloped shall conform to all regulations of this section. Reference the Design and Construction Standards Manual Example Parking Lot Landscaping drawings 2.6.8 Examples A and B for visual aids of the applied regulations.

The remainder of Section 10-3-30.1 is reaffirmed and reenacted in its entirety, except as hereby modified.

This ordinance shall be effective from the ____ day of _____, 2016. Adopted and approved this ____ day of _____, 2016.

MAYOR

ATTESTE:

CITY CLERK

Date Application Received: _____

Application for Ordinance Amendment City of Harrisonburg, Virginia

Fee: \$375.00

Total Paid: \$ _____

Applicant's Name: 217 S. Liberty, LLC
Street Address: 217 S. Liberty Street Email: mjaffee@matchboxrealty.com
City: Harrisonburg State: VA Zip: 22801
Telephone: Work 540 434 5150 Fax _____ Mobile _____

Applicant's Representative: Michael Jaffee
Street Address: 202 N. Liberty, Suite 101 Email: mjaffee@matchboxrealty.com
City: Harrisonburg State: VA Zip: 22801
Telephone: Work 540 434 5150 Fax _____ Mobile _____

Description of Amendment

Zoning Ordinance Section: 10-3-30.1

Proposed Text: This section is applicable to all uses, except single family and detached dwelling units, and to all parking lots, both required and not required, not including parking spaces along private streets and other travelways that function similar to public streets. All properties being developed or redeveloped shall conform to all regulations of this section. Reference the Design and Construction Standards Manual Example Parking Lot Landscaping Drawings 2.6.8 Examples A and B for visual aids of the applied regulations.

Certification: I certify that the information contained herein is true and accurate.

Signature: 
Applicant Signature

ITEMS REQUIRED FOR SUBMISSION

- Completed Application
- Ordinance Text
- Letter of description

- Fees Paid
- _____
- _____

Alison Banks

From: Michael Jaffee [mjaffee@matchboxrealty.com]
Sent: Friday, July 15, 2016 10:51 AM
To: Alison Banks
Cc: Thanh Dang; Adam Fletcher
Subject: RE: Ordinance Amendment

Alison,

Thank you for your email. Please proceed to Planning Commission with the language as proposed below.

-Michael

Michael D. Jaffee

Matchbox Realty & Management Services, Inc.
Commercial Associate | Portfolio Manager
202 North Liberty Street Suite 101
Harrisonburg, VA 22802
mjaffee@MatchboxRealty.com
Phone: (540) 434-5150 x136
Fax: (540) 434-3634

Licensed Real Estate Salesperson in the Commonwealth of Virginia

From: Alison Banks [<mailto:Alisonb@harrisonburgva.gov>]
Sent: Thursday, July 14, 2016 2:54 PM
To: Michael Jaffee <mjaffee@matchboxrealty.com>
Cc: Thanh Dang <Thanh.Dang@harrisonburgva.gov>; Adam Fletcher <Adamf@harrisonburgva.gov>
Subject: RE: Ordinance Amendment

Good afternoon Michael,

Planning staff has had the opportunity to review the language proposed by owners of 217 S Liberty, LLC, for the parking lot landscaping ordinance amendment you have been working on. As we discussed during our meeting on July 6th, staff is somewhat taking a different approach to the amendment, rather than trying to limit the exception to “private streets and other parking areas that function similar to public street in the B-1 district”, staff is leaning towards the approach of a specific number of parking spaces that can be exempt from the regulations. Therefore, we have taken your proposal of 10 or fewer spaces and offer the following language.

Section 10-3-30.1 – Parking Lot Landscaping

This section is applicable to all uses, and to all parking lots, both required and note required, ~~except single family detached and duplex dwelling units~~ with the following exceptions:

- Single-family detached and duplex dwelling units, and
- Within the B-1 district, parking lots with 10 or few parking spaces.

All properties being developed or redeveloped shall conform to all regulations of this section. Reference the Design and Construction Standards Manual Example Parking Lot Landscaping drawings 2.6.8 Examples A and B for visual aids of the applied regulations.

