



# City of Harrisonburg

409 S. Main Street  
Harrisonburg, VA 22801

## Meeting Agenda - Final City Council

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Tuesday, June 9, 2026

7:00 PM

Council Chambers

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### 1. Roll Call

### 2. Moment of Silence

### 3. Pledge of Allegiance

### 4. Special Recognition

#### 4.a. Proclamation recognizing June 20, 2026 as World Refugee Day

Attachments: [Proclamation](#)

### 5. Consent Agenda (any item placed on the consent agenda shall be removed and taken up as a separate matter, if so requested by any member of Council, otherwise all items will be voted on with one (1) motion)

#### 5.a. Minutes from the May 26, 2026 City Council meeting

Attachments: [Minutes](#)

#### 5.b. Consider the special event application request for the 2026 July Fireworks display on Saturday, July 2, 2026.

Attachments: [Memorandum](#)  
[Special Event Application](#)

#### 5.c. Consider the special event application request for Harrisonburg Downtown Renaissance's Levitt AMP Harrisonburg Music Series on Wednesday evenings from July 2- September 2, 2026 (July 2 - Thursday date).

Attachments: [Memorandum](#)  
[Special Event Application](#)

#### 5.d. Consider the special event application request for the Harrisonburg Youth TryAthlon on Saturday, August 8, 2026.

Attachments: [Memorandum](#)  
[Special Event Application](#)  
[Event Maps](#)

- 5.e. Public hearing regarding the real estate tax rate for Fiscal Year 2026-2027 to be set at \$1.01 per \$100 of assessed value

**Attachments:**      [Memorandum](#)  
                                 [Public Hearing Notice](#)

## 6. Public Hearings

- 6.a. Consider a request from Kevin T. and Denise F. Goertzen for a special use permit at 1315 Carrera Lane

**Attachments:**      [Memorandum](#)  
                                 [Extract from Planning Commission](#)  
                                 [Site Maps](#)  
                                 [Application and supporting documents](#)  
                                 [PC Memorandum](#)  
                                 [Notice of Public Hearing](#)  
                                 [Surrounding Property Owners Notice](#)  
                                 [Presentation](#)

- 6.b. Consider a request from Robin L. Lake to rezone 850 Canterbury Court

**Attachments:**      [Memorandum](#)  
                                 [Extract from Planning Commission](#)  
                                 [Site Maps](#)  
                                 [Application & supporting documents](#)  
                                 [PC Memorandum](#)  
                                 [Notice of Public Hearing](#)  
                                 [Surrounding Property Owners Notice](#)  
                                 [Presentation](#)

- 6.c. Consider a request from Marilyn S. Pendlebury to rezone 1340 South Main Street

**Attachments:**      [Memorandum](#)  
                                 [Extract from Planning Commission](#)  
                                 [Site Maps](#)  
                                 [Application and Supporting Documents](#)  
                                 [PC Memorandum](#)  
                                 [Notice of Public Hearing](#)  
                                 [Surrounding Property Owners Notice](#)  
                                 [Presentation](#)

- 6.d. Consider a request from Marilyn S. Pendlebury for a special use permit at 1340 South Main Street (to allow multifamily buildings with more than 12 units)

**Attachments:**     [Memorandum](#)  
                          [Extract from Planning Commission](#)  
                          [Site Maps](#)  
                          [Application and Supporting Documents\\_Redacted](#)  
                          [PC Memorandum](#)  
                          [Notice of Public Hearing](#)  
                          [Surrounding Property Owners Notice](#)  
                          [Presentation](#)

- 6.e. Consider a request from Marilyn S. Pendlebury for a special use permit at 1340 South Main Street (to allow retail, offices, restaurants, etc.)

**Attachments:**     [Memorandum](#)  
                          [Extract from Planning Commission](#)  
                          [Site Maps](#)  
                          [Application and Supporting Documents\\_Redacted](#)  
                          [PC Memorandum](#)  
                          [Notice of Public Hearing](#)  
                          [Surrounding Property Owners Notice](#)  
                          [Presentation](#)

- 6.f. Consider approving an ordinance amendment to Section 7-4-1(a)(1)(a), 7-4-1(a)(1)(b), 7-4-1(a)(2)(a), 7-4-1(a)(2)(b), 7-4-1(a)(3), 7-4-1(a)(4), 7-4-1(b)(1)(a), 7-4-1(b)(1)(b), 7-4-1(b)(2)(a), 7-4-1(b)(2)(b), 7-4-1(b)(3) of the Harrisonburg City Code increasing water, sewer/authority, and a seasonal tiered rate structure.

**Attachments:**     [Memorandum](#)  
                          [Public Hearing Notice](#)  
                          [Current ordinance reflecting recommended amendments](#)

- 6.g. Consider adopting an Ordinance amendment Section 6-5-4(c) - Stormwater Utility Fee, of the Code of Ordinances, City of Harrisonburg, VA

**Attachments:**     [Memorandum](#)  
                          [Current ordinance with recommended amendments](#)  
                          [Presentation](#)

- 6.h. Consider amending and re-enacting Section 10-4-19 - Erosion Control and Stormwater Management Fees of the Code of Ordinances, Harrisonburg, Virginia

**Attachments:**      [Memorandum](#)  
[Summary Tables of Proposed Fee Changes](#)  
[Current Ordinance Reflecting Recommended Amendments](#)  
[Notice of Public Hearing](#)  
[Presentation](#)

- 6.i. Consider a request to amend the City Code Title 11 Building Code Regulations Section 11-1-10 Appeals of the decisions of the building official, et al.

**Attachments:**      [Memorandum](#)  
[Current Ordinance Reflecting Recommended Amendments](#)  
[Public Hearing Notice](#)  
[Presentation](#)

## 7. Regular Items

## 8. Supplementals

- 8.a. Consider a supplemental appropriation in the amount of \$35,000 to the Police Department from state asset forfeiture funds.

**Attachments:**      [Memorandum](#)  
[Supplemental Appropriation](#)  
[Harrisonburg, VA. PD Proposal \(2\)](#)

- 8.b. Consider a supplemental appropriation for the General Fund

**Attachments:**      [Memorandum](#)  
[Supplemental Appropriation](#)

- 8.c. Consider a supplemental appropriation for the General Fund and General Capital Projects Fund

**Attachments:**      [Memorandum](#)  
[Supplemental Appropriation](#)

## 9. Reallocations

- 9.a. Consider a reallocation of funds in the General Capital Projects Fund

**Attachments:**      [Memorandum](#)  
[Budget Reallocation](#)

## 10. Other Matters

10.a. Comments from the public, limited to five minutes, on matters not on the regular agenda. (Name and address are required)

10.b. City Council and Staff

## 11. Boards and Commissions

*Visit <http://www.harrisonburgva.gov/boards> to see current and upcoming vacancies.*

## 12. Closed Session

*Consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel.*

## 13. Adjournment

### NOTE TO THE PUBLIC:

Residents/Media will be able to attend the meeting.

The Public can also view the meeting live on:

- The City's website, <https://harrisonburg-va.legistar.com/Calendar.aspx>
- Public Education Government Channel 1072

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

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

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

### Interpretation Services

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

El servicio de intérpretes inglés-español está disponible para las reuniones públicas del consejo municipal. Para asegurar la disponibilidad de intérpretes, cualquier interesado deberá solicitar la presencia de un intérprete al menos cuatro (4) días calendarios antes de la reunión comunicándose con la Secretaría Municipal al (540) 432-7701 o por medio de la página por internet al: <https://www.harrisonburgva.gov/interpreter-request-form>



# City of Harrisonburg

City Hall  
409 South Main Street  
Harrisonburg, VA 22801

## Legislation Text

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**File #:** ID 26-214, **Version:** 1

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**Subject:**

Proclamation recognizing June 20, 2026 as World Refugee Day

Presented By: Deanna Reed, Mayor



### **World Refugee Day June 20, 2026**

**WHEREAS**, World Refugee Day is an annual commemoration adopted by the United Nations to honor the courage, resilience, and contributions of refugees and to raise awareness of their rights, needs, and dreams; and

**WHEREAS**, forced displacement remains one of the great moral and humanitarian challenges of our time, with an estimated 117.3 million people worldwide forcibly displaced as of mid-2025 due to persecution, conflict, violence, and human rights violations; and

**WHEREAS**, refugees are people who have fled their countries because of a well-founded fear of persecution on account of race, religion, nationality, political opinion, or membership in a particular social group, and who cannot safely return home; and

**WHEREAS**, refugee resettlement is a life-saving protection pathway for people who cannot return home and cannot safely remain in the country to which they first fled, and those admitted to the United States have historically undergone extensive security vetting, medical screening, and legal review; and

**WHEREAS**, communities across the United States are marking World Refugee Day at a time of heightened fear and uncertainty for many immigrant and refugee families, as federal refugee admissions have been suspended, refugee processing has been disrupted, humanitarian parole pathways have been terminated or narrowed, Temporary Protected Status has been revoked or placed at risk for multiple populations, and federal immigration enforcement has intensified; and

**WHEREAS**, in moments such as these, local communities have a special responsibility to uphold the values of dignity, due process, neighborliness, and welcome, and to reject fear, scapegoating, and dehumanization of people seeking safety; and

**WHEREAS**, the City of Harrisonburg is a welcoming community that celebrates the growing diversity of its residents and recognizes that refugees, immigrants, and other newcomers strengthen the cultural, civic, and economic life of our city; and

**WHEREAS**, Harrisonburg is home to refugees and immigrants from many parts of the world, including families who have rebuilt their lives here after fleeing war, persecution, and instability, and whose presence continues to enrich our schools, neighborhoods, workplaces, houses of worship, and civic life; and

**WHEREAS**, the residents of the City of Harrisonburg aspire to live up to our highest values of acceptance, equality, and shared humanity by treating newcomers with decency and respect and by helping build a community where all people can live in safety and hope.

**NOW, THEREFORE, I, MAYOR DEANNA R. REED, CITY OF HARRISONBURG, do hereby proclaim June 20, 2026, as World Refugee Day, and I encourage all residents to recognize the strength and contributions of refugees, to stand in solidarity with families seeking safety and belonging, and to renew our commitment to being a welcoming city for all.**

GIVEN under my hand this \_\_\_ day of June, 2026.

BY: \_\_\_\_\_  
Deanna R. Reed, Mayor

ATTEST: \_\_\_\_\_  
Pamela Ulmer, City Clerk



# City of Harrisonburg

City Hall  
409 South Main Street  
Harrisonburg, VA 22801

## Legislation Text

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**File #:** ID 26-201, **Version:** 1

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**Subject:**  
Minutes from the May 26, 2026 City Council meeting  
**Presented By:** Pamela Ulmer, city clerk



# City of Harrisonburg

409 S. Main Street  
Harrisonburg, VA 22801

## Meeting Minutes - Draft City Council

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Tuesday, May 26, 2026

7:00 PM

Council Chambers

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### 1. Roll Call

**Present:** 5 - Mayor Deanna R. Reed, Vice-Mayor Dany Fleming, Council Member Laura Dent, Council Member Nasser Alsaadun and Council Member Monica Robinson

**Also Present:** 4 - City Manager Ande Banks, City Attorney Chris Brown, City Clerk Pam Ulmer and Chief Matthew Tobia

### 2. Moment of Silence

Mayor Reed offered a moment of silence

### 3. Pledge of Allegiance

Mayor Reed led the Pledge of Allegiance

### 4. Special Recognition

### 5. Consent Agenda (any item placed on the consent agenda shall be removed and taken up as a separate matter, if so requested by any member of Council, otherwise all items will be voted on with one (1) motion)

A motion was made by Council Member Robinson, seconded by Vice-Mayor Fleming, to approve the Consent Agenda as presented. The motion carried with a recorded roll call vote taken as follows:

**Yes:** 5 - Mayor Reed, Vice-Mayor Fleming, Council Member Dent, Council Member Alsaadun and Council Member Robinson

**No:** 0

#### 5.a. Minutes from the May 12, 2026 special meeting of City Council and the May 12, 2026 City Council meeting

**These minutes were approved on the consent agenda**

#### 5.b. Consider a request from Collicello North LLC to amend the approved master development plan (rezoning) for various addresses on Collicello Street and Kates Lane.

**This item was approved on second reading**

#### 5.c. Consider adopting an Ordinance for administrative issuance of Encroachment Licenses in downtown

This ordinance enactment was approved on second reading.

## 6. Public Hearings

- 6.a. Public hearing regarding the real estate tax rate for Fiscal Year 2026-2027 to be set at \$1.01 per \$100 of assessed value

Larry Propst, director of Finance, presented the tax rate for FY 2026/2027 as \$1.01 per \$100 of assessed value. While the rate remains unchanged since last year a public hearing is required by state code anytime reassessments are estimated to increase by more than one percent from the previous year, FY 2026/27 assessments are at a 2.5% increase.

At 7:04 p.m., Mayor Reed closed the regular session and called the first public hearing to order. A notice appeared in the Daily News-Record on Friday, May 15, 2026.

There being no one desiring to be heard, Mayor Reed closed the public hearing at 7:05 p.m., and the regular session reconvened.

**A motion was made by Vice-Mayor Fleming, seconded by Council Member Alsaadun, approve the tax rate for FY 26/27 as presented. The motion carried with a recorded roll call vote taken as follows:**

**Yes:** 5 - Mayor Reed, Vice-Mayor Fleming, Council Member Dent, Council Member Alsaadun and Council Member Robinson

**No:** 0

## 7. Regular Items

- 7.a. Presentation on the Point in Time Count

Kaitlin Heatwole, Homeless Management Information System (HMIS) administrator, Western Virginia Continuum of Care (COC), presented an update on the homelessness in Harrisonburg. She reviewed the following:

- Overview of the counties covered under the West Virginia COC;
- The 2026 Point in Time (PIT) Count by counties;
- Distribution by age for Harrisonburg/Rockingham County homeless versus general population;
- Distribution by race/ethnicity for Harrisonburg/Rockingham County homeless versus general population;
- Last residency of the homeless versus general population;
- Reported length of time spent homeless throughout life;
- Factors contributing to homelessness;
- Common income sources of the homeless;
- Economic and Housing Cost Factors;

- Factors contributing to Homelessness;
- Addressing social support and personal factors; and
- Addressing economic and housing cost factors;

Discussion took place among City Council, Ms. Heatwole and Dr. Nate Riddle, executive director of Open Doors, regarding the elderly and veterans, fair market rent, barriers to housing, needs to end homelessness, the Navigation Center and it's collaboration with other non-profit organizations, prevention programs, the housing eco-system and need for affordable housing, wages, doubled-up households, the Homelessness Coalition, job training, and the reduction of federal funds available.

**This Presentation was received and filed.**

**7.b. Consider Approval of 2026 CDBG Action Plan**

Kristin McCombe, Community Development Block Grant program manager, presented the 2026 Annual Action Plan and highlighted the following:

- 2026 allocation and rollover funding for a total allocation of \$555,809.29;
- Housing and Property Improvements funding;
- Planning and Administration funding;
- Public Service funding;
- Community Public Facilities funding;

**A motion was made by Council Member Robinson, seconded by Council Member Dent, that the 2026 CDBG Action Plan be approved as presented. The motion carried with a recorded roll call vote taken as follows:**

**Yes:** 5 - Mayor Reed, Vice-Mayor Fleming, Council Member Dent, Council Member Alsaadun and Council Member Robinson

**No:** 0

**7.c. Consider adopting the Fiscal Year 2026-2027 budget and approving the Appropriation Ordinance**

Ande Banks, city manager, presented the revised FY 26-27 Budget, stating the changes were due to the city schools finalizing their budget and the final CDBG funding allotment has been confirmed. The amendments to the FY 26-27 Budget address those changes.

Larry Propst, director of Finance, stated the budget decreased by approximately one million dollars from the previously presented budget.

**A motion was made by Council Member Robinson, seconded by Vice-Mayor Fleming, that this Ordinance be approved. The motion carried with a recorded roll call vote taken as follows:**

**Yes:** 5 - Mayor Reed, Vice-Mayor Fleming, Council Member Dent, Council Member Alsaadun and Council Member Robinson

**No:** 0

**7.d.** Consider adopting a resolution for the Virginia Department of Transportation (VDOT) Project Funding and Signature Authority

Tom Hartman, director of Public Works, presented a resolution that is required for VDOT grant funding. It confirms that if a grant is applied for and matching funds are required, the city will provide the matching funds, and it gives the city manager and deputy city manager the authority to sign the agreements for those grant funds.

**A motion was made by Council Member Robinson, seconded by Vice-Mayor Fleming, that this Resolution be adopted. The motion carried with a recorded roll call vote taken as follows:**

**Yes:** 5 - Mayor Reed, Vice-Mayor Fleming, Council Member Dent, Council Member Alsaadun and Council Member Robinson

**No:** 0

**7.e.** Presentation of the Downtown Master Planting Plan

Jeremy Harold, Greenspace manager, presented the Downtown Master Planting Plan. He reviewed the following:

- The history of the development of the plan;
- The project areas and goals of the plan;
  - The focus areas;
  - The landscape goals;
- The lean plan versus the dream plan;
- Court Square Concept Plant;
- Parking lot perspective;
- City Hall parking lot concept plan; and
- Next steps

Discussion took place among Council Members on native plantings, food forests, mitigation of the urban heat island areas, fruit tree planting, avoiding invasive species, ongoing maintenance, the pollinator program, manpower and budgeting.

Mr. Banks stated he and Mr. Hartman, director of Public Works would like to see the budget grow for this plan to implement the dream plan versus the lean plan, however, competing priorities mean staff cannot always implement projects to the extent they would prefer

This Action Item was received and filed.

## Recess

At 8:35 p.m., Mayor Reed called the meeting into recess.

At 8:45 p.m., Mayor Reed called the meeting back into session.

### 7.f. Consider approving the update on the Stormwater Improvement Plan

7f and 7g presented together

Keith Thomas, sustainability and environmental manager, Public Works, reviewed the Stormwater Improvement Plan (SWIP). He reviewed the following:

- The background of the current plan;
- The SWIP update process;
- Examples of Best Management Practices (BMP);
- BMP locations overview;
- Priority BMPs and locations;
- Public engagement overview; and
- Locations of concern/drainage complaints;

He also reviewed the following:

- Blacks Run and Cooks Creek Total Maximum Daily Load (TMDL);
- TMDL Development background;
- Reference watershed;
- Pollutant reduction targets (phosphorus and sediment);
- Progress and phased targets;

Vice Mayor Fleming stated the city has been given an unattainable TMDL standard by DEQ, which staff has tried to change but to no avail.

He also reviewed the following related to the Harrisonburg City Public Schools (HCPS)

Stormwater Memorandum of Understanding:

- The 2023-2028 Municipal Separate Storm Sewer System (MS4) permit changes;
- Low priority issues;
- Moderate priority issues;
- Critical priority issues;
- HCPS BMP maintenance problems and proposed solutions;
- MOU requirements;

Council Member Robinson asked if fees are being charged to HCPS for any repairs or maintenance. Mr. Banks stated one Public Works employee's pay is being reimbursed by HCPS and HCPS is reimbursing the city for any maintenance the Public Works Department does.

Discussion took place on the long-term infrastructure operations with BMP maintenance, opportunities for residents to help collect water rather than allowing run-off, and how city departments are taking part in water collection systems as well.

**A motion was made by Council Member Dent, seconded by Council Member Alsaadun, that the SWIP be approved as presented. The motion carried with a recorded roll call vote taken as follows:**

**Yes:** 5 - Mayor Reed, Vice-Mayor Fleming, Council Member Dent, Council Member Alsaadun and Council Member Robinson

**No:** 0

**7.g. Update on the Stormwater Program**

Presented with agenda item 7.f.

**This Report was received and filed.**

**8. Other Matters**

**8.a. Comments from the public, limited to five minutes, on matters not on the regular agenda. (Name and address are required)**

Michael Alexio, spoke on the use of plastic bags and recommended to Council that an ordinance be created to charge a minimal fee for use of plastic bags in stores.

**8.b. City Council and Staff**

Vice Mayor Fleming spoke on a meeting with the Harrisonburg Community Health Center and a recent Stormwater Advisory Committee meeting.

Council Member Robinson spoke on recent graduations in her family and recent tour with an EMU class on local history;

Council Member Alsaadun spoke on his upcoming trip to Washington DC for Advocacy Days for immigrants and refugees.

Mayor Reed spoke on recent graduations in her family; highlighted Council Member Dent for a wonderful article on her in the Virginia Town and City (VTC) magazine;

Council Member Dent spoke on the article in VTC; the COP30 work; recent Virginia Association of Planning District Commission meeting she attended;

**10. Closed Session**

**10.a.** Closed Session as authorized by the Virginia Freedom of Information Act, Virginia Code Section 2.2-3711(A), under:

Subsection 7 for consultation with legal counsel and staff regarding actual or probable litigation where such consultation in open session would adversely affect the negotiating or litigating posture of City Council.

**At 9:30 p.m., a motion was made by Vice Mayor Fleming, seconded by Council Member Dent, to enter into closed session as authorized by the Virginia Freedom of Information Act, Virginia Code Section 2.2-3711(A), under: Subsection 7 for consultation with legal counsel and staff regarding actual or probable litigation where such consultation in open session would adversely affect the negotiating or litigating posture of City Council. The motion carried with a recorded roll call vote taken as follows:**

**Yes:** 5 - Mayor Reed, Vice-Mayor Fleming, Council Member Dent, Council Member Alsaadun and Council Member Robinson

**No:** 0

**11. Adjournment**

At 9:54 p.m. the closed session ended and the regular session reconvened. City Attorney Brown read the following statement, which was agreed to with a unanimous recorded vote of Council: I hereby certify that to the best of my knowledge (1) only public business matters lawfully exempted from open meeting requirements under Chapter 37 of Title 2.2 of the Code, of Virginia, 1950, as amended, and (2) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the closed meeting by the City Council.

At 9:54 p.m., there being no further business and on motion adopted, the meeting was adjourned.

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR



## Legislation Text

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**File #:** ID 26-198, **Version:** 1

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**Subject:**

Consider the special event application request for the 2026 July Fireworks display on Saturday, July 2, 2026.

Presented By: Matt Little, Recreation and Events Manager, Parks & Recreation

**Summary:** Consider the special event application request for the 2026 July Fireworks display on Saturday, July 2, 2026.

**Background:** The 2026 July Fireworks Display will be launched from Westover Park. The Park and surrounding amenities (pool, disc golf course, CAC) will close earlier in the day to prepare for a safe launch site.

The application was reviewed and approved by the Special Event Committee on April 2, 2026.

Total estimated cost will be around \$2,000.

**Key Issues:**

- PW Support - message boards and sweeper on Sunday
- HPD Support - patrol during setup and launch
- HFD Support - fireworks permit
- P&R Support - Westover Park closure
- COI documentation will be submitted prior to the event



CITY OF HARRISONBURG  
**PARKS &  
RECREATION**

901 CHICAGO AVENUE, HARRISONBURG, VA 22802

OFFICE (540) 438-1644 • FAX (540) 433-9169

TO: Ande Banks, City Manager  
FROM: Matt Little, Recreation and Events Manager, Parks & Recreation  
DATE: 5/26/26  
RE: July Fireworks Display

**Summary:** Consider the special event application request for the 2026 July Fireworks display on Saturday, July 2, 2026.

**Background:** The 2026 July Fireworks Display will be launched from Westover Park. The Park and surrounding amenities (pool, disc golf course, CAC) will close earlier in the day to prepare for a safe launch site.

The application was reviewed and approved by the Special Event Committee on April 2, 2026.

Total estimated cost will be around \$2,000.

**Key Issues:**

- PW Support – message boards and sweeper on Sunday
- HPD Support – patrol during setup and launch
- HFD Support – fireworks permit
- P&R Support – Westover Park closure
- COI documentation will be submitted prior to the event



# City of Harrisonburg Special Event Application

Use this application to submit special events planned in the City of Harrisonburg on public property. Special events can include concerts, festivals, benefits, run/walks, and more in the downtown area, public parks, and city neighborhoods.

A "Special Event" is a short-term organized activity, celebration, or other gathering on public property that, whether for profit or not for profit, due to the anticipated number of attendees or the nature of the event characterized by any of the following:

- Requires City services to ensure compliance with Federal, state, or local laws;
- Involves use of City owned or managed property such as public streets, sidewalks, parking lots, alleys, parks or any other City owned/managed open space (excluding standard parks shelter rentals)
- Involves closure or partial closure of any public right-of way, or requires traffic control procedures necessitating the involvement of the City's Police Department & Public Works Department
- Involves the erection of stages, utility poles, booths, tents, stands, or other temporary structures in a public place;
- Impair emergency vehicles access or requires the attendance of EMS/Fire personnel.

City supports may include waste management, traffic management, safety, and road closures. For the City to approve a road or parking lot closure, the following must be considered: resident/business impact, detour routes, signage and notification, use of barricades and directional signage, and traffic control and safety. **Please note: there may be a cost to your organization for these services.**

**APPLICATION DEADLINE:** Applications for events occurring between January 1 and June 30 will be accepted no later than 90 days prior to the event. Applications for events occurring between July 1 and December 31 will be accepted no later than **March 31, 2026**. Event organizers, especially those planning events for the first time, may be required to meet with City staff to discuss logistics and to determine the necessary City supports and resources to help make the event safe and successful. *The City of Harrisonburg reserves the right to decline approval of any event deemed not in the City's best interest. This includes, but is not limited to, events that have received unfavorable reviews from other cities or events that, in the City's discretion, do not align with the City's values or objectives.*

Submit completed applications, fees, and supporting documents to Harrisonburg Parks & Recreation (HPR): HPR Events Manager, 305 South Dogwood Drive, Harrisonburg, VA 22801 or [matthew.little@harrisonburgva.gov](mailto:matthew.little@harrisonburgva.gov).

Electronic applications are preferred. Incomplete applications will not be processed. Call HPR's events manager at 540-433-2474 or email [matthew.little@harrisonburgva.gov](mailto:matthew.little@harrisonburgva.gov) with questions about this application or the events approval process.

## Section 1: Applicant Contact Information and Event Location

Organization/Applicant Name: \_\_\_\_\_

Event Name: \_\_\_\_\_

Date of Event: \_\_\_\_\_

Daytime Phone: 540-432-8921 Cell Phone: 540-424-8011  
(\*Required for day-of event)

E-mail Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

### Preferred event location(s) (Check all that apply):

- Downtown - festivals, concerts, and other events that are not run/walk events**
- Downtown - run/walk events** – Complete & attach map. Must complete section 5

**Neighborhood run/walk events** – Attach a map/diagram of your course

**Turner Pavilion & Park Rental** – Submit approved Facility Use Permit from Harrisonburg Parks and Recreation with application. Download the Facility Use Permit and find more information at <https://www.harrisonburgva.gov/shelters>. Fees apply.

**City Park Reservation** \*Westover Park

If the event involves the use of a city park, the applicant must submit approved Facility Use Permit from Harrisonburg Parks and Recreation with application. Download the Facility Use Permit and find more information at <https://www.harrisonburgva.gov/shelters>. Fees apply.

**Court Square** – If the event involves the use of the Courthouse grounds, the applicant must obtain approval from Rockingham County before submitting a special event application. For availability, call 540.574.3517 or email [lshepard@rockinghamcountyva.gov](mailto:lshepard@rockinghamcountyva.gov)

## Section 2: Event Information and Required Permits

**Please describe the purpose of the event:**

Fireworks display begins around 9:25 PM, or when it gets dark enough, on Thursday, July 2nd. Starfire Corp. will be producing the show again this year. Should be about a 13-15 minute show. Fireworks will be shot from Westover Park. Will be a larger show than last year in acknowledgement of VA250.

**Is this an annual event?**  Yes  No If so, how many years has it been held? \_\_\_\_\_

**Event Hours:**

Set-up Start Time: \_\_\_\_\_ Event Start & End Times: \_\_\_\_\_ Clean-up End Time: \_\_\_\_\_

**How many participants and spectators do you anticipate?** \_\_\_\_\_

**Community Notification:** List the name of businesses, churches and residences that you have notified about this event\*:

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*\*For events taking place downtown (including the Turner Pavilion), event organizers must notify the businesses, churches, organizations, or residences that are located near or adjacent to the event site. Businesses near a parking lot or parking structure that you wish to use for your event or that will be inaccessible because of a street closure must be notified as well.*

**Will food be sold or served?**  Yes  No **Will merchandise be sold?**  Yes  No

*\*All vendors must have a current business license for the City of Harrisonburg, unless the event organizer procures a show license; see below in Required Permits.*

*\*\*All food vendors, except those selling unprocessed food products, must file and pay the City of Harrisonburg food & beverage tax. Contact the Commissioner of Revenue 540-432-7704 for details. The collection and remittance of applicable taxes is the responsibility of the individual vendor. However, event organizers are responsible for providing the Commissioner of Revenue with a list of participating food vendors and contact information for each. Food vendor lists should be submitted to Karen Rose ([karen.rose@harrisonburgva.gov](mailto:karen.rose@harrisonburgva.gov)) at least two weeks prior to the event date.*

*\*\*\*All food vendors must possess a valid food service permit. Contact the VA Department of Health for details: 540-574-5200*

**Will alcohol be served\*?**  Yes  No

- If yes, attach copy of ABC License
- If yes, describe the perimeter fencing that you plan to use\*:

*\*Organizers must erect complete, stable fencing surrounding all areas where alcohol is to be served or consumed. Small events can use snow/plastic fencing. For large events, metal fencing may be required. For more information, contact VA ABC, Staunton Regional Office, 540.332.7800*

*\*\*Public events serving alcohol require an ABC license and require the organizer to hire off-duty uniformed Harrisonburg Police officers. Officers hired to work the event will be paid individually by the event organizer. See section 3 for more information.*

**Do you plan on providing portable restrooms?**  Yes  No If yes, answer questions below:

- How many portable restrooms do you plan on having? \_\_\_\_\_
- Where do you plan on placing them? \_\_\_\_\_
- When are they scheduled to be dropped off? \_\_\_\_\_ Picked up? \_\_\_\_\_

*\*Portable restroom facilities are required at a ratio of at least one per 150 event participants, unless additional bathroom facilities are available to event attendees, or unless the duration of the event program does not exceed two hours. 10% of these should be ADA accessible. Events serving alcohol should provide portable restrooms at a ratio of one per 50 participants.*

**Do you need access to water?**  Yes  No

If yes, planned activities, vendors, entertainment that require water:

**Do you need access to electricity?**  Yes  No

List planned activities, vendors, entertainment that require electricity:

**Will your event involve the use of an offsite parking and/or shuttle plan?**  Yes  No

If yes, please list shuttle sites to be used and detail plans for transportation:

**Are any public parking lots needed for exclusive use by this event?\***  Yes  No

If yes, please list them:

*\*Public parking lots can only be requested if needed for event programming; they cannot be requested for exclusive event parking for public or private events.*

**Will your event require the closure of a portion of any city streets?\***  Yes  No

If yes, describe: Entrances to Westover

*\*If your event requires street closures, you will need to issue a press release at least two weeks prior to your event specifying the impact of street closures and parking changes. Contact HPR ([matthew.little@harrisonburgva.gov](mailto:matthew.little@harrisonburgva.gov)) for a sample press release and press list.*

**Please describe your plan for removal of waste and garbage during and after your event\*:**

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*\*It is the responsibility of the event organizer to provide trash cans and bags; and to remove all waste, debris, and materials from the site, if prior arrangement has not been made with Harrisonburg City Public Works.*

*\*\*For events with alcohol, food, or other products which may cause debris, residue, or stains to remain on the property, the City may require the use of flusher trucks, sweeper trucks or blowers to clean the area. Event organizers may be charged for this service.*

*\*\*\*There may be a penalty incurred if there is any damage to public property or structures, or if any trash or debris remains on-site.*

*\*\*\*\* Harrisonburg City Public Works will provide a trash dumpster at Harrisonburg Electric Commission parking lot (89 W Bruce Street). It is the responsibility of the event organizer to transport trash bags from cans (including city receptacles) into the dumpster as appropriate and agreed upon with Special Events Team/Public Works.*

**Required Permits (Check all that apply):**

**Permit for Tents/Structures** – Any tent greater than 900 square feet or accommodating more than 50 people requires a building permit and inspection. Building permit applications are available at [www.harrisonburgva.gov/permits](http://www.harrisonburgva.gov/permits). The permit application should be filed with the Community Development office at least 10 days in advance of the event. Questions about the permit process can be directed to Community Development at 540-432-7700.

**Permit for Platforms/Stages** – Any stage or platform, and the associated stair, erected more than 7 inches above the ground surface requires a building permit and inspection. Any field constructed stage or platform must be engineered by a VA Registered Design Professional. Building permit applications are available at [www.harrisonburgva.gov/permits](http://www.harrisonburgva.gov/permits). The permit application should be filed with the Community Development office at least 10 days in advance of the event. Questions about the permit process can be directed to Community Development at 540-432-7700.

**Inflatable/Regulated Amusement Device Permit** – Inflatable amusement devices and other regulated amusements require a permit to be allowed at events open to the public, and the device vendor must provide a certificate of insurance listing the City of Harrisonburg as additional insured. The permit application should be filed with the Community Development office at least 10 days in advance of the event. For more information, contact Mike Williams at 540-432-7700.

**Fireworks Permit** – Any fireworks display requires a permit through the Fire Department. To apply for a fireworks permit, contact the Fire Marshall's office at 540-432-7703. [City Code Section 16-6-57](#)

**Show License or Business Licenses** – A business license is required for all vendors selling any crafts, merchandise, or food in the City of Harrisonburg. However, event organizers can purchase a show license to cover any craft and food vendors during an event. For information, contact the Commissioner of Revenue Office at 540-432-7704.

\*All food vendors must pay the 7% food and beverage tax to the City of Harrisonburg Commissioner of Revenue.

\*\*Some event organizers may also be responsible for paying an admissions tax, depending on the nature of the event.

**ABC Banquet License** – Sale and/or service of alcoholic beverages requires a banquet license. To apply for the proper ABC license, visit <https://www.abc.virginia.gov/licenses/get-a-license/banquet-licenses>. ABC Licenses must be submitted to [matthew.little@harrisonburgva.gov](mailto:matthew.little@harrisonburgva.gov) *no later than 30 days prior to your event date*. Your license must be posted in a visible location for the duration of your event.

If you answer yes to any of the following questions, you'll need to contact the Fire Marshals Office at 540-432-7703.

- Will there be food trucks at the event?
- Will temporary fencing be used?
- Will fire be used in any way for the event?
- Will there be tents that cover a total area of at least 900sqft (9 – 10'x10' pop-ups = 900 sqft)?

## Section 3: Public Safety

Do you wish to request Emergency Medical Services support from the Harrisonburg Fire Department?  Yes  No

- *The Harrisonburg Fire Department will work with event organizers to meet their emergency medical safety needs. **Please note that the event organizers will be charged a rate as high as \$66/hr per EMS provider. A minimum of 2 providers will be required for all requests, and a minimum of 2 hours will be charged.***

Do you acknowledge that the Harrisonburg Police Department will review this application and may determine that police support is necessary for your event?  Yes  No

Do you wish to request police support for traffic management\*?  Yes  No

Will you provide additional traffic marshals?  Yes  No If yes, how many: \_\_\_\_\_

- *Persons under the age of 18 are not allowed to assist with traffic.*
- *All marshals must be properly equipped with identification, a reflective vest, and communication equipment.*

Would you like to request the use of reflective vests? (A limited number are available)  Yes  No  
If yes, how many: \_\_\_\_\_

Would you like to request training on traffic/pedestrian management from HPD?  Yes  No

Would you like to request a safety demonstration from the Harrisonburg Police Department?  Yes  No

Would you like to request a safety demonstration from the Harrisonburg Fire Department?  Yes  No

Are you hiring a security firm\*\*?  Yes  No

If yes, provide the following information:

- Have you hired a licensed, professional security company to help manage your event?  Yes  No
- Security Company Name: \_\_\_\_\_
- Number of Security Personnel Hired: \_\_\_\_\_
- Security Company Contact Name: \_\_\_\_\_  
Cell Phone: \_\_\_\_\_
- Describe plan for crowd management and safety:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The Harrisonburg VA Police Department has partnered with Off Duty Management to manage our off-duty employment program. **3 Hours Minimum per Request. Once your application has been submitted, and reviewed by the Special Event Team, a Police Department representative will reach out to you and provide an estimate of the number of officers needed for your event.**

**RATES:**

Title	Total Hourly Rate
Regular	\$67.20
Traffic	\$67.20
Supervisor*	\$72.80 5-10 Officers - 1 Supervisor required 11-15 Officers - 2 Supervisors required

	16 or more Officers - 3 supervisors required
Holiday**	\$72.80
Outside Agency	\$67.20
Emergency***	\$78.40

**SUPERVISOR RATE\*:** A supervisor is required when 5 or more officers are requested and/or when HPD Command Staff determines a supervisor is needed.

**HOLIDAY RATE\*\*:** The holiday rate will apply to the following days: New Year's Day, MLK Day, Easter, Memorial Day, Juneteenth, Independence Day, Labor Day, Veterans Day, Thanksgiving Day, Day after Thanksgiving, Christmas Eve, Christmas Day.

**EMERGENCY RATE\*\*\*:** If request is received less than 72 hours prior to assignment the emergency pay rate goes into effect.

**Off-Duty Employment Requests:** You can request services for the date of by using the website portal:

<https://odm.officertrak.com/Harrisonburg-VA-PD>

#### Section 4: Required Documents

The following documents **MUST** be included with this application:

Map with requested street closures and/or parking lots highlighted \*Location of launch site and parking/park closures all same as previous years

Diagram of event, including location of activities, food and/or vendors, generators, entrances/exits, ABC zones, etc.   
*A sample vendor communication plan will be shared for those events having vendors. This will include a sample parking pass and instructions regarding arrival time/location and departure time/location based on road closure setups.*

The following documents must be provided no later than 30 days prior to your event:

- A **Certificate of Insurance (COI)** providing evidence of liability insurance of a minimum of \$1,000,000 and property damage of \$100,000. The addendum must include this exact wording: **"The City of Harrisonburg, 409 South Main St, Harrisonburg, VA 22801, is hereby named as additional insured."**

attached       will be submitted before the event

- An **Endorsement** from the insurance company listing the City as an **Additional Insured is also required**. The insurance company must have a minimum financial rating from the A.M. Best Company of an "A" or better\*

attached       will be submitted before the event

\* A copy of the COI and Endorsement(s) must be submitted to the City Department of Finance at [larry.propst@harrisonburgva.gov](mailto:larry.propst@harrisonburgva.gov) no later than 30 days prior to your event. For information, contact Larry Propst, Director of Finance, 540-432-7750 or [larry.propst@harrisonburgva.gov](mailto:larry.propst@harrisonburgva.gov).

- If alcohol will be served, the City also requires a **Liquor Liability endorsement** be added to the insured's policy

attached       will be submitted before the event       not needed

- **ABC License** - If alcohol will be served, event organizers must obtain a VA ABC license\*

attached       will be submitted before the event       not needed

\*Contact VA ABC for information 804.213.4400

- **Workers Compensation Insurance** - If your organization has employees, you must provide evidence of Workers Compensation insurance with statutory limits that meet state requirements

attached       will be submitted before the event       not needed

### Section 5: Run/ Walk Courses

Street closures for runs/walks on public roads are required to use certain courses within the City limits that have been designed to ensure the safety of the participants and the efficiency of the event for city crews. Small run/walks designed to release clusters of small groups of 25 or fewer people in waves can take place on city sidewalks and typically do not require street closures or police support. These run/walks may be approved at the discretion of City staff. Larger run/walks that intend to take place on city streets, or may flow into city streets, will require street closures and police support.

Applicants who wish to create a course on a college campus that flow into City streets or a local low-traffic neighborhood are allowed to submit a course for review.

The City has preapproved a grandfather clause for specific special event requests that use a different designated course in the city. Those events are: The Rocktown Turkey Trot & the Martin Luther King, Jr. Remembrance Walk. The Martin Luther King, Jr. Remembrance Walk has been approved by City Council to occur on the third Monday of January each year.

### Section 6: Emergency Management / Weather Planning

As part of the special event approval process, applicants are required to complete and submit the attached Emergency Action Plan (EAP). The EAP ensures that proper procedures and resources are in place to protect public safety during your event. Please provide detailed responses in the EAP and include any additional documentation as necessary. Submission of a completed EAP (see appendix) is a mandatory component for consideration of your application.

Do you agree to implement the Special Events Tornado & Severe Thunderstorm Trigger Chart?

Yes, I agree. The individual who will have the responsibility of implementing this plan will be:

Name: \_\_\_\_\_ Cell Number: \_\_\_\_\_

No, I do not agree. I have submitted a severe weather plan that exceeds the minimum standards set forth in the Special Events Tornado & Severe Thunderstorm Trigger Chart, through the Emergency Action Plan. The individual who will have the responsibility of implementing this plan will be:

Name: \_\_\_\_\_ Cell Number: \_\_\_\_\_

For any assistance needed with the evacuation plan or inclement weather plan, please contact the Office of Emergency Management at (540) 432-7703.

### Special Events Severe Weather Trigger Chart

WEATHER THREAT	ADVICE CONDITION	LOCATION <small>From Venue</small>	ACTION	RESPONSIBILITY
WEATHER ANTICIPATED 48 HOURS	ADVISORY	N/A	COMMUNICATION WITH HPR EVENTS MANAGER AND EVENT ORGANIZER. MONITOR FORECAST. REVIEW INCLEMENT WEATHER AND EVACUATION PLANS WITH YOUR TEAM.	EVENT ORGANIZER
WEATHER ANTICIPATED 24 HOURS	ADVISORY	ANTICIPATED WITHIN 200 MILES	COMMUNICATION WITH HPR EVENTS MANAGER AND EVENT ORGANIZER. MONITOR FORECAST. COORDINATE WITH TEAM, EVENT EQUIPMENT / TENT / STAGE SUPPLIERS, ETC.	EVENT ORGANIZER
LIGHTNING OR THUNDERSTORM	ADVISORY	50 MILES ESTIMATED	COMMUNICATION WITH HPR EVENTS MANAGER AND EVENT ORGANIZER. POSSIBLE ON-SITE MEETING. ENSURE TEAM IS ON STANDBY TO IMPLEMENT INCLEMENT WEATHER / EVACUATION PLANS. PREPARE ANNOUNCEMENTS. MONITOR RADAR.	EVENT ORGANIZER
LIGHTNING OR SURFACE WINDS 30-40 MPH OR THUNDERSTORM WATCH OR TORNADO WATCH	CONDITIONS ARE PRESENT OR WATCH IS ISSUED	25 MILES ESTIMATED	COMMUNICATION WITH HPR EVENTS MANAGER AND EVENT ORGANIZER. SECURE EVENT VENUE - EQUIPMENT / TENTS / STAGES. NOTIFY EVENT ATTENDEES OF POSSIBLE THREAT. START ANNOUNCEMENTS. MONITOR RADAR.	EVENT ORGANIZER EVENT TEAM
LIGHTNING OR SURFACE WINDS 30-40 MPH OR THUNDERSTORM WATCH OR TORNADO WATCH	CONDITIONS ARE PRESENT OR WATCH IS ISSUED	15 MILES ESTIMATED	CONTINUE TO SECURE EVENT VENUE. TEAM IN POSITION TO IMPLEMENT INCLEMENT WEATHER / EVACUATION PLANS. 2ND NOTIFICATION TO EVENT ATTENDEES OF POSSIBLE THREAT. CONTINUE ANNOUNCEMENTS. MONITOR RADAR.	EVENT ORGANIZER EVENT TEAM
LIGHTNING OR SURFACE WINDS 30-40 MPH OR THUNDERSTORM WARNING OR TORNADO WARNING	CONDITIONS ARE PRESENT OR WARNING IS ISSUED	10 MILES ESTIMATED	COMMUNICATION WITH HPR EVENTS MANAGER AND EVENT ORGANIZER. IMPLEMENT INCLEMENT WEATHER / EVACUATION PLANS. BEGIN EVACUATION OF EVENT SITE. NOTIFY EVENT ATTENDEES OF EVACUATION. CONTINUE ANNOUNCEMENTS. MONITOR CROWD MOVEMENT. CONTINUE TO SECURE EVENT VENUE. MONITOR RADAR.	EVENT ORGANIZER EVENT TEAM
LIGHTNING OR SURFACE WINDS 30-40 MPH OR THUNDERSTORM WARNING OR TORNADO WARNING	CONDITIONS ARE PRESENT OR WARNING IS ISSUED	8 MILES	FINISH EVACUATION AND ALL PERSONS TAKE COVER. MONITOR EVENT VENUE.	EVENT ORGANIZER EVENT TEAM
ALL CLEAR (30 MINUTES AFTER LAST LIGHTNING)	Storm Passed All clear	10 MILES	INSPECT EVENT VENUE FOR DAMAGE. IF NO DAMAGE OR SAFETY ISSUES ARE IDENTIFIED, ALLOW RE-ENTRY AND CONTINUE EVENT. COMMUNICATION WITH HPR EVENTS MANAGER AND EVENT ORGANIZER.	EVENT ORGANIZER EVENT TEAM

**Note:** The speed and direction of advancing storms and the size and nature of the event may alter the time needed to safely evacuate the site. Temporary structures shall not be used as sheltering locations for event participants. Failure to comply with the terms of the weather plan or any term or condition of the permit may result in the immediate revocation of the permit. Public safety agencies may order mandatory actions in the interest of public safety at any public place regardless of whether the permit has been revoked.

## Special Event Rules & Regulations

**FAILURE TO OBTAIN PROPER APPROVALS OR VIOLATIONS OF ANY RULES & REGULATIONS CAN RESULT IN THE CANCELLATION OF YOUR EVENT OR DENIAL OF FUTURE EVENT APPLICATIONS.**

### **Cancellation Notice**

- The event organizer will notify the Special Events Team if they need to cancel their event. No cancellation fee will be assessed if done 72 hours prior to event day. If the event is cancelled within 72 hours of event day, fees may be assessed to the event organizer.
- If the event needs to be cancelled due to reasons outside their control, no charges will be assessed.
- I understand that the City of Harrisonburg has the authority to cancel the event if the City deems the event unsafe due to severe weather and/or not able to provide staffing based on weather related response.

The event organizer will also have to notify off-duty management of the cancellation 72 hours prior to the event, or they will be charged for the officer's time.

### **Revocation of Special Event Application Approval**

City Council's approval of a Special Event Application may be revoked upon consultation with the appropriate public safety forces when the health or safety of the public is threatened by an emergency, disorder or other unforeseen conditions that may have arisen.

## **CERTIFICATION AND ACKNOWLEDGMENT OF APPLICANT**

The undersigned certifies that he or she is familiar with the guidelines, rules and regulations for planning an event in the City of Harrisonburg and the same will be enforced and honored by the sponsoring organization. The undersigned further certifies that the information furnished in this application is true and correct to the best of the undersigned knowledge and information. Furthermore, the undersigned acknowledges that all necessary documents and permits are being submitted before the event.

The undersigned acknowledges that use of city resources to host an event in the City of Harrisonburg is contingent upon approval of this application by the city staff and Harrisonburg City Council.

**If the event is approved by City Council, the event organizer will receive an event permit detailing city services provided, potential costs, and event expectations.**

Signature of Applicant:  \_\_\_\_\_

Date: \_\_\_\_\_

Comments:

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# Emergency Action Plan (applies only to pavilion viewing site)

The City of Harrisonburg mandates that all special events applicants complete and submit an Emergency Action Plan (EAP). This template is designed to assist event organizers in planning safe and exciting events. The Emergency Action Plan (EAP) outlines predetermined measures to be executed prior to and during the event in case of an emergency or other hazardous circumstances. These measures will involve coordination among organizers, management, staff, and attendees. It is essential to exercise flexibility when executing this plan, considering the wide range of potential hazards associated with the event. If your event does not have a comprehensive emergency action plan, please answer the questions below. All event staff, volunteers, and vendors must have a thorough understanding of their roles and responsibilities during an emergency.

Name of person filling out form:	Event Role:
Event Name:	
Event date(s) and time(s):	
Event Location:	Expected Peak Attendance:

## Event Communications

List key onsite decision makers, along with their role and cell phone numbers. The individuals listed below are responsible for making decisions during an emergency and implementing the procedures detailed in this plan.

	Name	Phone:
Primary		
Secondary		
Tertiary		

How will the Emergency Action Plan (EAP) be shared with staff, volunteers, and vendors?

Share in person prior to event	<input checked="" type="checkbox"/> Email to staff, volunteers, and vendors prior to event
Present to vendors/volunteers at check-in	Other – Specify:

In an emergency and/or for decision making purposes where will event staff and emergency personnel meet?

--

How will you communicate with participants and/or attendees before the event? (Check all that apply)

<input checked="" type="checkbox"/> Email for HDR newsletter subscribers	Text message
<input checked="" type="checkbox"/> Website updates	<input checked="" type="checkbox"/> Press Release
Variable message signs	<input checked="" type="checkbox"/> Social Media – Specify:
Other - Specify	

How will you communicate with staff, volunteers, and vendors during the event? (Check all that apply)

<input checked="" type="checkbox"/> Phone Call	Walkie Talkie
<input checked="" type="checkbox"/> Announcements through event sound system	Messaging on screens
<input checked="" type="checkbox"/> In-person messengers *for vendors at pavilion	<input checked="" type="checkbox"/> Text message/Messaging app – Specify:
Other - Specify	

How will you communicate with participants and/or attendees during the event? (Check all that apply)

Text messages or Alerts	Website updates
<input checked="" type="checkbox"/> Announcements through event sound system	Messaging on screens
In-person messengers	Social media live updates – Specify:
Other - Specify	

# Event Weather

Who will monitor the weather before and during the event?

Name:	Title/Role:

How will weather be monitored before and during the event? (Check all that apply)

<input checked="" type="checkbox"/> National Weather Service website: <a href="https://www.weather.gov/lwx/">https://www.weather.gov/lwx/</a>	Other weather website – Specify:
Phone App- Specify:	Other – Specify:

If adhering to standards other than the Special Events Severe Weather Trigger Chart, what weather conditions would lead to the delaying or canceling of the event? (Check all that apply)

Sustained winds of ____ MPH	Winds Gusts of ____ MPH
Tornado Watch	Tornado Warning
Forecasted Heavy Rain	Active Heavy Rain
Forecasted hail	Active hail
Forecasted heavy snow	Active heavy snow
Forecasted thunder and lightning	Active lightning within ____ miles
Temperature under ____ degrees	Temperature over ____ degrees
Icy roadways	Other - Specify

If severe weather occurs during the event, where can people seek shelter?

<input checked="" type="checkbox"/> Buildings/business within special event space – Specify	
<input checked="" type="checkbox"/> Buildings/business near special event space - Specify	
<input checked="" type="checkbox"/> Other structures within or near special event space - Specify	
<input checked="" type="checkbox"/> Personal vehicles	Event vehicles
Other - Specify	
<input checked="" type="checkbox"/> Building and/or business owners listed are aware of your intention to utilize locations as an emergency shelter. <b><u>**Required</u></b>	
Name	Phone:

In case of high winds, how will special event elements be secured to prevent them from becoming airborne or hazardous? (Check all that apply)

<input checked="" type="checkbox"/> Tents 10x10 weighted down 40 pounds/leg Larger tents 80 pounds/leg	Tents secured to stationary objects
<input checked="" type="checkbox"/> Chairs and tables broken down	<input checked="" type="checkbox"/> Small items placed in bin or other storage
Inflatables deflated	Open flames extinguished
<input checked="" type="checkbox"/> Heating and electrical elements unplugged/turned off	<input checked="" type="checkbox"/> Other - Specify

What pre-event messaging will occur in case of forecasted/observed extreme temperatures? (Check all that apply)

Website updates	Email
Text message/alerts	Press outreach
<input checked="" type="checkbox"/> Social media - Specify	Other - Specify

During extreme heat, which of the following will be implemented? (check all that apply)

<input checked="" type="checkbox"/> Water refill stations	<input checked="" type="checkbox"/> Free bottled water
Cooling tent/location	Staged vehicles for cooling
Signage with symptoms of heat exhaustion/stroke and first aid actions	<input checked="" type="checkbox"/> Extra medical personnel on site
Adjusting event timeline	Other - Specify

During extreme cold, which of the following will be implemented? (check all that apply)

Hand warmers available	Free hot beverages
Warming tent/location	Staged vehicles for warming
Signage warning of low temperatures	Extra medical personnel on site
Adjusting event timeline	<input checked="" type="checkbox"/> Other - Specify

## Medical

If an attendee at your event has a medical emergency, what measures will be taken to ensure care is promptly received? (Check all that apply)

Entertainment will temporarily stop	<input checked="" type="checkbox"/> Staff/volunteers will clear immediate area
<input checked="" type="checkbox"/> Staff/volunteers will call 911	<input checked="" type="checkbox"/> On site medical personnel will be alerted via:
<input checked="" type="checkbox"/> Other - Specify	

## Safety & Security

If alcohol is served what steps will be taken to prevent underage drinking and/or overconsumption? (Check all that apply) Beer garden at the pavilion is tbd

<input checked="" type="checkbox"/> 21+ wristbands	Limited drink tickets
Limit drinks per I.D. at point of sale	Other - Specify

If a child or other vulnerable person is found separated from their parent/guardian event staff will escort them to the following location and will remain until the missing party is either located or emergency services arrives:

1. If a child or other vulnerable person is reported lost, contact the Harrisonburg Police Department (911) immediately.
2. If a parent or guardian of a lost child/vulnerable person cannot be located in a reasonable amount of time contact the Harrisonburg Police Department (911)



## Legislation Text

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**File #:** ID 26-199, **Version:** 1

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**Subject:**

Consider the special event application request for Harrisonburg Downtown Renaissance's Levitt AMP Harrisonburg Music Series on Wednesday evenings from July 2- September 2, 2026 (July 2 - Thursday date).

Presented By: Matt Little, Recreation and Events Manager, Parks & Recreation

**Background:** This is a 7 date (July 2, 15, 29; August 5, 12, 19; September 2), free, outdoor music concert series in the grassy lot next to Turner Pavilion. HDR was awarded another grant through the Levitt Foundation to host these summer concert series. The concert series will bring the community together through live music. A beer garden will be available during the concert series.

This application was reviewed and approved by the Special Events Committee on April 2, 2026.

The total cost of this event is estimated to be around \$2,000 per event day. The event organizer is responsible for payment of applicable charges.

**Key Issues:**

- PW Support (No parking signage, barricades, sweeper truck)
- HPD Support (off-duty officers)
- Commissioner of Revenue (business licenses, food vendors)
- COI & Endorsement, ABC permit to be submitted prior to event



CITY OF HARRISONBURG  
**PARKS &  
RECREATION**

901 CHICAGO AVENUE, HARRISONBURG, VA 22802

OFFICE (540) 438-1644 • FAX (540) 433-9169

TO: Ande Banks, City Manager  
FROM: Matt Little, Recreation and Events Manager, Parks & Recreation  
DATE: 5/26/26  
RE: Levitt AMP Harrisonburg Music Series

**Summary:** Consider the special event application request for Harrisonburg Downtown Renaissance's Levitt AMP Harrisonburg Music Series on Wednesday evenings from July 2-September 2, 2026 (July 2 – Thursday date).

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- HPD Support (off-duty officers)
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- COI & Endorsement, ABC permit to be submitted prior to event



# City of Harrisonburg Special Event Application

Use this application to submit special events planned in the City of Harrisonburg on public property. Special events can include concerts, festivals, benefits, run/walks, and more in the downtown area, public parks, and city neighborhoods.

A "Special Event" is a short-term organized activity, celebration, or other gathering on public property that, whether for profit or not for profit, due to the anticipated number of attendees or the nature of the event characterized by any of the following:

- Requires City services to ensure compliance with Federal, state, or local laws;
- Involves use of City owned or managed property such as public streets, sidewalks, parking lots, alleys, parks or any other City owned/managed open space (excluding standard parks shelter rentals)
- Involves closure or partial closure of any public right-of way, or requires traffic control procedures necessitating the involvement of the City's Police Department & Public Works Department
- Involves the erection of stages, utility poles, booths, tents, stands, or other temporary structures in a public place;
- Impair emergency vehicles access or requires the attendance of EMS/Fire personnel.

City supports may include waste management, traffic management, safety, and road closures. For the City to approve a road or parking lot closure, the following must be considered: resident/business impact, detour routes, signage and notification, use of barricades and directional signage, and traffic control and safety. **Please note: there may be a cost to your organization for these services.**

**APPLICATION DEADLINE:** Applications for events occurring between January 1 and June 30 will be accepted no later than 90 days prior to the event. Applications for events occurring between July 1 and December 31 will be accepted no later than **March 31, 2026**. Event organizers, especially those planning events for the first time, may be required to meet with City staff to discuss logistics and to determine the necessary City supports and resources to help make the event safe and successful. *The City of Harrisonburg reserves the right to decline approval of any event deemed not in the City's best interest. This includes, but is not limited to, events that have received unfavorable reviews from other cities or events that, in the City's discretion, do not align with the City's values or objectives.*

Submit completed applications, fees, and supporting documents to Harrisonburg Parks & Recreation (HPR): HPR Events Manager, 305 South Dogwood Drive, Harrisonburg, VA 22801 or [matthew.little@harrisonburgva.gov](mailto:matthew.little@harrisonburgva.gov).

Electronic applications are preferred. Incomplete applications will not be processed. Call HPR's events manager at 540-433-2474 or email [matthew.little@harrisonburgva.gov](mailto:matthew.little@harrisonburgva.gov) with questions about this application or the events approval process.

## Section 1: Applicant Contact Information and Event Location

Organization/Applicant Name: \_\_\_\_\_

Event Name: \_\_\_\_\_

Date of Event: \_\_\_\_\_

Daytime Phone: 540-432-8921 Cell Phone: 540-424-8011  
(\*Required for day-of event)

E-mail Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

### Preferred event location(s) (Check all that apply):

- Downtown - festivals, concerts, and other events that are not run/walk events**
- Downtown - run/walk events** – Complete & attach map. Must complete section 5

**Neighborhood run/walk events** – Attach a map/diagram of your course

**Turner Pavilion & Park Rental** – Submit approved Facility Use Permit from Harrisonburg Parks and Recreation with application. Download the Facility Use Permit and find more information at <https://www.harrisonburgva.gov/shelters>. Fees apply.

**City Park Reservation**

If the event involves the use of a city park, the applicant must submit approved Facility Use Permit from Harrisonburg Parks and Recreation with application. Download the Facility Use Permit and find more information at <https://www.harrisonburgva.gov/shelters>. Fees apply.

**Court Square** – If the event involves the use of the Courthouse grounds, the applicant must obtain approval from Rockingham County before submitting a special event application. For availability, call 540.574.3517 or email [lshepard@rockinghamcountyva.gov](mailto:lshepard@rockinghamcountyva.gov)

## Section 2: Event Information and Required Permits

**Please describe the purpose of the event:**

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**Is this an annual event?**  Yes  No If so, how many years has it been held? \_\_\_\_\_

12-2 PM (stage arrival & setup)

2-3:30 PM (audio load-in & setup)

Opener at 6 PM

**Event Hours:**

2:30 PM ("No Parking" starts)

Set-up Start Time: \_\_\_\_\_ Event Start & End Times: \_\_\_\_\_ Clean-up End Time: \_\_\_\_\_

**How many participants and spectators do you anticipate?** \_\_\_\_\_

**Community Notification:** List the name of businesses, churches and residences that you have notified about this event\*:

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*\*For events taking place downtown (including the Turner Pavilion), event organizers must notify the businesses, churches, organizations, or residences that are located near or adjacent to the event site. Businesses near a parking lot or parking structure that you wish to use for your event or that will be inaccessible because of a street closure must be notified as well.*

**Will food be sold or served?**  Yes  No **Will merchandise be sold?**  Yes  No

*\*All vendors must have a current business license for the City of Harrisonburg, unless the event organizer procures a show license; see below in Required Permits.*

*\*\*All food vendors, except those selling unprocessed food products, must file and pay the City of Harrisonburg food & beverage tax. Contact the Commissioner of Revenue 540-432-7704 for details. The collection and remittance of applicable taxes is the responsibility of the individual vendor. However, event organizers are responsible for providing the Commissioner of Revenue with a list of participating food vendors and contact information for each. Food vendor lists should be submitted to Karen Rose ([karen.rose@harrisonburgva.gov](mailto:karen.rose@harrisonburgva.gov)) at least two weeks prior to the event date.*

*\*\*\*All food vendors must possess a valid food service permit. Contact the VA Department of Health for details: 540-574-5200*

**Will alcohol be served\*?**  Yes  No **Unknown**

- If yes, attach copy of ABC License
- If yes, describe the perimeter fencing that you plan to use\*:

*\*Organizers must erect complete, stable fencing surrounding all areas where alcohol is to be served or consumed. Small events can use snow/plastic fencing. For large events, metal fencing may be required. For more information, contact VA ABC, Staunton Regional Office, 540.332.7800*

*\*\*Public events serving alcohol require an ABC license and require the organizer to hire off-duty uniformed Harrisonburg Police officers. Officers hired to work the event will be paid individually by the event organizer. See section 3 for more information.*

**Do you plan on providing portable restrooms?**  Yes  No If yes, answer questions below:

- How many portable restrooms do you plan on having? \_\_\_\_\_
- Where do you plan on placing them? \_\_\_\_\_
- When are they scheduled to be dropped off? \_\_\_\_\_ Picked up? \_\_\_\_\_

*\*Portable restroom facilities are required at a ratio of at least one per 150 event participants, unless additional bathroom facilities are available to event attendees, or unless the duration of the event program does not exceed two hours. 10% of these should be ADA accessible. Events serving alcohol should provide portable restrooms at a ratio of one per 50 participants.*

**Do you need access to water?**  Yes  No

If yes, planned activities, vendors, entertainment that require water:

**Do you need access to electricity?**  Yes  No

List planned activities, vendors, entertainment that require electricity:

**Will your event involve the use of an offsite parking and/or shuttle plan?**  Yes  No

If yes, please list shuttle sites to be used and detail plans for transportation:

**Are any public parking lots needed for exclusive use by this event?\***  Yes  No

If yes, please list them:

*\*Public parking lots can only be requested if needed for event programming; they cannot be requested for exclusive event parking for public or private events.*

**Will your event require the closure of a portion of any city streets?\***  Yes  No

If yes, describe: \_\_\_\_\_

*\*If your event requires street closures, you will need to issue a press release at least two weeks prior to your event specifying the impact of street closures and parking changes. Contact HPR ([matthew.little@harrisonburgva.gov](mailto:matthew.little@harrisonburgva.gov)) for a sample press release and press list.*

**Please describe your plan for removal of waste and garbage during and after your event\*:**

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*\*It is the responsibility of the event organizer to provide trash cans and bags; and to remove all waste, debris, and materials from the site, if prior arrangement has not been made with Harrisonburg City Public Works.*

*\*\*For events with alcohol, food, or other products which may cause debris, residue, or stains to remain on the property, the City may require the use of flusher trucks, sweeper trucks or blowers to clean the area. Event organizers may be charged for this service.*

*\*\*\*There may be a penalty incurred if there is any damage to public property or structures, or if any trash or debris remains on-site.*

*\*\*\*\* Harrisonburg City Public Works will provide a trash dumpster at Harrisonburg Electric Commission parking lot (89 W Bruce Street). It is the responsibility of the event organizer to transport trash bags from cans (including city receptacles) into the dumpster as appropriate and agreed upon with Special Events Team/Public Works.*

**Required Permits (Check all that apply):**

[Using same SL100 stage as past years](#)

**Permit for Tents/Structures** – Any tent greater than 900 square feet or accommodating more than 50 people requires a building permit and inspection. Building permit applications are available at [www.harrisonburgva.gov/permits](http://www.harrisonburgva.gov/permits). The permit application should be filed with the Community Development office at least 10 days in advance of the event. Questions about the permit process can be directed to Community Development at 540-432-7700.

**Permit for Platforms/Stages** – Any stage or platform, and the associated stair, erected more than 7 inches above the ground surface requires a building permit and inspection. Any field constructed stage or platform must be engineered by a VA Registered Design Professional. Building permit applications are available at [www.harrisonburgva.gov/permits](http://www.harrisonburgva.gov/permits). The permit application should be filed with the Community Development office at least 10 days in advance of the event. Questions about the permit process can be directed to Community Development at 540-432-7700.

**Inflatable/Regulated Amusement Device Permit** – Inflatable amusement devices and other regulated amusements require a permit to be allowed at events open to the public, and the device vendor must provide a certificate of insurance listing the City of Harrisonburg as additional insured. The permit application should be filed with the Community Development office at least 10 days in advance of the event. For more information, contact Mike Williams at 540-432-7700.

**Fireworks Permit** – Any fireworks display requires a permit through the Fire Department. To apply for a fireworks permit, contact the Fire Marshall's office at 540-432-7703. [City Code Section 16-6-57](#)

**Show License or Business Licenses** – A business license is required for all vendors selling any crafts, merchandise, or food in the City of Harrisonburg. However, event organizers can purchase a show license to cover any craft and food vendors during an event. For information, contact the Commissioner of Revenue Office at 540-432-7704.

\*All food vendors must pay the 7% food and beverage tax to the City of Harrisonburg Commissioner of Revenue.

\*\*Some event organizers may also be responsible for paying an admissions tax, depending on the nature of the event.

**\*Unknown**

**ABC Banquet License** – Sale and/or service of alcoholic beverages requires a banquet license. To apply for the proper ABC license, visit <https://www.abc.virginia.gov/licenses/get-a-license/banquet-licenses>. ABC Licenses must be submitted to [matthew.little@harrisonburgva.gov](mailto:matthew.little@harrisonburgva.gov) *no later than 30 days prior to your event date*. Your license must be posted in a visible location for the duration of your event.

If you answer yes to any of the following questions, you'll need to contact the Fire Marshals Office at 540-432-7703.

- Will there be food trucks at the event?
- Will temporary fencing be used?
- Will fire be used in any way for the event?
- Will there be tents that cover a total area of at least 900sqft (9 – 10'x10' pop-ups = 900 sqft)?

## Section 3: Public Safety

Do you wish to request Emergency Medical Services support from the Harrisonburg Fire Department?  Yes  No

- *The Harrisonburg Fire Department will work with event organizers to meet their emergency medical safety needs. **Please note that the event organizers will be charged a rate as high as \$66/hr per EMS provider. A minimum of 2 providers will be required for all requests, and a minimum of 2 hours will be charged.***

Do you acknowledge that the Harrisonburg Police Department will review this application and may determine that police support is necessary for your event?  Yes  No

Do you wish to request police support for traffic management\*?  Yes  No

Will you provide additional traffic marshals?  Yes  No If yes, how many: \_\_\_\_\_

- *Persons under the age of 18 are not allowed to assist with traffic.*
- *All marshals must be properly equipped with identification, a reflective vest, and communication equipment.*

Would you like to request the use of reflective vests? (A limited number are available)  Yes  No  
If yes, how many: \_\_\_\_\_

Would you like to request training on traffic/pedestrian management from HPD?  Yes  No

Would you like to request a safety demonstration from the Harrisonburg Police Department?  Yes  No

Would you like to request a safety demonstration from the Harrisonburg Fire Department?  Yes  No

Are you hiring a security firm\*\*?  Yes  No

If yes, provide the following information:

- Have you hired a licensed, professional security company to help manage your event?  Yes  No
- Security Company Name: \_\_\_\_\_
- Number of Security Personnel Hired: \_\_\_\_\_
- Security Company Contact Name: \_\_\_\_\_  
Cell Phone: \_\_\_\_\_
- Describe plan for crowd management and safety:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The Harrisonburg VA Police Department has partnered with Off Duty Management to manage our off-duty employment program. **3 Hours Minimum per Request. Once your application has been submitted, and reviewed by the Special Event Team, a Police Department representative will reach out to you and provide an estimate of the number of officers needed for your event.**

**RATES:**

Title	Total Hourly Rate
Regular	\$67.20
Traffic	\$67.20
Supervisor*	\$72.80 5-10 Officers - 1 Supervisor required 11-15 Officers - 2 Supervisors required

	16 or more Officers - 3 supervisors required
Holiday**	\$72.80
Outside Agency	\$67.20
Emergency***	\$78.40

**SUPERVISOR RATE\*:** A supervisor is required when 5 or more officers are requested and/or when HPD Command Staff determines a supervisor is needed.

**HOLIDAY RATE\*\*:** The holiday rate will apply to the following days: New Year's Day, MLK Day, Easter, Memorial Day, Juneteenth, Independence Day, Labor Day, Veterans Day, Thanksgiving Day, Day after Thanksgiving, Christmas Eve, Christmas Day.

**EMERGENCY RATE\*\*\*:** If request is received less than 72 hours prior to assignment the emergency pay rate goes into effect.

**Off-Duty Employment Requests:** You can request services for the date of by using the website portal:

<https://odm.officertrak.com/Harrisonburg-VA-PD>

#### Section 4: Required Documents

The following documents **MUST** be included with this application:

- Map with requested street closures and/or parking lots highlighted
- Diagram of event, including location of activities, food and/or vendors, generators, entrances/exits, ABC zones, etc. *A sample vendor communication plan will be shared for those events having vendors. This will include a sample parking pass and instructions regarding arrival time/location and departure time/location based on road closure setups.*

The following documents must be provided no later than 30 days prior to your event:

- A **Certificate of Insurance (COI)** providing evidence of liability insurance of a minimum of \$1,000,000 and property damage of \$100,000. The addendum must include this exact wording: **"The City of Harrisonburg, 409 South Main St, Harrisonburg, VA 22801, is hereby named as additional insured."**

attached       will be submitted before the event

- An **Endorsement** from the insurance company listing the City as an **Additional Insured is also required**. The insurance company must have a minimum financial rating from the A.M. Best Company of an "A" or better\*

attached       will be submitted before the event

\* A copy of the COI and Endorsement(s) must be submitted to the City Department of Finance at [larry.propst@harrisonburgva.gov](mailto:larry.propst@harrisonburgva.gov) no later than 30 days prior to your event. For information, contact Larry Propst, Director of Finance, 540-432-7750 or [larry.propst@harrisonburgva.gov](mailto:larry.propst@harrisonburgva.gov).

- If alcohol will be served, the City also requires a **Liquor Liability endorsement** be added to the insured's policy \*Unknown

attached       will be submitted before the event       not needed

- **ABC License** - If alcohol will be served, event organizers must obtain a VA ABC license\*

attached       will be submitted before the event       not needed \*Unknown

\*Contact VA ABC for information 804.213.4400

- **Workers Compensation Insurance** - If your organization has employees, you must provide evidence of Workers Compensation insurance with statutory limits that meet state requirements

attached       will be submitted before the event       not needed

### Section 5: Run/ Walk Courses

Street closures for runs/walks on public roads are required to use certain courses within the City limits that have been designed to ensure the safety of the participants and the efficiency of the event for city crews. Small run/walks designed to release clusters of small groups of 25 or fewer people in waves can take place on city sidewalks and typically do not require street closures or police support. These run/walks may be approved at the discretion of City staff. Larger run/walks that intend to take place on city streets, or may flow into city streets, will require street closures and police support.

Applicants who wish to create a course on a college campus that flow into City streets or a local low-traffic neighborhood are allowed to submit a course for review.

The City has preapproved a grandfather clause for specific special event requests that use a different designated course in the city. Those events are: The Rocktown Turkey Trot & the Martin Luther King, Jr. Remembrance Walk. The Martin Luther King, Jr. Remembrance Walk has been approved by City Council to occur on the third Monday of January each year.

### Section 6: Emergency Management / Weather Planning

As part of the special event approval process, applicants are required to complete and submit the attached Emergency Action Plan (EAP). The EAP ensures that proper procedures and resources are in place to protect public safety during your event. Please provide detailed responses in the EAP and include any additional documentation as necessary. Submission of a completed EAP (see appendix) is a mandatory component for consideration of your application.

Do you agree to implement the Special Events Tornado & Severe Thunderstorm Trigger Chart?

- Yes, I agree. The individual who will have the responsibility of implementing this plan will be:

Name: \_\_\_\_\_ Cell Number: \_\_\_\_\_

- No, I do not agree. I have submitted a severe weather plan that exceeds the minimum standards set forth in the Special Events Tornado & Severe Thunderstorm Trigger Chart, through the Emergency Action Plan. The individual who will have the responsibility of implementing this plan will be:

Name: \_\_\_\_\_ Cell Number: \_\_\_\_\_

For any assistance needed with the evacuation plan or inclement weather plan, please contact the Office of Emergency Management at (540) 432-7703.

### Special Events Severe Weather Trigger Chart

WEATHER THREAT	ADVICE CONDITION	LOCATION <small>From Venue</small>	ACTION	RESPONSIBILITY
WEATHER ANTICIPATED 48 HOURS	ADVISORY	N/A	COMMUNICATION WITH HPR EVENTS MANAGER AND EVENT ORGANIZER. MONITOR FORECAST. REVIEW INCLEMENT WEATHER AND EVACUATION PLANS WITH YOUR TEAM.	EVENT ORGANIZER
WEATHER ANTICIPATED 24 HOURS	ADVISORY	ANTICIPATED WITHIN 200 MILES	COMMUNICATION WITH HPR EVENTS MANAGER AND EVENT ORGANIZER. MONITOR FORECAST. COORDINATE WITH TEAM, EVENT EQUIPMENT / TENT / STAGE SUPPLIERS, ETC.	EVENT ORGANIZER
LIGHTNING OR THUNDERSTORM	ADVISORY	50 MILES ESTIMATED	COMMUNICATION WITH HPR EVENTS MANAGER AND EVENT ORGANIZER. POSSIBLE ON-SITE MEETING. ENSURE TEAM IS ON STANDBY TO IMPLEMENT INCLEMENT WEATHER / EVACUATION PLANS. PREPARE ANNOUNCEMENTS. MONITOR RADAR.	EVENT ORGANIZER
LIGHTNING OR SURFACE WINDS 30-40 MPH OR THUNDERSTORM WATCH OR TORNADO WATCH	CONDITIONS ARE PRESENT OR WATCH IS ISSUED	25 MILES ESTIMATED	COMMUNICATION WITH HPR EVENTS MANAGER AND EVENT ORGANIZER. SECURE EVENT VENUE - EQUIPMENT / TENTS / STAGES. NOTIFY EVENT ATTENDEES OF POSSIBLE THREAT. START ANNOUNCEMENTS. MONITOR RADAR.	EVENT ORGANIZER EVENT TEAM
LIGHTNING OR SURFACE WINDS 30-40 MPH OR THUNDERSTORM WATCH OR TORNADO WATCH	CONDITIONS ARE PRESENT OR WATCH IS ISSUED	15 MILES ESTIMATED	CONTINUE TO SECURE EVENT VENUE. TEAM IN POSITION TO IMPLEMENT INCLEMENT WEATHER / EVACUATION PLANS. 2ND NOTIFICATION TO EVENT ATTENDEES OF POSSIBLE THREAT. CONTINUE ANNOUNCEMENTS. MONITOR RADAR.	EVENT ORGANIZER EVENT TEAM
LIGHTNING OR SURFACE WINDS 30-40 MPH OR THUNDERSTORM WARNING OR TORNADO WARNING	CONDITIONS ARE PRESENT OR WARNING IS ISSUED	10 MILES ESTIMATED	COMMUNICATION WITH HPR EVENTS MANAGER AND EVENT ORGANIZER. IMPLEMENT INCLEMENT WEATHER / EVACUATION PLANS. BEGIN EVACUATION OF EVENT SITE. NOTIFY EVENT ATTENDEES OF EVACUATION. CONTINUE ANNOUNCEMENTS. MONITOR CROWD MOVEMENT. CONTINUE TO SECURE EVENT VENUE. MONITOR RADAR.	EVENT ORGANIZER EVENT TEAM
LIGHTNING OR SURFACE WINDS 30-40 MPH OR THUNDERSTORM WARNING OR TORNADO WARNING	CONDITIONS ARE PRESENT OR WARNING IS ISSUED	8 MILES	FINISH EVACUATION AND ALL PERSONS TAKE COVER. MONITOR EVENT VENUE.	EVENT ORGANIZER EVENT TEAM
ALL CLEAR (30 MINUTES AFTER LAST LIGHTNING)	Storm Passed All clear	10 MILES	INSPECT EVENT VENUE FOR DAMAGE. IF NO DAMAGE OR SAFETY ISSUES ARE IDENTIFIED, ALLOW RE-ENTRY AND CONTINUE EVENT. COMMUNICATION WITH HPR EVENTS MANAGER AND EVENT ORGANIZER.	EVENT ORGANIZER EVENT TEAM

**Note:** The speed and direction of advancing storms and the size and nature of the event may alter the time needed to safely evacuate the site. Temporary structures shall not be used as sheltering locations for event participants. Failure to comply with the terms of the weather plan or any term or condition of the permit may result in the immediate revocation of the permit. Public safety agencies may order mandatory actions in the interest of public safety at any public place regardless of whether the permit has been revoked.

## Special Event Rules & Regulations

**FAILURE TO OBTAIN PROPER APPROVALS OR VIOLATIONS OF ANY RULES & REGULATIONS CAN RESULT IN THE CANCELLATION OF YOUR EVENT OR DENIAL OF FUTURE EVENT APPLICATIONS.**

### **Cancellation Notice**

- The event organizer will notify the Special Events Team if they need to cancel their event. No cancellation fee will be assessed if done 72 hours prior to event day. If the event is cancelled within 72 hours of event day, fees may be assessed to the event organizer.
- If the event needs to be cancelled due to reasons outside their control, no charges will be assessed.
- I understand that the City of Harrisonburg has the authority to cancel the event if the City deems the event unsafe due to severe weather and/or not able to provide staffing based on weather related response.

The event organizer will also have to notify off-duty management of the cancellation 72 hours prior to the event, or they will be charged for the officer's time.

### **Revocation of Special Event Application Approval**

City Council's approval of a Special Event Application may be revoked upon consultation with the appropriate public safety forces when the health or safety of the public is threatened by an emergency, disorder or other unforeseen conditions that may have arisen.

## **CERTIFICATION AND ACKNOWLEDGMENT OF APPLICANT**

The undersigned certifies that he or she is familiar with the guidelines, rules and regulations for planning an event in the City of Harrisonburg and the same will be enforced and honored by the sponsoring organization. The undersigned further certifies that the information furnished in this application is true and correct to the best of the undersigned knowledge and information. Furthermore, the undersigned acknowledges that all necessary documents and permits are being submitted before the event.

The undersigned acknowledges that use of city resources to host an event in the City of Harrisonburg is contingent upon approval of this application by the city staff and Harrisonburg City Council.

**If the event is approved by City Council, the event organizer will receive an event permit detailing city services provided, potential costs, and event expectations.**

Signature of Applicant: Jennifer Bayes

Date: \_\_\_\_\_

Comments:

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# Emergency Action Plan

The City of Harrisonburg mandates that all special events applicants complete and submit an Emergency Action Plan (EAP). This template is designed to assist event organizers in planning safe and exciting events. The Emergency Action Plan (EAP) outlines predetermined measures to be executed prior to and during the event in case of an emergency or other hazardous circumstances. These measures will involve coordination among organizers, management, staff, and attendees. It is essential to exercise flexibility when executing this plan, considering the wide range of potential hazards associated with the event. If your event does not have a comprehensive emergency action plan, please answer the questions below. All event staff, volunteers, and vendors must have a thorough understanding of their roles and responsibilities during an emergency.

Name of person filling out form:	Event Role:
Event Name:	
Event date(s) and time(s):	
Event Location:	Expected Peak Attendance:

## Event Communications

List key onsite decision makers, along with their role and cell phone numbers. The individuals listed below are responsible for making decisions during an emergency and implementing the procedures detailed in this plan.

	Name	Phone:
Primary		
Secondary		
Tertiary		

How will the Emergency Action Plan (EAP) be shared with staff, volunteers, and vendors?

Share in person prior to event	Email to staff, volunteers, and vendors prior to event
Present to vendors/volunteers at check-in	Other – Specify:

In an emergency and/or for decision making purposes where will event staff and emergency personnel meet?

--

How will you communicate with participants and/or attendees before the event? (Check all that apply)

Email	Text message
Website updates	Press Release
Variable message signs	Social Media – Specify:
Other - Specify	

How will you communicate with staff, volunteers, and vendors during the event? (Check all that apply)

Phone Call	Walkie Talkie
Announcements through event sound system	Messaging on screens
In-person messengers	Text message/Messaging app – Specify:
Other - Specify	

How will you communicate with participants and/or attendees during the event? (Check all that apply)

Text messages or Alerts	Website updates
Announcements through event sound system	Messaging on screens
In-person messengers	Social media live updates – Specify:
Other - Specify	

# Event Weather

Who will monitor the weather before and during the event?

Name:	Title/Role:

How will weather be monitored before and during the event? (Check all that apply)

National Weather Service website: <a href="https://www.weather.gov/lwx/">https://www.weather.gov/lwx/</a>	Other weather website – Specify:
Phone App- Specify:	Other – Specify:

If adhering to standards other than the Special Events Severe Weather Trigger Chart, what weather conditions would lead to the delaying or canceling of the event? (Check all that apply)

Sustained winds of ____ MPH	Winds Gusts of ____ MPH
Tornado Watch	Tornado Warning
Forecasted Heavy Rain	Active Heavy Rain
Forecasted hail	Active hail
Forecasted heavy snow	Active heavy snow
Forecasted thunder and lightning	Active lightning within ____ miles
Temperature under ____ degrees	Temperature over ____ degrees
Icy roadways	Other - Specify

If severe weather occurs during the event, where can people seek shelter?

Buildings/business within special event space – Specify	
Buildings/business near special event space - Specify	
Other structures within or near special event space - Specify	
Personal vehicles	Event vehicles
Other - Specify	
Building and/or business owners listed are aware of your intention to utilize locations as an emergency shelter. <b><u>**Required</u></b>	
Name	Phone:

In case of high winds, how will special event elements be secured to prevent them from becoming airborne or hazardous? (Check all that apply)

Tents 10x10 weighted down 40 pounds/leg Larger tents 80 pounds/leg	Tents secured to stationary objects
Chairs and tables broken down	Small items placed in bin or other storage
Inflatables deflated	Open flames extinguished
Heating and electrical elements unplugged/turned off	Other - Specify

What pre-event messaging will occur in case of forecasted/observed extreme temperatures? (Check all that apply)

Website updates	Email
Text message/alerts	Press outreach
Social media - Specify	Other - Specify

During extreme heat, which of the following will be implemented? (check all that apply)

Water refill stations	Free bottled water
Cooling tent/location	Staged vehicles for cooling
Signage with symptoms of heat exhaustion/stroke and first aid actions	Extra medical personnel on site
Adjusting event timeline	Other - Specify

During extreme cold, which of the following will be implemented? (check all that apply)

Hand warmers available	Free hot beverages
Warming tent/location	Staged vehicles for warming
Signage warning of low temperatures	Extra medical personnel on site
Adjusting event timeline	Other - Specify

## Medical

If an attendee at your event has a medical emergency, what measures will be taken to ensure care is promptly received? (Check all that apply)

Entertainment will temporarily stop	Staff/volunteers will clear immediate area
Staff/volunteers will call 911	On site medical personnel will be alerted via:
Other - Specify	

## Safety & Security \*do not know if alcohol will be present

If alcohol is served what steps will be taken to prevent underage drinking and/or overconsumption? (Check all that apply)

21+ wristbands	Limited drink tickets
Limit drinks per I.D. at point of sale	Other - Specify

If a child or other vulnerable person is found separated from their parent/guardian event staff will escort them to the following location and will remain until the missing party is either located or emergency services arrives:

1. If a child or other vulnerable person is reported lost, contact the Harrisonburg Police Department (911) immediately.
2. If a parent or guardian of a lost child/vulnerable person cannot be located in a reasonable amount of time contact the Harrisonburg Police Department (911)



## Legislation Text

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**File #:** ID 26-200, **Version:** 1

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**Subject:**

Consider the special event application request for the Harrisonburg Youth TryAthlon on Saturday, August 8, 2026.

Presented By: Matt Little, Recreation and Events Manager, Parks & Recreation

**Background:** The Harrisonburg Youth TryAthlon is an annual event that takes place in and around Westover Park. This event serves as an introduction to triathlons for kids between the ages of 5-14. The event organizer has requested the street closures on South Dogwood Drive from West Market Street to Ohio Avenue and South Willow from West Market Street to Grace Avenue.

This application was reviewed and approved by the Special Events Committee on April 2, 2026.

The total cost of this event is estimated to be around \$3500. The event organizer is responsible for payment of applicable charges.

**Key Issues:**

- PW Support (street closures, no parking signage, digital message boards)
- HPD Support (off-duty officers)
- HFD Support (EMS bike team)
- P&R Support (event logistics)



CITY OF HARRISONBURG  
**PARKS &  
RECREATION**

901 CHICAGO AVENUE, HARRISONBURG, VA 22802

OFFICE (540) 438-1644 • FAX (540) 433-9169

TO: Ande Banks, City Manager  
FROM: Matt Little, Recreation and Events Manager, Parks & Recreation  
DATE: 5/26/26  
RE: Youth TryAthlon

**Summary:** Consider the special event application request for the Harrisonburg Youth TryAthlon on Saturday, August 8, 2026.

**Background:** The Harrisonburg Youth TryAthlon is an annual event that takes place in and around Westover Park. This event serves as an introduction to triathlons for kids between the ages of 5-14. The event organizer has requested the street closures on South Dogwood Drive from West Market Street to Ohio Avenue and South Willow from West Market Street to Grace Avenue.

This application was reviewed and approved by the Special Events Committee on April 2, 2026.

The total cost of this event is estimated to be around \$3500. The event organizer is responsible for payment of applicable charges.

**Key Issues:**

- PW Support (street closures, no parking signage, digital message boards)
- HPD Support (off-duty officers)
- HFD Support (EMS bike team)
- P&R Support (event logistics)



# City of Harrisonburg Special Event Application

Use this application to submit special events planned in the City of Harrisonburg on public property. Special events can include concerts, festivals, benefits, run/walks, and more in the downtown area, public parks, and city neighborhoods.

A "Special Event" is a short-term organized activity, celebration, or other gathering on public property that, whether for profit or not for profit, due to the anticipated number of attendees or the nature of the event characterized by any of the following:

- Requires City services to ensure compliance with Federal, state, or local laws;
- Involves use of City owned or managed property such as public streets, sidewalks, parking lots, alleys, parks or any other City owned/managed open space (excluding standard parks shelter rentals)
- Involves closure or partial closure of any public right-of way, or requires traffic control procedures necessitating the involvement of the City's Police Department & Public Works Department
- Involves the erection of stages, utility poles, booths, tents, stands, or other temporary structures in a public place;
- Impair emergency vehicles access or requires the attendance of EMS/Fire personnel.

City supports may include waste management, traffic management, safety, and road closures. For the City to approve a road or parking lot closure, the following must be considered: resident/business impact, detour routes, signage and notification, use of barricades and directional signage, and traffic control and safety. **Please note: there may be a cost to your organization for these services.**

**APPLICATION DEADLINE:** Applications for events occurring between January 1 and June 30 will be accepted no later than 90 days prior to the event. Applications for events occurring between July 1 and December 31 will be accepted no later than **March 31, 2026**. Event organizers, especially those planning events for the first time, may be required to meet with City staff to discuss logistics and to determine the necessary City supports and resources to help make the event safe and successful. *The City of Harrisonburg reserves the right to decline approval of any event deemed not in the City's best interest. This includes, but is not limited to, events that have received unfavorable reviews from other cities or events that, in the City's discretion, do not align with the City's values or objectives.*

Submit completed applications, fees, and supporting documents to Harrisonburg Parks & Recreation (HPR): HPR Events Manager, 305 South Dogwood Drive, Harrisonburg, VA 22801 or [matthew.little@harrisonburgva.gov](mailto:matthew.little@harrisonburgva.gov).