Is this language what you are thinking and are you comfortable to move forward with this? If you are comfortable with this language we will distribute this proposal to other staff departments for comments. Planning staff is comfortable with this language; however, we do not necessarily believe, at this time, that we are comfortable with the number of parking spaces being 10 or fewer.

If you desire to continue to move forward to the August 10th Planning Commission, we will need your consent to this language by tomorrow before noon, so that we can distribute the information for staff departmental review.

Thanks,

Alison

From: Michael Jaffee [<mailto:mjaffee@matchboxrealty.com>]

Sent: Thursday, July 07, 2016 1:29 PM

To: Alison Banks

Subject: Ordinance Amendment

Hi Alison,

Thank you again for meeting with me yesterday. We would like to table our ordinance amendment application for 30 days before proceeding with planning commission's recommendations.

After talking with ownership of 217 S. Liberty, LLC, we would also like to change the application to add language specifically referencing "private streets and other parking areas that function similar to public streets." We would like to amend the ordinance to remove landscaping requirements "within the B-1 district, where private streets and other parking areas that function similar to public streets contain up to 10 parking spaces."

Please let us know your thoughts after you have had a chance to discuss with your fellow team members.

Thanks,

Michael

Michael D. Jaffee

Matchbox Realty & Management Services, Inc.

Commercial Associate | Portfolio Manager

202 North Liberty Street Suite 101

Harrisonburg, VA 22802

mjaffee@MatchboxRealty.com

Phone: (540) 434-5150 x136

Fax: (540) 434-3634

Licensed Real Estate Salesperson in the Commonwealth of Virginia



Matchbox Realty & Management Services, Inc.
202. N Liberty Street Suite 101, Harrisonburg, VA 22802
Phone: 540.434.5150, Fax: 540.434.3634
Email: Info@MatchboxRealty.com, Website: www.MatchboxRealty.com

May 31, 2016

Adam Fletcher
Department of Planning and Community Development
409 S. Main Street
Harrisonburg, VA 22801

Project: Ice House

Dear Mr. Fletcher,

The following documents comprise 217 S. Liberty Street, LLC's request to amend Zoning Ordinance Section 10-3-30.1.(3)a regarding Parking Garage Exceptions within the B-1 Central Business District:

- Completed Application for Ordinance Amendment
- Harrisonburg, VA Code of Ordinances

217 S. Liberty Street is currently located within Harrisonburg's B-1 Central Business District. The property consists of two buildings containing approximately 101,000 square feet (127 W. Bruce Street and 217 S. Liberty Street) and one building pad which could house approximately 40,000 square feet of additional space. Our proposal aims to reduce landscaping requirements for private drives and thruway access within the Central Business District. These requirements have previously been reduced for parking garages per Zoning Ordinance Section 10-3-30.1.(3)a. Reducing these landscaping requirements will allow owners to accommodate more on-site parking and allow access for customers of our Central Business District.

Please review the documents herein and contact me with any further questions or clarifications.

Regards,

Michael Jaffee
Commercial Associate / Portfolio Manager
Matchbox Realty & Management Services

Sec. 10-3-30.1. - Parking lot landscaping.

This section is applicable to all uses, and to all parking lots, both required and not required, except single-family detached and duplex dwelling units. All properties being developed or redeveloped shall conform to all regulations of this section. Reference the Design and Construction Standards Manual Example Parking Lot Landscaping drawings 2.6.8 Examples A and B for visual aids of the applied regulations.