Electronic applications are preferred. Incomplete applications will not be processed. Call HPR's events manager at 540-433-2474 or email [matthew.little@harrisonburgva.gov](mailto:matthew.little@harrisonburgva.gov) with questions about this application or the events approval process.

## Section 1: Applicant Contact Information and Event Location

Organization/Applicant Name: \_\_\_\_\_

Event Name: \_\_\_\_\_

Date of Event: \_\_\_\_\_

Daytime Phone: 540-433-2474 Cell Phone: 540-246-8908  
(\*Required for day-of event)

E-mail Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

### Preferred event location(s) (Check all that apply):

- Downtown - festivals, concerts, and other events that are not run/walk events**
- Downtown - run/walk events** – Complete & attach map. Must complete section 5

**Neighborhood run/walk events** – Attach a map/diagram of your course

**Turner Pavilion & Park Rental** – Submit approved Facility Use Permit from Harrisonburg Parks and Recreation with application. Download the Facility Use Permit and find more information at <https://www.harrisonburgva.gov/shelters>. Fees apply.

**City Park Reservation**

If the event involves the use of a city park, the applicant must submit approved Facility Use Permit from Harrisonburg Parks and Recreation with application. Download the Facility Use Permit and find more information at <https://www.harrisonburgva.gov/shelters>. Fees apply.

**Court Square** – If the event involves the use of the Courthouse grounds, the applicant must obtain approval from Rockingham County before submitting a special event application. For availability, call 540.574.3517 or email [lshepard@rockinghamcountyva.gov](mailto:lshepard@rockinghamcountyva.gov)

## Section 2: Event Information and Required Permits

**Please describe the purpose of the event:**

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**Is this an annual event?**  Yes  No      If so, how many years has it been held? \_\_\_\_\_

**Event Hours:**

Set-up Start Time: \_\_\_\_\_ Event Start & End Times: \_\_\_\_\_ Clean-up End Time: \_\_\_\_\_

**How many participants and spectators do you anticipate?** \_\_\_\_\_

**Community Notification:** List the name of businesses, churches and residences that you have notified about this event\*:

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*\*For events taking place downtown (including the Turner Pavilion), event organizers must notify the businesses, churches, organizations, or residences that are located near or adjacent to the event site. Businesses near a parking lot or parking structure that you wish to use for your event or that will be inaccessible because of a street closure must be notified as well.*

**Will food be sold or served?**  Yes  No      **Will merchandise be sold?**  Yes  No

*\*All vendors must have a current business license for the City of Harrisonburg, unless the event organizer procures a show license; see below in Required Permits.*

*\*\*All food vendors, except those selling unprocessed food products, must file and pay the City of Harrisonburg food & beverage tax. Contact the Commissioner of Revenue 540-432-7704 for details. The collection and remittance of applicable taxes is the responsibility of the individual vendor. However, event organizers are responsible for providing the Commissioner of Revenue with a list of participating food vendors and contact information for each. Food vendor lists should be submitted to Karen Rose ([karen.rose@harrisonburgva.gov](mailto:karen.rose@harrisonburgva.gov)) at least two weeks prior to the event date.*

*\*\*\*All food vendors must possess a valid food service permit. Contact the VA Department of Health for details: 540-574-5200*

**Will alcohol be served\*?**  Yes  No

- If yes, attach copy of ABC License
- If yes, describe the perimeter fencing that you plan to use\*:

*\*Organizers must erect complete, stable fencing surrounding all areas where alcohol is to be served or consumed. Small events can use snow/plastic fencing. For large events, metal fencing may be required. For more information, contact VA ABC, Staunton Regional Office, 540.332.7800*

*\*\*Public events serving alcohol require an ABC license and require the organizer to hire off-duty uniformed Harrisonburg Police officers. Officers hired to work the event will be paid individually by the event organizer. See section 3 for more information.*

**Do you plan on providing portable restrooms?**  Yes  No If yes, answer questions below:

- How many portable restrooms do you plan on having? \_\_\_\_\_
- Where do you plan on placing them? \_\_\_\_\_
- When are they scheduled to be dropped off? \_\_\_\_\_ Picked up? \_\_\_\_\_

*\*Portable restroom facilities are required at a ratio of at least one per 150 event participants, unless additional bathroom facilities are available to event attendees, or unless the duration of the event program does not exceed two hours. 10% of these should be ADA accessible. Events serving alcohol should provide portable restrooms at a ratio of one per 50 participants.*

**Do you need access to water?**  Yes  No

If yes, planned activities, vendors, entertainment that require water:

**Do you need access to electricity?**  Yes  No

List planned activities, vendors, entertainment that require electricity:

**Will your event involve the use of an offsite parking and/or shuttle plan?**  Yes  No

If yes, please list shuttle sites to be used and detail plans for transportation:

**Are any public parking lots needed for exclusive use by this event?\***  Yes  No

If yes, please list them:

*\*Public parking lots can only be requested if needed for event programming; they cannot be requested for exclusive event parking for public or private events.*

**Will your event require the closure of a portion of any city streets?\***  Yes  No

If yes, describe: \_\_\_\_\_

*\*If your event requires street closures, you will need to issue a press release at least two weeks prior to your event specifying the impact of street closures and parking changes. Contact HPR ([matthew.little@harrisonburgva.gov](mailto:matthew.little@harrisonburgva.gov)) for a sample press release and press list.*

**Please describe your plan for removal of waste and garbage during and after your event\*:**

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*\*It is the responsibility of the event organizer to provide trash cans and bags; and to remove all waste, debris, and materials from the site, if prior arrangement has not been made with Harrisonburg City Public Works.*

*\*\*For events with alcohol, food, or other products which may cause debris, residue, or stains to remain on the property, the City may require the use of flusher trucks, sweeper trucks or blowers to clean the area. Event organizers may be charged for this service.*

*\*\*\*There may be a penalty incurred if there is any damage to public property or structures, or if any trash or debris remains on-site.*

*\*\*\*\* Harrisonburg City Public Works will provide a trash dumpster at Harrisonburg Electric Commission parking lot (89 W Bruce Street). It is the responsibility of the event organizer to transport trash bags from cans (including city receptacles) into the dumpster as appropriate and agreed upon with Special Events Team/Public Works.*

**Required Permits (Check all that apply):**

**Permit for Tents/Structures** – Any tent greater than 900 square feet or accommodating more than 50 people requires a building permit and inspection. Building permit applications are available at [www.harrisonburgva.gov/permits](http://www.harrisonburgva.gov/permits). The permit application should be filed with the Community Development office at least 10 days in advance of the event. Questions about the permit process can be directed to Community Development at 540-432-7700.

**Permit for Platforms/Stages** – Any stage or platform, and the associated stair, erected more than 7 inches above the ground surface requires a building permit and inspection. Any field constructed stage or platform must be engineered by a VA Registered Design Professional. Building permit applications are available at [www.harrisonburgva.gov/permits](http://www.harrisonburgva.gov/permits). The permit application should be filed with the Community Development office at least 10 days in advance of the event. Questions about the permit process can be directed to Community Development at 540-432-7700.

**Inflatable/Regulated Amusement Device Permit** – Inflatable amusement devices and other regulated amusements require a permit to be allowed at events open to the public, and the device vendor must provide a certificate of insurance listing the City of Harrisonburg as additional insured. The permit application should be filed with the Community Development office at least 10 days in advance of the event. For more information, contact Mike Williams at 540-432-7700.

**Fireworks Permit** – Any fireworks display requires a permit through the Fire Department. To apply for a fireworks permit, contact the Fire Marshall's office at 540-432-7703. [City Code Section 16-6-57](#)

**Show License or Business Licenses** – A business license is required for all vendors selling any crafts, merchandise, or food in the City of Harrisonburg. However, event organizers can purchase a show license to cover any craft and food vendors during an event. For information, contact the Commissioner of Revenue Office at 540-432-7704.

\*All food vendors must pay the 7% food and beverage tax to the City of Harrisonburg Commissioner of Revenue.

\*\*Some event organizers may also be responsible for paying an admissions tax, depending on the nature of the event.

**ABC Banquet License** – Sale and/or service of alcoholic beverages requires a banquet license. To apply for the proper ABC license, visit <https://www.abc.virginia.gov/licenses/get-a-license/banquet-licenses>. ABC Licenses must be submitted to [matthew.little@harrisonburgva.gov](mailto:matthew.little@harrisonburgva.gov) *no later than 30 days prior to your event date*. Your license must be posted in a visible location for the duration of your event.

**If you answer yes to any of the following questions, you'll need to contact the Fire Marshals Office at 540-432-7703.**

- Will there be food trucks at the event?
- Will temporary fencing be used?
- Will fire be used in any way for the event?
- Will there be tents that cover a total area of at least 900sqft (9 – 10'x10' pop-ups = 900 sqft)?

## Section 3: Public Safety

Do you wish to request Emergency Medical Services support from the Harrisonburg Fire Department?  Yes  No

- *The Harrisonburg Fire Department will work with event organizers to meet their emergency medical safety needs. **Please note that the event organizers will be charged a rate as high as \$66/hr per EMS provider. A minimum of 2 providers will be required for all requests, and a minimum of 2 hours will be charged.***

Do you acknowledge that the Harrisonburg Police Department will review this application and may determine that police support is necessary for your event?  Yes  No

Do you wish to request police support for traffic management\*?  Yes  No

Will you provide additional traffic marshals?  Yes  No If yes, how many: \_\_\_\_\_

- *Persons under the age of 18 are not allowed to assist with traffic.*
- *All marshals must be properly equipped with identification, a reflective vest, and communication equipment.*

Would you like to request the use of reflective vests? (A limited number are available)  Yes  No  
If yes, how many: \_\_\_\_\_

Would you like to request training on traffic/pedestrian management from HPD?  Yes  No

Would you like to request a safety demonstration from the Harrisonburg Police Department?  Yes  No

Would you like to request a safety demonstration from the Harrisonburg Fire Department?  Yes  No

Are you hiring a security firm\*\*?  Yes  No

If yes, provide the following information:

- Have you hired a licensed, professional security company to help manage your event?  Yes  No
- Security Company Name: \_\_\_\_\_
- Number of Security Personnel Hired: \_\_\_\_\_
- Security Company Contact Name: \_\_\_\_\_  
Cell Phone: \_\_\_\_\_
- Describe plan for crowd management and safety:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The Harrisonburg VA Police Department has partnered with Off Duty Management to manage our off-duty employment program. **3 Hours Minimum per Request. Once your application has been submitted, and reviewed by the Special Event Team, a Police Department representative will reach out to you and provide an estimate of the number of officers needed for your event.**

**RATES:**

Title	Total Hourly Rate
Regular	\$67.20
Traffic	\$67.20
Supervisor*	\$72.80 5-10 Officers - 1 Supervisor required 11-15 Officers - 2 Supervisors required

	16 or more Officers - 3 supervisors required
Holiday**	\$72.80
Outside Agency	\$67.20
Emergency***	\$78.40

**SUPERVISOR RATE\*:** A supervisor is required when 5 or more officers are requested and/or when HPD Command Staff determines a supervisor is needed.

**HOLIDAY RATE\*\*:** The holiday rate will apply to the following days: New Year's Day, MLK Day, Easter, Memorial Day, Juneteenth, Independence Day, Labor Day, Veterans Day, Thanksgiving Day, Day after Thanksgiving, Christmas Eve, Christmas Day.

**EMERGENCY RATE\*\*\*:** If request is received less than 72 hours prior to assignment the emergency pay rate goes into effect.

**Off-Duty Employment Requests:** You can request services for the date of by using the website portal:

<https://odm.officertrak.com/Harrisonburg-VA-PD>

#### Section 4: Required Documents

The following documents **MUST** be included with this application:

- Map with requested street closures and/or parking lots highlighted
- Diagram of event, including location of activities, food and/or vendors, generators, entrances/exits, ABC zones, etc. *A sample vendor communication plan will be shared for those events having vendors. This will include a sample parking pass and instructions regarding arrival time/location and departure time/location based on road closure setups.*

The following documents must be provided no later than 30 days prior to your event:

- A **Certificate of Insurance (COI)** providing evidence of liability insurance of a minimum of \$1,000,000 and property damage of \$100,000. The addendum must include this exact wording: **"The City of Harrisonburg, 409 South Main St, Harrisonburg, VA 22801, is hereby named as additional insured."**
  - attached       will be submitted before the event
- An **Endorsement** from the insurance company listing the City as an **Additional Insured is also required**. The insurance company must have a minimum financial rating from the A.M. Best Company of an "A" or better\*
  - attached       will be submitted before the event

\* A copy of the COI and Endorsement(s) must be submitted to the City Department of Finance at [larry.propst@harrisonburgva.gov](mailto:larry.propst@harrisonburgva.gov) no later than 30 days prior to your event. For information, contact Larry Propst, Director of Finance, 540-432-7750 or [larry.propst@harrisonburgva.gov](mailto:larry.propst@harrisonburgva.gov).

- If alcohol will be served, the City also requires a **Liquor Liability endorsement** be added to the insured's policy
  - attached       will be submitted before the event       not needed
- **ABC License** - If alcohol will be served, event organizers must obtain a VA ABC license\*
  - attached       will be submitted before the event       not needed

\*Contact VA ABC for information 804.213.4400

- **Workers Compensation Insurance** - If your organization has employees, you must provide evidence of Workers Compensation insurance with statutory limits that meet state requirements

attached       will be submitted before the event       not needed

## Section 5: Run/ Walk Courses

Street closures for runs/walks on public roads are required to use certain courses within the City limits that have been designed to ensure the safety of the participants and the efficiency of the event for city crews. Small run/walks designed to release clusters of small groups of 25 or fewer people in waves can take place on city sidewalks and typically do not require street closures or police support. These run/walks may be approved at the discretion of City staff. Larger run/walks that intend to take place on city streets, or may flow into city streets, will require street closures and police support.

Applicants who wish to create a course on a college campus that flow into City streets or a local low-traffic neighborhood are allowed to submit a course for review.

The City has preapproved a grandfather clause for specific special event requests that use a different designated course in the city. Those events are: The Rocktown Turkey Trot & the Martin Luther King, Jr. Remembrance Walk. The Martin Luther King, Jr. Remembrance Walk has been approved by City Council to occur on the third Monday of January each year.

## Section 6: Emergency Management / Weather Planning

As part of the special event approval process, applicants are required to complete and submit the attached Emergency Action Plan (EAP). The EAP ensures that proper procedures and resources are in place to protect public safety during your event. Please provide detailed responses in the EAP and include any additional documentation as necessary. Submission of a completed EAP (see appendix) is a mandatory component for consideration of your application.

Do you agree to implement the Special Events Tornado & Severe Thunderstorm Trigger Chart?

- Yes, I agree. The individual who will have the responsibility of implementing this plan will be:

Name: \_\_\_\_\_ Cell Number: \_\_\_\_\_

- No, I do not agree. I have submitted a severe weather plan that exceeds the minimum standards set forth in the Special Events Tornado & Severe Thunderstorm Trigger Chart, through the Emergency Action Plan. The individual who will have the responsibility of implementing this plan will be:

Name: \_\_\_\_\_ Cell Number: \_\_\_\_\_

For any assistance needed with the evacuation plan or inclement weather plan, please contact the Office of Emergency Management at (540) 432-7703.

### Special Events Severe Weather Trigger Chart

WEATHER THREAT	ADVICE CONDITION	LOCATION <small>From Venue</small>	ACTION	RESPONSIBILITY
WEATHER ANTICIPATED 48 HOURS	ADVISORY	N/A	COMMUNICATION WITH HPR EVENTS MANAGER AND EVENT ORGANIZER. MONITOR FORECAST. REVIEW INCLEMENT WEATHER AND EVACUATION PLANS WITH YOUR TEAM.	EVENT ORGANIZER
WEATHER ANTICIPATED 24 HOURS	ADVISORY	ANTICIPATED WITHIN 200 MILES	COMMUNICATION WITH HPR EVENTS MANAGER AND EVENT ORGANIZER. MONITOR FORECAST. COORDINATE WITH TEAM, EVENT EQUIPMENT / TENT / STAGE SUPPLIERS, ETC.	EVENT ORGANIZER
LIGHTNING OR THUNDERSTORM	ADVISORY	50 MILES ESTIMATED	COMMUNICATION WITH HPR EVENTS MANAGER AND EVENT ORGANIZER. POSSIBLE ON-SITE MEETING. ENSURE TEAM IS ON STANDBY TO IMPLEMENT INCLEMENT WEATHER / EVACUATION PLANS. PREPARE ANNOUNCEMENTS. MONITOR RADAR.	EVENT ORGANIZER
LIGHTNING OR SURFACE WINDS 30-40 MPH OR THUNDERSTORM WATCH OR TORNADO WATCH	CONDITIONS ARE PRESENT OR WATCH IS ISSUED	25 MILES ESTIMATED	COMMUNICATION WITH HPR EVENTS MANAGER AND EVENT ORGANIZER. SECURE EVENT VENUE - EQUIPMENT / TENTS / STAGES. NOTIFY EVENT ATTENDEES OF POSSIBLE THREAT. START ANNOUNCEMENTS. MONITOR RADAR.	EVENT ORGANIZER EVENT TEAM
LIGHTNING OR SURFACE WINDS 30-40 MPH OR THUNDERSTORM WATCH OR TORNADO WATCH	CONDITIONS ARE PRESENT OR WATCH IS ISSUED	15 MILES ESTIMATED	CONTINUE TO SECURE EVENT VENUE. TEAM IN POSITION TO IMPLEMENT INCLEMENT WEATHER / EVACUATION PLANS. 2ND NOTIFICATION TO EVENT ATTENDEES OF POSSIBLE THREAT. CONTINUE ANNOUNCEMENTS. MONITOR RADAR.	EVENT ORGANIZER EVENT TEAM
LIGHTNING OR SURFACE WINDS 30-40 MPH OR THUNDERSTORM WARNING OR TORNADO WARNING	CONDITIONS ARE PRESENT OR WARNING IS ISSUED	10 MILES ESTIMATED	COMMUNICATION WITH HPR EVENTS MANAGER AND EVENT ORGANIZER. IMPLEMENT INCLEMENT WEATHER / EVACUATION PLANS. BEGIN EVACUATION OF EVENT SITE. NOTIFY EVENT ATTENDEES OF EVACUATION. CONTINUE ANNOUNCEMENTS. MONITOR CROWD MOVEMENT. CONTINUE TO SECURE EVENT VENUE. MONITOR RADAR.	EVENT ORGANIZER EVENT TEAM
LIGHTNING OR SURFACE WINDS 30-40 MPH OR THUNDERSTORM WARNING OR TORNADO WARNING	CONDITIONS ARE PRESENT OR WARNING IS ISSUED	8 MILES	FINISH EVACUATION AND ALL PERSONS TAKE COVER. MONITOR EVENT VENUE.	EVENT ORGANIZER EVENT TEAM
ALL CLEAR (30 MINUTES AFTER LAST LIGHTNING)	Storm Passed All clear	10 MILES	INSPECT EVENT VENUE FOR DAMAGE. IF NO DAMAGE OR SAFETY ISSUES ARE IDENTIFIED, ALLOW RE-ENTRY AND CONTINUE EVENT. COMMUNICATION WITH HPR EVENTS MANAGER AND EVENT ORGANIZER.	EVENT ORGANIZER EVENT TEAM

**Note:** The speed and direction of advancing storms and the size and nature of the event may alter the time needed to safely evacuate the site. Temporary structures shall not be used as sheltering locations for event participants. Failure to comply with the terms of the weather plan or any term or condition of the permit may result in the immediate revocation of the permit. Public safety agencies may order mandatory actions in the interest of public safety at any public place regardless of whether the permit has been revoked.

## Special Event Rules & Regulations

**FAILURE TO OBTAIN PROPER APPROVALS OR VIOLATIONS OF ANY RULES & REGULATIONS CAN RESULT IN THE CANCELLATION OF YOUR EVENT OR DENIAL OF FUTURE EVENT APPLICATIONS.**

### **Cancellation Notice**

- The event organizer will notify the Special Events Team if they need to cancel their event. No cancellation fee will be assessed if done 72 hours prior to event day. If the event is cancelled within 72 hours of event day, fees may be assessed to the event organizer.
- If the event needs to be cancelled due to reasons outside their control, no charges will be assessed.
- I understand that the City of Harrisonburg has the authority to cancel the event if the City deems the event unsafe due to severe weather and/or not able to provide staffing based on weather related response.

The event organizer will also have to notify off-duty management of the cancellation 72 hours prior to the event, or they will be charged for the officer's time.

### **Revocation of Special Event Application Approval**

City Council's approval of a Special Event Application may be revoked upon consultation with the appropriate public safety forces when the health or safety of the public is threatened by an emergency, disorder or other unforeseen conditions that may have arisen.

## **CERTIFICATION AND ACKNOWLEDGMENT OF APPLICANT**

The undersigned certifies that he or she is familiar with the guidelines, rules and regulations for planning an event in the City of Harrisonburg and the same will be enforced and honored by the sponsoring organization. The undersigned further certifies that the information furnished in this application is true and correct to the best of the undersigned knowledge and information. Furthermore, the undersigned acknowledges that all necessary documents and permits are being submitted before the event.

The undersigned acknowledges that use of city resources to host an event in the City of Harrisonburg is contingent upon approval of this application by the city staff and Harrisonburg City Council.

**If the event is approved by City Council, the event organizer will receive an event permit detailing city services provided, potential costs, and event expectations.**

Signature of Applicant: Matthew C Little

Date: \_\_\_\_\_

Comments:

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# Emergency Action Plan

The City of Harrisonburg mandates that all special events applicants complete and submit an Emergency Action Plan (EAP). This template is designed to assist event organizers in planning safe and exciting events. The Emergency Action Plan (EAP) outlines predetermined measures to be executed prior to and during the event in case of an emergency or other hazardous circumstances. These measures will involve coordination among organizers, management, staff, and attendees. It is essential to exercise flexibility when executing this plan, considering the wide range of potential hazards associated with the event. If your event does not have a comprehensive emergency action plan, please answer the questions below. All event staff, volunteers, and vendors must have a thorough understanding of their roles and responsibilities during an emergency.

Name of person filling out form:	Event Role:
Event Name:	
Event date(s) and time(s):	
Event Location:	Expected Peak Attendance:

## Event Communications

List key onsite decision makers, along with their role and cell phone numbers. The individuals listed below are responsible for making decisions during an emergency and implementing the procedures detailed in this plan.

	Name	Phone:
Primary		
Secondary		
Tertiary		

How will the Emergency Action Plan (EAP) be shared with staff, volunteers, and vendors?

Share in person prior to event	Email to staff, volunteers, and vendors prior to event
Present to vendors/volunteers at check-in	Other – Specify:

In an emergency and/or for decision making purposes where will event staff and emergency personnel meet?

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How will you communicate with participants and/or attendees before the event? (Check all that apply)

Email	Text message
Website updates	Press Release
Variable message signs	Social Media – Specify:
Other - Specify	

How will you communicate with staff, volunteers, and vendors during the event? (Check all that apply)

Phone Call	Walkie Talkie
Announcements through event sound system	Messaging on screens
In-person messengers	Text message/Messaging app – Specify:
Other - Specify	

How will you communicate with participants and/or attendees during the event? (Check all that apply)

Text messages or Alerts	Website updates
Announcements through event sound system	Messaging on screens
In-person messengers	Social media live updates – Specify:
Other - Specify	

# Event Weather

Who will monitor the weather before and during the event?

Name:	Title/Role:

How will weather be monitored before and during the event? (Check all that apply)

National Weather Service website: <a href="https://www.weather.gov/lwx/">https://www.weather.gov/lwx/</a>	Other weather website – Specify:
Phone App- Specify:	Other – Specify:

If adhering to standards other than the Special Events Severe Weather Trigger Chart, what weather conditions would lead to the delaying or canceling of the event? (Check all that apply)

Sustained winds of ____ MPH	Winds Gusts of ____ MPH
Tornado Watch	Tornado Warning
Forecasted Heavy Rain	Active Heavy Rain
Forecasted hail	Active hail
Forecasted heavy snow	Active heavy snow
Forecasted thunder and lightning	Active lightning within ____ miles
Temperature under ____ degrees	Temperature over ____ degrees
Icy roadways	Other - Specify

If severe weather occurs during the event, where can people seek shelter?

Buildings/business within special event space – Specify	
Buildings/business near special event space - Specify	
Other structures within or near special event space - Specify	
Personal vehicles	Event vehicles
Other - Specify	
Building and/or business owners listed are aware of your intention to utilize locations as an emergency shelter. <b><u>**Required</u></b>	
Name	Phone:

In case of high winds, how will special event elements be secured to prevent them from becoming airborne or hazardous? (Check all that apply)

Tents 10x10 weighted down 40 pounds/leg Larger tents 80 pounds/leg	Tents secured to stationary objects
Chairs and tables broken down	Small items placed in bin or other storage
Inflatables deflated	Open flames extinguished
Heating and electrical elements unplugged/turned off	Other - Specify

What pre-event messaging will occur in case of forecasted/observed extreme temperatures? (Check all that apply)

Website updates	Email
Text message/alerts	Press outreach
Social media - Specify	Other - Specify

During extreme heat, which of the following will be implemented? (check all that apply)

Water refill stations	Free bottled water
Cooling tent/location	Staged vehicles for cooling
Signage with symptoms of heat exhaustion/stroke and first aid actions	Extra medical personnel on site
Adjusting event timeline	Other - Specify

During extreme cold, which of the following will be implemented? (check all that apply)

Hand warmers available	Free hot beverages
Warming tent/location	Staged vehicles for warming
Signage warning of low temperatures	Extra medical personnel on site
Adjusting event timeline	Other - Specify

## Medical

If an attendee at your event has a medical emergency, what measures will be taken to ensure care is promptly received? (Check all that apply)

Entertainment will temporarily stop	Staff/volunteers will clear immediate area
Staff/volunteers will call 911	On site medical personnel will be alerted via:
Other - Specify	

## Safety & Security

If alcohol is served what steps will be taken to prevent underage drinking and/or overconsumption? (Check all that apply)

21+ wristbands	Limited drink tickets
Limit drinks per I.D. at point of sale	Other - Specify

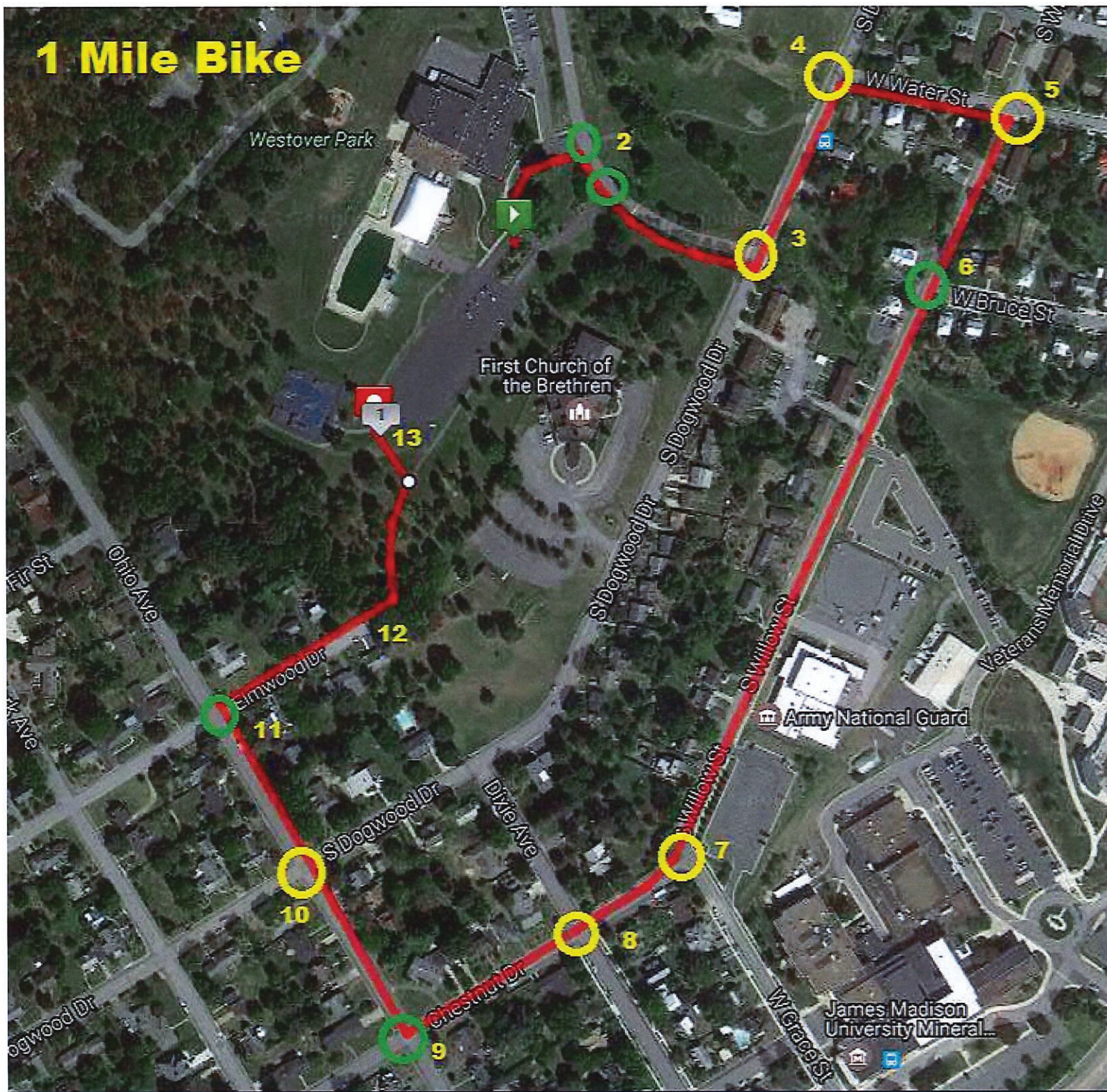
If a child or other vulnerable person is found separated from their parent/guardian event staff will escort them to the following location and will remain until the missing party is either located or emergency services arrives:

1. If a child or other vulnerable person is reported lost, contact the Harrisonburg Police Department (911) immediately.
2. If a parent or guardian of a lost child/vulnerable person cannot be located in a reasonable amount of time contact the Harrisonburg Police Department (911)

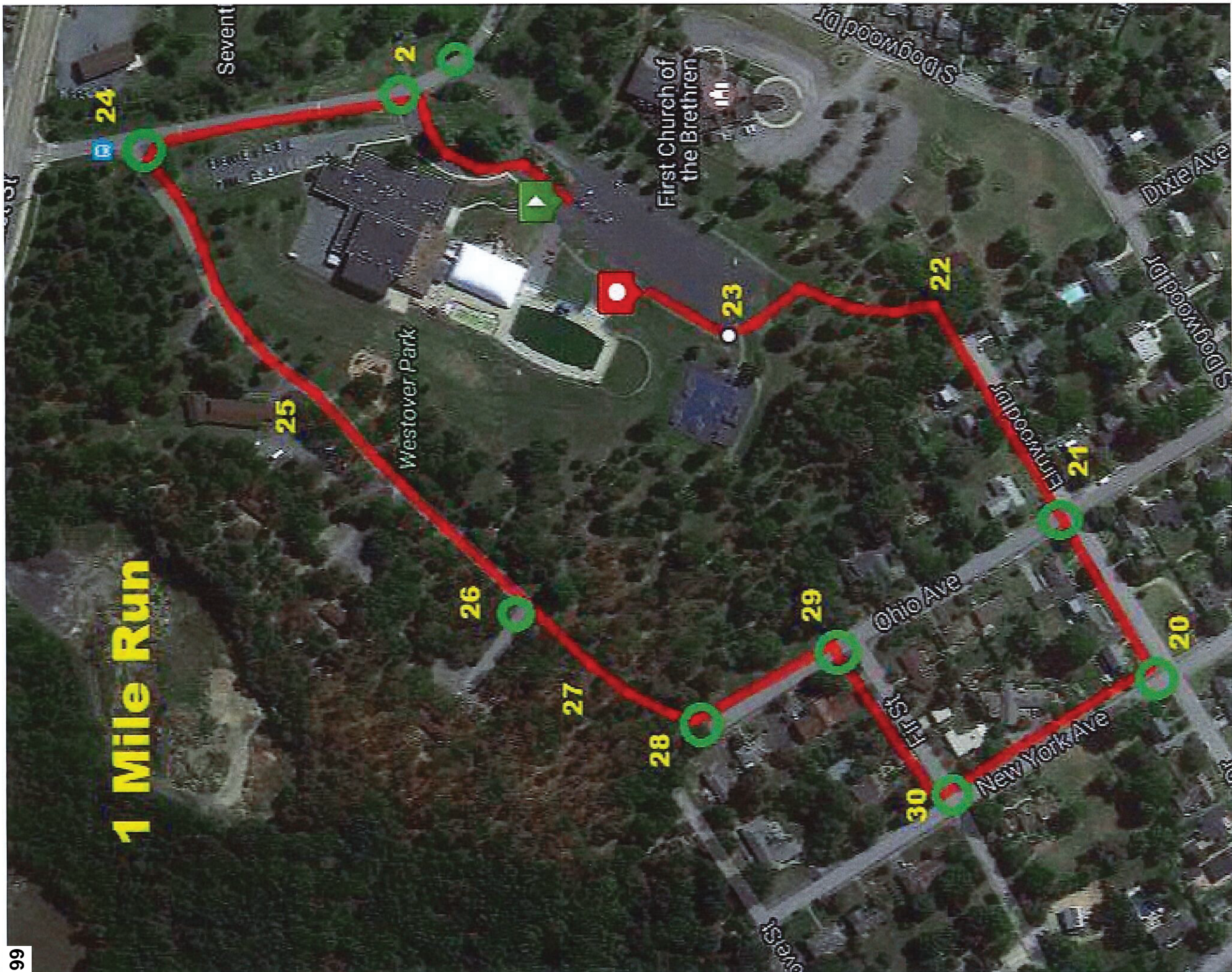
0.5 Mile Run



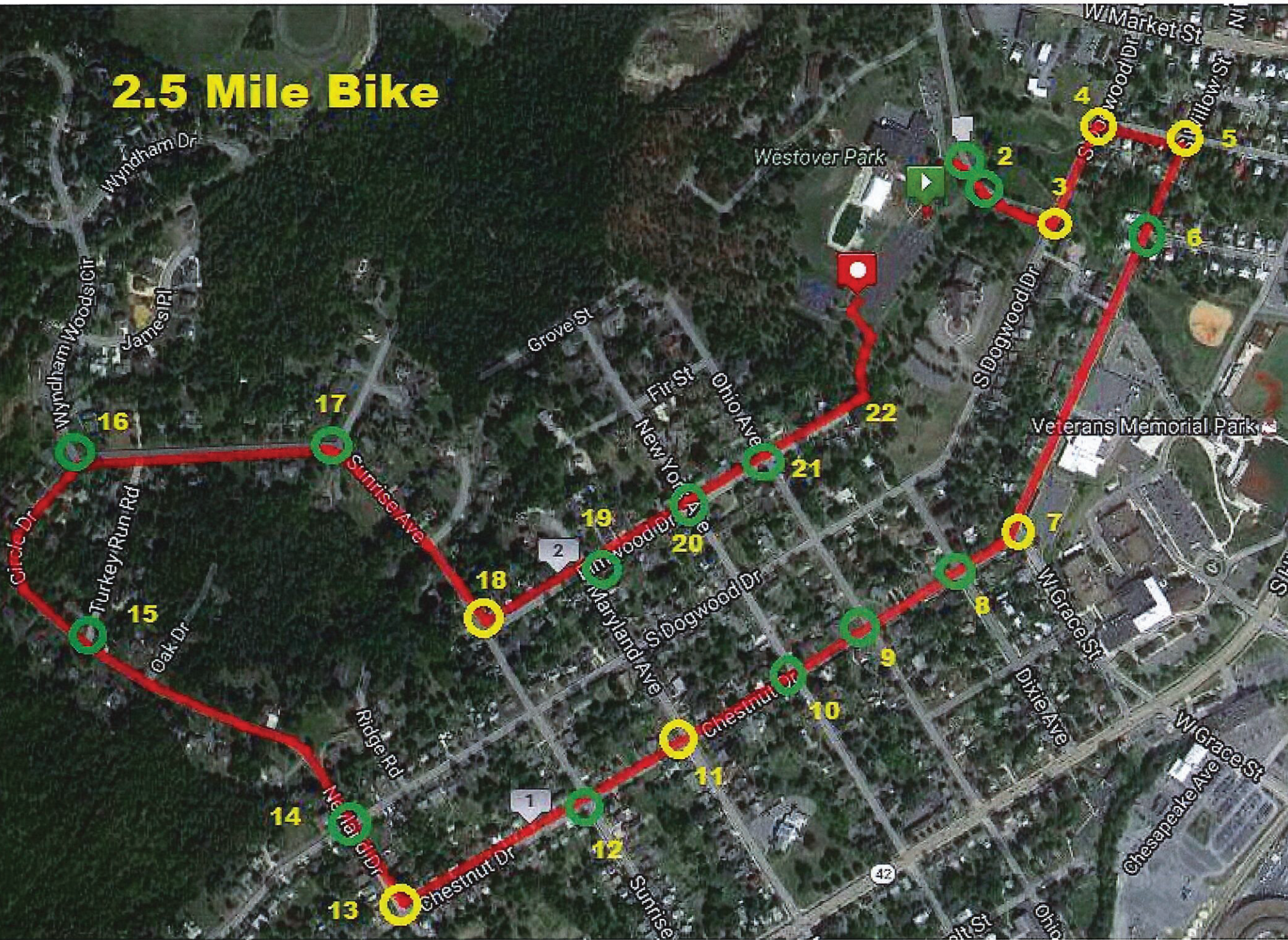
# 1 Mile Bike



# 1 Mile Run



# 2.5 Mile Bike



**Course Marshal Parking and Staging Area**

Westover Park

Check-In

Route 33 Entry/Exit

Participants will exit the "Circle" area and take a right for the bike portion, and take a left for the run portion. Traffic will need to be stopped for participants.

Vehicle Entry

Vehicle Exit

Vehicles exiting will be asked to use the Route 33 exit. Course Marshals will be permitted to exit onto Dogwood.

Main Timing Area



# City of Harrisonburg

City Hall  
409 South Main Street  
Harrisonburg, VA 22801

## Legislation Text

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**File #:** ID 26-178, **Version:** 1

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**Subject:**

Public hearing regarding the real estate tax rate for Fiscal Year 2026-2027 to be set at \$1.01 per \$100 of assessed value

**Presented By:** City Staff

The January 1, 2026 general reassessment of real property resulted in an increase of 2.5 percent in real property assessments. Pursuant to Section 58.1-3321 of the Code of Virginia, a public hearing must be held when a general reassessment of real property results in an increase of one percent or more in the total real property tax levy. The current real estate tax rate is proposed to remain at \$1.01 per \$100 of assessed value.



May 26, 2026 City Council Meeting

## **Title**

Public hearing regarding the real estate tax rate for Fiscal Year 2026-2027 to be set at \$1.01 per \$100 of assessed value — Larry Propst, Department of Finance

## **Summary**

The January 1, 2026 general reassessment of real property, performed by the Commissioner of the Revenue's office, resulted in an increase of 2.5 percent in real property assessments in the city. The real estate tax rate is being proposed to remain at \$1.01 per \$100 of assessed value.

## **Recommendation**

Option 1. Approve the real estate tax rate to be set at \$1.01 per \$100 of assessed value for Fiscal Year 2026-2027.

## **Fiscal Impact**

It is anticipated that the general reassessment increase of 2.5 percent will provide approximately \$1.3 million in additional real estate tax revenue for Fiscal Year 2026-2027.

## **Context & Analysis**

Pursuant to Section 58.1-3321 of the Code of Virginia, a public hearing must be held when a general reassessment of real property (excluding new construction) results in an increase of one percent or more in the total real property tax levy.

## **Options**

1. N/A

## **Attachments**

1. Public Hearing Notice as advertised in the DNR

# NOTICE OF PROPOSED REAL PROPERTY TAX INCREASE

The City of Harrisonburg, Virginia proposes to increase property tax levies.

1. **Assessment Increase:** Total assessed value of real property, excluding additional assessments due to new construction or improvements to property, exceeds last year's total assessed value of real property by 2.5 percent.
2. **Lower Rate Necessary to Offset Increased Assessment:** The tax rate which would levy the same amount of real estate tax as last year, when multiplied by the new total assessed value of real estate with the exclusions mentioned above, would be \$0.986 per \$100 of assessed value. This rate will be known as the "lowered tax rate."
3. **Effective Rate Increase:** The City of Harrisonburg, Virginia proposes to adopt a tax rate of \$1.01 per \$100 of assessed value. The difference between the lowered tax rate and the proposed rate would be \$0.024 per \$100, or 2.5 percent. This difference will be known as the "effective tax rate increase."

Individual property taxes may, however, increase at a percentage greater than or less than the above percentage.

4. **Proposed Total Budget Decrease:** Based on the proposed real property tax rate and changes in other revenues, the total budget of the City of Harrisonburg, Virginia will be less than last year's original adopted budget by 2.2 percent.

A public hearing on the increase will be held on **May 26, 2026 at 7:00 PM**, or as soon as the agenda permits, in the Harrisonburg City Council Chambers located at 409 South Main Street, Harrisonburg, Virginia. Members of the public are encouraged to participate and express their views by attending the meeting in person, or electronically by emailing comments to <https://www.harrisonburgva.gov/agenda-comments>, or by calling in during the public hearing at the telephone number to be listed on the agenda. The agenda will be posted at <https://harrisonburg-va.legistar.com/Calendar.aspx>. Interested parties may watch the City Council meeting including the public hearing, on Public Education Government Channel 3 or on the City's website, <https://harrisonburg-va.legistar.com/Calendar.aspx>.



# City of Harrisonburg

City Hall  
409 South Main Street  
Harrisonburg, VA 22801

## Legislation Text

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**File #:** ID 26-146, **Version:** 1

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**Subject:**

Consider a request from Kevin T. and Denise F. Goertzen for a special use permit at 1315 Carrera Lane

Presented By: Adam Fletcher, Department of Community Development

A request from Kevin T. and Denise F. Goertzen for a special use permit per Section 10-3-34 (7) to allow a short-term rental in the R-1, Single-Family Residential District. The +/- 30,086-square foot property is addressed as 1315 Carrera Lane and is identified as tax map parcel 18-R-16.



June 9, 2026 City Council Meeting

**Title**

Consider a request for a Special Use Permit at 1315 Carrera Lane — Planning Commission and Adam Fletcher, Community Development

**Summary**

Project name	N/A
Address/Location	1315 Carrera Lane
Tax Map Parcels	18-R-16
Total Land Area	+/- 30,086 square feet
Property Owner	Kevin T. and Denise F. Goertzen
Owner’s Representative	N/A
Present Zoning	R-1, Single-Family Residential District
Special Use Permit Request	To allow a short-term rental per Section 10-3-34 (7)
Planning Commission	May 13, 2026 (Public Hearing)
City Council	June 9, 2026 (Public Hearing)

**Recommendation**

Option 1. Staff and Planning Commission (7-0) recommend approval of the special use permit request with the suggested conditions.

**Context & Analysis**

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

- Site: Single-family detached dwelling, zoned R-1
- North: Single-family detached dwelling, zoned R-1
- East: Across Carrera Lane, single-family detached dwelling, zoned R-1
- South: Single-family detached dwelling, zoned R-1
- West: Single-family detached dwelling, zoned R-1

The applicant is requesting a special use permit (SUP) per Section 10-3-34 (7) to allow a short-term rental (STR) in the R-1, Single-Family Residential District. The +/- 30,086-square foot property is addressed as 1315 Carrera Lane and is identified as tax map parcel 18-R-16. If approved, the applicant plans to operate a short-term rental on the property. The applicant is currently operating a homestay at this location.

In 2019, the City adopted regulations associated with short-term transient lodging, commonly referred to as Airbnbs. These regulations were amended in September 2020 to create the by right “homestay” use. To operate a homestay, the property must be the operator’s primary residence, may host up to four guests, and may operate up to 90 nights per calendar year. If the operator wants to operate outside of what is permitted through a homestay, they may apply for an SUP to operate an STR.

The applicants purchased the property in October 2025 and have been operating a registered homestay. The previous property owners had operated a registered homestay since 2021. The applicants want to operate the short-term transient lodging for more than 90 nights per calendar year, and thus need an SUP to operate an STR. The applicants have stated that they will have one accommodation space, and will limit the number of guests at one time to no more than four. There is one off-street parking space and a separate entrance to the STR.

In their letter, the applicants state that the space above the garage is a 438 square foot apartment including a kitchenette, eating area, couch, queen bed, and full bath. It was noted during staff’s review that the space above the garage contains a gas stove that was installed without a permit. The applicant has been informed of this and also informed that a second kitchen is not allowed in the space above the garage because the space is separated from and cannot be accessed from the dwelling. (Note that second kitchens are allowed in single-family detached dwellings in the R-1 district if there is “free flow” and full access throughout the unit and the living areas are not closed off to create a space that would function like a second dwelling.) A notice of violation for installing the gas stove without a permit and for having a second kitchen will be issued, and the property must be brought into compliance within the timeframe set forth in the notice of violation. While the applicant must remove the gas stove, they will be able to keep the sink, refrigerator, and have small cooking appliances in the space.

#### *Land Use*

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

These areas consist of single-family detached dwellings in and around well-established neighborhoods with a target density of around 4 dwelling units per acre.

The low density residential areas are designed to maintain the character of existing neighborhoods. It should be understood that established neighborhoods in this designation could already be above 4 dwelling units per acre.

The proposed SUP does not add additional dwelling units or increase density.

#### *Transportation and Traffic*

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

#### *Public Water and Sanitary Sewer*

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

### *Housing*

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

The proposed STR is located in a finished spaced above the attached garage. The property is zoned R-1, where only one single-family detached dwelling is allowed. The request does not remove a dwelling unit from the long-term rental housing inventory.

### *Public Schools*

If the special use permit is approved, no additional dwelling units would be added to the property; therefore, the student generation is zero.

### *Conclusion*

After review of this request, staff believes it shares similar characteristics to other applications for STRs that have received approval. Staff recommends approval of the SUP with the following conditions:

1. All STR accommodations shall be within the existing accessory dwelling above the detached garage described in the application.
2. There shall be no more than one (1) STR guest room or accommodation space.
3. The number of STR guests at one time shall be limited to four (4).
4. Minimum off-street parking spaces do not need to be delineated and can be accommodated utilizing the driveway or other areas on the property.
5. Prior to operation, the operator shall submit to City staff a completed Short-Term Rental Pre-Operation Form. Furthermore, the operator shall maintain compliance with the items identified in the Pre-Operation Form when short-term rental guests are present.
6. If in the opinion of Planning Commission or City Council, the short-term rental becomes a nuisance, the special use permit can be recalled for further review, which could lead to the need for additional conditions, restrictions, or the revocation of the permit.

### **Options**

1. Approve the special use permit request with the suggested conditions.
2. Approve the special use permit request as submitted by the applicant.
3. Approve the special use permit with other conditions(s).
4. Deny the special use permit.

### **Attachments**

- Extract from Planning Commission
- Site maps
- Application and supporting documents



# CITY OF HARRISONBURG COMMUNITY DEVELOPMENT

409 SOUTH MAIN STREET, HARRISONBURG, VA 22801

OFFICE (540) 432-7700 • FAX (540) 432-7777

June 1, 2026

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

**SUBJECT: *Consider a request from Kevin T. and Denise F. Goertzen for a special use permit at 1315 Carrera Lane***

**EXTRACT FROM THE DRAFT MINUTES OF HARRISONBURG PLANNING  
COMMISSION MEETING HELD ON: May 13, 2026**

Chair Baugh read the request and asked staff to review.

Ms. Soffel said the applicant is requesting a special use permit (SUP) per Section 10-3-34 (7) to allow a short-term rental (STR) in the R-1, Single-Family Residential District. The +/- 30,086-square foot property is addressed as 1315 Carrera Lane and is identified as tax map parcel 18-R-16. If approved, the applicant plans to operate a short-term rental on the property. The applicant is currently operating a homestay at this location.

In 2019, the City adopted regulations associated with short-term transient lodging, commonly referred to as Airbnbs. These regulations were amended in September 2020 to create the by right “homestay” use. To operate a homestay, the property must be the operator’s primary residence, may host up to four guests, and may operate up to 90 nights per calendar year. If the operator wants to operate outside of what is permitted through a homestay, they may apply for an SUP to operate an STR.

The applicants purchased the property in October 2025 and have been operating a registered homestay. The previous property owners had operated a registered homestay since 2021. The applicants want to operate the short-term transient lodging for more than 90 nights per calendar year, and thus need an SUP to operate an STR. The applicants have stated that they will have one accommodation space, and will limit the number of guests at one time to no more than four. There is one off-street parking space and a separate entrance to the STR.

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the space above the garage because the space is separated from and cannot be accessed from the dwelling. (Note that second kitchens are allowed in single-family detached dwellings in the R-1 district if there is “free flow” and full access throughout the unit and the living areas are not closed off to create a space that would function like a second dwelling.) A notice of violation for installing the gas stove without a permit and for having a second kitchen will be issued, and the property must be brought into compliance within the timeframe set forth in the notice of violation. While the applicant must remove the gas stove, they will be able to keep the sink, refrigerator, and have small cooking appliances in the space.

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

Ms. Soffel asked if there were any questions.

Chair Baugh invited the applicant or applicant's representative to speak to their request.

Kevin and Denise Goertzen, the applicants, came forward to speak to their request. Ms. Goertzen said we are open for any questions you might have. We are in the process of closing up the gas line and adding a two-burner electric stove.

Mr. Goertzen said not an installed stove but have a hot plate.

Councilmember Dent said Thanh, is that okay?

Ms. Dang indicated yes.

Vice Chair Porter said you have operated this as a homestay previous to this point?

Ms. Goertzen said since October.

Vice Chair Porter said and no problems or issues? Any concerns from your neighbors?

Ms. Goertzen said we have issued letters to all of our neighbors. We have talked to most of them in person, and they are very supportive.

Vice Chair Porter said thank you for being proactive.

Chair Baugh asked if there were any more questions for the applicants. Hearing none, he opened the public hearing and invited anyone in the room or on the phone wishing to speak to the request.

Councilmember Dent said this is the most detail I have seen about the stove regulations.

Panayotis Giannakouros, a City resident, called in to speak to the request. He said Mister Chair, this is yet again a short-term rental which will almost surely be approved by City Council. Today, I would like to take the opportunity to look at the zoning that was described along with this short-term rental, R-1 residential, and to ask Planning Commission if we could start to rethink our zoning categories, what our zoning categories are for. Up to now, our zoning categories have focused on a desirable thing keeping harmful uses away from people, but it has also had a component of grouping certain types of living together which implicitly groups people together. What short-term rentals have tested in the several years that they have been brought one at a time before City Council... this zoning can also be used to keep people separated by their occupation and historically it has been by race. We need to have a thorough reconsideration of what our zoning is for. Our proposed zoning foundation for the Zoning [Ordinance] rewrite does not do that. It does not ask, "what is the goal of zoning?" I would hope that Planning Commission would initiate a thorough review of what the goals of our zoning are driven by a public input process. You are the body that initiates motions. Staff cannot do so. Please follow the spirit and the letter of that law to initiate a thorough review of our zoning so that issues like short-term rentals will not have to have us continually reinventing the wheel and saying Harrisonburg does not want to segregate people. It does not want to treat equally situated neighborhoods the same. It wants to recognize that there have been historic harms. Repair the historic harms and realize that we go into a new future of climate crisis and that takes stock of those resources and zones around sustainable and resilient life instead of continuing to carry forward the separating people from uses and separating people from each other. Thank you, Mister Chair.

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

Commissioner Jezior said the land is already being used. The house is already being used for this use, so it is just adding some more days. I do not think it is going to have any effect on the neighborhood or surrounding area.

Councilmember Dent said I have one question. I heard "registered homestay." I did not realize homestays had to be registered. What does that mean?

Ms. Soffel said it requires an annual registration with Community Development as well as the business license.

Councilmember Dent said I thought homestay was by right that you could do. You charge for it?

Ms. Soffel said it is by right, however, they have to register so that we know where it is occurring. They pay a \$25 fee to register it and that way they also ensure that they get their proper business license and taxes and so forth.

Commissioner Seitz said I move that we approve the request for special use permit at 1315 Carrera Lane with the stated conditions.

Commissioner Jezior seconded the motion.

Chair Baugh called for a roll call vote.

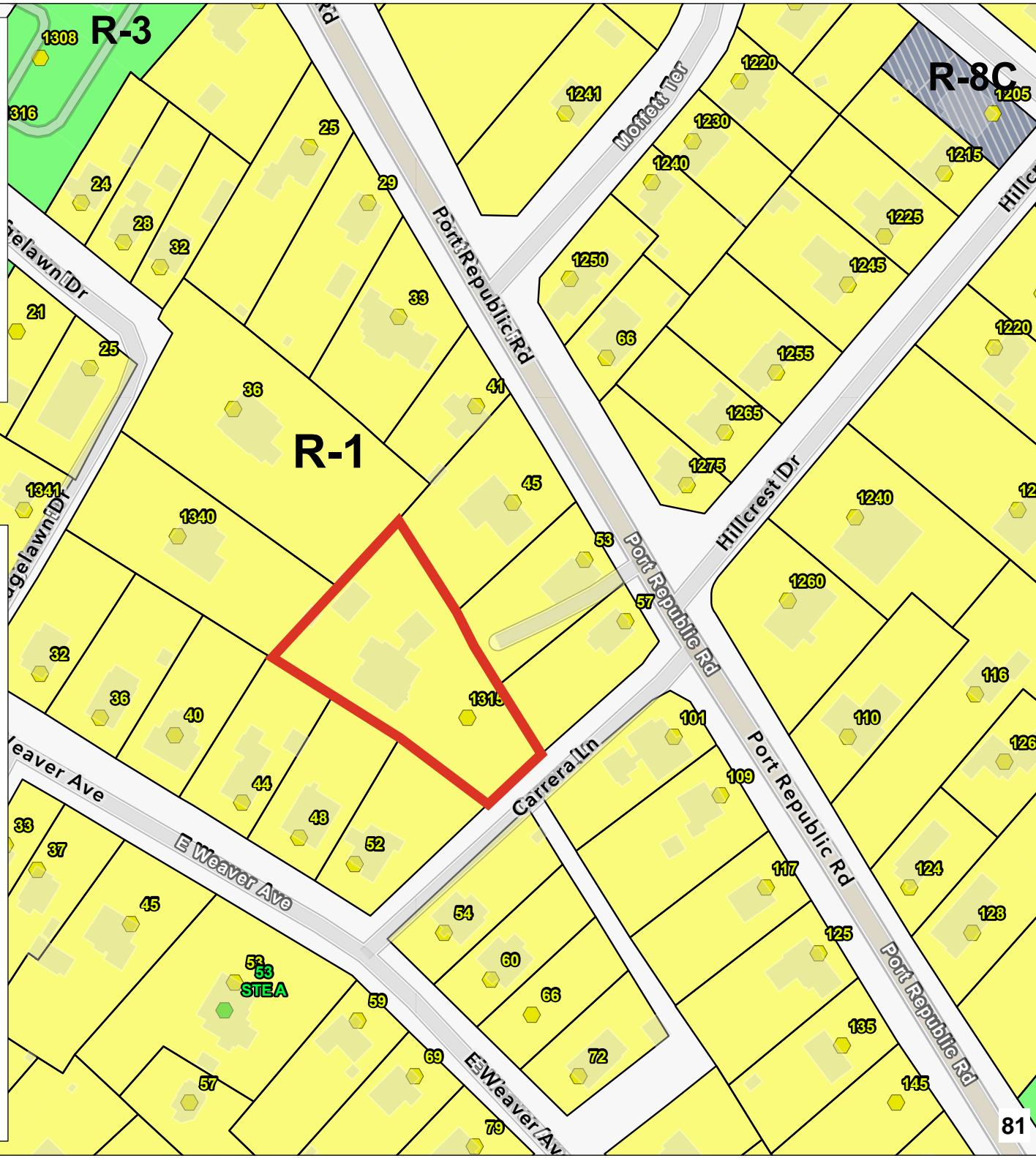
Commissioner Seitz	Aye
Commissioner Jezior	Aye
Councilmember Dent	Aye
Commissioner Alsindi	Aye
Commissioner Kettler	Aye
Vice Chair Porter	Aye
Chair Baugh	Aye

The motion to recommend approval of the special use permit request passed (7-0). The recommendation will move forward to City Council on June 9, 2026.

# City of Harrisonburg

Special Use Permit  
10-3-34 (7)  
Short Term Rental  
1315 Carrera Lane  
Tax Map Parcel: 18-R-16  
+/- 30,086 square feet

## Zoning



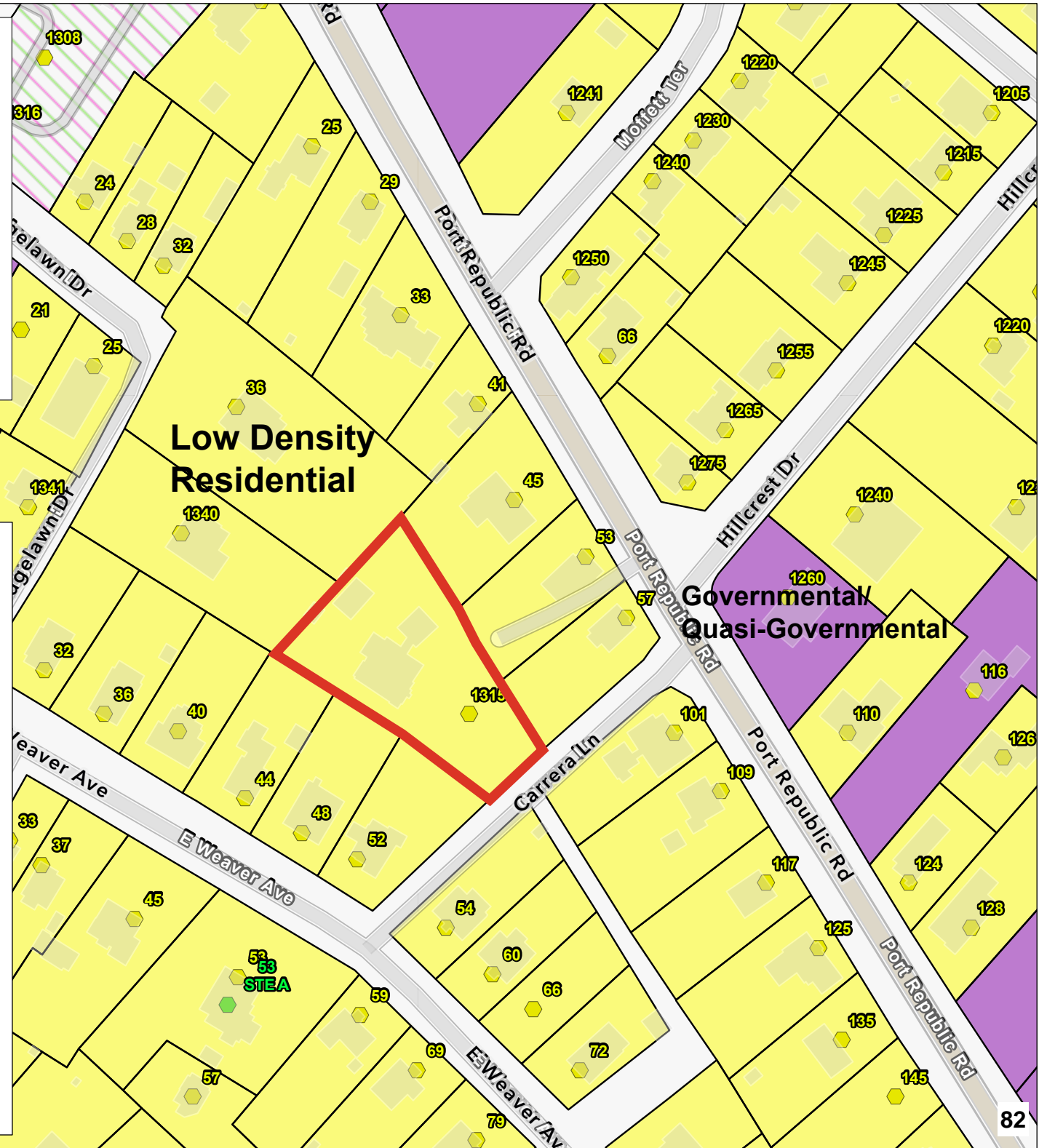
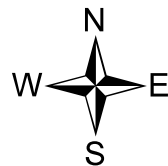
# City of Harrisonburg

Special Use Permit  
10-3-34 (7)  
Short Term Rental  
1315 Carrera Lane  
Tax Map Parcel: 18-R-16  
+/- 30,086 square feet

## (Future) Land Use Guide

**Low Density Residential**

**Governmental/  
Quasi-Governmental**



# City of Harrisonburg

Special Use Permit  
10-3-34 (7)  
Short Term Rental  
1315 Carrera Lane  
Tax Map Parcel: 18-R-16  
+/- 30,086 square feet





CITY OF HARRISONBURG  
**COMMUNITY  
DEVELOPMENT**

**Special Use Permit Application**

[www.harrisonburgva.gov/zoning](http://www.harrisonburgva.gov/zoning)

**PROPERTY INFORMATION**

Property Address: 1315 Carrera Lane, Harrisonburg Tax Map: \_\_\_\_\_ Total Land Area: 0.69 acres or sq. ft. (circle)

Existing Zoning Classification: Residential

Special Use being requested: Short Term Rental

**PROPERTY OWNER INFORMATION**

Property Owner Name: Denise F. Goertzen Telephone: [REDACTED]

Street Address: 1315 Carrera Lane E-mail: [REDACTED]

City: Harrisonburg State: VA Zip: 22801

**OWNER'S REPRESENTATIVE INFORMATION**

Owner's Representative: \_\_\_\_\_ Telephone: \_\_\_\_\_

Street Address: \_\_\_\_\_ E-Mail: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

**CERTIFICATION**

I certify that the information supplied on this application and on the attachments provided (maps and other information) is accurate and true to the best of my knowledge. In addition, I hereby grant permission to the agents and employees of the City of Harrisonburg to enter the above property for the purposes of processing and reviewing this application. I also understand that, when required, public notice signs will be posted by the City on any property.

Denise F. Goertzen 3-24-20  
PROPERTY OWNER DATE

**REQUIRED ATTACHMENTS**

- Site or Property Map
- Letter explaining proposed use & reasons for seeking a Special Use Permit.
- Traffic Impact Analysis (TIA) Determination Form OR Traffic Impact Analysis (TIA) Acceptance Letter signed by Public Works Department. Applicant is responsible for coordinating with Public Works prior to submitting this application. For more information, visit [www.harrisonburgva.gov/traffic-impact-analysis](http://www.harrisonburgva.gov/traffic-impact-analysis). This requirement is waived for the following SUPs: major family day homes, reducing required parking areas, reduction in required side yard setback, wireless telecommunication facilities, wall and fences, and short-term rentals. To prevent delays in reviewing your application, please consult with Planning staff to confirm your application does not require a TIA Determination Form or TIA Acceptance Letter.

Note: If applying for a Wireless Telecommunications Facility allowed only by SUP, then also submit a wireless telecommunications facility application.

**TO BE COMPLETED BY PLANNING & ZONING DIVISION**

Date Application and Fee Received: 3-26-2020 Total Fees Due: \$ 455

Received By: Nyrrna Siffel Application Fee: \$425.00 + \$30.00 per acre

To Whom it may Concern,

March 24, 2026

In October of 2025 my husband and I moved to 1315 Carrera Lane in Harrisonburg. We were delighted to acquire this property as it had a functioning Airbnb. I have been an Airbnb Host for 8 years and wanted to continue if possible.

The property, as I have mentioned, has an Airbnb space above the garage. We were able to move into a Homestay permit but realized the potential for serving this community in this way is well beyond the 90 days of the Homestay requirement. Therefore, we are applying for a Short-Term Rental Permit.

This is a well-appointed 438 square ft apartment including a kitchenette, eating area, full size couch (not a pull out), queen bed and full bath. One accommodation space with the max of 4 people (in the case of small children). We have a separate gravel parking area for one car, next to the suite stairway just for our guests. There is ample motion lighting to aid the guests at night. The suite is accessible with a keyless entry. We are a 5 to 7 minute walk to Bridgeforth stadium so our guests do not have to worry about parking. Forbes Center is also walkable in decent weather as well as downtown Harrisonburg. We are also close to a bus stop.

Our guests and previous hosts guests have consisted of parents of JMU students and visiting faculty as well as other city business executives. Our guests have visited Massanutten, SNP and various other tourist attractions. We recently hosted the costume designer for the JMU opera, Dialogues of the Carmelites. It is a joy to meet new people, and we hope to continue to serve the broader community of Harrisonburg and those traveling in for various events. Harrisonburg has so much to offer and we are glad to be a small part of the Friendly City.

Thank you for considering our Short Term Rental License,

Sincerely,

Denise F. Goertzen

1315 Carrera Lane

Harrisonburg, VA 22801





May 13, 2026 Planning Commission Meeting

**Title**

Consider a request for a Special Use Permit at 1315 Carrera Lane — Nyrma Soffel, Community Development

**Summary**

Project name	N/A
Address/Location	1315 Carrera Lane
Tax Map Parcels	18-R-16
Total Land Area	+/- 30,086 square feet
Property Owner	Kevin T. and Denise F. Goertzen
Owner’s Representative	N/A
Present Zoning	R-1, Single-Family Residential District
Special Use Permit Request	To allow a short-term rental per Section 10-3-34 (7)
Planning Commission	May 13, 2026 (Public Hearing)
City Council	Anticipated June 9, 2026 (Public Hearing)

**Recommendation**

Option 1. Recommend approval of the special use permit request with the suggested conditions.

**Context & Analysis**

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

- Site: Single-family detached dwelling, zoned R-1
- North: Single-family detached dwelling, zoned R-1
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The applicant is requesting a special use permit (SUP) per Section 10-3-34 (7) to allow a short-term rental (STR) in the R-1, Single-Family Residential District. The +/- 30,086-square foot property is addressed as 1315 Carrera Lane and is identified as tax map parcel 18-R-16. If approved, the applicant plans to operate a short-term rental on the property. The applicant is currently operating a homestay at this location.

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#### *Land Use*

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

These areas consist of single-family detached dwellings in and around well-established neighborhoods with a target density of around 4 dwelling units per acre. The low density residential areas are designed to maintain the character of existing neighborhoods. It should be understood that established neighborhoods in this designation could already be above 4 dwelling units per acre.

The proposed SUP does not add additional dwelling units or increase density.

#### *Transportation and Traffic*

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

#### *Public Water and Sanitary Sewer*

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

### *Housing*

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

The proposed STR is located in a finished spaced above the attached garage. The property is zoned R-1, where only one single-family detached dwelling is allowed. The request does not remove a dwelling unit from the long-term rental housing inventory.

### *Public Schools*

If the special use permit is approved, no additional dwelling units would be added to the property; therefore, the student generation is zero.

### *Conclusion*

After review of this request, staff believes it shares similar characteristics to other applications for STRs that have received approval. Staff recommends approval of the SUP with the following conditions:

1. All STR accommodations shall be within the existing accessory dwelling above the detached garage described in the application.
2. There shall be no more than one (1) STR guest room or accommodation space.
3. The number of STR guests at one time shall be limited to four (4).
4. Minimum off-street parking spaces do not need to be delineated and can be accommodated utilizing the driveway or other areas on the property.
5. Prior to operation, the operator shall submit to City staff a completed Short-Term Rental Pre-Operation Form. Furthermore, the operator shall maintain compliance with the items identified in the Pre-Operation Form when short-term rental guests are present.
6. If in the opinion of Planning Commission or City Council, the short-term rental becomes a nuisance, the special use permit can be recalled for further review, which could lead to the need for additional conditions, restrictions, or the revocation of the permit.

### **Options**

1. Recommend approval of the special use permit request with the suggested conditions.
2. Recommend approval of the special use permit request as submitted by the applicant.
3. Recommend approval of the special use permit with other conditions(s).
4. Recommend denial of the special use permit.

### **Attachments**

- Site maps
- Application and supporting documents

## NOTICE OF PUBLIC HEARING

The Harrisonburg City Council will hold public hearings in the City Council Chambers, 409 South Main Street, Harrisonburg, VA on Tuesday, June 9, 2026, at 7:00 p.m., to consider the following:

### ***Special Use Permit – 1315 Carrera Lane (Short-Term Rental in R-1)***

A request from Kevin T. and Denise F. Goertzen for a special use permit per Section 10-3-34 (7) to allow a short-term rental in the R-1, Single-Family Residential District. The +/- 30,086-square foot property is addressed as 1315 Carrera Lane and is identified as tax map parcel 18-R-16.

### ***Rezoning – 850 Canterbury Court (R-1 to R-8C)***

A request from Robin L. Lake to rezone a +/- 12,692-square foot property from R-1, Single-Family Residential District to R-8C, Small Lot Residential District Conditional. The property is addressed as 850 Canterbury Court and is identified as tax map parcel 23-V-14.

### ***Rezoning – 1351 and 1361 Peach Grove Avenue (R-5C (proffer amendment) & B-2 to R-5C)***

A request from Skylar & Talli LLC and James Madison University Real Estate Foundation Inc to rezone two adjacent parcels totaling +/- 15.35-acres from R-5C, High Density Residential District Conditional and B-2, General Business District to R-5C, High Density Residential District Conditional. The parcels are addressed as 1351 & 1361 Peach Grove Avenue, are identified as tax map parcels 92-F-10 & 6, and are currently zoned R-5C and B-2, respectively.

### ***Special Use Permit – 1351 and 1361 Peach Grove Avenue (To Allow Multiple-Family Dwellings of More Than 12 Units Per Building in R-5)***

A request from Skylar & Talli LLC and James Madison University Real Estate Foundation Inc for a special use permit per Section 10-3-55.4 (1) to allow multiple-family dwellings of more than twelve (12) units per building in the R-5, High Density Residential District. The two adjacent parcels totaling +/- 15.35-acres are addressed as 1351 & 1361 Peach Grove Avenue and are identified as tax map parcels 92-F-10 & 6, respectively.

### ***Rezoning – 1340 South Main Street (proffer amendment, R-5C)***

A request from Marilyn S. Pendlebury to rezone a +/- 1.23-acre property to amend proffers for a property zoned R-5C, High Density Residential Conditional. The property is addressed as 1340 South Main Street and is identified as tax map parcel 18-R-22.

### ***Special Use Permit - 1340 South Main Street (to allow multiple-family building with more than 12 units in R-5C)***

A request from Marilyn S. Pendlebury for a special use permit per Section 10-3-55.4 (1) to allow multiple-family dwellings of more than twelve (12) units per building in the R-5C, High Density Residential District Conditional. The +/- 1.23-acre property is addressed as 1340 South Main Street and is identified as tax map parcel 18-R-22.

### ***Special Use Permit - 1340 South Main Street (to allow retail, offices, restaurants, etc. in R-5C)***

A request from Marilyn S. Pendlebury for a special use permit per Section 10-3-55.4 (4) to allow retail stores, convenience shops, personal service establishments, restaurants (excluding those with drive-through facilities), medical clinics, and business and professional offices under conditions set forth in subsections 10-3-55.6 (f) and (g) in the R-5C, High Density Residential District Conditional. The +/- 1.23-acre property is addressed as 1340 South Main Street and is identified as tax map parcel 18-R-22.

Applications and other information are available for review by contacting the Department of Community Development, 409 South Main Street, Monday through Friday, 8:00 a.m. to 5:00 p.m. Please call (540) 432-

7700 to obtain a copy by email or by appointment. More information is available at [www.harrisonburgva.gov/public-hearings](http://www.harrisonburgva.gov/public-hearings). Interested parties will be able to attend the meeting and to watch the meeting on Public Education Government Channel 1072, and the City's website at [www.harrisonburgva.legistar.com/Calendar.aspx](http://www.harrisonburgva.legistar.com/Calendar.aspx).

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**Publication dates:**

Wednesday, May 27, 2026

Wednesday, June 3, 2026

**STATE OF VIRGINIA  
CITY OF HARRISONBURG, to with:**

I, Pamela Ulmer, city clerk, certify that the Harrisonburg City Council will be addressed on Tuesday, June 9, 2026, at 7:00 p.m., or as soon as the agenda permits, to consider the following:

***Special Use Permit – 1315 Carrera Lane (Short-Term Rental in R-1)***

A request from Kevin T. and Denise F. Goertzen for a special use permit per Section 10-3-34 (7) to allow a short-term rental in the R-1, Single-Family Residential District. The +/- 30,086-square foot property is addressed as 1315 Carrera Lane and is identified as tax map parcel 18-R-16.

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set forth in subsections 10-3-55.6 (f) and (g) in the R-5C, High Density Residential District Conditional. The +/- 1.23-acre property is addressed as 1340 South Main Street and is identified as tax map parcel 18-R-22.

Applications and other information are available for review by contacting the Department of Community Development, 409 South Main Street, Monday through Friday, 8:00 a.m. to 5:00 p.m. Please call (540) 432-7700 to obtain a copy by email or by appointment. More information is available at [www.harrisonburgva.gov/public-hearings](http://www.harrisonburgva.gov/public-hearings). Interested parties will be able to attend the meeting and to watch the meeting on Public Education Government Channel 1072, and the City's website at [www.harrisonburg-va.legistar.com/Calendar.aspx](http://www.harrisonburg-va.legistar.com/Calendar.aspx).

Given under my hand this 18 day of May 2026

  
\_\_\_\_\_  
City Clerk

Subscribed and sworn to before me this 18 day of May, 2026 a Notary Public in and for the Commonwealth of Virginia.

  
\_\_\_\_\_  
Notary

My commission expires May 31, 2029



Peach Grove

RODNEY & SYLVIA EAGLE TRUSTEES  
& RODNEY L EAGLE & SYLVIA L  
EAGLE LIVING TRUST  
1188 PORT REPUBLIC RD  
HARRISONBURG VA 22801  
JAMES MADISON UNIVERSITY REAL  
ESTATE FOUNDATION INC  
1031 HARRISON ST MSC 8501  
HARRISONBURG VA 22807-1034

PCSC ASSOCIATES LLC  
2529 VIRGINIA BEACH BLVD  
VIRGINIA BEACH VA 23452-7650

County of Rockingham Attn: County  
Administrator  
PO Box 1252  
HARRISONBURG VA 22803

RODNEY EAGLE & SYLVIA EAGLE  
TRUSTEES & RODNEY L EAGLE &  
SYLVIA L EAGLE LIVING TRUST  
C/O CVS  
COCKEYSVILLE MD 21030  
DEER RUN FW LLC  
1985 CEDERBRIDGE AVE STE 1  
LAKEWOOD NJ 08701

HOLTZMAN FAMILY LIMITED  
PARTNERSHIP #1  
PO BOX 8  
MT JACKSON VA 22842

HILLS SOUTH SH OWNER LLC  
2 SCHOOL STREET  
RYE NY 10580

SKYLAR & TALLI LLC  
PO BOX 1039  
HARRISONBURG VA 22803

MCDONALD'S CORPORATION  
ATTN : DEPT 027 - REAL ESTATE TAX  
CHICAGO IL 60607

*Canterbury Court*

CHANDLER HARRY L MARLENE A  
747 FIR ST  
HARRISONBURG VA 22801

WIGHTMAN WILLIAM H K MARGARET  
O  
840 CANTERBURY CT  
HARRISONBURG VA 22801

County of Rockingham  
Attn: County Administrator  
PO Box 1252  
Harrisonburg, VA 22803

J WAYNE LAMBERT TRUST AND  
CHARLOTTE H CRAIG TRUST  
851 CANTERBURY CT  
HARRISONBURG VA 22801

LAKE ROBIN L  
850 CANTERBURY CT  
HARRISONBURG VA 22801

KRECH STEPHEN A JOYCE H  
841 CANTERBURY CT  
HARRISONBURG VA 22801

DIENER V EUGENE GLORIA Y  
6087 MT CLINTON PIKE  
ROCKINGHAM VA 22802

*Carrera Lane*

ROSTEM HASHIM M  
101 PORT REPUBLIC RD  
HARRISONBURG VA 22801

JOSHUA EDWARD GUSTIN &  
HEATHER GUSTIN  
9224 ARNIE CT  
MANASSAS PARK VA 20111

GRAVES JOYCE L TRUSTEE  
36 EDGELAWN DR  
HARRISONBURG VA 22801

LANTZ JOHN D JR JESSICA LYNN  
44 E WEAVER AVE  
HARRISONBURG VA 22801

MATTHIAS BRUCE P KAREN K  
54 WEAVER AVE  
HARRISONBURG VA 22801

MANOLO AGUILAR OROZCO &  
GLENDA MARTINEZ  
57 PORT REPUBLIC RD  
HARRISONBURG VA 22801

MEDLEY GREGORY L GRISELDA M  
1340 EDGELAWN DR  
HARRISONBURG VA 22801

KYLE CHRISTOPHER S MARJORIE C  
1102 RIDGEWOOD RD  
HARRISONBURG VA 22801

HUDSON GLORIA V TRUSTEE  
45 PORT REPUBLIC RD  
HARRISONBURG VA 22801

KEVIN T GOERTZEN & DENISE F  
GOERTZEN  
1315 CARRERA LANE  
HARRISONBURG VA 22801

HEGG KEVIN J EATON LYNN E  
40 WEAVER AVE  
HARRISONBURG VA 22801

JOSEPH S ROBERTSON & SULONI  
ROBERTSON  
52 E WEAVER AVE  
HARRISONBURG VA 22801

S Main St

GRAYSON K PRITCHARD & SARAH J  
PRITCHARD  
29 E WEAVER ST  
HARRISONBURG VA 22801

LOHR BRIAN S JULIE V  
1776 CROSS KEYS RD  
HARRISONBURG VA 22801

MARILYN S PENDLEBURY  
6049 SHADY OAK CT  
MECHANICSVILLE VA 23111

SCOTT TAMMY LYNN  
25 E WEAVER AVE  
HARRISONBURG VA 22801

C & N REAL PROPERTIES LLC  
15871 CITY VIEW DR STE 300  
MIDLOTHIAN VA 23113

HOFFMAN RANDY C KIMBERLY E  
25 EDGELAWN DR  
HARRISONBURG VA 22801

GARY L BEATTY TR & GARY L BEATTY  
TRUST  
450 S MASON ST  
HARRISONBURG VA 22801

JCF VENTURES LLC & C/O MARILYN  
PENDLEBURY  
6049 SHADY OAK CT  
MECHANICSVILLE VA 23111



# Special Use Permit – Per Section 10-3-34 (7)

## 1315 Carrera Lane



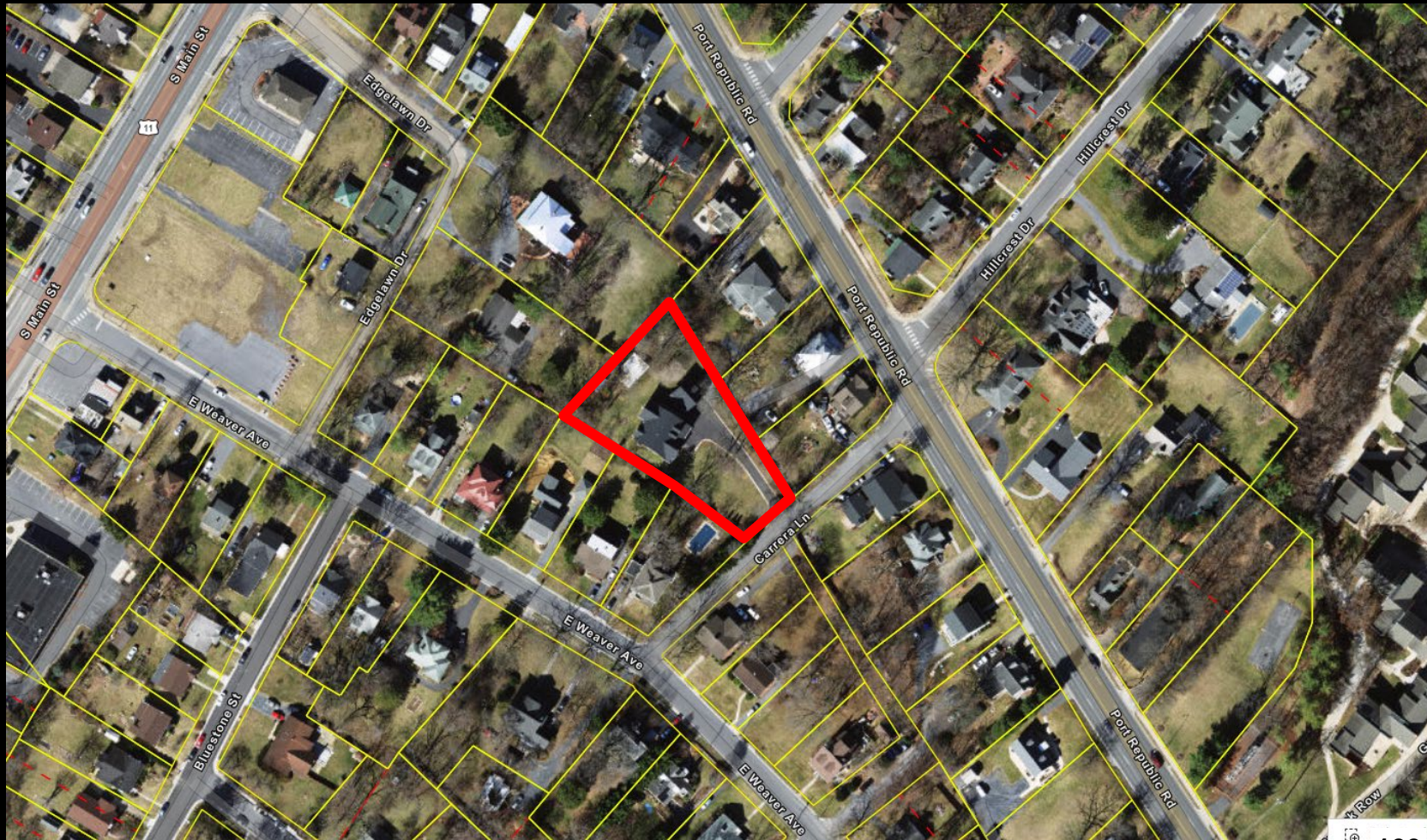
# Special Use Permit – Per Section 10-3-34 (7)

## 1315 Carrera Lane



# Special Use Permit – Per Section 10-3-34 (7)

## 1315 Carrera Lane



<b>By Right Homestay</b>	<b>Short-term rental by Special Use Permit (STR by SUP)</b>
The property must be operator's primary residence.	The property must be operator's primary residence.
May operate up to 90 nights per calendar year.	No limit on number of nights that the STR can operate per year unless conditioned by SUP.
Maximum of 4 guests.	No maximum number of guests unless conditioned by SUP.
Allowed only in principal dwellings.	Allowed in principal dwellings or accessory buildings unless a restriction is conditioned by SUP.
No off-street parking requirements.	One off-street parking space for each accommodation space, unless conditioned otherwise.



# Summarized Recommended Conditions

1. Accommodations shall be within the existing accessory dwelling above the garage.
2. No more than 1 guest room or accommodation space.
3. STR guests at one time shall be limited to four (4).
4. Minimum off-street parking spaces do not need to be delineated.
5. The operator shall submit a completed Short-Term Rental Pre-Operation Form and maintain compliance with the items identified in the Form.
6. If the STR becomes a nuisance, PC or CC can recall the SUP for further review, which could lead to the need for additional conditions, restrictions, or the revocation of the permit.

# Recommendation

Staff and Planning Commission (7-0) recommends approval of the SUP request with the suggested conditions.



# City of Harrisonburg

City Hall  
409 South Main Street  
Harrisonburg, VA 22801

## Legislation Text

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**File #:** ID 26-147, **Version:** 1

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**Subject:**

Consider a request from Robin L. Lake to rezone 850 Canterbury Court

Presented By: Adam Fletcher, Department of Community Development

A request from Robin L. Lake to rezone a +/- 12,692-square foot property from R-1, Single-Family Residential District to R-8C, Small Lot Residential District Conditional. The property is addressed as 850 Canterbury Court and is identified as tax map parcel 23-V-14.



June 9, 2026 City Council Meeting

**Title**

Consider a request to rezone 850 Canterbury Court — Planning Commission and Adam Flethcer, Community Development

**Summary**

Project name	N/A
Address/Location	850 Canterbury Court
Tax Map Parcels	23-V-14
Total Land Area	+/- 12,692 square feet
Property Owner	Robin L. Lake
Owner’s Representative	N/A
Present Zoning	R-1, Single-Family Residential District
Proposed Zoning	R-8C, Small Lot Residential District Conditional
Planning Commission	May 13, 2026 (Public Hearing)
City Council	June 9, 2026 (First Reading/Public Hearing) Anticipated June 23, 2026 (Second Reading)

**Recommendation**

Option 1. Staff and Planning Commission (7-0) recommend approval of the rezoning request.

**Context & Analysis**

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

Site: Single-family detached dwelling, zoned R-1

North: Single-family detached dwelling, zoned R-1

East: Across undeveloped Maryland Avenue, single-family detached dwelling, zoned R-1

South: Single-family detached dwelling, zoned R-1

West: Across Canterbury Court, single-family detached dwelling, zoned R-1

The applicant is requesting to rezone a +/- 12,692-square foot property from R-1, Single-Family Residential District to R-8C, Small Lot Residential District Conditional. The property is addressed as 850 Canterbury Court and is identified as tax map parcel 23-V-14. If approved, the applicant intends to replace the existing covered front porch with a larger covered front porch that would encroach into the current R-1 district’s minimum front yard setbacks. The applicant states in their letter that the new porch would be expanded from six feet to no further than 12 feet from the home to avoid the unstable, rocky ground affecting the footers of the existing porch.

### *Proffers*

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

The property shall be limited to one (1) single-family detached dwelling and customary accessory uses.

In the R-8 district, single-family detached homes and duplexes are allowed by right so long as, among other things, lot area and dimensional requirements are met. The submitted proffer prevents more than a single unit within the R-8-zoned area.

While the R-8 district was created in 2019 to provide additional flexibility for housing opportunities by establishing smaller lots, the City has reviewed requests to rezone properties to R-8 in established neighborhoods on a case-by-case basis. Planning Commission and City Council have previously approved requests to rezone properties from R-1 and R-2 to R-8 for the purpose of reducing minimum setbacks. In reviewing those requests, staff noted that, in addition to proffering a maximum number of dwellings, applicants often also proffered minimum front yard setbacks to ensure that any construction or modifications on the property would remain generally consistent with the established surrounding properties.

Staff suggested for the applicant to consider proffering a minimum front yard setback of 20 feet. The applicant expressed concern that the covered front porch has not yet been designed and was reluctant to proffer a specific minimum setback at this time. Staff would have preferred such a proffer to provide greater certainty regarding the uniformity of the property frontage relative to the neighboring properties.