- (1) Parking lots shall be separated from public street right-of-way lines by a landscaping border not less than ten (10) feet in width.
- (2) Parking lots shall be separated from all side and rear property lines by a landscaping border not less than ten (10) feet in width or by a wall or fence of at least three (3) feet in height, except along adjoining lot lines which lie within a shared parking arrangement or where existing buildings on adjoining lots are located on shared property lines.
- (3) Parking lots shall include well-defined and well-maintained landscaping areas equal to at least fifteen (15) percent of the total area of the parking lot. Uses that have outdoor display areas shall include those areas for determining the required landscaping. Only landscaping within the parking lot and/or within a thirty (30) foot perimeter of the parking lot, exclusive of the required landscaping border adjacent to public street rights-of-way and landscaping immediately adjacent (within five (5) feet) to a principal building/structure, shall be permitted to count towards meeting the fifteen (15) percent requirement.
 - a. *Parking garage exception.* All parking garages, except those constructed within the B-1, Central Business District, shall calculate the required landscaping area based upon fifteen (15) percent of the total floorplate of the parking garage. Trees shall be planted and maintained on the property adjacent to, and no less than twenty (20) feet from, public street rights-of-way based upon the proportions as specified within subsections 10-3-30.1(4)a., b., c., and/or d., except such proportions shall be calculated using the public street frontage of the parcel. Parking garages, as specified herein, are exempt from the requirements set forth in subsections 10-3-30.1(5), (6), (7), (8), and (9).
- (4) Trees shall be planted and maintained within landscaping borders adjacent to public street rights-of-way according to one (1) of the following:
 - a. No less than one (1) large deciduous tree planted for every forty (40) linear feet of parking lot street frontage, or fraction thereof. At the time of planting, tree sizes shall meet the requirements as defined in section 10-3-24, definitions. Tree locations within the border are at the discretion of the property owner/developer.
 - b. No less than one (1) small/ornamental deciduous tree, planted for every twenty-five (25) linear feet of parking lot street frontage, or fraction thereof. At the time of planting, tree sizes shall meet the requirements as defined in section 10-3-24, definitions. Tree locations within the border are at the discretion of the property owner/developer.
 - c. No less than one (1) evergreen tree may be planted for every twenty-five (25) linear feet of parking lot street frontage, or fraction thereof. Evergreen trees shall not exceed fifty (50) percent of the number trees planted within the border. At the time of planting, trees shall meet the requirements as defined in section 10-3-24. Tree locations within the border are at the discretion of the property owner/developer.
 - d. No less than a combination of large and small/ornamental deciduous and/or evergreen trees proportionate to subsections 10-3-30.1(4)a., b., and c. Tree locations within the border are at the discretion of the property owner/developer.
- (5) Each terminus of a parking bay, unless adjacent to a landscaping border, shall have a landscaping island. A single row parking bay shall have an island with a minimum of one hundred forty (140) square feet. A double row parking bay shall have an island with a minimum of two hundred eighty (280) square feet.