### *Land Use*

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

These areas consist of single-family detached dwellings in and around well-established neighborhoods with a target density of around 4 dwelling units per acre. The low density residential areas are designed to maintain the character of existing neighborhoods. It should be understood that established neighborhoods in this designation could already be above 4 dwelling units per acre.

The rezoning request, with the submitted proffer, retains the target density for the Low Density Residential designation, and the R-8 district's occupancy regulations are the same as the R-1 district's regulations. With the stated proffer to allow only one dwelling, rezoning to R-8 should not have major adverse effects on the surrounding properties.

### *Transportation and Traffic*

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

### *Public Water and Sanitary Sewer*

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

### *Housing*

Rezoning this property to R-8 will not impact housing. The property currently has one single-family detached dwelling, and the proposed proffer would continue to restrict the property to having only one dwelling unit.

### *Public Schools*

If the rezoning is approved, no additional dwelling units would be added to the property; therefore, the student generation is zero.

### *Conclusion*

While staff would have preferred a proffer establishing a minimum front yard setback in order to ensure consistency with the neighboring properties, the request retains both the occupancy and density of the R-1, Single-Family Residential District, and is consistent with the Comprehensive Plan. Staff recommends approval of the rezoning.

### **Options**

1. Approve the rezoning request.
2. Deny the rezoning request.

### **Attachments**

- Extract from Planning Commission
- Site maps
- Application and supporting documents



# CITY OF HARRISONBURG COMMUNITY DEVELOPMENT

409 SOUTH MAIN STREET, HARRISONBURG, VA 22801  
OFFICE (540) 432-7700 • FAX (540) 432-7777

June 1, 2026

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

**SUBJECT: *Consider a request from Robin L. Lake to rezone 850 Canterbury Court***

**EXTRACT FROM THE DRAFT MINUTES OF HARRISONBURG PLANNING  
COMMISSION MEETING HELD ON: May 13, 2026**

Chair Baugh read the request and asked staff to review.

Ms. Soffel said the applicant is requesting to rezone a +/- 12,692-square foot property from R-1, Single-Family Residential District to R-8C, Small Lot Residential District Conditional. The property is addressed as 850 Canterbury Court and is identified as tax map parcel 23-V-14. If approved, the applicant intends to replace the existing covered front porch with a larger covered front porch that would encroach into the current R-1 district's minimum front yard setbacks. The applicant states in their letter that the new porch would be expanded from six feet to no further than 12 feet from the home to avoid the unstable, rocky ground affecting the footers of the existing porch.

### *Proffers*

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

The property shall be limited to one (1) single-family detached dwelling and customary accessory uses.

In the R-8 district, single-family detached homes and duplexes are allowed by right so long as, among other things, lot area and dimensional requirements are met. The submitted proffer prevents more than a single unit within the R-8-zoned area.

While the R-8 district was created in 2019 to provide additional flexibility for housing opportunities by establishing smaller lots, the City has reviewed requests to rezone properties to R-8 in established neighborhoods on a case-by-case basis. Planning Commission and City Council have previously approved requests to rezone properties from R-1 and R-2 to R-8 for the purpose of reducing minimum setbacks. In reviewing those requests, staff noted that, in addition to proffering a maximum number of dwellings, applicants often also proffered minimum front yard

setbacks to ensure that any construction or modifications on the property would remain generally consistent with the established surrounding properties.

Staff suggested for the applicant to consider proffering a minimum front yard setback of 20 feet. The applicant expressed concern that the covered front porch has not yet been designed and was reluctant to proffer a specific minimum setback at this time. Staff would have preferred such a proffer to provide greater certainty regarding the uniformity of the property frontage relative to the neighboring properties.

#### *Land Use*

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

These areas consist of single-family detached dwellings in and around well-established neighborhoods with a target density of around 4 dwelling units per acre. The low density residential areas are designed to maintain the character of existing neighborhoods. It should be understood that established neighborhoods in this designation could already be above 4 dwelling units per acre.

The rezoning request, with the submitted proffer, retains the target density for the Low Density Residential designation, and the R-8 district's occupancy regulations are the same as the R-1 district's regulations. With the stated proffer to allow only one dwelling, rezoning to R-8 should not have major adverse effects on the surrounding properties.

#### *Transportation and Traffic*

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

#### *Public Water and Sanitary Sewer*

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

#### *Housing*

Rezoning this property to R-8 will not impact housing. The property currently has one single-family detached dwelling, and the proposed proffer would continue to restrict the property to having only one dwelling unit.

#### *Public Schools*

If the rezoning is approved, no additional dwelling units would be added to the property; therefore, the student generation is zero.

#### *Conclusion*

While staff would have preferred a proffer establishing a minimum front yard setback in order to ensure consistency with the neighboring properties, the request retains both the occupancy and density of the R-1, Single-Family Residential District, and is consistent with the Comprehensive Plan. Staff recommends approval of the rezoning.

Ms. Soffel asked if there were any questions for staff.

Commissioner Seitz said I just want to make sure I understand, and I apologize I was not able to be on the tour yesterday. The address of this is Canterbury Court. It shows a covered porch facing Canterbury Court and a deck facing the Maryland Avenue right-of-way in the back. We are talking about the porch that faces towards Canterbury Court, correct?

Ms. Soffel said correct.

Commissioner Seitz said what I wonder about that is this issue of proffering the 20-foot... I mean that is 31 feet... It would seem like some degree of proffering a setback, that still will allow flexibility for whatever design is made.

Ms. Soffel said that is why staff had suggested a voluntary proffer.

Vice Chair Porter said Ms. Soffel, do we know whether the rock that they are concerned about is in a place that might require them to possibly either amend or change that design?

Ms. Soffel said can you repeat that?

Vice Chair Porter said I understand that the rationale for changing the porch or building an extended porch because of where the footers are falling in relation to rock on the property, maybe this is for the applicant I should ask. The reality is it seems like having a little bit of latitude, especially when you are dealing with something like rock, it might be something you might want a little bit of room to work with.

Ms. Soffel said which is what the applicant had expressed to me.

Councilmember Dent said the fact that they said the porch should be no deeper than 12 feet, what would that make the setback be?

Ms. Soffel said the current porch is 6 feet deep and from the porch to their property line is approximately 31 feet. If the front porch were 12 feet deep that would be about a 25-foot setback.

Councilmember Dent said that is about what they will land with anyway since they have put a maximum on the size of the porch.

Mr. Fletcher said it did not put a maximum on the size.

Ms. Soffel said the size of the porch is not proffered.

Councilmember Dent said if it is as planned it is still a sufficient setback in any case.

Commissioner Seitz said in theory, when this gets submitted for building permit with that 10-foot yard setback they can come back with a porch that is 20 feet deep and still be in compliance with this.

Ms. Soffel said theoretically.

Commissioner Seitz said I guess I would ask this of the applicant when they speak is, why not design the porch to figure out what it needs to be and then come in and specify that setback so that there is not a misunderstanding when it comes through for permitting.

Chair Baugh said I have my educated guess, but let's see if we can do better than that, what would staff say was its rationale for saying well we would like to see it but we are not sufficiently concerned about that issue to insist on it?

Ms. Soffel said it is located on a cul-de-sac and even though all of the neighboring properties do have at least a 30-foot setback, the positioning, the curvature does not necessarily give a sense of uniformity. Whether something is a little bit closer or not, I at least do not predict that would have a visual difference as it would if it was a straight street. In addition, the property has quite an incline in the front yard. The further they would bring a front porch towards the street, the taller it would have to be. That could limit their ability to expand the porch beyond a certain amount. It looks like it would be limiting.

Commissioner Kettler said my sense of expanding a porch like this and the front setback is, allowing a larger porch simply means that the applicant can make better use of their property in terms of being connected to the neighborhood and connected to the street. This is the definition of eyes on the street. That it has a marginally different appearance from adjacent homes in terms of the distance from the curb, it is just not a factor that is that significant for me.

Commissioner Seitz said this is the third R-8C special use permit (sic) I have seen recently. It was designed to utilize smaller lots, but I am seeing it used as a way to find work arounds for restrictions that are given by R-1. Is that a feature or a bug?

Ms. Soffel said it is a result.

Commissioner Seitz said in part of what I am saying is if there is an attitude that okay this is a loophole, but we are going to let it be used as a loophole, then I want to see a stipulated setback. If this is seen to be in alignment with the spirit of having a [R-]8C, then I am less concerned about that. Does that distinction make any sense?

Commissioner Kettler said I think what we are seeing, both in this request and in a previous request, is the unintended consequences of R-1 as it relates to what you can have there. Them not being able to have a stove in the upstairs room, is that really that significant to us? My suggestion is that it is... I do not know by the definition whether it is a bug or a feature, but that the more flexible residential option is a better one.

Ms. Soffel said I would say that what the request demonstrates to me is that there is a desire for those smaller setbacks.

Councilmember Dent said we can address that in the zoning update.

Chair Baugh said I guess to me it is still about where you draw the line. I am comfortable with the notion that while what we primarily thought of with R-8 was the small houses... But why did we like the small houses? Because it was reflective of giving people greater flexibility and getting more efficient use of the space. In that sense, it is consistent. Although the point is well-taken that we are on a run here where we are seeing more R-8s that are about these setback challenges than actually trying to get the additional unit on the property or those types of things.

Commissioner Seitz said I agree in spirit with Commissioner Kettler. I do not mind seeing this being used as a way to fine tune the irregularities that come up when you have a strict applying of R-1. I think that when you do that you have to be very precise about it. To me the difference between having a six-foot-deep deck that might be 10 to 12 or it might be 20 feet is imprecise. I get that we do not know where the rock is, we do not know what we are going to encounter and so on but design it, dig test holes and then come back and ask for exactly what you want.

Chair Baugh invited the applicant or applicant's representative to speak to their request.

Robin Lake, the applicant, came forward to speak to her request. She said ready for questions.

Commissioner Seitz said I guess I would be more comfortable having assurances. I get maybe +/- 1 foot because you are trying to navigate around rock. We are providing you the opportunity to build anywhere up to a deck that is 20 feet deep with only a written non-binding assurance that it is going to be more or less 12 feet. Is there any way we can get more specificity about that?

Ms. Lake said what would please the Commission for a setback? What we are dealing with is an ongoing issue that we have had with this porch to the point that we actually tried to have helical piers installed under it and they could not get under it. I do not know what it is going to look like in that space because not only are we on a slope we are also on a slope like this to the street.

Commissioner Seitz said again I would recommend designing the solution and find out exactly what you need. I understand that this is driven more by the technical issues of the rock and the failure. Putting those helical piers in I get is expensive, but all the more reason to figure out what works there because you have the flexibility. I think if we are using the [R-]8C rezoning as a way to deal with very particular and unique issues, then let's bring particular and unique solutions to it. What burden do we put on you by asking you to design it, test it, specify what you want prior to coming for the rezoning?

Ms. Lake said hiring a structural engineer to do the testing and design before I know that something is going to be approved.

Commissioner Seitz said you said "you think it is 12 feet."

Ms. Lake said right now we are at six feet if we go no more than 12 because then we start to really slope off. If we go no more than twelve, which is what was requested, we should be able to get somewhere between ten and twelve feet and find a spot that we should be able to do something. That is what I was looking for. I was also considering needing to move the stairs from the left of the house where it is at the end of the porch where it is settling over to need to move the stairs somewhere in the front. The consideration is if we were to decide to cover, which we are not, but

I did not want to limit somebody else to have to come back and proffer that we want to cover the stairs if need be.

Commissioner Seitz said I think agreeing to a minimum twenty-foot setback gives you five-feet of latitude beyond the six feet that you say that you need.

Ms. Lake said the issue is actually the covered porch. I could bring the porch out now into the setback and it would be fine. It would be within the third of the setback that there is now. I cannot cover the entire porch. It would have to stay partially covered where it is. That is the issue that I am having is the enclosure of the porch. As it is I could just extend the porch with no cover but that does not make for a very useful or aesthetic front porch.

Vice Chair Porter said you stated in your letter that you probably needed no deeper than 12 feet, is that pretty much where you feel like you are at this point?

Ms. Lake agreed. She said if we try to go a foot we are probably going to hit some of the same thing. We may hit it at ten it may be 12 or 13. That is where I am shooting for is 12, so that we have that latitude to play with whatever might be under the ground.

Councilmember Dent said this is the first I have heard about a stair; meaning the stair might come out of the front of the porch. If that were at some point to be covered that would be even further into the setback?

Ms. Lake said that would be a new proffer. It is my understanding that the stairs themselves can egress into the setback. It would only be if they are covered, that would be the issue. Because that whole left side of the porch... we have structural supports in the crawlspace under that side of the house because of the issues. The stairs are there. When we originally replaced the railing, it was full of carpenter bees. When they took the support out on the short end, the whole corner, all the brick, just fell out. The only thing that was holding it there was the post that was on top of it. We replaced it with vinyl, no more carpenter bees, but now as the porch continues to settle my guess is that in the wintertime the vinyl gets very stiff and as the torque from the settling hits it in the cold it is cracking the railings. It is also causing more settling. We have a few cracks on top of the porch as well. We tried to do it mechanically and leave what is there and they withdrew their request for the permit because they could not do it.

Chair Baugh asked if there were any questions for the applicant.

Ms. Lake said when I originally brought in this request, this was the suggested route to go because you guys do not give variances.

Vice Chair Porter said I would say in this particular set of circumstances that based on some of the structural issues you are facing, this could almost rise to the level of something that could be considered for that just based on the fact that we would be giving you relief in this set of circumstances based on the topography of your property. Am I correct in that?

Mr. Fletcher said that can be a situation.

Vice Chair Porter said it is not unprecedented particularly the fact that you are dealing with these issues. I would be inclined, particularly because this is on a cul-de-sac, to give you a little more leeway than maybe some other circumstances and that is kind of where I sit on it. I do feel a little uncomfortable with giving you a complete hunting license just to be able to go out as far as you need to. Is there an amount at maybe 14 feet deep? Is there something in that area where you would be willing to say we are not going to go any further?

Chair Baugh said Mr. Russ, I hope you would caution us if we think we are getting too close to what sounds like directly negotiating proffers.

Ms. Lake said I am willing to proffer 15 feet which kind of cuts what we have in half.

Vice Chair Porter said to keep it from getting further into negotiation I will not respond to it. It does get to the heart of the issue here.

Commissioner Seitz said I agree, this would be a lot easier.

Commissioner Kettler said I think that this discussion gets to the question of, what is a front yard for? To me, if a front yard is good for something, it is good for a space to interact outside near where other people could be and activate a neighborhood. What is a larger front porch if not that?

Vice Chair Porter said it is also an existing part of her structure that is now failing. Again, I go back to the possibility that could almost put her in a position to be able to ask for a variance, but I think that in this particular case it is probably we deal with it while we are here.

Councilmember Dent said I think here is easier.

Chair Baugh asked if there were any more questions for the applicant. Hearing none, he opened the public hearing and invited anyone in the room or on the phone wishing to speak to the request.

Panayotis Giannakouros, a City resident, called in to speak to the request. He said I urge the applicant to ask for what they need. It will be approved at City Council especially if it appears before the primary election on August 4 when Nicki Gross and Kat Hendley are running to take two of the seats. Regarding R-8, it has shown up a compelling reason why we need to start from whole cloth in our Zoning [Ordinance] rewrite. The bug in R-8 is that it was a developer and realtor driven process that gave us lots that are too small for what people want. Again, door knocking with Nicki and Kat, I have heard this from realtors that people do not want the small lots. Developers do because they can sell more pieces. The side effect of R-8 is that it has shown what people actually do want. When we get homeowners, people who live in the homes coming forward they use this side effect of R-8 which is a feature that should be codified in our Zoning [Ordinance] rewrite. Which is, to make their lot usable. I find myself agreeing with Commission Kettler here. The purpose for a front yard setback is so that it can be landscaped as a lawn which can be used to harass people out of the neighborhood. If you do not think that happens, come to Sunset Heights where the Ku Klux Klan is circulating an anonymous letter targeting people who have been repeatedly targeted by the same organization under their brand name. Now they are not harassing

under their brand name, they are harassing under a homeowner's association that does not exist to drive people out of the neighborhood. We need to do a whole cloth rewrite of the zoning. I am really unhappy that I am hearing nobody but Commissioner Kettler calling this out. In Old Town recently, City Council approved a large house with large porches with very different kinds of setback in those lots which were created before segregation through zoning in a neighborhood that people would generally agree is a very functional neighborhood. We need to remove the exclusionary wasteful features. Now if we wanted to have a big setback because it is going to be landscaped in a way that is going to create a wildlife corridor, a stormwater resilience feature, that is great but that is not what we have right now. Again, I urge the applicant to ask for what they want, ignore Planning Commission. This is not a decision-making body, it is an advisory body. City Council will be with you because they face a contested primary. Thank you, Mister Chair.

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

Commissioner Seitz said I would simply say, Commissioner Kettler, the other role in something like this is front yards also connect you to a neighborhood. There is always a part of the discussion of how does it affect the relationship both physically and otherwise in a neighborhood. I am inclined to vote in approval of this. At the end of the day, Ms. Lake, I trust you to do the right thing. But I would ask please when we use R-8 as a work around, please ask for as much specificity about what we are approving as possible. I feel like the way that this structured, there is leeway here that in some circumstances could come back and bite the City. We are an advisory body. My advice is to be as specific as possible with these R-8 rezonings in the future.

Vice Chair Porter said I would only state that just like your situation and the situation that others have brought forward, it is not your fault that the situation is set up the way it is. I feel for your circumstance and again I would put myself in your place as having a property that is having structural and topographical issues that are threatening your home. I would want to give you as much latitude as possible to be able to correct that and get your life back the way you want it. That is how I view it, but it is a bit of a technical issue because this is really not how this should work. In terms of coming and having to ask for basically something that should be addressed probably as a variance, and we are having to go through a process of doing a rezoning. It defeats the purpose of what R-8 was designed to do. I do agree very much with Commissioner Seitz about that. At the end of the day I think it is about giving you the latitude that you need to be able to do what you need to do for your property. I would definitely support this.

Commissioner Jezior made a motion to approve the request as presented by staff.

Vice Chair Porter seconded the motion.

Chair Baugh said I understand the concept. It is hard for me to imagine something there that would bother me. The law on variances, if applied properly, is to be extremely conservative and restrictive. It is a high bar, What jurisdictions in the state tend to do is drift over time to be more practical than setting a high bar, and then the Virginia Supreme Court will issue that same opinion that they have issued before and everybody cuts back on it. I also understand not going down that path.

Vice Chair Porter said I am sitting up here with two attorneys who probably appreciate a good loophole when they see it. Until we get a better system its kind of is what it is.

Chair Baugh said I would call it being reasonably flexible to work with folks in town.

Councilmember Dent said I have just been pretty baffled to amused at the R-8 loophole for just these kinds of setback issues. Again, it just prompts for more rigorous update of our Zoning [Ordinance] so that we can allow for these things by right and do not have to keep seeing them.

Commissioner Kettler said I think this is more onerous on the small homeowner who just wants to make a change to their porch and not go before Planning Commission to do it. Having some clear already established by right rules that already address the other concerns mentioned is helpful for that.

Chair Baugh said again, this one is not driven by aesthetics, this is my porch is falling into the ground and I would like to keep it.

Chair Baugh called for a roll call vote.

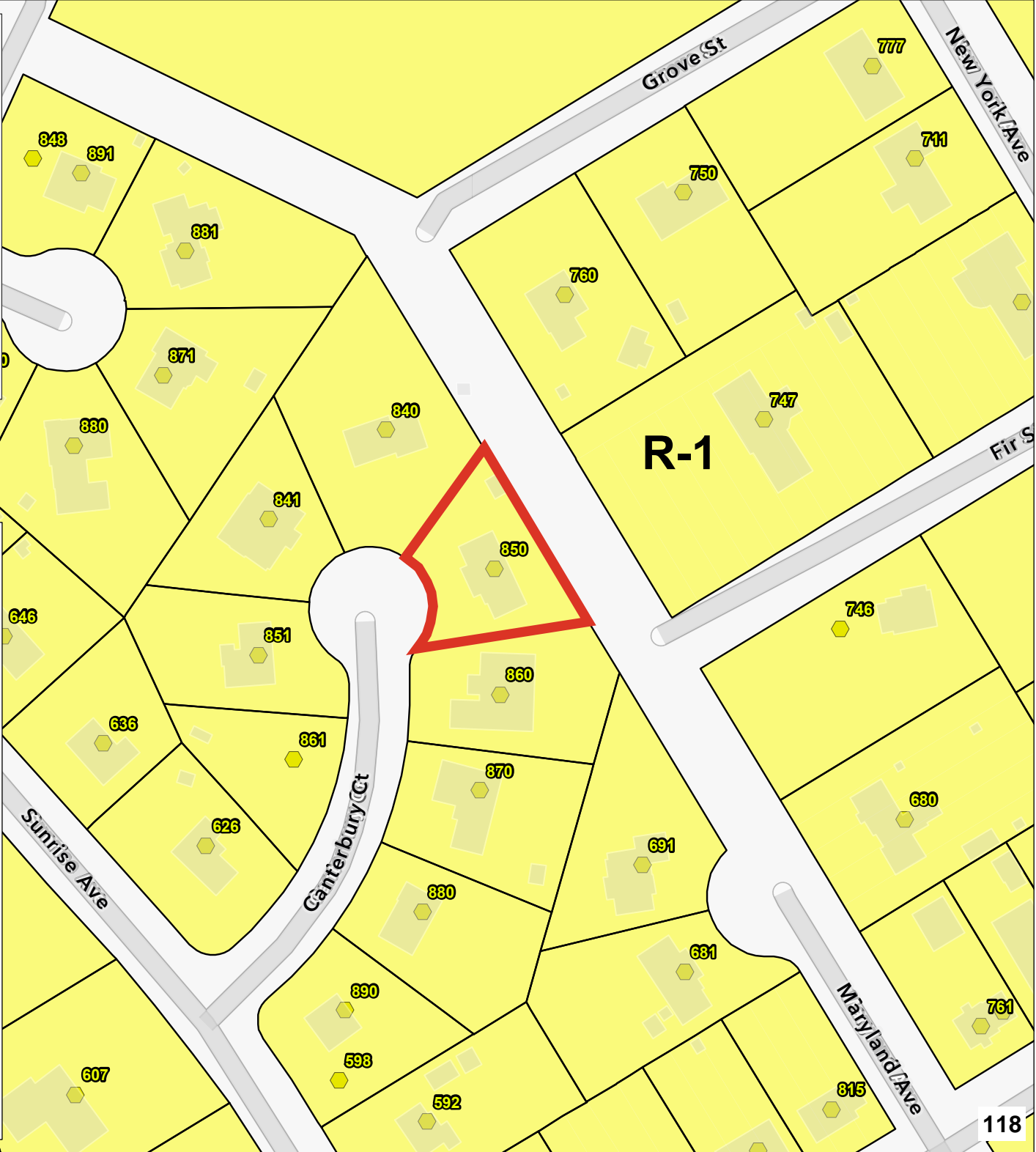
Commissioner Seitz	Aye
Commissioner Jezior	Aye
Councilmember Dent	Aye
Commissioner Alsindi	Aye
Commissioner Kettler	Aye
Vice Chair Porter	Aye
Chair Baugh	Aye

The motion to recommend approval of the rezoning request passed (7-0). The recommendation will move forward to City Council on June 9, 2026.

# City of Harrisonburg

Rezoning  
R-1 to R-8C  
850 Canterbury Court  
Tax Map Parcel: 23-V-14  
+/- 12,692-square feet

## Zoning



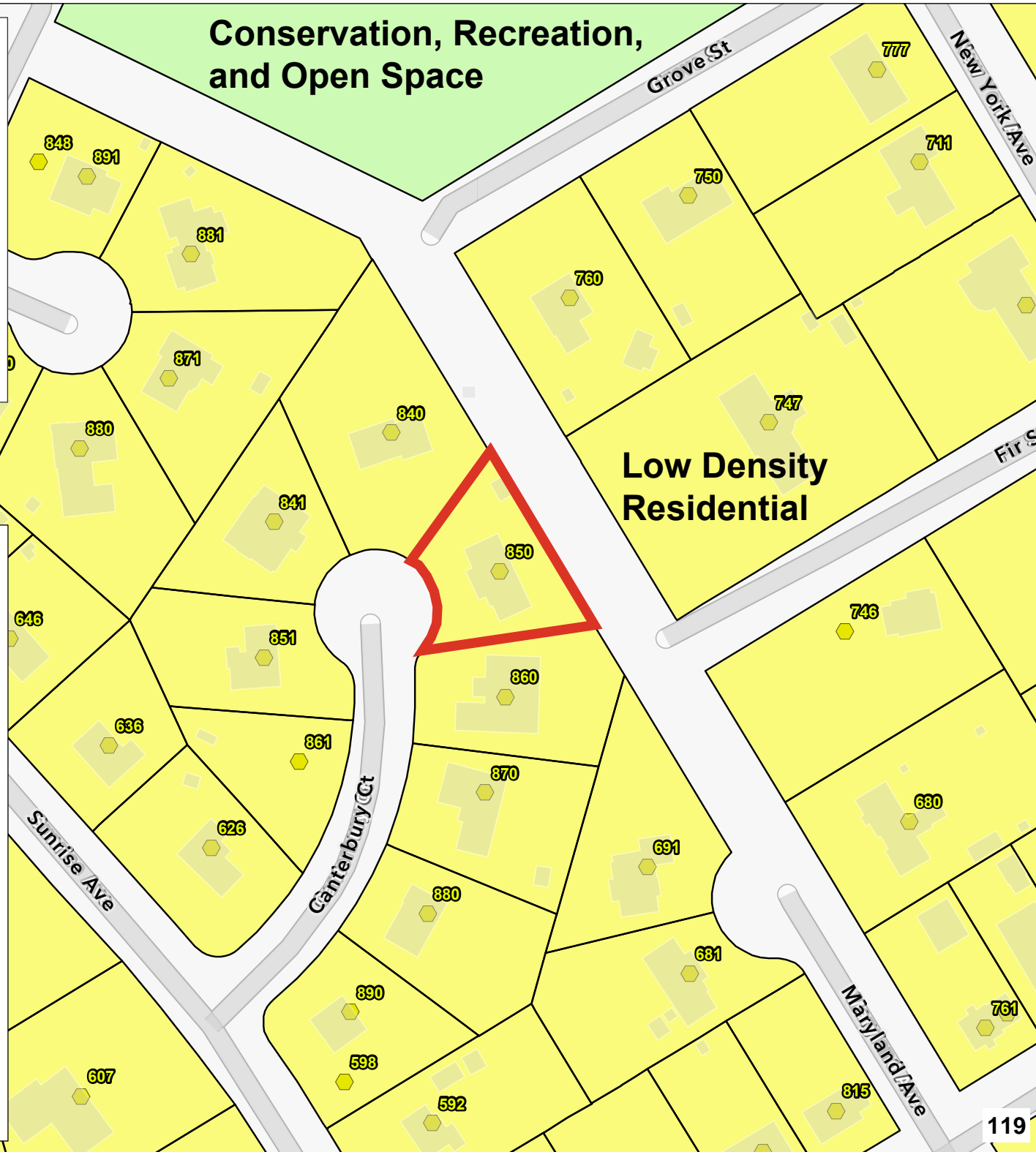
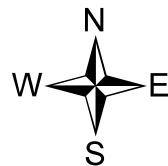
# City of Harrisonburg

Rezoning  
R-1 to R-8C  
850 Canterbury Court  
Tax Map Parcel: 23-V-14  
+/- 12,692-square feet

## (Future) Land Use Guide

### Conservation, Recreation, and Open Space

### Low Density Residential



# City of Harrisonburg

Rezoning  
R-1 to R-8C  
850 Canterbury Court Tax  
Map Parcel: 23-V-14  
+/- 12,692-square feet





**CITY OF HARRISONBURG  
COMMUNITY  
DEVELOPMENT**

**Change of Zoning District  
(Rezoning) Application**  
[www.harrisonburgva.gov/zoning](http://www.harrisonburgva.gov/zoning)

**PROPERTY INFORMATION**

Property Address: 850 Canterbury Ct 22804 Tax Map Parcel/ID: 23-V-14 Total Land Area: 12,692 acres or sq.ft. (circle)

Existing Zoning District: R-1 Proposed Zoning District: R-8

Existing Comprehensive Plan Designation: Low Density Residential

**PROPERTY OWNER INFORMATION**

Property Owner Name: Robin Lake Telephone: [REDACTED]

Street Address: 850 Canterbury Ct E-Mail: [REDACTED]

City: Harrisonburg State: VA Zip: 22804

**OWNER'S REPRESENTATIVE INFORMATION**

Owner's Representative: SELF Telephone: \_\_\_\_\_

Street Address: \_\_\_\_\_ E-Mail: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

**CERTIFICATION**

*I certify that the information supplied on this application and on the attachments provided (maps and other information) is accurate and true to the best of my knowledge. In addition, I hereby grant permission to the agents and employees of the City of Harrisonburg to enter the above property for the purposes of processing and reviewing this application. I also understand that, when required, public notice signs will be posted by the City on any property.*

Signature: [Signature] DATE: 3/20/22

**REQUIRED ATTACHMENTS**

- Letter explaining proposed use & reasons for seeking change in zoning.
- Statement on proffers, if applying for conditional rezoning.
- Survey of property or site map.
- Traffic Impact Analysis (TIA) Determination Form OR Traffic Impact Analysis (TIA) Acceptance Letter signed by Public Works Department. Applicant is responsible for coordinating with Public Works prior to submitting this application. For more information, visit [www.harrisonburgva.gov/traffic-impact-analysis](http://www.harrisonburgva.gov/traffic-impact-analysis).

**TO BE COMPLETED BY PLANNING & ZONING DIVISION**

Date Application and Fee Received: 3-20-22 Total Fees Due: \$ 580

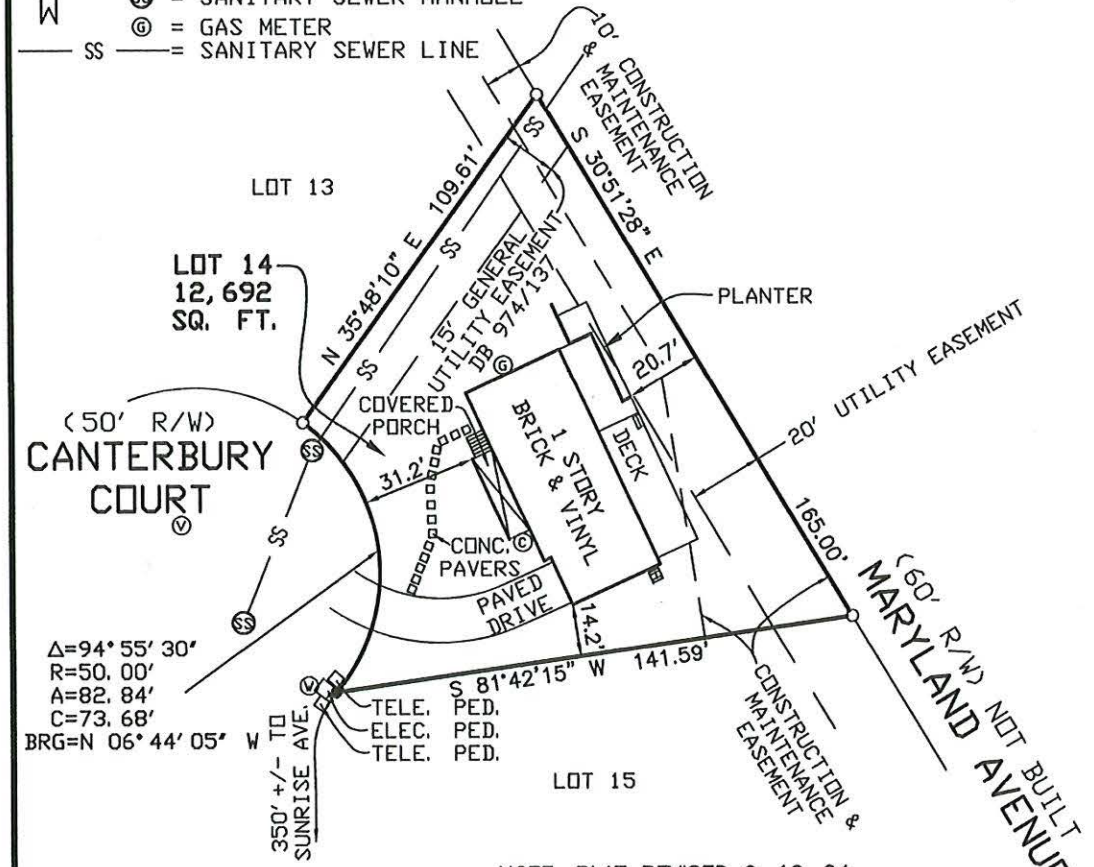
Application Fee: \$550.00 + \$30.00 per acre

Received By: [Signature]

REVISED: SEPTEMBER 10, 2024  
 REVISED: SEPTEMBER 17, 2004  
 AUGUST 20, 2004  
 SCALE: 1"=40'

THIS LOT IS IN FLOOD ZONE X.  
 NOTE:  
 NO TITLE OPINION WAS SUPPLIED  
 FOR THIS SURVEY.

- = NAIL SET  
 ○ = FOUND IRON PIN  
 ⊙ = WATER VALVE  
 ⊕ = WATER METER  
 ⊗ = CLEANOUT  
 ⊞ = HEAT PUMP  
 ⊚ = SANITARY SEWER MANHOLE  
 ⊛ = GAS METER  
 — SS — = SANITARY SEWER LINE



$\Delta=94^{\circ}55'30''$   
 $R=50.00'$   
 $A=82.84'$   
 $C=73.68'$   
 $BRG=N 06^{\circ}44'05'' W$

**TITLE INFORMATION:**  
 TM 23-V-14  
 DB 4284/460  
 SUBD. PLAT DB 876/225  
 OWNER: ROBIN L. LAKE  
 ADDRESS: 850 CANTERBURY COURT  
 HARRISONBURG, VA 22801

NOTE: PLAT REVISED 9-10-24  
 ADDED NEW DECK, PLANTER AND HEAT PUMP.  
 REVISED CONSTRUCTION AND MAINTENANCE EASEMENT.  
 NEW FENCE, BUILDING, FRONT WALK AND DRIVEWAY  
 HAVE NOT BEEN LOCATED AND REVISED.

NOTE: SEE DEED BOOK 5573, PAGE 308  
 INDEMNIFICATION AND COST RECOVERY AGREEMENT

# PHYSICAL SURVEY OF LOT 14, OXFORD SQUARE

CITY OF HARRISONBURG, VIRGINIA

**SURVEYOR'S CERTIFICATE:**  
 TO ALL PARTIES INTERESTED IN TITLE TO PREMISES SURVEYED  
 THIS SURVEY WAS ACTUALLY MADE ON THE GROUND AS PER RECORD  
 DESCRIPTION AND IS CORRECT. THERE ARE NO ENCROACHMENTS  
 EITHER WAY ACROSS PROPERTY LINES, EXCEPT AS SHOWN.  
 GIVEN UNDER MY HAND THIS 17th DAY OF SEPTEMBER, 2004.  
 SEE REVISIONS 10th DAY OF SEPTEMBER, 2024.

**BENNER & ASSOC., INC.**  
 8 PLEASANT HILL ROAD  
 HARRISONBURG, VA 22801

REF: 081904  
 DRAWING: 081904.dwg  
 CRD: 081904



**Request for Rezoning from R-1 to R-8 to Replace and Extend Front Porch with Extended Roof**

Dear City of Harrisonburg Planning Commission,

I am writing to formally request rezoning of my property at 850 Canterbury Ct from R-1 Single-Family Residential to R-8 Small Lot Residential. This request is made to allow the replacement and extension of the existing front porch, roof and stairs.

The existing porch is experiencing significant settling issues due to the challenging site conditions, including sloping land from left to right and away from the front of the house and rocky soil at the footers impeding a mechanical solution. A failed attempt to install helical piers means structural problems persist, causing continual cracking in railings and porch components, even after replacement and rework.

To properly address these issues, the plan is to:

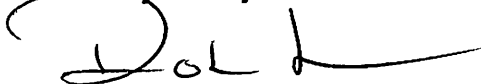
- Replace the existing front porch and roof with a new covered porch and stairs
- New porch/roof depth would be expanded from 6ft to no deeper than 12 ft in order to avoid the unstable and rocky ground affecting the existing porch footers, thereby allowing for a more stable foundation system and reducing future settlement risks.

Rezoning to R-8 Small Lot Residential, which requires only a 10-foot front yard setback, would bring this project fully into compliance with setback requirements, enabling us to proceed with the necessary porch replacement and extension in a manner that addresses both structural and safety concerns.

This rezoning will not alter the character of the neighborhood or increase density but will simply allow a safer and code-compliant solution to the ongoing settling problem at the front of the home.

I am happy to provide any additional information or answer questions during the review process. A voluntary proffer maintaining the lot as restricted to a single family dwelling is included.

Thank you for your consideration,



Robin Lake

**VOLUNTARY PROFFER STATEMENT**

**Rezoning Request – R-1 to R-8**

**Property Owner: Robin Lake**

**Property Address: 850 Canterbury Ct, Harrisonburg, VA 22801**

**Tax Map Number: 23-V-14**

In connection with the rezoning request submitted to the City of Harrisonburg to rezone the above-referenced property from R-1 Single-Family Residential District to R-8 Small Lot Residential District, the undersigned owner hereby voluntarily proffers the following condition, which shall be binding on the property if the rezoning is approved:

Proffer: The property shall be limited to one (1) single-family detached dwelling and customary accessory uses.

Owner Signature: 

Printed Name: Robin LAKE

Date: 4/24/26



For inclusion in an application for Planning Commission review (for Special Use Permit, Rezoning or Preliminary Plat), this form must be submitted to the Public Works Department at least 5 business days prior to the Planning Commission application deadline.

<b>Contact Information</b>				
Consultant Name: Telephone: E-mail:				
Owner Name: Telephone: E-mail:	Robin Lake 540-578-3283 lake22802@comcast.net			
<b>Project Information</b>				
Project Name:				
Project Address: TM #:	850 Canterbury Ct 23-V-14			
Existing Land Use(s):	Single-family residential			
Proposed Land Use(s): (if applicable)	Single-family residential			
Submission Type:	Comprehensive Site Plan <input type="radio"/>	Special Use Permit <input type="radio"/>	Rezoning <input checked="" type="radio"/>	Preliminary Plat <input type="radio"/>
Project Description: (Include site plan or preliminary sketch and additional details on land use, acreage, access to site, etc)	Rezone from R-1 to R-8 for reduced setbacks to replace existing front porch and roof with new covered porch and stairs that will encroach into the setback.			
<b>Peak Hour Trip Generation (from row 15 on the second page)</b>				
AM Peak Hour Trips:	0			
PM Peak Hour Trips:	0			

**(reserved for City staff)**

TIA required? Yes \_\_\_\_\_ No

Comments:

Accepted by:                     *Zenetta Mason*                    

Date:                     04/09/2026

### Peak Hour Trip Generation by Land Use

Row	ITE Land Use		ITE Land Use Code	Unit	Quantity	AM Peak Hour of Adjacent Street Traffic	PM Peak Hour of Adjacent Street Traffic
1	Proposed #1	Single Family Detached	210	Dwelling Unit	1	1	1
2	Proposed #2						
3	Proposed #3						
4	Proposed #4						
5	Proposed #5						
6	Proposed #6						
7	Total New Trips					1	1
8	Existing #1	Single Family Detached	210	Dwelling Unit	1	1	1
9	Existing #2						
10	Existing #3						
11	Existing #4						
12	Existing #5						
13	Existing #6						
14	Total Existing Trips					1	1
15	Final Total (Total New – Total Existing)					0	0

#### Instructions

Determination of trip generation rates shall be in conformance with ITE guidelines.

1. Based on the intended use(s), calculate the AM Peak and PM Peak trip generation using the AM and PM Peak Hour of Adjacent Street Traffic rates from the most current version of the ITE Trip Generation Manual (rows 1-6). Attach additional sheets as necessary for more uses.
2. Sum up all of the trips generated for the new uses in the Total New Trips row (row 7).
3. If the development has any existing uses, calculate the AM Peak and PM Peak trip generations using the AM and PM Peak Hour of Adjacent Street Traffic rates from the most current version of the ITE Trip Generation Manual (rows 8-13). Attach additional sheets as necessary for more uses.
4. Sum up all of the trips generated for the existing uses in the Total Existing Trips row (row 14).
5. Subtract the total existing trips from the total new trips to get the final total number of trips generated by the development (row 15). Enter these numbers on the first page.

Revised Date: December 2019



May 13, 2026 Planning Commission Meeting

**Title**

Consider a request to rezone 850 Canterbury Court — Nyrma Soffel, Community Development

**Summary**

Project name	N/A
Address/Location	850 Canterbury Court
Tax Map Parcels	23-V-14
Total Land Area	+/- 12,692 square feet
Property Owner	Robin L. Lake
Owner’s Representative	N/A
Present Zoning	R-1, Single-Family Residential District
Proposed Zoning	R-8C, Small Lot Residential District Conditional
Planning Commission	May 13, 2026 (Public Hearing)
City Council	Anticipated June 9, 2026 (First Reading/Public Hearing) Anticipated June 23, 2026 (Second Reading)

**Recommendation**

Option 1. Recommend approval of the rezoning request.

**Context & Analysis**

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

- Site: Single-family detached dwelling, zoned R-1
- North: Single-family detached dwelling, zoned R-1
- East: Across undeveloped Maryland Avenue, single-family detached dwelling, zoned R-1
- South: Single-family detached dwelling, zoned R-1
- West: Across Canterbury Court, single-family detached dwelling, zoned R-1

The applicant is requesting to rezone a +/- 12,692-square foot property from R-1, Single-Family Residential District to R-8C, Small Lot Residential District Conditional. The property is addressed as 850 Canterbury Court and is identified as tax map parcel 23-V-14. If approved, the applicant intends to replace the existing covered front porch with a larger covered front porch that would encroach into the current R-1 district’s minimum front yard setbacks. The applicant states in their letter that the new porch would be expanded from six feet to no further than 12 feet from the home to avoid the unstable, rocky ground affecting the footers of the existing porch.

### *Proffers*

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

The property shall be limited to one (1) single-family detached dwelling and customary accessory uses.

In the R-8 district, single-family detached homes and duplexes are allowed by right so long as, among other things, lot area and dimensional requirements are met. The submitted proffer prevents more than a single unit within the R-8-zoned area.

While the R-8 district was created in 2019 to provide additional flexibility for housing opportunities by establishing smaller lots, the City has reviewed requests to rezone properties to R-8 in established neighborhoods on a case-by-case basis. Planning Commission and City Council have previously approved requests to rezone properties from R-1 and R-2 to R-8 for the purpose of reducing minimum setbacks. In reviewing those requests, staff noted that, in addition to proffering a maximum number of dwellings, applicants often also proffered minimum front yard setbacks to ensure that any construction or modifications on the property would remain generally consistent with the established surrounding properties.

Staff suggested for the applicant to consider proffering a minimum front yard setback of 20 feet. The applicant expressed concern that the covered front porch has not yet been designed and was reluctant to proffer a specific minimum setback at this time. Staff would have preferred such a proffer to provide greater certainty regarding the uniformity of the property frontage relative to the neighboring properties.

### *Land Use*

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

These areas consist of single-family detached dwellings in and around well-established neighborhoods with a target density of around 4 dwelling units per acre. The low density residential areas are designed to maintain the character of existing neighborhoods. It should be understood that established neighborhoods in this designation could already be above 4 dwelling units per acre.