- (6) Rows of parking spaces shall be divided at intervals of no more than twelve (12) parking spaces by a landscaping island of no less than one hundred forty (140) square feet.
- (7) Each required landscaping island, as described in subsections 10-3-30.1(5) and (6), shall have and maintain at least one (1) large deciduous tree, one (1) small/ornamental deciduous tree, or one evergreen tree. At the time of planting, tree sizes shall meet the requirements as defined in section 10-3-24, definitions. The planting of evergreen trees shall not exceed fifty (50) percent of the number of trees planted in landscaping islands. In addition, at least three (3) deciduous or evergreen shrubs, at least eighteen (18) inches tall at the time of planting, shall be planted and maintained within each required landscaping island. Landscaping islands that are less than five (5) feet in width are not required to provide large or small/ornamental deciduous trees or deciduous or evergreen shrubs.
- (8) Parking lots shall have landscaping of at least nine (9) feet in width for the entire length of every other interior parking bay, connecting the landscaping islands required above. Trees shall be provided at no less than one (1) large deciduous tree planted for every forty (40) linear feet of island length, or fraction thereof; no less than one (1) small/ornamental deciduous tree, planted for every twenty-five (25) linear feet of island length, or fraction thereof; no less than one (1) evergreen tree planted for every twenty-five (25) linear feet of island length, or fraction thereof; or no less than a combination to the above mentioned proportions. The planting of evergreen trees shall not exceed fifty (50) percent of the number of trees planted in this landscaping area. At the time of planting, tree sizes shall meet the requirements as defined in section 10-3-24, definitions. Tree locations within this landscaping area are at the discretion of the property owner/developer. Parking lots with two (2) or less internal parking bays are exempt from this requirement.
- (9) All areas within the parking lot, not used for parking spaces, travelways, or pedestrian ways, shall be landscaped.
- (10) All landscaping shall be located as to not interfere with the adequate sight distance standards as specified within the Design and Construction Standards Manual.
- (11) All required landscaping is suggested to be of regional species and planted in accordance with the International Society of Arboriculture.
- (12) Vehicle parking and/or the display of goods in landscaping islands and borders is prohibited.
- (13) Owner(s) and their agent(s), heirs, or assigns shall be responsible for the installation, preservation and maintenance of all planting and physical features required to satisfy the conditions of this section. Any dead or missing vegetation shall be replaced (with like or similar vegetation) within one (1) calendar year of the vegetation's death.
- (14) Required planting in easements: Required trees, and other deep rooted vegetation, shall not be planted within public water and/or sewer easements. In particular circumstances where no other area within the required location can accommodate the required planting, such planting may be waived by the zoning administrator. Required planting in public general utility easements shall be coordinated with the department of public utilities.
- (15) Landscaping plan submittal: Landscaping information shall be submitted with a comprehensive site plan and/or, if applicable, with a building permit, with a plan of the property at an appropriate scale to show accordance with this section. The plan shall be appropriately labeled and shall provide the following information:
 - a. The calculation of the required landscaping area as specified in subsection 10-3-30.1(3).
 - b. The location, size, and schedule of all proposed landscaping with the dimensions of landscaped areas indicated. Plant materials may be indicated in generic terms (i.e. large deciduous tree or small/ornamental deciduous tree, etc.).
 - c. Existing healthy trees or wooded areas, where such trees are required, may be preserved in lieu of planting new materials to meet the landscaping requirements. In such case, the landscaping plan shall indicate the trees and areas to be saved.

d. Verification that landscaping will not impede sight distance.

- (16) Nonconforming landscaping: An existing building/use that has parking lot landscaping that is nonconforming as to the minimum landscaping requirements of this section may be enlarged; however, required landscaping shall be provided at least proportionate to any enlargement of the parking lot. Any enlargement of a parking lot on any property having an existing landscaping border separating parking spaces from public street right-of-way lines, which is five (5) feet or larger, shall provide trees within the border as required by subsection 10-3-30.1(4). (Note: Repaving, regravelling, redesigning, or restriping a parking lot or increasing the number of parking spaces without increasing the net square footage of a parking lot does not constitute an enlargement.)

(Ord. of 4-24-12(5); Ord. of 5-26-15)

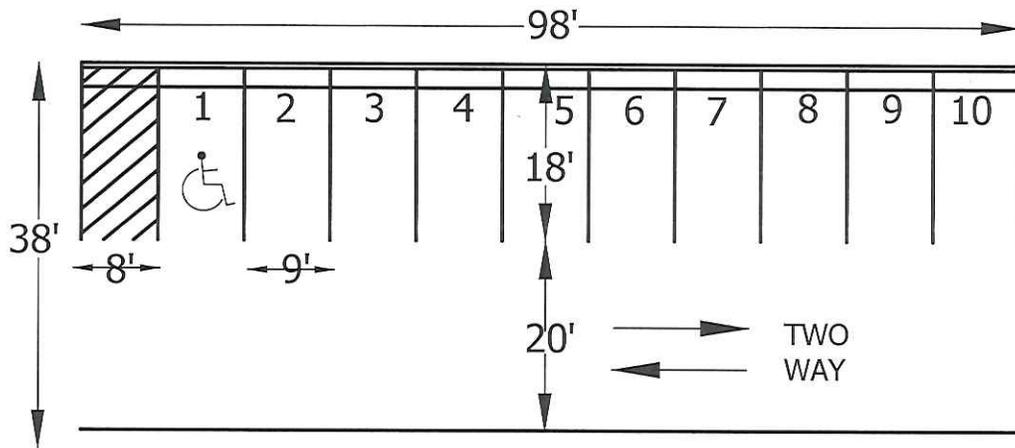


Figure 1. A parking lot with ten (10) 90-degree parking spaces if exempt from the Parking Lot Landscaping Requirements.