The rezoning request, with the submitted proffer, retains the target density for the Low Density Residential designation, and the R-8 district's occupancy regulations are the same as the R-1 district's regulations. With the stated proffer to allow only one dwelling, rezoning to R-8 should not have major adverse effects on the surrounding properties.

### *Transportation and Traffic*

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

### *Public Water and Sanitary Sewer*

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

### *Housing*

Rezoning this property to R-8 will not impact housing. The property currently has one single-family detached dwelling, and the proposed proffer would continue to restrict the property to having only one dwelling unit.

### *Public Schools*

If the rezoning is approved, no additional dwelling units would be added to the property; therefore, the student generation is zero.

### *Conclusion*

While staff would have preferred a proffer establishing a minimum front yard setback in order to ensure consistency with the neighboring properties, the request retains both the occupancy and density of the R-1, Single-Family Residential District, and is consistent with the Comprehensive Plan. Staff recommends approval of the rezoning.

### **Options**

1. Recommend approval of the rezoning request.
2. Recommend denial of the rezoning request.

### **Attachments**

- Site maps
- Application and supporting documents

## NOTICE OF PUBLIC HEARING

The Harrisonburg City Council will hold public hearings in the City Council Chambers, 409 South Main Street, Harrisonburg, VA on Tuesday, June 9, 2026, at 7:00 p.m., to consider the following:

### ***Special Use Permit – 1315 Carrera Lane (Short-Term Rental in R-1)***

A request from Kevin T. and Denise F. Goertzen for a special use permit per Section 10-3-34 (7) to allow a short-term rental in the R-1, Single-Family Residential District. The +/- 30,086-square foot property is addressed as 1315 Carrera Lane and is identified as tax map parcel 18-R-16.

### ***Rezoning – 850 Canterbury Court (R-1 to R-8C)***

A request from Robin L. Lake to rezone a +/- 12,692-square foot property from R-1, Single-Family Residential District to R-8C, Small Lot Residential District Conditional. The property is addressed as 850 Canterbury Court and is identified as tax map parcel 23-V-14.

### ***Rezoning – 1351 and 1361 Peach Grove Avenue (R-5C (proffer amendment) & B-2 to R-5C)***

A request from Skylar & Talli LLC and James Madison University Real Estate Foundation Inc to rezone two adjacent parcels totaling +/- 15.35-acres from R-5C, High Density Residential District Conditional and B-2, General Business District to R-5C, High Density Residential District Conditional. The parcels are addressed as 1351 & 1361 Peach Grove Avenue, are identified as tax map parcels 92-F-10 & 6, and are currently zoned R-5C and B-2, respectively.

### ***Special Use Permit – 1351 and 1361 Peach Grove Avenue (To Allow Multiple-Family Dwellings of More Than 12 Units Per Building in R-5)***

A request from Skylar & Talli LLC and James Madison University Real Estate Foundation Inc for a special use permit per Section 10-3-55.4 (1) to allow multiple-family dwellings of more than twelve (12) units per building in the R-5, High Density Residential District. The two adjacent parcels totaling +/- 15.35-acres are addressed as 1351 & 1361 Peach Grove Avenue and are identified as tax map parcels 92-F-10 & 6, respectively.

### ***Rezoning – 1340 South Main Street (proffer amendment, R-5C)***

A request from Marilyn S. Pendlebury to rezone a +/- 1.23-acre property to amend proffers for a property zoned R-5C, High Density Residential Conditional. The property is addressed as 1340 South Main Street and is identified as tax map parcel 18-R-22.

### ***Special Use Permit - 1340 South Main Street (to allow multiple-family building with more than 12 units in R-5C)***

A request from Marilyn S. Pendlebury for a special use permit per Section 10-3-55.4 (1) to allow multiple-family dwellings of more than twelve (12) units per building in the R-5C, High Density Residential District Conditional. The +/- 1.23-acre property is addressed as 1340 South Main Street and is identified as tax map parcel 18-R-22.

### ***Special Use Permit - 1340 South Main Street (to allow retail, offices, restaurants, etc. in R-5C)***

A request from Marilyn S. Pendlebury for a special use permit per Section 10-3-55.4 (4) to allow retail stores, convenience shops, personal service establishments, restaurants (excluding those with drive-through facilities), medical clinics, and business and professional offices under conditions set forth in subsections 10-3-55.6 (f) and (g) in the R-5C, High Density Residential District Conditional. The +/- 1.23-acre property is addressed as 1340 South Main Street and is identified as tax map parcel 18-R-22.

Applications and other information are available for review by contacting the Department of Community Development, 409 South Main Street, Monday through Friday, 8:00 a.m. to 5:00 p.m. Please call (540) 432-

7700 to obtain a copy by email or by appointment. More information is available at [www.harrisonburgva.gov/public-hearings](http://www.harrisonburgva.gov/public-hearings). Interested parties will be able to attend the meeting and to watch the meeting on Public Education Government Channel 1072, and the City's website at [www.harrisonburgva.legistar.com/Calendar.aspx](http://www.harrisonburgva.legistar.com/Calendar.aspx).

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**Publication dates:**

Wednesday, May 27, 2026

Wednesday, June 3, 2026

**STATE OF VIRGINIA  
CITY OF HARRISONBURG, to with:**

I, Pamela Ulmer, city clerk, certify that the Harrisonburg City Council will be addressed on Tuesday, June 9, 2026, at 7:00 p.m., or as soon as the agenda permits, to consider the following:

***Special Use Permit – 1315 Carrera Lane (Short-Term Rental in R-1)***

A request from Kevin T. and Denise F. Goertzen for a special use permit per Section 10-3-34 (7) to allow a short-term rental in the R-1, Single-Family Residential District. The +/- 30,086-square foot property is addressed as 1315 Carrera Lane and is identified as tax map parcel 18-R-16.

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A request from Marilyn S. Pendlebury for a special use permit per Section 10-3-55.4 (1) to allow multiple-family dwellings of more than twelve (12) units per building in the R-5C, High Density Residential District Conditional. The +/- 1.23-acre property is addressed as 1340 South Main Street and is identified as tax map parcel 18-R-22.

***Special Use Permit - 1340 South Main Street (to allow retail, offices, restaurants, etc. in R-5C)***

A request from Marilyn S. Pendlebury for a special use permit per Section 10-3-55.4 (4) to allow retail stores, convenience shops, personal service establishments, restaurants (excluding those with drive-through facilities), medical clinics, and business and professional offices under conditions

set forth in subsections 10-3-55.6 (f) and (g) in the R-5C, High Density Residential District Conditional. The +/- 1.23-acre property is addressed as 1340 South Main Street and is identified as tax map parcel 18-R-22.

Applications and other information are available for review by contacting the Department of Community Development, 409 South Main Street, Monday through Friday, 8:00 a.m. to 5:00 p.m. Please call (540) 432-7700 to obtain a copy by email or by appointment. More information is available at [www.harrisonburgva.gov/public-hearings](http://www.harrisonburgva.gov/public-hearings). Interested parties will be able to attend the meeting and to watch the meeting on Public Education Government Channel 1072, and the City's website at [www.harrisonburg-va.legistar.com/Calendar.aspx](http://www.harrisonburg-va.legistar.com/Calendar.aspx).

Given under my hand this 18 day of May 2026

  
\_\_\_\_\_  
City Clerk

Subscribed and sworn to before me this 18 day of May, 2026 a Notary Public in and for the Commonwealth of Virginia.

  
\_\_\_\_\_  
Notary

My commission expires May 31, 2029



Peach Grove

RODNEY & SYLVIA EAGLE TRUSTEES  
& RODNEY L EAGLE & SYLVIA L  
EAGLE LIVING TRUST  
1188 PORT REPUBLIC RD  
HARRISONBURG VA 22801  
JAMES MADISON UNIVERSITY REAL  
ESTATE FOUNDATION INC  
1031 HARRISON ST MSC 8501  
HARRISONBURG VA 22807-1034

PCSC ASSOCIATES LLC  
2529 VIRGINIA BEACH BLVD  
VIRGINIA BEACH VA 23452-7650

County of Rockingham Attn: County  
Administrator  
PO Box 1252  
HARRISONBURG VA 22803

RODNEY EAGLE & SYLVIA EAGLE  
TRUSTEES & RODNEY L EAGLE &  
SYLVIA L EAGLE LIVING TRUST  
C/O CVS  
COCKEYSVILLE MD 21030  
DEER RUN FW LLC  
1985 CEDERBRIDGE AVE STE 1  
LAKEWOOD NJ 08701

HOLTZMAN FAMILY LIMITED  
PARTNERSHIP #1  
PO BOX 8  
MT JACKSON VA 22842

HILLS SOUTH SH OWNER LLC  
2 SCHOOL STREET  
RYE NY 10580

SKYLAR & TALLI LLC  
PO BOX 1039  
HARRISONBURG VA 22803

MCDONALD'S CORPORATION  
ATTN : DEPT 027 - REAL ESTATE TAX  
CHICAGO IL 60607

*Canterbury Court*

CHANDLER HARRY L MARLENE A  
747 FIR ST  
HARRISONBURG VA 22801

WIGHTMAN WILLIAM H K MARGARET  
O  
840 CANTERBURY CT  
HARRISONBURG VA 22801

County of Rockingham  
Attn: County Administrator  
PO Box 1252  
Harrisonburg, VA 22803

J WAYNE LAMBERT TRUST AND  
CHARLOTTE H CRAIG TRUST  
851 CANTERBURY CT  
HARRISONBURG VA 22801

LAKE ROBIN L  
850 CANTERBURY CT  
HARRISONBURG VA 22801

KRECH STEPHEN A JOYCE H  
841 CANTERBURY CT  
HARRISONBURG VA 22801

DIENER V EUGENE GLORIA Y  
6087 MT CLINTON PIKE  
ROCKINGHAM VA 22802

*Carrera Lane*

ROSTEM HASHIM M  
101 PORT REPUBLIC RD  
HARRISONBURG VA 22801

JOSHUA EDWARD GUSTIN &  
HEATHER GUSTIN  
9224 ARNIE CT  
MANASSAS PARK VA 20111

GRAVES JOYCE L TRUSTEE  
36 EDGELAWN DR  
HARRISONBURG VA 22801

LANTZ JOHN D JR JESSICA LYNN  
44 E WEAVER AVE  
HARRISONBURG VA 22801

MATTHIAS BRUCE P KAREN K  
54 WEAVER AVE  
HARRISONBURG VA 22801

MANOLO AGUILAR OROZCO &  
GLENDA MARTINEZ  
57 PORT REPUBLIC RD  
HARRISONBURG VA 22801

MEDLEY GREGORY L GRISELDA M  
1340 EDGELAWN DR  
HARRISONBURG VA 22801

KYLE CHRISTOPHER S MARJORIE C  
1102 RIDGEWOOD RD  
HARRISONBURG VA 22801

HUDSON GLORIA V TRUSTEE  
45 PORT REPUBLIC RD  
HARRISONBURG VA 22801

KEVIN T GOERTZEN & DENISE F  
GOERTZEN  
1315 CARRERA LANE  
HARRISONBURG VA 22801

HEGG KEVIN J EATON LYNN E  
40 WEAVER AVE  
HARRISONBURG VA 22801

JOSEPH S ROBERTSON & SULONI  
ROBERTSON  
52 E WEAVER AVE  
HARRISONBURG VA 22801

S Main St

GRAYSON K PRITCHARD & SARAH J  
PRITCHARD  
29 E WEAVER ST  
HARRISONBURG VA 22801

LOHR BRIAN S JULIE V  
1776 CROSS KEYS RD  
HARRISONBURG VA 22801

MARILYN S PENDLEBURY  
6049 SHADY OAK CT  
MECHANICSVILLE VA 23111

SCOTT TAMMY LYNN  
25 E WEAVER AVE  
HARRISONBURG VA 22801

C & N REAL PROPERTIES LLC  
15871 CITY VIEW DR STE 300  
MIDLOTHIAN VA 23113

HOFFMAN RANDY C KIMBERLY E  
25 EDGELAWN DR  
HARRISONBURG VA 22801

GARY L BEATTY TR & GARY L BEATTY  
TRUST  
450 S MASON ST  
HARRISONBURG VA 22801

JCF VENTURES LLC & C/O MARILYN  
PENDLEBURY  
6049 SHADY OAK CT  
MECHANICSVILLE VA 23111



# Rezoning – 850 Canterbury Court R-1 to R-8C



# Rezoning – 850 Canterbury Court R-1 to R-8C



# Rezoning – 850 Canterbury Court R-1 to R-8C



# Proffer

1. The property shall be limited to one (1) single-family detached dwelling and customary accessory uses.

# Area and Dimensional Standards: R-1 vs R-8

	MINIMUM FEET					MAXIMUM	
Lot Area Sq. Ft	*Lot Width	Lot Depth	Front Yard	Side Yard	Rear Yard	Stories	Height Feet
Single-family: 10,000 (R-1)	80	100	30	10	25	3	35
Single-Family Detached: 2,800	35	60	10	1 or 2 story: 7 3-story: 10	15	3	40

# Recommendation

Staff and Planning Commission (7-0) recommends approval of the rezoning request.



# City of Harrisonburg

City Hall  
409 South Main Street  
Harrisonburg, VA 22801

## Legislation Text

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**File #:** ID 26-153, **Version:** 1

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**Subject:**

Consider a request from Marilyn S. Pendlebury to rezone 1340 South Main Street

Presented By: Adam Fletcher, Department of Community Development

A request from Marilyn S. Pendlebury to rezone a +/- 1.23-acre property to amend proffers for a property zoned R-5C, High Density Residential Conditional. The property is addressed as 1340 South Main Street and is identified as tax map parcel 18-R-22.



June 9, 2026 City Council Meeting

**Title**

Consider Rezoning (Proffer Amendment) and Special Use Permits for 1340 South Main Street — Planning Commission and Adam Fletcher, Community Development

**Summary**

Project name	N/A
Address/Location	1340 South Main Street
Tax Map Parcels	18-R-11
Total Land Area	+/- 1.23 acres
Property Owner	Marilyn S. Pendlebury
Owner’s Representative	Mike Hendricksen and Hans Harman
Present Zoning	R-5C, High Density Residential Conditional
Proposed Zoning	R-5C, High Density Residential Conditional
Proposed Special Use Permit(s)	<ul style="list-style-type: none"> <li>Multiple-family dwellings of more than twelve (12) units per building per Section 10-3-55.4 (1)</li> <li>Retail stores, convenience shops, personal service establishments, restaurants (excluding those with drive-through facilities), medical clinics, and business and professional offices per Section 10-3-55.4 (4)</li> </ul>
Planning Commission	May 13, 2026 (Public Hearing)
City Council	June 9, 2026 (First Reading/Public Hearing) Anticipated June 23, 2026 (Second Reading)

**Recommendation**

Option 1. Staff and Planning Commission (7-0) recommend approval of the rezoning and two special use permit requests with conditions submitted by the applicant with additional language recommended by staff.

**Context & Analysis**

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

Site: Vacant lot, zoned R-5C

North: Office building, zoned R-3, and single-family detached dwellings, zoned R-1

East: Single-family detached dwelling and across Edgelawn Drive single-family detached dwellings, zoned R-1

South: Across East Weaver Avenue single family detached dwellings, zoned R-1, and an office building, zoned B-2C

West: Across South Main Street, residential uses, zoned R-3

The applicant is requesting a proffer amendment and two special use permits (SUPs) for a +/- 1.23-acre property addressed as 1340 South Main Street and identified as tax map parcel 18-R-22. The property is zoned R-5C, High-Density Residential District Conditional. Regarding the requested SUPs, the first is per Section 10-3-55.4 (1) to allow multiple-family dwellings of more than twelve (12) units per building. The second is per Section 10-3-55.4 (4) to allow retail stores, convenience shops, personal service establishments, restaurants (excluding those with drive-through facilities), medical clinics, and business and professional offices.

### *History*

In August 2017, City Council approved four requests from Marusstodd Properties, LLC, for the subject site, which at the time consisted of five parcels. The four requests included:

- An amendment to the Comprehensive Plan's Land Use Guide map from Professional and Low Density Residential to Mixed Use;
- A rezoning from R-1, Single-Family Residential and R-3, Medium-Density Residential to R-5C, High-Density Residential District Conditional;
- An SUP pursuant to Section 10-3-55.4(1) to allow multi-family dwellings with more than twelve (12) units per building; and
- An SUP pursuant to Section 10-3-55.4(4) to allow retail stores, convenience shops, personal service establishments, business and professional offices, and restaurants (excluding drive-through facilities).

In November 2018, City Council approved a preliminary plat that vacated internal property lines reducing the number of lots from five to two and approved the following Subdivision Ordinance variances:

- To not dedicate the standard public street right-of-way for Edgelawn Drive (Sections 10-2-41(a) and 10-2-66);
- To not dedicate the full 25 feet of public street right-of-way along the Edgelawn Drive frontage (Section 10-2-45); and
- To not construct or provide surety for frontage improvements along Edgelawn Drive and East Weaver Avenue at the time of subdivision (Sections 10-2-62 and 10-2-67).

The above noted Subdivision Ordinance variances were approved with the following condition:

- When frontage improvements along Edgelawn Drive are required as part of development or redevelopment of any property associated with the preliminary plat, the developer shall be responsible for constructing frontage improvements along Edgelawn Drive for all properties associated with the request. The frontage along Edgelawn Drive is shown as 210.63 linear feet on the approved preliminary plat.

In August 2019, the applicant recorded the final subdivision plat that vacated the internal property lines and created the subject site (1340 South Main Street), tax map parcel 18-R-22-A (1341 Edgelawn Drive) and dedicated 527 square feet of public street right-of-way along Edgelawn Drive.

The SUPs approved in 2017 have since expired because the uses were not established nor diligently pursued within the timeframe required by the Zoning Ordinance Section 10-3-130(c). Without a proffer amendment, the 2017 proffers would continue to require both residential and non-residential uses. Since the applicant still proposes commercial uses, a new SUP is required.

### *Proffers*

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

1. Any building constructed on site (excluding accessory buildings) shall contain residential and non-residential uses. Commercial uses shall only be permitted on the first floor and shall not exceed 5,000 square feet throughout all buildings. Residential units may be located on the first floor.
2. The total number of dwelling units on the property shall not exceed twenty-six (26) units. One-bedroom and two-bedroom units shall be permitted with no more than six (6) of the units being two-bedroom units.
3. No parking lot (including travel lanes and drive aisles) shall be located between any buildings and the following streets: South Main Street and East Weaver Avenue.
4. No vehicular access shall be permitted from the site to Edgelawn Drive.
5. A 6-foot tall opaque fence shall be installed and maintained along the frontage of Edgelawn Drive.
6. A 6-foot tall opaque fence shall be installed and maintained along the property lines adjoining tax map parcel #18-R-20, 18-R-21, & 18-R-22-A.
7. No structure, excluding a dumpster containment, shall be constructed within 150 ft. of the shared property line with Edgelawn Dr.
8. A minimum of six (6) small/ornamental deciduous or evergreen trees shall be planted along the street frontage of Edgelawn Drive. Tree locations along the street frontage are at the discretion of the property owner/developer.
9. At the time of construction the applicant shall reconstruct the curb ramp at the northeast corner of the intersection of South Main Street and East Weaver Avenue to meet the Public Right-of-Way Accessibility Guidelines standards.

The conceptual site layout is not proffered.

Proffers 3, 4 (formerly Proffer 5), and 7 (formerly proffer 8) remain unchanged from the existing regulating proffers. A copy of the 2017-approved existing proffers have been included by the applicant in their supporting documents.

Proffer 1 has been amended to identify a maximum of 5,000 square feet of non-residential space and to allow residential uses on all floors of the development. Proffer 2 has been amended to allow a maximum of 26 multi-family dwelling units, compared to the previously proffered maximum of 22 one-bedroom units. The updated proffer allows a mix of one- and two-bedroom units, with no more than six (6) units being two-bedroom units. If approved, and if they provide the maximum allowed six units with two bedrooms, then 10 additional bedrooms would be provided compared to the existing, approved proffers.

Proffers 5 and 6 (formerly Proffers 6 and 7 respectively) have been updated to provide clarity regarding the location of fencing along property lines and Edgelawn Drive. Proffer 8 (formerly Proffer 9) has also been updated to provide additional guidance for the required amount and type of landscaping along Edgelawn Drive. The original proffer language was unclear and could have been interpreted in a way that if there was no parking lot along Edgelawn Drive, then no trees would have been required.

Proffer 9 is a new proffer that will require the reconstruction of the sidewalk ramp at the intersection of South Main Street and East Weaver Avenue to meet Public Right-of-Way Accessibility Guidelines (PROWAG) standards. In addition, although not included as a proffer, the applicant will be required to construct sidewalks along East Weaver Avenue and Edgelawn Drive as part of site development. While a Subdivision Ordinance variance granted in 2018 allowed the deferral of sidewalk construction along Edgelawn Drive at the time of subdivision, that approval included a condition that requires frontage improvements to be constructed during development or redevelopment of the property. If the applicant does not want to construct the sidewalk, a new variance to the Subdivision Ordinance is required.

The applicant has removed old Proffer 4, which allowed for an entrance on South Main Street. Since the 2017 approval, the City has updated its access management standards. The previously proposed right-in/right-out entrance does not meet current requirements, which requires a minimum spacing of 250 feet between access points on minor arterial streets. Since the distance between East Weaver Avenue and Edgelawn Drive along South Main Street is less than 450 feet, there is no appropriate location for a new access point. As a result, the applicant has removed this proffer.

#### *Land Use*

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

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

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

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

The applicant has proffered that there would be a maximum of 26 units on the site, which makes the site density 21 units per acre. Without proffers and if there are no commercial uses on the site, the applicant would be able to construct up to 30 units. However, Proffer 1 requires non-residential uses on the site and given the size of the lot and the R-5 district regulations, the maximum number of multifamily units allowed on the site is 26, the same number as proffered.

Staff believes that the proposed uses, with the submitted proffers, generally conform with the Mixed Use area designation.

#### *Transportation and Traffic*

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

The applicant has proposed the following two traffic-related conditions in relation to their SUP to allow retail stores, convenience shops, personal service establishments, business and professional offices, and restaurants. Staff supports the submitted two conditions with the additional text underlined below:

1. All traffic generating uses on the site, including uses not associated with the special use permit, shall be limited to a combined total of 100 vehicle trips in either the AM or PM peak hour as calculated using the latest edition of the Institute of Transportation Engineer’s Trip Generation Manual unless the property owner first,

at their cost: (1) completes a Traffic Impact Analysis accepted by the City Department of Public Works and (2) implements all identified mitigation measures or improvements. The City Department of Public Works may, in its sole discretion, waive, in whole or in part, completion of a Traffic Impact Analysis or any identified mitigation measures or improvements.

2. No drive-throughs will be permitted.

The additional text within condition #1 clarifies that all uses on the site will be included in the calculation of traffic generation, not just uses associated with the SUP. Staff appreciates the submission of condition #2 as it would prohibit any use from having a drive-through as current regulations only prohibit restaurants from having a drive-through.

#### *Public Water and Sanitary Sewer*

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

#### *Housing*

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

#### *Public Schools*

The City contracted with the University of Virginia's Weldon Cooper Center for Public Service to complete a report titled "Population and School Enrollment Projections for the City of Harrisonburg" (April 2025). The report can be found at the following link: [https://harrisonburgva.gov/sites/default/files/city-manager/HarrisonburgSchoolEnrollment\\_2025-04-30\\_Final.pdf](https://harrisonburgva.gov/sites/default/files/city-manager/HarrisonburgSchoolEnrollment_2025-04-30_Final.pdf). This report provides overall student enrollment projections through 2034 as well as estimated student generation by housing type for each elementary school attendance zone.

Based on the Weldon Cooper Center report's calculation, this development's proposed 26 residential units are estimated to generate nine K-12 students at full build-out. According to the School Board's current attendance boundaries, Keister Elementary School, Thomas Harrison Middle School, and Harrisonburg High School would serve the students residing in this development.

#### *Conclusion*

Staff believes that the amendments to the proffers do not change the intent of the of the 2017 rezoning and does not increase the intensity of the use of the site. Staff recommends approval of the rezoning and the two SUPs with the following conditions for the SUP to allow retail stores, convenience shops, personal service establishments, business and professional offices, and restaurants:

1. All traffic generating uses on the site, including uses not associated with the special use permit, shall be limited to a combined total of 100 vehicle trips in either the AM or PM peak hour as calculated using the latest edition of the Institute of Transportation Engineer's Trip Generation Manual unless the property owner first, at their cost: (1) completes a Traffic Impact Analysis accepted by the City Department of Public Works and (2) implements all identified mitigation measures or improvements. The City Department of Public Works may, in its sole discretion, waive, in whole or in part, completion of a Traffic Impact Analysis or any identified mitigation measures or improvements.
2. No drive-throughs will be permitted.

### **Options**

1. Approve the rezoning and two special use permit requests with conditions submitted by the applicant with additional language recommended by staff.
2. Approve the rezoning and two special use permit requests with conditions as submitted by the applicant.
3. Approve the rezoning and two special use permit requests with other condition(s).
4. Approve the rezoning request and deny one or both of the special use permit requests.
5. Deny the rezoning and special use permit requests.

### **Attachments**

- Extract from Planning Commission
- Site maps
- Application and supporting documents



# CITY OF HARRISONBURG COMMUNITY DEVELOPMENT

409 SOUTH MAIN STREET, HARRISONBURG, VA 22801

OFFICE (540) 432-7700 • FAX (540) 432-7777

June 1, 2026

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

**SUBJECT:** *Consider a request from Marilyn S. Pendlebury to rezone 1340 South Main Street*

*Consider a request from Marilyn S. Pendlebury for a special use permit at 1340 South Main Street (to allow multifamily buildings with more than 12 units)*

*Consider a request from Marilyn S. Pendlebury for a special use permit at 1340 South Main Street (to allow retail, offices, restaurants, etc.)*

**EXTRACT FROM THE DRAFT MINUTES OF HARRISONBURG PLANNING  
COMMISSION MEETING HELD ON: May 13, 2026**

Chair Baugh read the request and asked staff to review.

Ms. Rupkey said the applicant is requesting a proffer amendment and two special use permits (SUPs) for a +/- 1.23-acre property addressed as 1340 South Main Street and identified as tax map parcel 18-R-22. The property is zoned R-5C, High-Density Residential District Conditional. Regarding the requested SUPs, the first is per Section 10-3-55.4 (1) to allow multiple-family dwellings of more than twelve (12) units per building. The second is per Section 10-3-55.4 (4) to allow retail stores, convenience shops, personal service establishments, restaurants (excluding those with drive-through facilities), medical clinics, and business and professional offices.

*History*

In August 2017, City Council approved four requests from Marusstodd Properties, LLC, for the subject site, which at the time consisted of five parcels. The four requests included:

- An amendment to the Comprehensive Plan's Land Use Guide map from Professional and Low Density Residential to Mixed Use;
- A rezoning from R-1, Single-Family Residential and R-3, Medium-Density Residential to R-5C, High-Density Residential District Conditional;
- An SUP pursuant to Section 10-3-55.4(1) to allow multi-family dwellings with more than twelve (12) units per building; and

- An SUP pursuant to Section 10-3-55.4(4) to allow retail stores, convenience shops, personal service establishments, business and professional offices, and restaurants (excluding drive-through facilities).

In November 2018, City Council approved a preliminary plat that vacated internal property lines reducing the number of lots from five to two and approved the following Subdivision Ordinance variances:

- To not dedicate the standard public street right-of-way for Edgelawn Drive (Sections 10-2-41(a) and 10-2-66);
- To not dedicate the full 25 feet of public street right-of-way along the Edgelawn Drive frontage (Section 10-2-45); and
- To not construct or provide surety for frontage improvements along Edgelawn Drive and East Weaver Avenue at the time of subdivision (Sections 10-2-62 and 10-2-67).

The above noted Subdivision Ordinance variances were approved with the following condition:

- When frontage improvements along Edgelawn Drive are required as part of development or redevelopment of any property associated with the preliminary plat, the developer shall be responsible for constructing frontage improvements along Edgelawn Drive for all properties associated with the request. The frontage along Edgelawn Drive is shown as 210.63 linear feet on the approved preliminary plat.

In August 2019, the applicant recorded the final subdivision plat that vacated the internal property lines and created the subject site (1340 South Main Street), tax map parcel 18-R-22-A (1341 Edgelawn Drive) and dedicated 527 square feet of public street right-of-way along Edgelawn Drive.

The SUPs approved in 2017 have since expired because the uses were not established nor diligently pursued within the timeframe required by the Zoning Ordinance Section 10-3-130(c). Without a proffer amendment, the 2017 proffers would continue to require both residential and non-residential uses. Since the applicant still proposes commercial uses, a new SUP is required.

### *Proffers*

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

1. Any building constructed on site (excluding accessory buildings) shall contain residential and non-residential uses. Commercial uses shall only be permitted on the first floor and shall not exceed 5,000 square feet throughout all buildings. Residential units may be located on the first floor.
2. The total number of dwelling units on the property shall not exceed twenty-six (26) units. One-bedroom and two-bedroom units shall be permitted with no more than six (6) of the units being two-bedroom units.
3. No parking lot (including travel lanes and drive aisles) shall be located between any buildings and the following streets: South Main Street and East Weaver Avenue.
4. No vehicular access shall be permitted from the site to Edgelawn Drive.

5. A 6-foot tall opaque fence shall be installed and maintained along the frontage of Edgelawn Drive.
6. A 6-foot tall opaque fence shall be installed and maintained along the property lines adjoining tax map parcel #18-R-20, 18-R-21, & 18-R-22-A.
7. No structure, excluding a dumpster containment, shall be constructed within 150 ft. of the shared property line with Edgelawn Dr.
8. A minimum of six (6) small/ornamental deciduous or evergreen trees shall be planted along the street frontage of Edgelawn Drive. Tree locations along the street frontage are at the discretion of the property owner/developer.
9. At the time of construction the applicant shall reconstruct the curb ramp at the northeast corner of the intersection of South Main Street and East Weaver Avenue to meet the Public Right-of-Way Accessibility Guidelines standards.

The conceptual site layout is not proffered.

Proffers 3, 4 (formerly Proffer 5), and 7 (formerly proffer 8) remain unchanged from the existing regulating proffers. A copy of the 2017-approved existing proffers have been included by the applicant in their supporting documents.

Proffer 1 has been amended to identify a maximum of 5,000 square feet of non-residential space and to allow residential uses on all floors of the development. Proffer 2 has been amended to allow a maximum of 26 multi-family dwelling units, compared to the previously proffered maximum of 22 one-bedroom units. The updated proffer allows a mix of one- and two-bedroom units, with no more than six (6) units being two-bedroom units. If approved, and if they provide the maximum allowed six units with two bedrooms, then 10 additional bedrooms would be provided compared to the existing, approved proffers.

Proffers 5 and 6 (formerly Proffers 6 and 7 respectively) have been updated to provide clarity regarding the location of fencing along property lines and Edgelawn Drive. Proffer 8 (formerly Proffer 9) has also been updated to provide additional guidance for the required amount and type of landscaping along Edgelawn Drive. The original proffer language was unclear and could have been interpreted in a way that if there was no parking lot along Edgelawn Drive, then no trees would have been required.

Proffer 9 is a new proffer that will require the reconstruction of the sidewalk ramp at the intersection of South Main Street and East Weaver Avenue to meet Public Right-of-Way Accessibility Guidelines (PROWAG) standards. In addition, although not included as a proffer, the applicant will be required to construct sidewalks along East Weaver Avenue and Edgelawn Drive as part of site development. While a Subdivision Ordinance variance granted in 2018 allowed the deferral of sidewalk construction along Edgelawn Drive at the time of subdivision, that approval included a condition that requires frontage improvements to be constructed during development or redevelopment of the property. If the applicant does not want to construct the sidewalk, a new variance to the Subdivision Ordinance is required.

The applicant has removed old Proffer 4, which allowed for an entrance on South Main Street. Since the 2017 approval, the City has updated its access management standards. The previously proposed right-in/right-out entrance does not meet current requirements, which requires a

minimum spacing of 250 feet between access points on minor arterial streets. Since the distance between East Weaver Avenue and Edgelawn Drive along South Main Street is less than 450 feet, there is no appropriate location for a new access point. As a result, the applicant has removed this proffer.

#### *Land Use*

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

The Mixed Use category includes both existing and proposed areas for mixed use. Mixed Use areas shown on the Land Use Guide map are intended to combine residential and non-residential uses in neighborhoods, where the different uses are finely mixed instead of separated. Mixed Use can take the form of a single building, a single parcel, a city block, or entire neighborhoods. Quality architectural design features and strategic placement of green spaces for large scale developments will ensure development compatibility of a mixed use neighborhood with the surrounding area. These areas are prime candidates for “live-work” and traditional neighborhood developments (TND). Live-work developments combine residential and commercial uses allowing people to both live and work in the same area. The scale and massing of buildings is an important consideration when developing in Mixed Use areas. Commercial uses would be expected to have an intensity equivalent to a Floor Area Ratio of at least 0.4, although the City does not measure commercial intensity in that way. Downtown is an existing area that exhibits and is planned to continue to contain a mix of land uses.

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

The applicant has proffered that there would be a maximum of 26 units on the site, which makes the site density 21 units per acre. Without proffers and if there are no commercial uses on the site, the applicant would be able to construct up to 30 units. However, Proffer 1 requires non-residential uses on the site and given the size of the lot and the R-5 district regulations, the maximum number of multifamily units allowed on the site is 26, the same number as proffered.

Staff believes that the proposed uses, with the submitted proffers, generally conform with the Mixed Use area designation.

#### *Transportation and Traffic*

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

The applicant has proposed the following two traffic-related conditions in relation to their SUP to allow retail stores, convenience shops, personal service establishments, business and professional offices, and restaurants. Staff supports the submitted two conditions with the additional text underlined below:

1. All traffic generating uses on the site, including uses not associated with the special use permit, shall be limited to a combined total of 100 vehicle trips in either the AM or PM peak hour as calculated using the latest edition of the Institute of Transportation Engineer's Trip Generation Manual unless the property owner first, at their cost: (1) completes a Traffic Impact Analysis accepted by the City Department of Public Works and (2) implements all identified mitigation measures or improvements. The City Department of Public Works may, in its sole discretion, waive, in whole or in part, completion of a Traffic Impact Analysis or any identified mitigation measures or improvements.
2. No drive-throughs will be permitted.

The additional text within condition #1 clarifies that all uses on the site will be included in the calculation of traffic generation, not just uses associated with the SUP. Staff appreciates the submission of condition #2 as it would prohibit any use from having a drive-through as current regulations only prohibit restaurants from having a drive-through.

#### *Public Water and Sanitary Sewer*

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

#### *Housing*

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

#### *Public Schools*

The City contracted with the University of Virginia's Weldon Cooper Center for Public Service to complete a report titled "Population and School Enrollment Projections for the City of Harrisonburg" (April 2025). The report can be found at the following link: [https://harrisonburgva.gov/sites/default/files/city-manager/HarrisonburgSchoolEnrollment\\_2025-04-30\\_Final.pdf](https://harrisonburgva.gov/sites/default/files/city-manager/HarrisonburgSchoolEnrollment_2025-04-30_Final.pdf). This report provides overall student enrollment projections through 2034 as well as estimated student generation by housing type for each elementary school attendance zone.

Based on the Weldon Cooper Center report's calculation, this development's proposed 26 residential units are estimated to generate nine K-12 students at full build-out. According to the

School Board's current attendance boundaries, Keister Elementary School, Thomas Harrison Middle School, and Harrisonburg High School would serve the students residing in this development.

*Conclusion*

Staff believes that the amendments to the proffers do not change the intent of the of the 2017 rezoning and does not increase the intensity of the use of the site. Staff recommends approval of the rezoning and the two SUPs with the following conditions for the SUP to allow retail stores, convenience shops, personal service establishments, business and professional offices, and restaurants:

1. All traffic generating uses on the site, including uses not associated with the special use permit, shall be limited to a combined total of 100 vehicle trips in either the AM or PM peak hour as calculated using the latest edition of the Institute of Transportation Engineer's Trip Generation Manual unless the property owner first, at their cost: (1) completes a Traffic Impact Analysis accepted by the City Department of Public Works and (2) implements all identified mitigation measures or improvements. The City Department of Public Works may, in its sole discretion, waive, in whole or in part, completion of a Traffic Impact Analysis or any identified mitigation measures or improvements.
2. No drive-throughs will be permitted.

Ms. Rupkey asked if there were any questions for staff.

Commissioner Seitz said I noted that the site plan that was submitted as an example is not a proffered site plan, I get that. And I noticed that the date of it was about a year ago, 2025. I know we can ask the applicant this, do they have the capacity to make the building bigger or what is going to happen to this area where we are not going to have access to South Main Street?

Ms. Rupkey said that would be a question for the applicant, but they are not proffering the exact location of that building.

Commissioner Seitz said that was the other question...but it does say the building does need to be against [South] Main Street and against Weaver [Street] on the corner.

Ms. Rupkey said correct, but they could theoretically change the shape.

Commissioner Seitz said whatever the footprint it is pushed west and pushed south.

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

Mike Hendricksen, the applicant's representative and contract purchaser, came forward to speak to the request. He said for the last many years we have watched this site sit; as we all have. This, I would say, is an infill site. There are some other terms used to describe some other things earlier and I think this is an infill site and a perfect candidate for this type of mixed use development. I am one of the contractor purchasers by the way and I have a partner on this and when we sit down and talk through: hey let's look at the previous plan, what we like about it, and what we might not

like about it, and what do we think should be adjusted. Ten thousand square feet of commercial space on the previous plan there is a lot of commercial space for this site. It would generate a lot more traffic to this site than what we have proposed now at 5,000 square feet. On the residential side, I think it was 22 one-bedroom units, and if I am not mistaken, I think there was some shorter-term type of idea with renting those. These would be longer term units. Twenty-six apartments. Twenty of them, potentially, one-bedroom up to six two-bedroom units, and I think we would be maxed out at that six two-bedroom units so we would have to have a minimum of 20 one-bedroom units the way that we have presented it. In terms of overall ideas with mixed use buildings, we do believe that these help the social interactions that I think we are all wanting to continue to see in sites like this where you have a mix of uses. You have some potentially service type things. You have some residential. You have some impromptu and then planned interactions between the two, these different groups of people that are in our community. So, while this is not a large site like some previous ones that have been discussed, we think that there can be some types of interactions between residents, professionals, people needing services, all of that type of thing on this site. One thing I will just go back to right quick that was mentioned about the placement of the building, we want the building up along South Main [Street]. We do not want to put that back and put a bunch of parking right there. We would like to see the parking behind the building, as we have it drawn there. That date may have been last year but there have been significant updates on this plan since our initial work on this last year. Where we are, we would love to see this new iteration of the mixed-use plan that we have put forward move forward to the stage. Like I have said, we have watched this site sit for a very long time as everyone has kind of wondering, there was something that was approved at one time and nothing happened. We would like to see something be approved and happen here and corresponds with our Comprehensive Plan as well. I will be glad to answer any questions you have.

Commissioner Seitz said what makes this viable now? How come the previous approvals and stuff did not move ahead? What has changed to make this viable now that did not come together previously?

Mr. Hendricksen said I think the main thing from the previous plan, everyone on Commission knew the late [Mr. Giles] Stone and so I think at that stage where he was in his career and life, this was a pretty big project. This is a pretty big step forward. At that point in time, I am just not sure he wanted to take the risks. At this point, we see that it is here. It is in a corridor that is growing and will continue to grow especially with the announcements and things that have been mentioned about JMU's growth. Some of that additional staffing potentially that was discussed with that growth, maybe they can find a home here as well as some services.

Vice Chair Porter said have you had much discussion with the neighborhood? The folks that live on Weaver [Street] and some of the residential that is close to the site.

Mr. Hendricksen said we have not.

Chair Baugh said this is a neighborhood that has historically gotten quite engaged. I know some folks that are here and suspect that they are attached to some other people who are watching this pretty intently.

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

Suzanne Fiederlein, a resident at 28 Edgelawn Drive, came forward to speak to the request. She said I were involved in the discussions back in 2017 as well. We have lived there 30 years and several of our neighbors have lived there even longer. Having read all of the documents related to this, I really appreciate the owner's attempt to be very honest and true to the agreements that were reached in 2017, adhering to the proffers that were presented then. What I would like to draw attention to is that there are other things that have changed around it since 2017. In particular, the traffic situation and what has happened elsewhere in the neighborhood. We have had major problems in the neighborhood with the apartments across [South] Main Street from us. This is right down from Port Republic Road and South Main Street, it is a horrible intersection. We cannot get in and out of our neighborhood easily at Edgelawn Drive or Weaver Avenue or Monument Avenue and that is only going to get worse when Kids Castle opens. There are times when I am trying to turn into my neighborhood going south toward South Main Street, I cannot get in at Edgelawn Drive, Weaver Avenue and Monument Avenue because it is all backed up. This one entrance now, no entrance off of Main Street, it is only going to be off of Weaver Avenue, and it is going to add a whole lot more traffic in and out of Weaver Avenue. With the fraternities having moved in at 17 and 21 Weaver Avenue there are excessive cars parked on the streets. The one good thing about having the open field is that the students have been parking in the old parking lot there and getting off the street. Students from across the street park there and on the street. We are only going to have more traffic in and out of Weaver Street as a result of this. It is a problem again of something much larger than this development itself. It would be really nice to use this land for a good residential purpose in our neighborhood. My concern is with the larger traffic problem in the area. The fact that we cannot get in and out of our neighborhood and coming from Port Republic Road which is horribly backed up as well and now you cannot turn left in various places at certain times into our neighborhood. We are really trapped in our neighborhood. Having more traffic and it will not just be coming from South Main Street they will be turning onto Crawford Avenue and coming down through South Main and Weaver Avenue. We have a wicked curve and wicked hill there. People walk in the street with their dogs and their kids. It is just a major problem. Since 2017, that aspect has become a lot worse. That is the main concern I want to draw your attention to about this. Not the development, per se, but the fact that it is really in a place that is going to have major traffic problems. Thank you.

Randy Hoffman, a resident at 25 Edgelawn Drive, came forward to speak to the request. He said my wife and I live at 25 Edgelawn Drive which is the one property on this block that is an owner residential property. There is the other residential spot behind our house that is the rental home right now. We clearly have a highly invested interest in this. It was interesting to me this evening hearing many of the presenters talk about approaching neighborhood before pitching their plans. I certainly wish that would have occurred and I wish I had a better understanding. As an example, the drawings that I saw showed an entry and an exit off South Main Street and unless I have misunderstood, I understand that is no longer going to be in the plan. There will be an entry and exit only off of Weaver Avenue. That is not what was shown on the information that we were sent. I think that this plan in general is probably the best of many bad alternatives for somebody who is living on the property. I will support your decision to approve it. I do think that there are

still some concerns that I want to voice. When we acquired this property in 2004 from Pete Shank, who I think deserves to be better recognized as a community leader than he seems to have gotten. I know he was never really involved in government, but he was a great guy for the community. We bought the house from him. It was really apparent when we bought this house that we were acquiring property very close to commercial. We are in essence half a block from one of the busiest intersections in Harrisonburg, either way. We are about half a block off of Port Republic Road. We are half a block off of South Main Street. At the time that we acquired this property, there were all commercial properties on South Main Street. All of those commercial properties were professional businesses, and it was our understanding that was the zoning. I realize things change over time, and I do not think zoning can be carved in stone, but as a homeowner in this situation, I find it disconcerting that after buying property and looking into the zoning that surrounded me that it somehow got pulled out from under my feet. It is now not just for business professionals, but it is also for high density residential. Again, I am not opposed to this particular plan. I think it probably is one of the best alternatives that we can expect in the neighborhood. I have concerns that with the traffic as it is laying out and especially hearing that people cannot enter or exit directly from South Main Street, you are going to put a lot of people going out onto Weaver Avenue and many of them are likely to try and circumvent what is going to be a backup to South Main Street by cutting through Edgelawn Drive. I am not sure how familiar you are with Edgelawn Drive but while Edgelawn Drive, as it leaves South Main Street and goes back to where it turns, is two lanes. Once it turns and heads towards Weaver Avenue it is about 11 feet wide and two cars cannot pass. Right now, if somebody is coming out of Edgelawn Drive and I am going in off Weaver Avenue one of us has to stop and go well hey neighbor I will get out of your way I will back up. It has not been an issue but somehow I am very worried about this since the entrance and exit off of South Main Street has been eliminated. I do not know that this was actually in a proffer but I think this may have been something that may have been a discussion with Giles Stone, who I know very well. By the way I do not think Giles was ready to give up on business ideas at the time he took this project on. I think it is probably likely that what he found was he did not have investors interested in 10,000 square feet of retail space. I think that is probably a little bit too much for the area myself. He had indicated however that the businesses that would go in there would not be around the clock and go until late at night. I am a little concerned that I do not see anything to that effect. I am not sure that I ever did in proffers, but I am concerned that those businesses that can go in there may be 24 hour and there is nothing that prevents the current or future owners from going ahead with that type of business. There are a couple of other things that I am sure that you can ask for in a proffer. Being the one residence there I would feel a whole lot more comfortable if the fence that separated this development from our property were taller than six foot. I would appreciate not having the people on the second floor of 22 apartments looking down into my backyard. I do not know what the height limits are. I think it would probably require a special use to go more than six feet. It seems like that would indicated in this case. I do not feel like I should have to pay for a 12-foot fence. I am also concerned that the current drawings reverted the dumpster location back to the corner right next to our home and not up against Weaver Avenue like it had been represented in the last set of drawings that Giles had submitted.

Tom Templeton, a resident of 131 East Weaver Avenue, came forward to speak to the request. He said we have been at our residence since August of 1992. We have been loyal members of that neighborhood. We have had a lot of good times in that neighborhood and we miss the people that

are no longer there. Each day I get up early in the morning and see a lot of traffic. If the City wants to make a lot of money they need to put a police officer up at the end of Weaver Avenue right where it meets Crawford Avenue. That is a dangerous intersection. I stand there in my yard and I watch. As far as this apartment building, I think it is hard on the integrity of the neighborhood. I do not know that it is necessary. If you go down to the bottom of Weaver Avenue where they want to build this thing there are two rentals on the south side of Weaver Avenue that Suzanne mentioned and those kids park in different directions all the time. It is a bottleneck right there. I leave for work anywhere from six o'clock to seven o'clock in the morning and a lot of times it is hard to get out onto Weaver Avenue especially coming back in the evenings. If you come up Port Republic Road and your blinking lights are running where you cannot turn left onto Crawford Avenue. You cannot turn left into the little alley of Hillcrest Drive so you have to come down to Route 11, turn left into Edgelawn Drive or turn left onto Weaver Avenue it is tough. It is a dangerous situation. I appreciate what you guys do here. My dad back in the 70s and 80s where I grew up in Western Pennsylvania he was President of Town Council and County Commissioner and he would appreciate what you girls and guys do here this evening and we appreciate what you do also.

Dave Pruett, a resident of 28 Edgelawn Drive, came forward to speak to the request. He said we are very concerned about several things. We have been in our house going on 31 years. We love the Purcell Park neighborhood. It is vibrant. The neighbors are great. We constantly feel under threat. JMU is buying us out through piecemeal. Frats have moved across South Main Street from us and we get parties three nights a week. It is supposed to end at 10 o'clock and it can go to 1 or so sometimes. It seems to me that one of your jobs is to at minimum preserve the integrity of neighborhoods. With that said, I recognize something has to be done with that property. Like Randy, I do not quite feel like it is the least bad alternatives I think there are a couple of alternatives. You may not remember but the very first proposal for that property was townhomes. I think even better than townhomes would be duplexes and triplexes. I am not a developer and I realize that the horse is out of the barn. I always find that the devil is in the details. Everything looks good on paper but how it is processed it can turn out very good or very bad. I am thankful that Giles worked with us before he passed away. That developer seems to be taking some of the concerns of the neighborhood into consideration which it would have certainly been nice if they had talked to us directly, which has not happened. My wife mentioned the traffic issue and it is not manufactured, it is a real problem. There are times when we absolutely cannot get out of our neighborhood and it is only going to get worse. As much as we love having the new kids' playground at Purcell Park that is going to attract a lot of traffic. I guess you know your business better than I do. Try not to do anything that is going to damage this wonderful neighborhood. It is hard to keep the integrity, it is real easy to break it.

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

Commissioner Jezior said I am not sure who this question is for but why was the entrance and exit onto South Main Street taken away?

Ms. Rupkey said it is still shown on the concept plan, the Engineer did not remove it from the concept plan but it is physically no longer allowed due to our access management standards. We

would not allow them to build that entrance based on what we allow for distances between entrances.

Commissioner Jezior said so it is too close to it?

Ms. Rupkey said yes it needs to be 250 feet away and to move it 250 feet away from Edgelawn Drive puts it too close to East Weaver Avenue. Moving it 200 feet from East Weaver Avenue is too close to Edgelawn Drive.

Vice Chair Porter said I have a question related to Edgelawn Drive because I lived on Bluestone Street for a period of time and I know that is a strange little road there that is effectively a one lane alley. I guess I am looking at City staff here, how do we view that road? Is it just a navigable normal City maintained road?

Ms. Rupkey said it is a public street. It is substandard and does not meet the requirements for width, curb and gutter, and sidewalks. It does not have any of that but it is a public street.

Vice Chair Porter said I am not sure that it would make the neighbors any happier to close it but I will tell you this would be a concern to me. I have taken that road a few times and I have been in that same situation the gentleman had brought up where someone is coming around the other way, and I have to back up and allow them to go past. I would think that putting 22 apartments and some commercial property next to this will definitely exacerbate the situation. I would be concerned about that condition regardless of where this goes.

Commissioner Kettler said I would wonder why someone would be going down Edgelawn Drive.

Commissioner Seitz said traffic just backs up and blocks Weaver Avenue and Edgelawn Drive. Then the minute that happens people that are in the neighborhood are taking whatever route they can to try to get to a point of access to these streets. I lived at 1210 South Main Street before it got torn down and turned into a parking lot. I understand the traffic situation in this neighborhood.

Commissioner Kettler said I look at the placement for this within the larger context and it is clearly an area that is increasing slowly in intensity but it is definitely car-centric now and so threading that needle of trying to improve it and increase housing and to do that in the context of what is actually economically possible conflicts with my general preference towards less parking and fewer trips. I think overall it is a good plan. I also think with Edgelawn Drive it just shows some of the limitations of not being a true alley or a full street.

Commissioner Seitz said I am constantly amazed how often individual developments bump up against systemic problems that are beyond the purview of the particular developer. I think that as the City that is where we need to step in and identify solutions that serve the needs of the residents and addresses the concerns of the folks that live in that neighborhood but also set the table for needed development. I am just saying that time and time again I hear legitimate concerns about the impact of projects and struggle to balance the legitimacy of the project

candidly. Outside of the context of this particular neighborhood and the traffic problems and stuff like that I think it is a good project. How do you reconcile that with bigger neighborhood wide issues? Going through the 2018 Comp Plan and there was a call in there for development of neighborhood area plans which are great. One got done for the Northeast Neighborhood and it was fantastic, much needed for the Northeast Neighborhood. To my knowledge that is the only one that got done. This is the perfect example of where you need a small neighborhood plan so that developers have guidance when they look at properties.

Vice Chair Porter said I think that is a very salient point. As someone who did live in this neighborhood for a period of time, I would agree with that. I think the City is failing this community a little bit by what is being allowed to happen on Weaver Avenue. There should be some enforcement related to these students that are parking in multiple different directions. I have seen that. As someone that used to live on Bluestone Street, I know what the party culture is like on that particular block and the kinds of conditions that you have coming through your neighborhood in the middle of the evening particularly on a Friday or Saturday night. This will probably exacerbate that. I do understand your concerns in that area, and I would have the same concerns. There are a lot of issues with entry and egress into this neighborhood. Going all the way up to Monument Avenue and then getting onto Port Republic Road that is an issue as well. The fact is if you have students that are jamming up that area and a lot of these fraternity houses are overpopulated and need to be addressed from a code enforcement perspective. This has been something I have been crusading on for a little while and I do think that this is a factor in this particular issue is that you do have the student population that is parking multiple different directions, parking in areas that are probably not permissible, and the fact that they are also illegally parking on this site. Which if I owned this property I would be concerned about it. Even though it probably gives you guys some relief the reality is that should not be happening. I feel like at some point the City, it is incumbent on them to look at the situation and whether that is code enforcement or police action to address it. I also know there is a lot speeding in that neighborhood as well. Those concerns are all really valid. I am not sure how germane it is to this actual development other than the fact that this development would certainly make it worse.

Commissioner Alsindi said I kind of disagree with you Commissioner Porter in a positive sense. I know this sounds more subjective but this is just my view, that having the area here generally with nothing and having just houses here I think it increases the possibility of people having those fraternity houses over there. The boredom and nothing to do of students probably is another factor that increases this kind of pattern. While I consider what I heard from people in the neighborhood, looking at it from a strategic and more futuristic perspective, having such kind of apartments there I think affects the behavior of civility and the practice of people how they live including students. The fact that there is nothing there I notice there is more calmness as a living neighborhood. There are also students here who are bothering people but generally speaking I think this pattern of development there I would assume they would behave in a different way when you have stores and businesses over there that are more developed. You can go to a restaurant and sit down rather than hanging in dark streets over there doing nothing and bothering people. I am just looking at it from that point of view that strategically having such developments would change the overall pattern of people living in urbanized neighborhoods.

Vice Chair Porter said as a former fraternity member in my youth I can tell you right now I have zero faith in our ability to be able to adjust our behavior based upon what is around us. I do think that neighborhood has been suffering from that issue for a while. There is commerce down the street and there are other things in the neighborhood and it does not change how those students behave in those areas. I think the only thing that would change that behavior is proper enforcement and making sure the right number of students are living in those homes and if they are parking in the wrong direction that they are being ticketed. If they are parking in areas that are not appropriate that they are being ticketed. Eventually they will get tired of paying those fines or having to call mom and dad to pay those fines. I think the bigger issue here is the fact that, I think it is probably where we are going to be headed here pretty quickly, is that this is not a bad development at all and I hope that there is a way that this can be discussed with the neighbors to try to be able to address some of these concerns before it comes to Council. I see this type of development as being in the right place and I do understand the concerns of the neighborhood certainly and I am arguing both sides of the issue here. I do see this as the type of place that we are looking for density and more units in our community, that if I was going to walk or bike to JMU I would be more likely to do it from this location than the place we just had a large issue about. I also think if it is managed properly and managed well it could actually be an asset to that neighborhood. Again, I think a lot of these concerns about dumpster placement and fence height are legitimate concerns that need to be worked on but at the end of the day we are not going to be able to make a lot of determination based on those details. I think what it comes down to is this a permissible use of this area and does it serve the public interest. I am of the belief that it does. I think a commercial space is something that would add something depending on what type of commercial space it is in that community. I think it is more are we doing a good enough job of managing this neighborhood and supporting the residents of this neighborhood to make this viable and so it is not a nuisance for the neighbors? I think that is my take on it.

Commissioner Kettler said in terms of getting to JMU from this general area, I went on the site visit but I did not go to JMU from there. I am not as familiar with this neighborhood. In order to do that they would basically have to go east and then north and go across Port Republic Road or they have to go right up South Main Street. Is that right?

Chair Baugh said pretty much. The foot traffic there as a point of reference, talking about things have changed, there was a time when the apartments on South Avenue was primarily student housing. Which is actually a little further away. There was time when there was even more foot traffic sort of from that area. That is right, that traffic funnels onto South Main Street for the most part. I think one of the concerns of the neighborhood over the years has been various little things that might pull people wander through the neighborhood but that is not really what this is I do not think. Really what has been the idea...there has been a lot of history with this neighborhood. I could vouch for some of the comments that were made. This has always been a neighborhood that has been concerned about what is going on around them and there have been some spots that if you actually know properties that have been purchased in the hope that one day the climate would change and that maybe to knock a house down and go to more intense development. That has never really happened. To be brutally frank the development now where the Starbucks is right off of the interchange that got approved by Council over the vehement objection of the neighborhood when it happened. I mean the neighborhood did not even like that going in there. Then the concern to a modestly lesser extent of those sort of

commercial, and I get it they were kind of quasi-professional office building spaces, that get you all the way up to the Port Republic Road corridor. Of course, it used to be a bank on the corner and now I guess it is a law firm in there. That has kind of been the history of that. I think maybe [unintelligible] recognition that well for the part that is on US Route 11 probably makes a little sense for that to have a little commercial or dense orientation. We are not too crazy about that. We are certainly not interested in seeing more.

Councilmember Dent said come to think of it, that former bank that is now law offices, there was a proposal there to put one of those drive- through coffee places.

Chair Baugh said yeah we shot that down.

Councilmember Dent said we shot it down because that would have been massively disruptive.

Chair Baugh said which is now down South Main Street on the other side and it is a much better location for it.

Councilmember Dent said clearly disruptive to the neighborhood. There are not any proffers or any such about the kinds of commercial that would go in there. It is also sort of up against South Main Street a drive through or any such.

Commissioner Kettler said I think something else that is important that I heard is there are concerns with something like this going in and students being nearby and density being part of that. The most consistent thing that I heard was traffic. I think that is something important to keep in mind as we head into the item three away from where we are at.

Councilmember Dent said come to think of it the large parking area is that because it is a multistory...how many stories is this? Commercial on the bottom even some apartments on the bottom with so many stories of apartments, 26 units. How many stories does that make it?

Chair Baugh said three stories.

Commissioner Seitz said it is 26 units, 6 of them are two-bedroom units so that is 12 plus 20 that is 32 units. Is it a [parking] space and a half per bedroom?

Ms. Dang said it depends on the breakdown.

Councilmember Dent said I suppose there is also allowance for the parking for the commercial.

Ms. Rupkey said they would be required for the one-bedroom to do one and a half spaces and for two-bedroom, two and a half spaces.

Councilmember Dent said how about for the commercial?

Ms. Rupkey said that would depend on what the final use ends up being.

Councilmember Dent said for example, correct me if I am wrong, it is conceivable if all of it got approved that the property owner could find a tenant but it would be a particular use that there are not enough parking spaces to accommodate that use. It would not be allowed even though that commercial use would otherwise generally be allowed. You still have to meet the parking requirements.

Commissioner Seitz said it just seems like if there was ever a case for parking reduction in parking requirements, this site is it.

Commissioner Jezior said it was 90 percent parking for the amount of bedrooms. They were not doing one and a half per.

Mr. Russ said for four bedrooms you need three and a half. Three bedroom you also need two and a half. Three and four bedrooms need fewer parking spaces per bedroom.

Commissioner Jezior said I think in talking about the traffic as well coming out, I like that the building is situated on South Main Street for the pedestrians especially with the commercial space. Sight lines though for traffic coming out from Weaver Avenue are probably going to be a problem as people are coming out and taking a left there and people cutting through. If you have the building set all the way forward you are not going to be able to see traffic going down South Main Street as well.

Ms. Dang said that is a good point and it will be evaluated during the site plan review.

Councilmember Dent said this possible underground stormwater retention might create an effective bit of setback off of Weaver Avenue. Is that right?

Mr. Fletcher said they will not be able to prohibit sight lines they have to meet sight distance requirements.

Commissioner Kettler said I do agree with what what you are generally saying of it being oriented toward the street and not back like right up against the existing residential property.

Chair Baugh said if I recall correctly whether you like it or not that was one of the things that as this thing was negotiated with folks in the neighborhood it was one of the results from that was to get the building placed in that spot. I think the original proposal was more of that sort of tradition kind of building in the middle or maybe skewed a little towards the front parking all around it.

Commissioner Kettler said I think this is a lot better then.

Councilmember Dent said that is one thing staff consistently recommends no parking in front of the building so that it is tucked behind and you are not looking at cars going down the street. More neighborhood walkability.

Ms. Dang said I just want to acknowledge that for all the traffic concerns that have been discussed and the parking issues on the street know that when you all have these discussions right

here and from these community members at public hearings, when the minutes are drafted we send a copy or send that excerpt to the other departments, Police and Public Works to make them aware so that it is going to somebody who can evaluate it.

Councilmember Dent said that is a good point because when they say they cannot get in and out of the neighborhood I wonder if the City needs to make some kind of adjustment like a traffic light at Monument Avenue. This could be a candidate for some of the traffic calming if people are speeding down some of the streets.

Chair Baugh said I know a lot of people do not like to do it, but the most effective thing you can do, and it really only has two layers to it... if its a traffic parking issue, call the Police Department. If it is too many people in a space, these folks [Community Development]. Certainly, on that civil side I can tell you for a fact because it is a complaint driven system. If somebody comes in and talks to Community Development somebody will go out there and take a look at it. You may not like the answer and a lot of times you find things like everybody is in the same family and that is why there is 15 people there. I can tell you from real world experience, particularly on the traffic stuff and again, I do not want to be that guy calling the cops, okay. When a City Council member goes to say I am hearing from constituents about all of these problems in this area the first thing you get is they look at their data and they see how many complaints they have had. If the answer is not a whole lot, people have been toughing it out they are going to say this is the first we have heard of it or we heard one time and it went away. I have known of instances where people sort of bought into okay I guess we are going to have to be the squeaky wheel for a while and it was sort of effective. It is kind of not the fun option on trying to deal with this challenge in my neighborhood. I have definitely found situations where you know darn well because you live close to it or got through there that there are issues in the neighborhood and HPD database does not have any data that supports it so that just tells you are starting at ground zero to get their attention.

Commissioner Kettler said I was just going to say however we feel about these, do we feel comfortable about doing them as one motion?

Chair Baugh said I will throw it out, if anybody does not feel comfortable voting on these in one motion whether because they want to vote for one and not for the other. Any other reason, speak up now or forever hold your peace. Are we okay with taking it up as one motion?

Vice Chair Porter said I wanted to point out as I am sitting here looking at the changes being made to the proffers, most of the issues we have discussed are not going to be impacted by these changes. There is a by-right use currently on the property, and it is an expired special use permit for sure, but the reality is the circumstances that neighbors are most concerned about, the material changes that are going to be made by us passing this or not are not going to be necessarily addressed by this. It might stop the development for a period of time. but the reality is this is going to move forward in some fashion by-right pretty much today. I go back to the applicant and say it would be well worth your time to talk to these folks and have a sit down. I think I even heard the one gentleman say he would probably support this if some of his concerns were addressed. I think that is a worthwhile process to engage in before it goes to Council regardless of how we vote, The reality is I feel like a lot of these circumstances which are unfortunate are not going to be impacted by this decision or the other.

Chair Baugh said I was tempted to do it earlier, just to be clear, what we are actually voting on here, slightly oversimplified, is we are okay with reducing the amount of commercial. They want to tweak the fencing. They are going to enhance some of the stuff at the intersection of South Main Street and East Weaver Avenue and the entrance on South Main Street is gone due to the reasons we went into. You could in theory vote against approving the special use permit to allow them to have more units in it or to do the commercial. But now if you do, you have got a property that is zoned R-5 for high density and it is in the Land Use Guide for Mixed Use and you are sort of saying you cannot have high density or mixed use.

Commissioner Kettler said I move to approve the rezoning and two special use permit requests with conditions submitted by the applicant with additional language recommended by staff.

Councilmember Dent seconded the motion.

Chair Baugh called for a roll call vote.

Commissioner Seitz	Aye
Commissioner Jezior	Aye
Councilmember Dent	Aye
Commissioner Alsindi	Aye
Commissioner Kettler	Aye
Vice Chair Porter	Aye
Chair Baugh	Aye

The motion to recommend approval of the rezoning request and two special use permit requests passed (7-0). The recommendation will move forward to City Council on June 9, 2026.

# City of Harrisonburg

## Rezoning

Proffer amendment, R-5C

Special Use Permits

Section 10-3-55.4 (1)

to allow multiple-family dwellings of more than twelve (12) Units

Section 10-3-55.4 (4)

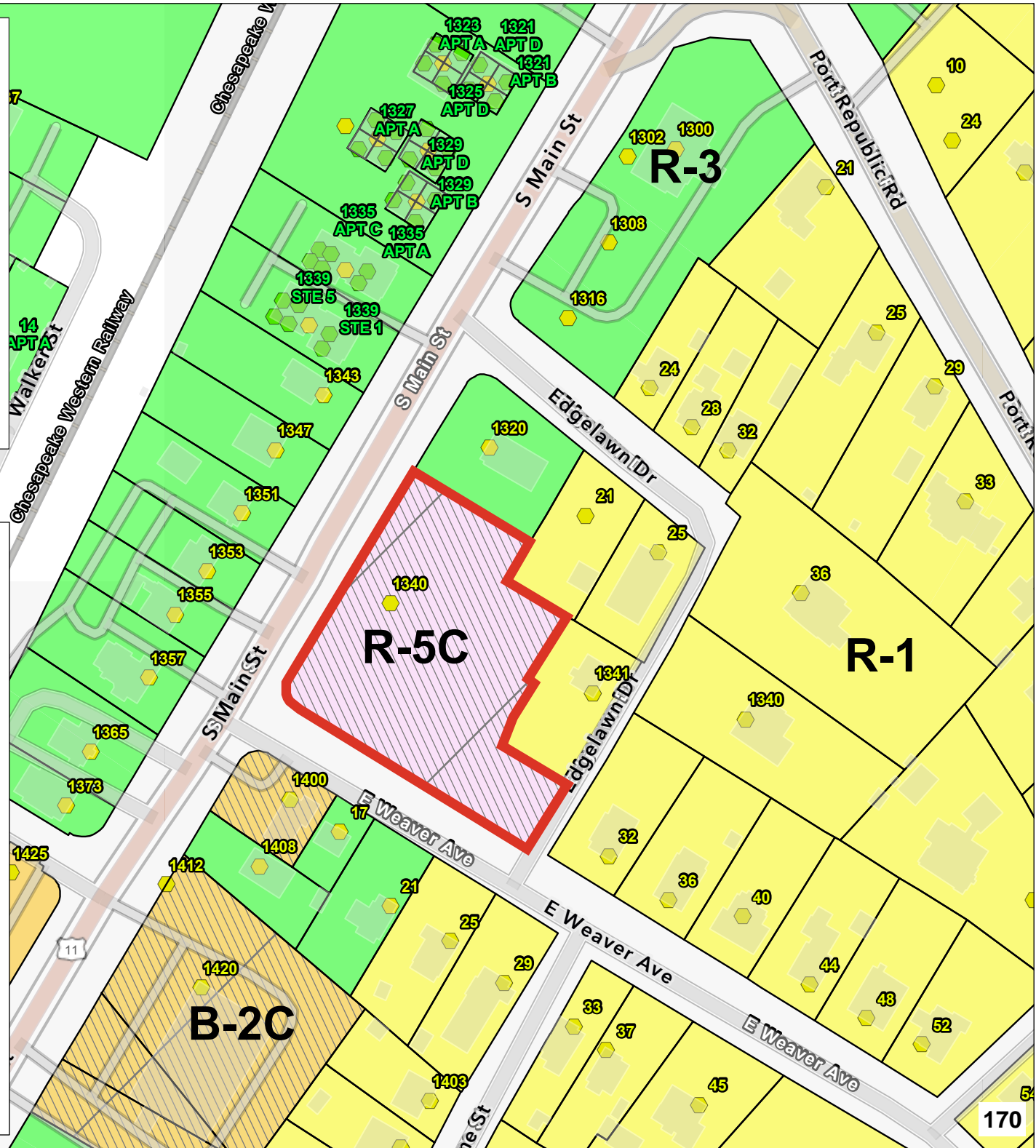
to allow retail

1340 South Main Street

Tax Map Parcel: 18-R-22

+/- 1.23-acres

## Zoning



# City of Harrisonburg

Rezoning  
Proffer amendment, R-5C  
Special Use Permits  
Section 10-3-55.4 (1)  
to allow multiple-family dwellings of more than twelve (12) Units  
Section 10-3-55.4 (4)  
to allow retail  
1340 South Main Street  
Tax Map Parcel: 18-R-22  
+/- 1.23-acres

## (Future) Land Use Guide

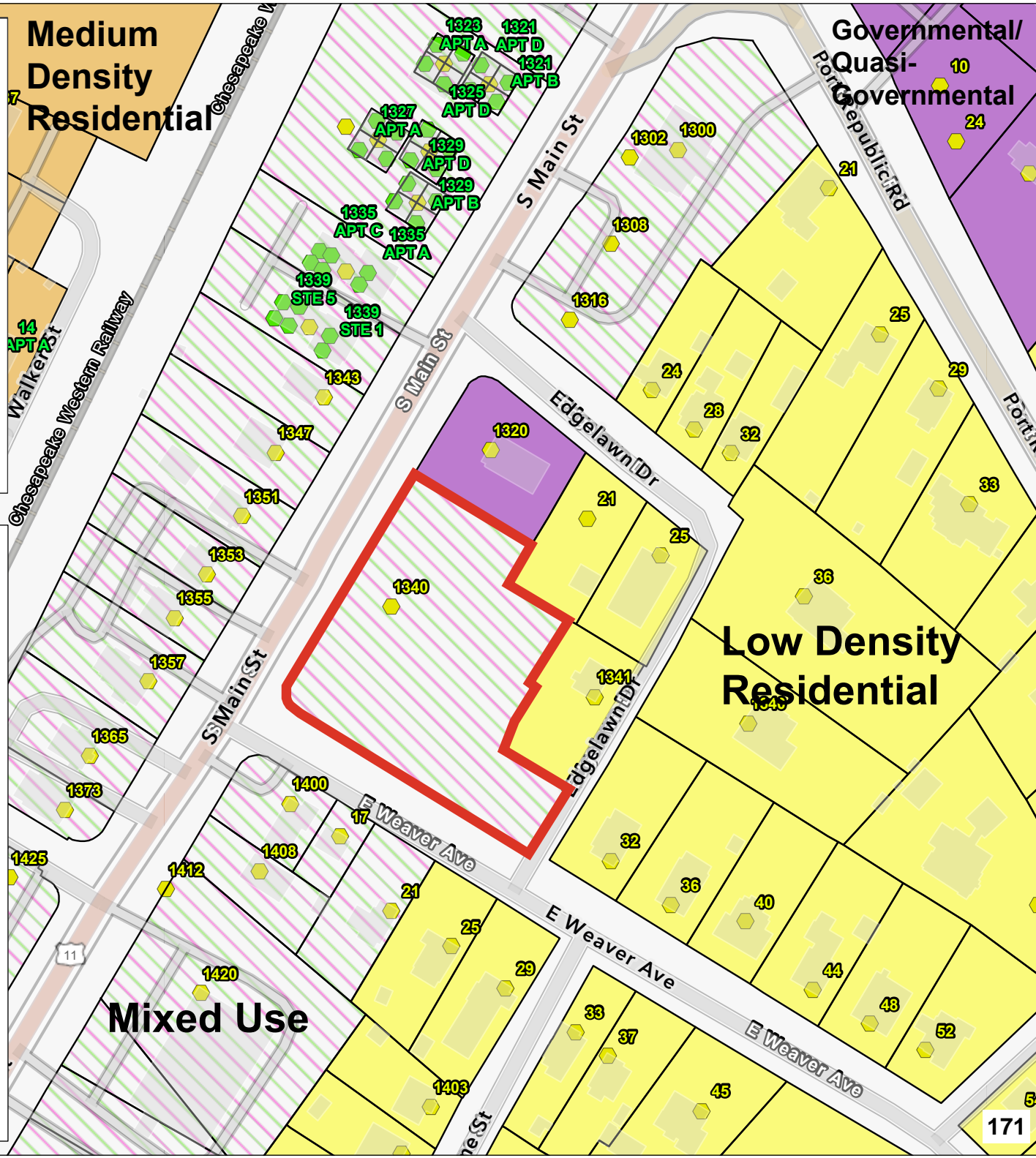


**Medium Density Residential**

**Governmental/Quasi-Governmental**

**Low Density Residential**

**Mixed Use**



# City of Harrisonburg

## Rezoning

Proffer amendment, R-5C

Special Use Permits

Section 10-3-55.4 (1)

to allow multiple-family dwellings of more than twelve (12) Units

Section 10-3-55.4 (4)

to allow retail

1340 South Main Street

Tax Map Parcel: 18-R-22

+/- 1.23-acres





**CITY OF HARRISONBURG  
COMMUNITY  
DEVELOPMENT**

**Change of Zoning District  
(Rezoning) Application**  
[www.harrisonburgva.gov/zoning](http://www.harrisonburgva.gov/zoning)

PROPERTY INFORMATION			
1340 S. Main St., Harrisonburg, VA 22801	018 R 22	1.23	acres or sq.ft. (circle)
Property Address	Tax Map Parcel/ID	Total Land Area	
Existing Zoning District: <u>R5C</u>	Proposed Zoning District: <u>R5C</u>		
Existing Comprehensive Plan Designation: <u>Mixed Use</u>			
PROPERTY OWNER INFORMATION			
Marilyn Pendlebury		804.908.1987	
Property Owner Name		Telephone	
6049 Shady Oak Ct.		pendlebury@comcast.net	
Street Address		E-Mail	
Mechanicsville	VA	23111	
City	State	Zip	
OWNER'S REPRESENTATIVE INFORMATION			
Mike Hendricksen / Hans Harman (Contracted Purchasers)		540.908.7528	
Owner's Representative		Telephone	
222 Fairway Drive		mike@investmentsblue.com	
Street Address		E-Mail	
Harrisonburg	VA	22802	
City	State	Zip	
CERTIFICATION			
<p><i>I certify that the information supplied on this application and on the attachments provided (maps and other information) is accurate and true to the best of my knowledge. In addition, I hereby grant permission to the agents and employees of the City of Harrisonburg to enter the above property for the purposes of processing and reviewing this application. I also understand that, when required, public notice signs will be posted by the City on any property.</i></p>			
<u>Mary Pendlebury</u>		<u>3/26/2026</u>	
PROPERTY OWNER		DATE	
REQUIRED ATTACHMENTS			
<input type="checkbox"/> Letter explaining proposed use & reasons for seeking change in zoning. <input type="checkbox"/> Statement on proffers, if applying for conditional rezoning. <input type="checkbox"/> Survey of property or site map. <input type="checkbox"/> Traffic Impact Analysis (TIA) Determination Form OR Traffic Impact Analysis (TIA) Acceptance Letter signed by Public Works Department. Applicant is responsible for coordinating with Public Works prior to submitting this application. For more information, visit <a href="http://www.harrisonburgva.gov/traffic-impact-analysis">www.harrisonburgva.gov/traffic-impact-analysis</a> .			
TO BE COMPLETED BY PLANNING & ZONING DIVISION			
<u>3/30/26</u>		Total Fees Due: \$ <u>455.610 Paid</u>	
Date Application and Fee Received		Application Fee: \$550.00 + \$30.00 per acre	
<u>[Signature]</u>			
Received By			



**CITY OF HARRISONBURG  
COMMUNITY  
DEVELOPMENT**

**Special Use Permit Application**

[www.harrisonburgva.gov/zoning](http://www.harrisonburgva.gov/zoning)

**PROPERTY INFORMATION**

1340 S. Main St., Harrisonburg, VA 22801      018 R 22      1.23      acres or sq.ft.  
 Property Address      Tax Map      Total Land Area      (circle)

Existing Zoning Classification: R5C

Special Use being requested: Allow for a building of more than 12 residential units with some residential units on the ground level.

**PROPERTY OWNER INFORMATION**

Marilyn Pendlebury      804.908.1987  
 Property Owner Name      Telephone  
 6049 Shady Oak Ct.      pendlebury@comcast.net  
 Street Address      E-Mail  
 Mechanicsville      VA      23111  
 City      State      Zip

**OWNER'S REPRESENTATIVE INFORMATION**

Mike Hendricksen / Hans Harman (Contracted Purchasers)      540.908.7528  
 Owner's Representative      Telephone  
 222 Fairway Drive      mike@investmentsblue.com  
 Street Address      E-Mail  
 Harrisonburg      VA      22802  
 City      State      Zip

**CERTIFICATION**

*I certify that the information supplied on this application and on the attachments provided (maps and other information) is accurate and true to the best of my knowledge. In addition, I hereby grant permission to the agents and employees of the City of Harrisonburg to enter the above property for the purposes of processing and reviewing this application. I also understand that, when required, public notice signs will be posted by the City on any property.*

Marilyn Pendlebury  
 PROPERTY OWNER

3/26/2026  
 DATE

**REQUIRED ATTACHMENTS**

- Site or Property Map
- Letter explaining proposed use & reasons for seeking a Special Use Permit.
- Traffic Impact Analysis (TIA) Determination Form OR Traffic Impact Analysis (TIA) Acceptance Letter signed by Public Works Department. Applicant is responsible for coordinating with Public Works prior to submitting this application. For more information, visit [www.harrisonburgva.gov/traffic-impact-analysis](http://www.harrisonburgva.gov/traffic-impact-analysis). This requirement is waived for the following SUPs: major family day homes, reducing required parking areas, reduction in required side yard setback, wireless telecommunication facilities, wall and fences, and short-term rentals. To prevent delays in reviewing your application, please consult with Planning staff to confirm your application does not require a TIA Determination Form or TIA Acceptance Letter.

Note: If applying for a Wireless Telecommunications Facility allowed only by SUP, then also submit a wireless telecommunications facility application.

**TO BE COMPLETED BY PLANNING & ZONING DIVISION**

3/30/26  
 Date Application and Fee Received

Total Fees Due: \$ 485 Paid  
 Application Fee: \$425.00 + \$30.00 per acre

[Signature]  
 Received By



**CITY OF HARRISONBURG  
COMMUNITY  
DEVELOPMENT**

**Special Use Permit Application**

[www.harrisonburgva.gov/zoning](http://www.harrisonburgva.gov/zoning)

**PROPERTY INFORMATION**

1340 S. Main St., Harrisonburg, VA 22801      018 R 22      1.23 acres or sq.ft.  
 Property Address      Tax Map      Total Land Area (circle)

Existing Zoning Classification: R5C

Special Use being requested: \_\_\_\_\_

Allow for retail, personal service, offices, restaurants, and convenience store.

**PROPERTY OWNER INFORMATION**

Marilyn Pendlebury      [Redacted]  
 Property Owner Name      Telephone  
 6049 Shady Oak Ct.      [Redacted]  
 Street Address      E-Mail  
 Mechanicsville      VA      23111  
 City      State      Zip

**OWNER'S REPRESENTATIVE INFORMATION**

Mike Hendricksen / Hans Harman (Contracted Purchasers)      [Redacted]  
 Owner's Representative      Telephone  
 222 Fairway Drive      [Redacted]  
 Street Address      E-Mail  
 Harrisonburg      VA      22802  
 City      State      Zip

**CERTIFICATION**

*I certify that the information supplied on this application and on the attachments provided (maps and other information) is accurate and true to the best of my knowledge. In addition, I hereby grant permission to the agents and employees of the City of Harrisonburg to enter the above property for the purposes of processing and reviewing this application. I also understand that, when required, public notice signs will be posted by the City on any property.*

May Pendlebury      3/25/2026  
 PROPERTY OWNER      DATE

**REQUIRED ATTACHMENTS**

- Site or Property Map
- Letter explaining proposed use & reasons for seeking a Special Use Permit.
- Traffic Impact Analysis (TIA) Determination Form OR Traffic Impact Analysis (TIA) Acceptance Letter signed by Public Works Department. Applicant is responsible for coordinating with Public Works prior to submitting this application. For more information, visit [www.harrisonburgva.gov/traffic-impact-analysis](http://www.harrisonburgva.gov/traffic-impact-analysis). This requirement is waived for the following SUPs: major family day homes, reducing required parking areas, reduction in required side yard setback, wireless telecommunication facilities, wall and fences, and short-term rentals. To prevent delays in reviewing your application, please consult with Planning staff to confirm your application does not require a TIA Determination Form or TIA Acceptance Letter.

Note: If applying for a Wireless Telecommunications Facility allowed only by SUP, then also submit a wireless telecommunications facility application.

**TO BE COMPLETED BY PLANNING & ZONING DIVISION**

3/30/26      Total Fees Due: \$ 485 Paid  
 Date Application and Fee Received      Application Fee: \$425.00 + \$30.00 per acre  
[Signature]  
 Received By

**1340 S. Main Street, Harrisonburg, VA**

**Site Map**



**Current Zoning – R5C**



**Comp Plan – Mixed Use**

**1340 S. Main St., Harrisonburg, VA**

**Proposed Use & Reasons for Seeking a Special Use Permit & Proffer Amendment**

We are seeking to conform with the City of Harrisonburg Comprehensive Plan and have a mixed-use development on this site that consists of up to 5,000 SF of commercial space and up to 26 residential apartments.

The previously approved use on this site was for up to 10,000 SF of commercial space and 22 one-bedroom residential apartments. We believe that 10,000 SF of commercial space is an abundance of retail for a mixed use building on this site and for this location along the S. Main corridor and we are proposing to reduce this by 50% (from 'up to 10,000 SF' to 'up to 5,000 SF') while increasing the number of possible residential apartments by 18% (from 22 one-bedroom units up to a mix of a total of 26 one-bedroom and two-bedroom units).

Based on standards from the Institute of Transportation Engineers (ITE), our updated plan for up to 5,000 SF of commercial space and 26 residential apartments should generate less traffic than the previously approved plan. We do not know the exact use breakdown of the 5,000 SF of commercial space at this time, but, assuming it is retail use, based on ITE estimates we believe that by reducing the commercial space we will reduce estimated traffic to this site by approximately 220 daily trips. Adding four more residential apartment units is estimated to increase residential daily trips by 27 (ITE estimate is 6.6 daily trips for standard average low-rise apartments). Our proposed plan compared to the previously approved plan may have an estimated net result based on ITE estimates of lowering traffic to this site by approximately 193 daily trips (approximately 33% reduction). We believe this is a positive thing for this site and the surrounding community by reducing the anticipated traffic and increasing the safety of those entering and exiting S. Main St. in this area.

In meetings with City Staff, we have gained an understanding of the reasoning behind many of the aspects of the previously approved request (orienting the building closer to the street, no parking between the building and the public street, etc.) and are in agreement with the building placement and site buffers.

Research by Urban Land Institute and U.S. Environmental Protection Agency shows that mixed-use developments on infill sites such as these are generally positive for communities, offering sustainable growth, reducing sprawl, and increasing local tax bases. Sites that combine residential and commercial uses generally foster social interaction and

reduce vehicle dependency and our hope is that the occupants of this building will enjoy planned and impromptu interactions with one another on-site.-

We are seeking a Special Use Permit to:

Allow for a building of more than 12 residential units.

Allow for retail, personal service, offices, restaurants, and convenience store.

If granted the Special Use permit:

All traffic generating uses shall be limited to a combined total of 100 vehicle trips in either the AM or PM peak hour as calculated using the latest edition of the Institute of Transportation Engineer's Trip Generation Manual unless the property owner first, at their cost: (1) completes a Traffic Impact Analysis approved by the City Department of Public Works and (2) implements all identified mitigation measures or improvements. The City Department of Public Works may, in its sole discretion, waive, in whole or in part, completion of a Traffic Impact Analysis or any identified mitigation measures or improvements.

No drive-throughs will be permitted.

We are seeking to amend the previous 2017 proffers. Attached is a copy of the 2017 approved proffers as well as the proposed new proffer.

REVISED: August 8, 2017

~~March 23, 2017~~

Mrs. Thanh Dang, City Planner  
City of Harrisonburg  
Department of Planning and Community Development  
409 South Main Street  
Harrisonburg, VA 22801

Ref: Stone Suites – Rezoning R-3 & R-1 to R5 (TM: 18-R-22, 22A partial, 23 partial, 24, 24A)

Dear Mrs. Dang,

The concept Plan included with this submittal illustrates the parcels and portions of parcels for which rezoning to R-5 is being requested.

The following revised proffers are provided with the proposed rezoning:

1. Any building constructed on site shall contain residential and non-residential uses. The first floor of any building shall contain only non-residential uses.
2. The site shall contain no more than 22 one bedroom multiple-family units.
3. No parking lot (including travel lanes and drive aisles) shall be located between any buildings and the following streets: South Main Street and East Weaver Avenue.
4. Only one vehicular access point to South Main Street shall be permitted, and it shall be only for right-in/right-out traffic movements.
5. No vehicular access shall be permitted from the site to Edgelawn Drive.
6. A 6-foot opaque fence shall be installed at a minimum of 19-feet from the centerline of the existing Edgelawn Drive public street right-of-way.
7. A 6-foot opaque fence shall be installed along the northeastern property line adjoining tax map parcel # 18-R-20.
8. No structure including accessory buildings shall be constructed within 150 ft. of the shared property line with Edgelawn Dr. (excluding a dumpster containment).
9. Twice the number of required street trees shall be planted along Edgelawn Dr. than is required by the zoning ordinance.

I (we) hereby proffer that the development of the subject property on this application shall be in strict accordance with the conditions set for in this submission.

Sincerely



Giles Stone for Marusstodd Properties, LLC

**1340 S. Main St., Harrisonburg, VA**

**Statement on Proffers**

In connection with the rezoning request for the property located at 1340 South Main Street and identified as tax map parcel 18-R-22, I hereby proffer that the use and development of the subject property shall be in strict accordance with the conditions set forth in this submission.

1. Any building constructed on site (excluding accessory buildings) shall contain residential and non-residential uses. Commercial uses shall only be permitted on the first floor and shall not exceed 5,000 square feet throughout all buildings. Residential units may be located on the first floor.
2. The total number of dwelling units on the property shall not exceed twenty-six (26) units. One-bedroom and two-bedroom units shall be permitted with no more than six (6) of the units being two-bedroom units.
3. No parking lot (including travel lanes and drive aisles) shall be located between any buildings and the following streets: South Main Street and East Weaver Avenue.
4. No vehicular access shall be permitted from the site to Edgelawn Drive.
5. A 6-foot tall opaque fence shall be installed and maintained along the frontage of Edgelawn Drive.
6. A 6-foot tall opaque fence shall be installed and maintained along the property lines adjoining tax map parcel #18-R-20, 18-R-21, & 18-R-22-A.
7. No structure, excluding a dumpster containment, shall be constructed within 150 ft. of the shared property line with Edgelawn Dr.
8. A minimum of six (6) small/ornamental deciduous or evergreen trees shall be planted along the street frontage of Edgelawn Drive. Tree locations along the street frontage are at the discretion of the property owner/developer.

9. At the time of construction the applicant shall reconstruct the curb ramp at the northeast corner of the intersection of South Main Street and East Weaver Avenue to meet the Public Right-of-Way Accessibility Guidelines standards.