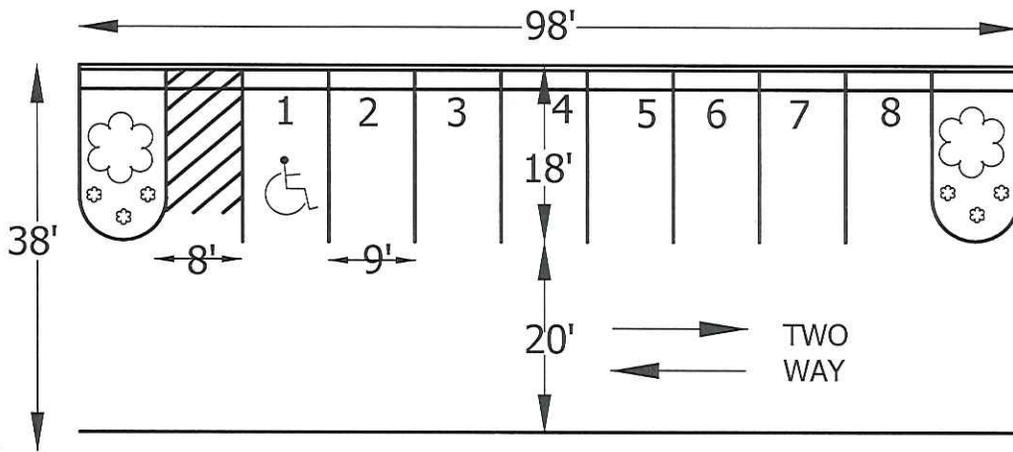


Figure 2. A parking lot of equivalent size to Figure 1, with two (2) landscaping islands as required by the Parking Lot Landscaping Requirements Section 10-3-30.1(5) and eight (8) 90-degree parking spaces.

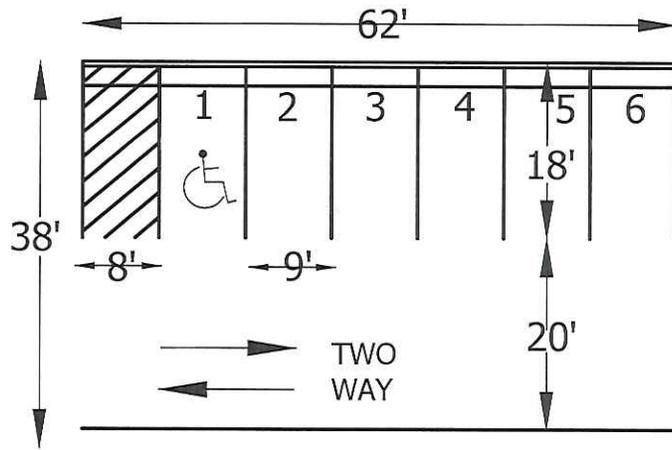


Figure 3. A parking lot with six (6) 90-degree parking spaces if exempt from the Parking Lot Landscaping Requirements.

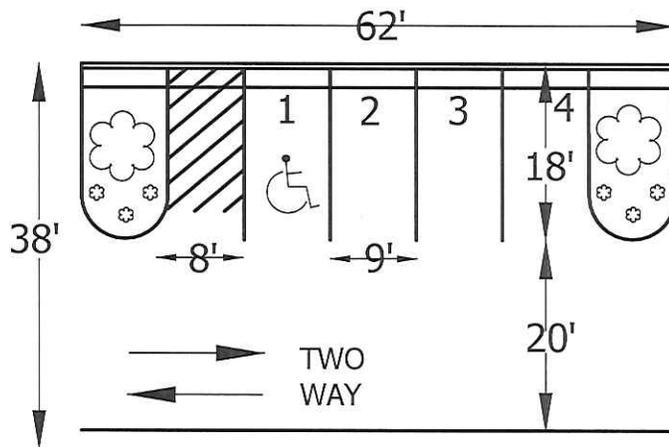


Figure 4. A parking lot of equivalent size to Figure 3, with two (2) landscaping islands as required by the Parking Lot Landscaping Requirements Section 10-3-30.1(5) and four (4) 90-degree parking spaces.

*Note: The accessible parking space shown is conceptual only. Design will vary with specific site conditions.

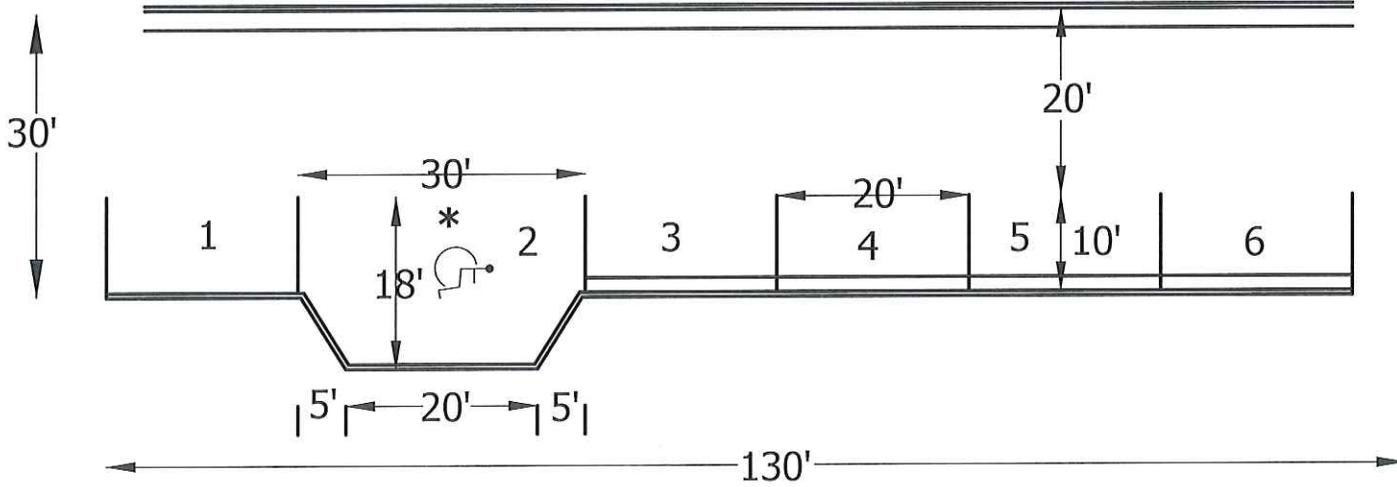


Figure 7. A parking lot with six (6) parallel parking spaces if exempt from the Parking Lot Landscaping Requirements.

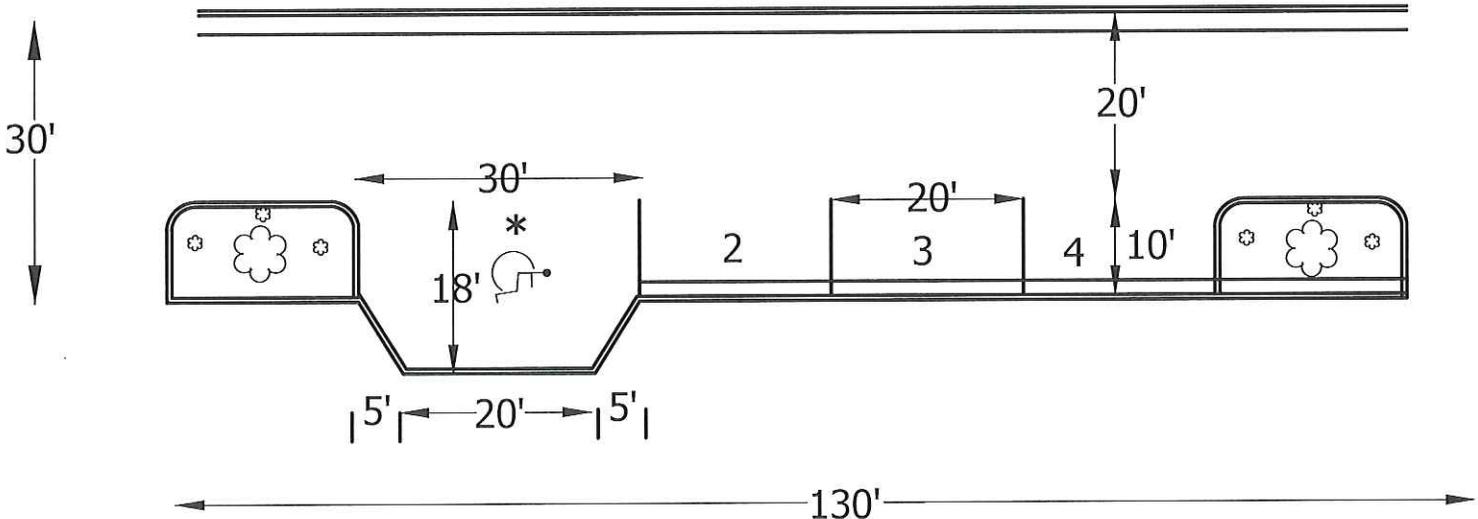


Figure 8. A parking lot of equivalent size to Figure 7, with two (2) landscaping islands as required by the Parking Lot Landscaping Requirements Section 10-3-30.1(5) and four (4) parallel parking spaces.

August 2016, Proactive Zoning Report

For the month of August 2016, the proactive zoning program inspected the **Greystone** section of the city. The violations related to inoperable vehicles, signs, junk, tall grass and weeds, and indoor furniture. The proactive zoning program for September 2016, will be directed toward the **Southeast Industrial** section of the City.

MONTH	SECTOR	5 th CYCLE VIOLATIONS	CORRECTED	2 nd CYCLE	3 rd CYCLE	4 th CYCLE
March 2015	Wyndham Woods	0	0	0	4	2
March 2015	Northfield	19	19	6	19	13
April 2015	Purcell Park	6	6	6	5	8
April 2015	Parkview	11	11	7	16	5
May 2015	Technology Park	1	1	1	0	0
May 2015	Northeast	45	45	45	63	29
June 2015	South Main	11	11	0	1	1
July 2015	Fairway Hills	2	2	0	0	2
August 2015	Smithland	3	3	4	0	2
January 2016	North Main	38	36	4	4	10
January 2016	North Liberty	33	31	4	18	11
February 2016	Westover	42	28	8	17	13
February 2016	Garbers Church	3	3	2	1	9
March 2016	Spotswood Acres	4	4	4	1	8
March 2016	Jefferson	36	34	22	35	21
April 2016	Forest Hills & JMU	8	8	1	1	1
April 2016	Mosby & Kaylor	13	12	0	2	5
May 2016	Hillandale	18	16	5	17	11
June 2016	Maplehurst & JMU	1	1	5	2	0
July 2016	Hawkins	21	8	28	17	11
August 2016	Greystone	28		10	13	9
September 2016	Southeast Industrial			2	5	1
October 2016	Ramblewood & Greendale			8	1	11
November 2016	Stone Spring Village			10	0	2
December 2016	Sunset Heights			29	10	2
January 2017	Reherd Acres			12	9	10
February 2017	West Market			16	6	13
March 2017	Chicago			22	29	4
April 2017	Pleasant Hill			13	17	9
May 2017	Avalon Woods			26	11	36
June 2017	Waterman			61	18	15
July 2017	Keister			5	8	7
August 2017	City Hall			30	16	4
September 2017	Court Square			3	2	5
October 2017	Bluestone Hills & Valley Mall			33	31	27
November 2017	Preston Heights			3	1	7