Marilyn Pendlebury  
MARILYN PENDLEBURY, PROPERTY OWNER

2026-05-05  
Date

# CERTIFICATE *of* SIGNATURE

REF NUMBER  
XPJYV NEGJR ZR4CC FGMS4

DOCUMENT COMPLETED BY ALL PARTIES ON  
05 MAY 2026 17:20:33  
UTC

## SIGNER

**MARILYN PENDLEBURY**

EMAIL  
PENDLEBURY@COMCAST.NET

## TIMESTAMP

SENT  
05 MAY 2026 15:44:33

VIEWED  
05 MAY 2026 17:19:56

SIGNED  
05 MAY 2026 17:20:33

## SIGNATURE

*Marilyn Pendlebury*

IP ADDRESS  
73.148.45.58

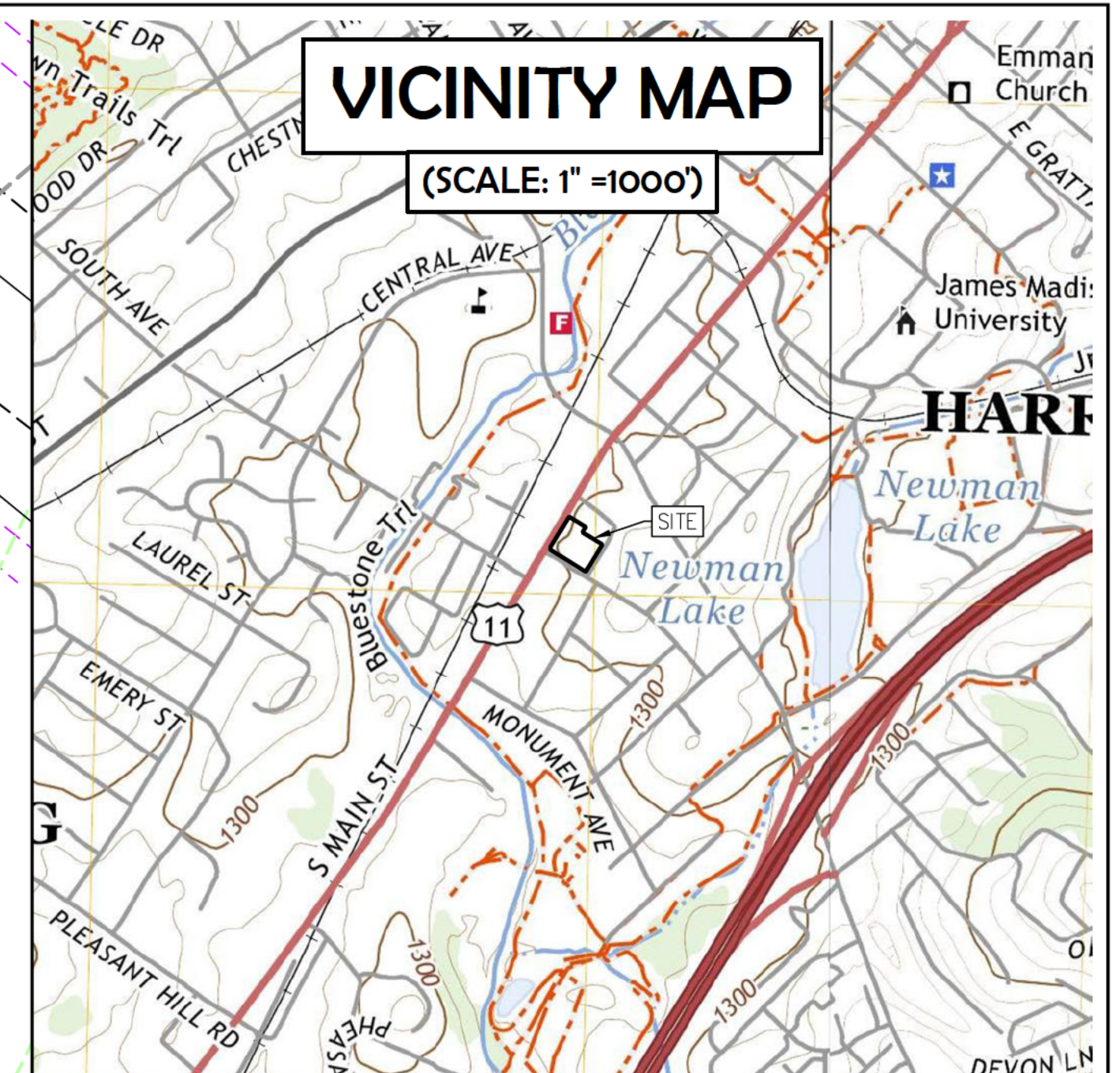
LOCATION  
HENRICO, UNITED STATES

## RECIPIENT VERIFICATION

EMAIL VERIFIED  
05 MAY 2026 17:19:56



NEW POSSIBLE - PROPOSED USE AND PARKING REQUIREMENTS					
PROPOSED BUILDING	USE	QUANTITY	UNITS	RATE	SPACES REQUIRED
1	APARTMENTS	28 (20 @ 1 BED + 6 @ 2 BEDS)	1 BEDROOM 2 BEDROOM	1 1/4 UNIT 2 1/2 UNIT	45
1	COMMERCIAL	1	5,000 SF	200 SF	25
ARTICLE G, SECTION 10-3-25 (7) SECTION 10-3-25 (15)					
TOTAL SPACES REQUIRED					70
HANDICAP REQUIRED					4
TOTAL SPACES PROVIDED					76
HANDICAP PROVIDED					4



LEGEND	
[Symbol]	PROPOSED BUILDING
[Symbol]	PROPOSED SIDEWALK/DRIVEWAY
[Symbol]	PAVED AREA
[Symbol]	SITE BOUNDARY
[Symbol]	EX PROPERTY LINE
[Symbol]	PRO PROPERTY LINE
[Symbol]	SETBACK
[Symbol]	CENTERLINE
[Symbol]	EDGE OF PAVEMENT

**CIVIL DESIGN:**  
**AES CONSULTING ENGINEERS**  
 ATTN: ED BLACKWELL  
 568 EAST MARKET STREET  
 HARRISONBURG, VA 22801  
 540-432-9555

**OWNER/DEVELOPER:**  
**MARUSSTODD PROPERTIES LLC**  
 190 E MOSBY RD  
 HARRISONBURG, VA 22802  
 540-908-7528

**PROPERTY INFO:**  
 TM# 018 R 22  
 1340 S MAIN ST  
 HARRISONBURG, VA 22801  
 AREA=1.23± ACRES  
 CURRENT ZONING: R-5C  
 PROPOSED ZONING: R-5C  
 EXISTING USE: UNDEVELOPED  
 PROPOSED USE: MIXED USE  
 COMMERCIAL & RESIDENTIAL  
 PROPOSED DENSITY: 32.5 U/A  
 FEMA FLOOD ZONE: X

TM# 018 R 21  
 OWNER: JCF VENTURES LLC C/O  
 MARILYN PENDLEBURY  
 ADDRESS: 6049 SHADY OAK CT  
 MECHANICSVILLE, VA 23111  
 ZONE: R-3

TM# 018 R 20  
 OWNER: HOFFMAN RANDY C KIMBERLY E  
 ADDRESS: 25 EDGELOWN DR  
 HARRISONBURG, VA 22801  
 ZONE: R-1

TM# 018 R 19  
 OWNER: HOFFMAN RANDY C KIMBERLY E  
 ADDRESS: 25 EDGELOWN DR  
 HARRISONBURG, VA 22801  
 ZONE: R-1

TM# 018 R 22  
 OWNER: MARUSSTODD PROPERTIES LLC  
 ADDRESS: 190 E MOSBY RD  
 HARRISONBURG, VA 22802  
 ZONE: R-5C

TM# 018 R 22-A  
 OWNER: MARUSSTODD PROPERTIES LLC  
 ADDRESS: 190 E MOSBY RD  
 HARRISONBURG, VA 22801  
 ZONE: R-1

This entrance subject to Site Plan Approval.  
 Subject to Change.

Possible Underground  
 Stormwater Retention

Rev.	Date	Description	Revised By

**DRAFT**

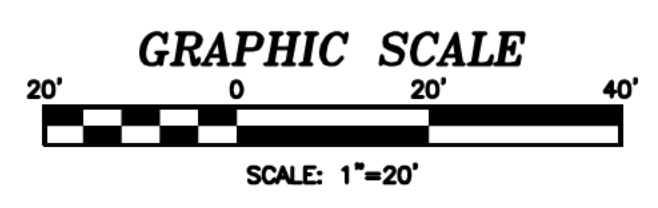
THIS PLAN HAS  
 NOT RECEIVED  
 FINAL APPROVAL  
 AND IS NOT  
 APPROVED FOR  
 CONSTRUCTION.

668 East Market Street  
 Harrisonburg, Virginia 22801  
 Phone: (540) 432-8555  
 www.aesva.com

Hampton Roads | Central Virginia | Middle Peninsula | Shenandoah Valley

PRELIMINARY LAYOUT  
 FOR  
**1340 S MAIN STREET**  
 MIXED USE DEVELOPMENT  
 MARUSSTODD PROPERTIES LLC  
 CITY OF HARRISONBURG, VIRGINIA

Project Contacts:	EHB
Project Number:	3196
Scale:	Date:
AS NOTED	5-14-25
Sheet Title:	PRELIMINARY LAYOUT
Sheet Number:	1



Filename: S:\0000\00106 1340 South Main Street\001\001\001\001-1340 S Main St.dwg Plotdate: January 8, 2025



City of Harrisonburg, VA  
Department of Public Works

## Determination of Need for a Traffic Impact Analysis (TIA)

www.harrisonburgva.gov/traffic-impact-analysis

For inclusion in an application for Planning Commission review (for Special Use Permit, Rezoning or Preliminary Plat), this form must be submitted to the Public Works Department at least 5 business days prior to the Planning Commission application deadline.

<b>Contact Information</b>			
Consultant Name:			
Telephone:			
E-mail:			
Owner Name:	Marilyn Pendlebury / Contracted Purchasers are Mike Hendricksen & Hans Harman		
Telephone:	540.908.7528 (Mike H.)		
E-mail:	Mike@InvestmentsBlue.com		
<b>Project Information</b>			
Project Name:	1340 S. Main		
Project Address:	1340 South Main Street		
TM #:	018 R 22		
Existing Land Use(s):	Vacant		
Proposed Land Use(s): (if applicable)	Mixed-Use		
Submission Type:	Comprehensive Site Plan <input type="radio"/>	Special Use Permit <input checked="" type="radio"/>	Rezoning <input type="radio"/> Preliminary Plat <input type="radio"/>
Project Description: (Include site plan or preliminary sketch and additional details on land use, acreage, access to site, etc)	We are seeking to conform with the City of Harrisonburg Comprehensive Plan on this 1.23 Acres site along S. Main St. and have a mixed-use development that consists of up to 5,000 SF of commercial space and up to 30 residential apartments (up to 24 one-bedroom apartments and up to 6 two-bedroom apartments) with more than the required parking on-site.		
<b>Peak Hour Trip Generation (from row 15 on the second page)</b>			
AM Peak Hour Trips:	32		
PM Peak Hour Trips:	47		

**(reserved for City staff)**

TIA required? Yes \_\_\_\_\_ No

Comments:

Accepted by: Teretha Mason

Date: 04/09/2026

### Peak Hour Trip Generation by Land Use

Row	ITE Land Use		ITE Land Use Code	Unit	Quantity	AM Peak Hour of Adjacent Street Traffic	PM Peak Hour of Adjacent Street Traffic
1	Proposed #1	Multi-Family Housing	220	Dwelling Units	30	12	16
2	Proposed #2	Commercial	822	Gross Leasable Area	5,000	20	31
3	Proposed #3						
4	Proposed #4						
5	Proposed #5						
6	Proposed #6						
7	Total New Trips					32	47
8	Existing #1	Vacant	NA			0	0
9	Existing #2						
10	Existing #3						
11	Existing #4						
12	Existing #5						
13	Existing #6						
14	Total Existing Trips					0	0
15	Final Total (Total New – Total Existing)					32	47

#### Instructions

Determination of trip generation rates shall be in conformance with ITE guidelines.

1. Based on the intended use(s), calculate the AM Peak and PM Peak trip generation using the AM and PM Peak Hour of Adjacent Street Traffic rates from the most current version of the ITE Trip Generation Manual (rows 1-6). Attach additional sheets as necessary for more uses.
2. Sum up all of the trips generated for the new uses in the Total New Trips row (row 7).
3. If the development has any existing uses, calculate the AM Peak and PM Peak trip generations using the AM and PM Peak Hour of Adjacent Street Traffic rates from the most current version of the ITE Trip Generation Manual (rows 8-13). Attach additional sheets as necessary for more uses.
4. Sum up all of the trips generated for the existing uses in the Total Existing Trips row (row 14).
5. Subtract the total existing trips from the total new trips to get the final total number of trips generated by the development (row 15). Enter these numbers on the first page.

Revised Date: December 2019



May 13, 2026 Planning Commission Meeting

**Title**

Consider Rezoning (Proffer Amendment) and Special Use Permits for 1340 South Main Street — Meg Rupkey, Community Development

**Summary**

Project name	N/A
Address/Location	1340 South Main Street
Tax Map Parcels	18-R-11
Total Land Area	+/- 1.23 acres
Property Owner	Marilyn S. Pendlebury
Owner’s Representative	Mike Hendricksen and Hans Harman
Present Zoning	R-5C, High Density Residential Conditional
Proposed Zoning	R-5C, High Density Residential Conditional
Proposed Special Use Permit(s)	<ul style="list-style-type: none"> <li>Multiple-family dwellings of more than twelve (12) units per building per Section 10-3-55.4 (1)</li> <li>Retail stores, convenience shops, personal service establishments, restaurants (excluding those with drive-through facilities), medical clinics, and business and professional offices per Section 10-3-55.4 (4)</li> </ul>
Planning Commission	May 13, 2026 (Public Hearing)
City Council	Anticipated June 9, 2026 (First Reading/Public Hearing) Anticipated June 23, 2026 (Second Reading)

**Recommendation**

Option 1. Recommend approval of the rezoning and two special use permit requests with conditions submitted by the applicant with additional language recommended by staff.

**Context & Analysis**

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

Site: Vacant lot, zoned R-5C

North: Office building, zoned R-3, and single-family detached dwellings, zoned R-1

East: Single-family detached dwelling and across Edgelawn Drive single-family detached dwellings, zoned R-1

South: Across East Weaver Avenue single family detached dwellings, zoned R-1, and an office building, zoned B-2C  
West: Across South Main Street, residential uses, zoned R-3

The applicant is requesting a proffer amendment and two special use permits (SUPs) for a +/- 1.23-acre property addressed as 1340 South Main Street and identified as tax map parcel 18-R-22. The property is zoned R-5C, High-Density Residential District Conditional. Regarding the requested SUPs, the first is per Section 10-3-55.4 (1) to allow multiple-family dwellings of more than twelve (12) units per building. The second is per Section 10-3-55.4 (4) to allow retail stores, convenience shops, personal service establishments, restaurants (excluding those with drive-through facilities), medical clinics, and business and professional offices.

### *History*

In August 2017, City Council approved four requests from Marusstodd Properties, LLC, for the subject site, which at the time consisted of five parcels. The four requests included:

- An amendment to the Comprehensive Plan's Land Use Guide map from Professional and Low Density Residential to Mixed Use;
- A rezoning from R-1, Single-Family Residential and R-3, Medium-Density Residential to R-5C, High-Density Residential District Conditional;
- An SUP pursuant to Section 10-3-55.4(1) to allow multi-family dwellings with more than twelve (12) units per building; and
- An SUP pursuant to Section 10-3-55.4(4) to allow retail stores, convenience shops, personal service establishments, business and professional offices, and restaurants (excluding drive-through facilities).

In November 2018, City Council approved a preliminary plat that vacated internal property lines reducing the number of lots from five to two and approved the following Subdivision Ordinance variances:

- To not dedicate the standard public street right-of-way for Edgelawn Drive (Sections 10-2-41(a) and 10-2-66);
- To not dedicate the full 25 feet of public street right-of-way along the Edgelawn Drive frontage (Section 10-2-45); and
- To not construct or provide surety for frontage improvements along Edgelawn Drive and East Weaver Avenue at the time of subdivision (Sections 10-2-62 and 10-2-67).

The above noted Subdivision Ordinance variances were approved with the following condition:

- When frontage improvements along Edgelawn Drive are required as part of development or redevelopment of any property associated with the preliminary plat, the developer shall be responsible for constructing frontage improvements along Edgelawn Drive for all properties associated with the request. The frontage along Edgelawn Drive is shown as 210.63 linear feet on the approved preliminary plat.

In August 2019, the applicant recorded the final subdivision plat that vacated the internal property lines and created the subject site (1340 South Main Street), tax map parcel 18-R-22-A (1341 Edgelawn Drive) and dedicated 527 square feet of public street right-of-way along Edgelawn Drive.

The SUPs approved in 2017 have since expired because the uses were not established nor diligently pursued within the timeframe required by the Zoning Ordinance Section 10-3-130(c). Without a proffer amendment, the 2017 proffers would continue to require both residential and non-residential uses. Since the applicant still proposes commercial uses, a new SUP is required.

### *Proffers*

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

1. Any building constructed on site (excluding accessory buildings) shall contain residential and non-residential uses. Commercial uses shall only be permitted on the first floor and shall not exceed 5,000 square feet throughout all buildings. Residential units may be located on the first floor.
2. The total number of dwelling units on the property shall not exceed twenty-six (26) units. One-bedroom and two-bedroom units shall be permitted with no more than six (6) of the units being two-bedroom units.
3. No parking lot (including travel lanes and drive aisles) shall be located between any buildings and the following streets: South Main Street and East Weaver Avenue.
4. No vehicular access shall be permitted from the site to Edgelawn Drive.
5. A 6-foot tall opaque fence shall be installed and maintained along the frontage of Edgelawn Drive.
6. A 6-foot tall opaque fence shall be installed and maintained along the property lines adjoining tax map parcel #18-R-20, 18-R-21, & 18-R-22-A.
7. No structure, excluding a dumpster containment, shall be constructed within 150 ft. of the shared property line with Edgelawn Dr.
8. A minimum of six (6) small/ornamental deciduous or evergreen trees shall be planted along the street frontage of Edgelawn Drive. Tree locations along the street frontage are at the discretion of the property owner/developer.
9. At the time of construction the applicant shall reconstruct the curb ramp at the northeast corner of the intersection of South Main Street and East Weaver Avenue to meet the Public Right-of-Way Accessibility Guidelines standards.

The conceptual site layout is not proffered.

Proffers 3, 4 (formerly Proffer 5), and 7 (formerly proffer 8) remain unchanged from the existing regulating proffers. A copy of the 2017-approved existing proffers have been included by the applicant in their supporting documents.

Proffer 1 has been amended to identify a maximum of 5,000 square feet of non-residential space and to allow residential uses on all floors of the development. Proffer 2 has been amended to allow a maximum of 26 multi-family dwelling units, compared to the previously proffered maximum of 22 one-bedroom units. The updated proffer allows a mix of one- and two-bedroom units, with no more than six (6) units being two-bedroom units. If approved, and if they provide the maximum allowed six units with two bedrooms, then 10 additional bedrooms would be provided compared to the existing, approved proffers.

Proffers 5 and 6 (formerly Proffers 6 and 7 respectively) have been updated to provide clarity regarding the location of fencing along property lines and Edgelawn Drive. Proffer 8 (formerly Proffer 9) has also been updated to provide additional guidance for the required amount and type of landscaping along Edgelawn Drive. The original proffer language was unclear and could have been interpreted in a way that if there was no parking lot along Edgelawn Drive, then no trees would have been required.

Proffer 9 is a new proffer that will require the reconstruction of the sidewalk ramp at the intersection of South Main Street and East Weaver Avenue to meet Public Right-of-Way Accessibility Guidelines (PROWAG) standards. In addition, although not included as a proffer, the applicant will be required to construct sidewalks along East Weaver Avenue and Edgelawn Drive as part of site development. While a Subdivision Ordinance variance granted in 2018 allowed the deferral of sidewalk construction along Edgelawn Drive at the time of subdivision, that approval included a condition that requires frontage improvements to be constructed during development or redevelopment of the property. If the applicant does not want to construct the sidewalk, a new variance to the Subdivision Ordinance is required.

The applicant has removed old Proffer 4, which allowed for an entrance on South Main Street. Since the 2017 approval, the City has updated its access management standards. The previously proposed right-in/right-out entrance does not meet current requirements, which requires a minimum spacing of 250 feet between access points on minor arterial streets. Since the distance between East Weaver Avenue and Edgelawn Drive along South Main Street is less than 450 feet, there is no appropriate location for a new access point. As a result, the applicant has removed this proffer.

#### *Land Use*

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

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

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

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

The applicant has proffered that there would be a maximum of 26 units on the site, which makes the site density 21 units per acre. Without proffers and if there are no commercial uses on the site, the applicant would be able to construct up to 30 units. However, Proffer 1 requires non-residential uses on the site and given the size of the lot and the R-5 district regulations, the maximum number of multifamily units allowed on the site is 26, the same number as proffered.

Staff believes that the proposed uses, with the submitted proffers, generally conform with the Mixed Use area designation.

#### *Transportation and Traffic*

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

The applicant has proposed the following two traffic-related conditions in relation to their SUP to allow retail stores, convenience shops, personal service establishments, business and professional offices, and restaurants. Staff supports the submitted two conditions with the additional text underlined below:

1. All traffic generating uses on the site, including uses not associated with the special use permit, shall be limited to a combined total of 100 vehicle trips in either the AM or PM peak hour as calculated using the latest edition of the Institute of Transportation Engineer’s Trip Generation Manual unless the property owner first,

at their cost: (1) completes a Traffic Impact Analysis accepted by the City Department of Public Works and (2) implements all identified mitigation measures or improvements. The City Department of Public Works may, in its sole discretion, waive, in whole or in part, completion of a Traffic Impact Analysis or any identified mitigation measures or improvements.

2. No drive-throughs will be permitted.

The additional text within condition #1 clarifies that all uses on the site will be included in the calculation of traffic generation, not just uses associated with the SUP. Staff appreciates the submission of condition #2 as it would prohibit any use from having a drive-through as current regulations only prohibit restaurants from having a drive-through.

#### *Public Water and Sanitary Sewer*

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

#### *Housing*

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

#### *Public Schools*

The City contracted with the University of Virginia's Weldon Cooper Center for Public Service to complete a report titled "Population and School Enrollment Projections for the City of Harrisonburg" (April 2025). The report can be found at the following link: [https://harrisonburgva.gov/sites/default/files/city-manager/HarrisonburgSchoolEnrollment\\_2025-04-30\\_Final.pdf](https://harrisonburgva.gov/sites/default/files/city-manager/HarrisonburgSchoolEnrollment_2025-04-30_Final.pdf). This report provides overall student enrollment projections through 2034 as well as estimated student generation by housing type for each elementary school attendance zone.

Based on the Weldon Cooper Center report's calculation, this development's proposed 26 residential units are estimated to generate nine K-12 students at full build-out. According to the School Board's current attendance boundaries, Keister Elementary School, Thomas Harrison Middle School, and Harrisonburg High School would serve the students residing in this development.

#### *Conclusion*

Staff believes that the amendments to the proffers do not change the intent of the of the 2017 rezoning and does not increase the intensity of the use of the site. Staff recommends approval of the rezoning and the two SUPs with the following conditions for the SUP to allow retail stores, convenience shops, personal service establishments, business and professional offices, and restaurants:

All traffic generating uses on the site, including uses not associated with the special use permit, shall be limited to a combined total of 100 vehicle trips in either the AM or PM peak hour as calculated using the latest edition of the Institute of Transportation Engineer's Trip Generation Manual unless the property owner first, at their cost: (1) completes a Traffic Impact Analysis accepted by the City Department of Public Works and (2) implements all identified mitigation measures or improvements. The City Department of Public Works may, in its sole discretion, waive, in whole or in part, completion of a Traffic Impact Analysis or any identified mitigation measures or improvements.

No drive-throughs will be permitted.

### **Options**

1. Recommend approval of the rezoning and two special use permit requests with conditions submitted by the applicant with additional language recommended by staff.
2. Recommend approval of the rezoning and two special use permit requests with conditions as submitted by the applicant.
3. Recommend approval of the rezoning and two special use permit requests with other condition(s).
4. Recommend approval of the rezoning request and denial of one or both of the special use permit requests.
5. Recommend denial of the rezoning and special use permit requests.

### **Attachments**

- Site maps
- Application and supporting documents

## NOTICE OF PUBLIC HEARING

The Harrisonburg City Council will hold public hearings in the City Council Chambers, 409 South Main Street, Harrisonburg, VA on Tuesday, June 9, 2026, at 7:00 p.m., to consider the following:

### ***Special Use Permit – 1315 Carrera Lane (Short-Term Rental in R-1)***

A request from Kevin T. and Denise F. Goertzen for a special use permit per Section 10-3-34 (7) to allow a short-term rental in the R-1, Single-Family Residential District. The +/- 30,086-square foot property is addressed as 1315 Carrera Lane and is identified as tax map parcel 18-R-16.

### ***Rezoning – 850 Canterbury Court (R-1 to R-8C)***

A request from Robin L. Lake to rezone a +/- 12,692-square foot property from R-1, Single-Family Residential District to R-8C, Small Lot Residential District Conditional. The property is addressed as 850 Canterbury Court and is identified as tax map parcel 23-V-14.

### ***Rezoning – 1351 and 1361 Peach Grove Avenue (R-5C (proffer amendment) & B-2 to R-5C)***

A request from Skylar & Talli LLC and James Madison University Real Estate Foundation Inc to rezone two adjacent parcels totaling +/- 15.35-acres from R-5C, High Density Residential District Conditional and B-2, General Business District to R-5C, High Density Residential District Conditional. The parcels are addressed as 1351 & 1361 Peach Grove Avenue, are identified as tax map parcels 92-F-10 & 6, and are currently zoned R-5C and B-2, respectively.

### ***Special Use Permit – 1351 and 1361 Peach Grove Avenue (To Allow Multiple-Family Dwellings of More Than 12 Units Per Building in R-5)***

A request from Skylar & Talli LLC and James Madison University Real Estate Foundation Inc for a special use permit per Section 10-3-55.4 (1) to allow multiple-family dwellings of more than twelve (12) units per building in the R-5, High Density Residential District. The two adjacent parcels totaling +/- 15.35-acres are addressed as 1351 & 1361 Peach Grove Avenue and are identified as tax map parcels 92-F-10 & 6, respectively.

### ***Rezoning – 1340 South Main Street (proffer amendment, R-5C)***

A request from Marilyn S. Pendlebury to rezone a +/- 1.23-acre property to amend proffers for a property zoned R-5C, High Density Residential Conditional. The property is addressed as 1340 South Main Street and is identified as tax map parcel 18-R-22.

### ***Special Use Permit - 1340 South Main Street (to allow multiple-family building with more than 12 units in R-5C)***

A request from Marilyn S. Pendlebury for a special use permit per Section 10-3-55.4 (1) to allow multiple-family dwellings of more than twelve (12) units per building in the R-5C, High Density Residential District Conditional. The +/- 1.23-acre property is addressed as 1340 South Main Street and is identified as tax map parcel 18-R-22.

### ***Special Use Permit - 1340 South Main Street (to allow retail, offices, restaurants, etc. in R-5C)***

A request from Marilyn S. Pendlebury for a special use permit per Section 10-3-55.4 (4) to allow retail stores, convenience shops, personal service establishments, restaurants (excluding those with drive-through facilities), medical clinics, and business and professional offices under conditions set forth in subsections 10-3-55.6 (f) and (g) in the R-5C, High Density Residential District Conditional. The +/- 1.23-acre property is addressed as 1340 South Main Street and is identified as tax map parcel 18-R-22.

Applications and other information are available for review by contacting the Department of Community Development, 409 South Main Street, Monday through Friday, 8:00 a.m. to 5:00 p.m. Please call (540) 432-

7700 to obtain a copy by email or by appointment. More information is available at [www.harrisonburgva.gov/public-hearings](http://www.harrisonburgva.gov/public-hearings). Interested parties will be able to attend the meeting and to watch the meeting on Public Education Government Channel 1072, and the City's website at [www.harrisonburgva.legistar.com/Calendar.aspx](http://www.harrisonburgva.legistar.com/Calendar.aspx).

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**Publication dates:**

Wednesday, May 27, 2026

Wednesday, June 3, 2026

**STATE OF VIRGINIA  
CITY OF HARRISONBURG, to with:**

I, Pamela Ulmer, city clerk, certify that the Harrisonburg City Council will be addressed on Tuesday, June 9, 2026, at 7:00 p.m., or as soon as the agenda permits, to consider the following:

***Special Use Permit – 1315 Carrera Lane (Short-Term Rental in R-1)***

A request from Kevin T. and Denise F. Goertzen for a special use permit per Section 10-3-34 (7) to allow a short-term rental in the R-1, Single-Family Residential District. The +/- 30,086-square foot property is addressed as 1315 Carrera Lane and is identified as tax map parcel 18-R-16.

***Rezoning – 850 Canterbury Court (R-1 to R-8C)***

A request from Robin L. Lake to rezone a +/- 12,692-square foot property from R-1, Single-Family Residential District to R-8C, Small Lot Residential District Conditional. The property is addressed as 850 Canterbury Court and is identified as tax map parcel 23-V-14.

***Rezoning – 1351 and 1361 Peach Grove Avenue (R-5C (proffer amendment) & B-2 to R-5C)***

A request from Skylar & Talli LLC and James Madison University Real Estate Foundation Inc to rezone two adjacent parcels totaling +/- 15.35-acres from R-5C, High Density Residential District Conditional and B-2, General Business District to R-5C, High Density Residential District Conditional. The parcels are addressed as 1351 & 1361 Peach Grove Avenue, are identified as tax map parcels 92-F-10 & 6, and are currently zoned R-5C and B-2, respectively.

***Special Use Permit – 1351 and 1361 Peach Grove Avenue (To Allow Multiple-Family Dwellings of More Than 12 Units Per Building in R-5)***

A request from Skylar & Talli LLC and James Madison University Real Estate Foundation Inc for a special use permit per Section 10-3-55.4 (1) to allow multiple-family dwellings of more than twelve (12) units per building in the R-5, High Density Residential District. The two adjacent parcels totaling +/- 15.35-acres are addressed as 1351 & 1361 Peach Grove Avenue and are identified as tax map parcels 92-F-10 & 6, respectively.

***Rezoning – 1340 South Main Street (proffer amendment, R-5C)***

A request from Marilyn S. Pendlebury to rezone a +/- 1.23-acre property to amend proffers for a property zoned R-5C, High Density Residential Conditional. The property is addressed as 1340 South Main Street and is identified as tax map parcel 18-R-22.

***Special Use Permit - 1340 South Main Street (to allow multiple-family building with more than 12 units in R-5C)***

A request from Marilyn S. Pendlebury for a special use permit per Section 10-3-55.4 (1) to allow multiple-family dwellings of more than twelve (12) units per building in the R-5C, High Density Residential District Conditional. The +/- 1.23-acre property is addressed as 1340 South Main Street and is identified as tax map parcel 18-R-22.

***Special Use Permit - 1340 South Main Street (to allow retail, offices, restaurants, etc. in R-5C)***

A request from Marilyn S. Pendlebury for a special use permit per Section 10-3-55.4 (4) to allow retail stores, convenience shops, personal service establishments, restaurants (excluding those with drive-through facilities), medical clinics, and business and professional offices under conditions

set forth in subsections 10-3-55.6 (f) and (g) in the R-5C, High Density Residential District Conditional. The +/- 1.23-acre property is addressed as 1340 South Main Street and is identified as tax map parcel 18-R-22.

Applications and other information are available for review by contacting the Department of Community Development, 409 South Main Street, Monday through Friday, 8:00 a.m. to 5:00 p.m. Please call (540) 432-7700 to obtain a copy by email or by appointment. More information is available at [www.harrisonburgva.gov/public-hearings](http://www.harrisonburgva.gov/public-hearings). Interested parties will be able to attend the meeting and to watch the meeting on Public Education Government Channel 1072, and the City's website at [www.harrisonburg-va.legistar.com/Calendar.aspx](http://www.harrisonburg-va.legistar.com/Calendar.aspx).

Given under my hand this 18 day of May 2026

  
\_\_\_\_\_  
City Clerk

Subscribed and sworn to before me this 18 day of May, 2026 a Notary Public in and for the Commonwealth of Virginia.

  
\_\_\_\_\_  
Notary

My commission expires May 31, 2029



Peach Grove

RODNEY & SYLVIA EAGLE TRUSTEES  
& RODNEY L EAGLE & SYLVIA L  
EAGLE LIVING TRUST  
1188 PORT REPUBLIC RD  
HARRISONBURG VA 22801  
JAMES MADISON UNIVERSITY REAL  
ESTATE FOUNDATION INC  
1031 HARRISON ST MSC 8501  
HARRISONBURG VA 22807-1034

PCSC ASSOCIATES LLC  
2529 VIRGINIA BEACH BLVD  
VIRGINIA BEACH VA 23452-7650

County of Rockingham Attn: County  
Administrator  
PO Box 1252  
HARRISONBURG VA 22803

RODNEY EAGLE & SYLVIA EAGLE  
TRUSTEES & RODNEY L EAGLE &  
SYLVIA L EAGLE LIVING TRUST  
C/O CVS  
COCKEYSVILLE MD 21030  
DEER RUN FW LLC  
1985 CEDERBRIDGE AVE STE 1  
LAKEWOOD NJ 08701

HOLTZMAN FAMILY LIMITED  
PARTNERSHIP #1  
PO BOX 8  
MT JACKSON VA 22842

HILLS SOUTH SH OWNER LLC  
2 SCHOOL STREET  
RYE NY 10580

SKYLAR & TALLI LLC  
PO BOX 1039  
HARRISONBURG VA 22803

MCDONALD'S CORPORATION  
ATTN : DEPT 027 - REAL ESTATE TAX  
CHICAGO IL 60607

*Canterbury Court*

CHANDLER HARRY L MARLENE A  
747 FIR ST  
HARRISONBURG VA 22801

WIGHTMAN WILLIAM H K MARGARET  
O  
840 CANTERBURY CT  
HARRISONBURG VA 22801

County of Rockingham  
Attn: County Administrator  
PO Box 1252  
Harrisonburg, VA 22803

J WAYNE LAMBERT TRUST AND  
CHARLOTTE H CRAIG TRUST  
851 CANTERBURY CT  
HARRISONBURG VA 22801

LAKE ROBIN L  
850 CANTERBURY CT  
HARRISONBURG VA 22801

KRECH STEPHEN A JOYCE H  
841 CANTERBURY CT  
HARRISONBURG VA 22801

DIENER V EUGENE GLORIA Y  
6087 MT CLINTON PIKE  
ROCKINGHAM VA 22802

*Carrera Lane*

ROSTEM HASHIM M  
101 PORT REPUBLIC RD  
HARRISONBURG VA 22801

JOSHUA EDWARD GUSTIN &  
HEATHER GUSTIN  
9224 ARNIE CT  
MANASSAS PARK VA 20111

GRAVES JOYCE L TRUSTEE  
36 EDGELAWN DR  
HARRISONBURG VA 22801

LANTZ JOHN D JR JESSICA LYNN  
44 E WEAVER AVE  
HARRISONBURG VA 22801

MATTHIAS BRUCE P KAREN K  
54 WEAVER AVE  
HARRISONBURG VA 22801

MANOLO AGUILAR OROZCO &  
GLENDA MARTINEZ  
57 PORT REPUBLIC RD  
HARRISONBURG VA 22801

MEDLEY GREGORY L GRISELDA M  
1340 EDGELAWN DR  
HARRISONBURG VA 22801

KYLE CHRISTOPHER S MARJORIE C  
1102 RIDGEWOOD RD  
HARRISONBURG VA 22801

HUDSON GLORIA V TRUSTEE  
45 PORT REPUBLIC RD  
HARRISONBURG VA 22801

KEVIN T GOERTZEN & DENISE F  
GOERTZEN  
1315 CARRERA LANE  
HARRISONBURG VA 22801

HEGG KEVIN J EATON LYNN E  
40 WEAVER AVE  
HARRISONBURG VA 22801

JOSEPH S ROBERTSON & SULONI  
ROBERTSON  
52 E WEAVER AVE  
HARRISONBURG VA 22801

S Main St

GRAYSON K PRITCHARD & SARAH J  
PRITCHARD  
29 E WEAVER ST  
HARRISONBURG VA 22801

LOHR BRIAN S JULIE V  
1776 CROSS KEYS RD  
HARRISONBURG VA 22801

MARILYN S PENDLEBURY  
6049 SHADY OAK CT  
MECHANICSVILLE VA 23111

SCOTT TAMMY LYNN  
25 E WEAVER AVE  
HARRISONBURG VA 22801

C & N REAL PROPERTIES LLC  
15871 CITY VIEW DR STE 300  
MIDLOTHIAN VA 23113

HOFFMAN RANDY C KIMBERLY E  
25 EDGELAWN DR  
HARRISONBURG VA 22801

GARY L BEATTY TR & GARY L BEATTY  
TRUST  
450 S MASON ST  
HARRISONBURG VA 22801

JCF VENTURES LLC & C/O MARILYN  
PENDLEBURY  
6049 SHADY OAK CT  
MECHANICSVILLE VA 23111



# Rezoning and SUPs – 10-3-55.4 (1) and (4) 1340 South Main Street



# Rezoning and SUPs – 10-3-55.4 (1) and (4) 1340 South Main Street



# Rezoning and SUPs – 10-3-55.4 (1) and (4) 1340 South Main Street









REZONING & SPECIAL  
USE PERMIT(S)  
PUBLIC HEARING / WITH FOLLOWS A  
OR CITY ACTION / ACCIÓN MUNICIPAL  
HEARING / AUDIENCIA  
FOR INFORMATION /  
PARA INFORMACIÓN  
COMMUNITY  
DEVELOPMENT  
840-432-7700  
CITY OF WASHINGTON, DC

## August 2017:

- Comprehensive Plan Land Use Guide Map Amendment.
- Rezoning from R-1 and R-3 to R-5C for 22 one-bedroom units as well as retail uses.
- SUP to allow multi-family dwellings with more than 12 units per building.
- SUP to allow non-residential uses (excluding restaurant drive-through facilities)

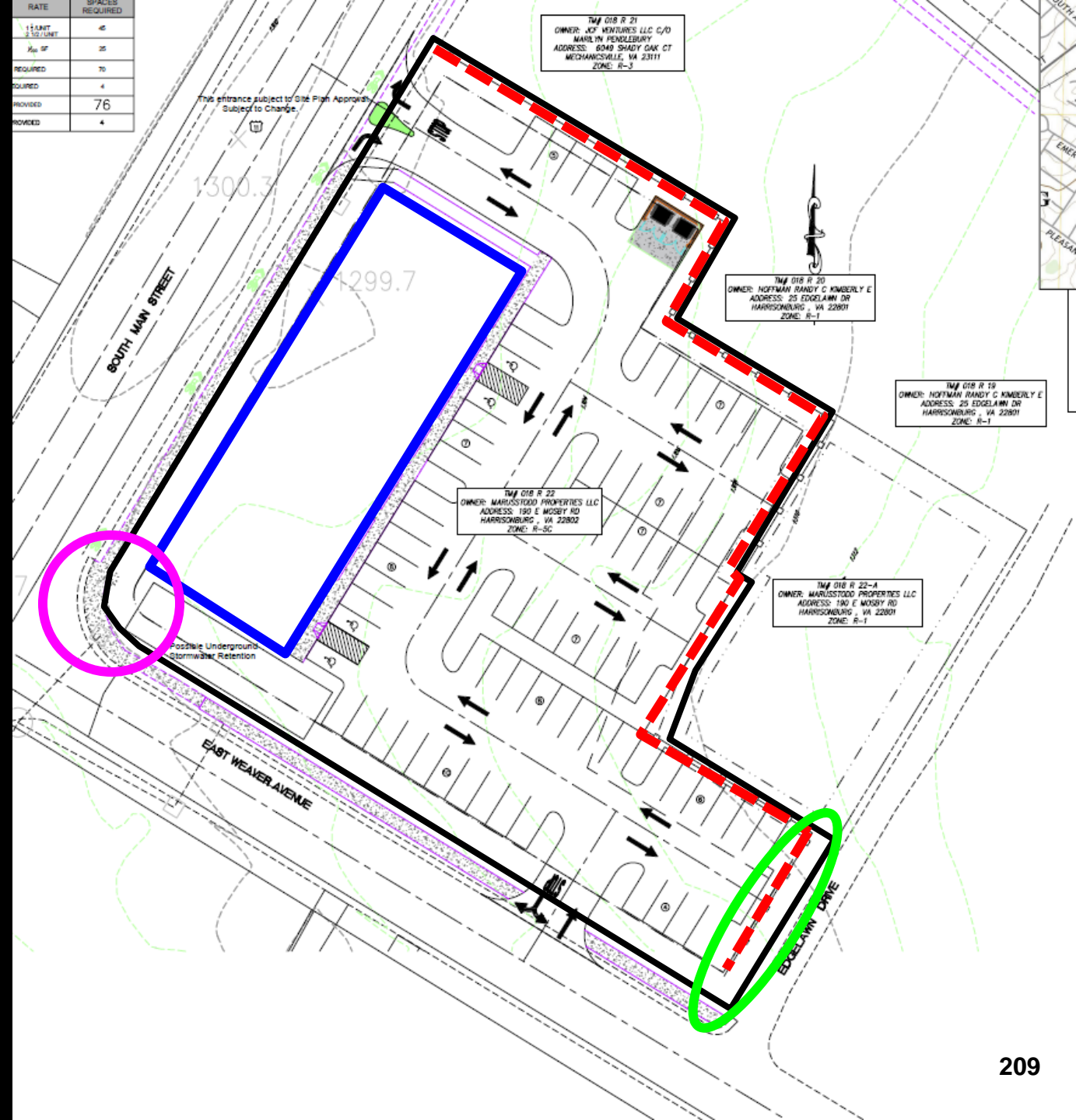
## November 2018:

- PP and Sub. Ord. variances approved to not dedicate ROW along Edgelawn Drive and to not construct improvements along Edgelawn Drive and East Weaver Avenue during the subdivision.

## August 2019:

- Final subdivision plat recorded with the dedication of 527 square feet of ROW along Edgelawn Drive.

1. Residential and non-residential uses, with no more than 5,000 sq. ft. of non-residential space.
2. 26 units consisting of 1 and 2 bedrooms with no more than 6 units with 2 bedrooms.
3. No parking lot between the building and South Main St. and East Weaver Ave.
4. No vehicular access to Edgelawn Dr.
5. 6-foot opaque fence along Edgelawn Dr.
6. 6-foot opaque fence along tax maps 18-R-20, 21, and 22A.
7. No structure, except a dumpster, shall be located within 150 ft. of Edgelawn Dr. ROW.
8. Minimum of 6 small ornamental deciduous or evergreen trees along Edgelawn Dr.
9. Reconstruct the curb ramp to accessibility guideline standards at corner of South Main St. and East Weaver Ave.



# Proposed Proffer Amendments

Existing 2017-Approved Proffers	Proposed Proffer Amendments
1. Buildings shall contain residential and nonresidential uses. First floor shall contain non-residential uses.	1. Principle buildings shall contain residential and non-residential uses. Commercial uses shall only be permitted on the first floor and shall not exceed 5,000 square feet throughout all buildings. Residential units may be located on the first floor.
2. 22 one-bedroom multi-family units.	2. 26 total units with only one- and two-bedrooms. No more than 6 units may be two-bedroom units.
4. Only one vehicular access point to South Main Street, which shall only be right-in/right-out.	4. This proffer was removed.

# SUP Requests

## Section 10-3-55.4(1):

To allow multi-family dwellings with more than twelve (12) units per building.

## Section 10-3-55.4(4):

Retail stores, convenience shops, personal service establishments, restaurants (excluding those with drive-through facilities), medical clinics, and business and professional offices under conditions set forth in subsections 10-3-55.6(f) and (g) and such other conditions deemed necessary by city council.

# Suggested Conditions for SUP Section 10-3-55.4 (4)

1. All traffic generating uses on the site, including uses not associated with the special use permit, shall be limited to a combined total of 100 vehicle trips in either the AM or PM peak hour as calculated using the latest edition of the Institute of Transportation Engineer's Trip Generation Manual unless the property owner first, at their cost: (1) completes a Traffic Impact Analysis accepted by the City Department of Public Works and (2) implements all identified mitigation measures or improvements. The City Department of Public Works may, in its sole discretion, waive, in whole or in part, completion of a Traffic Impact Analysis or any identified mitigation measures or improvements.
2. No drive-throughs will be permitted.

# Recommendation

Staff and Planning Commission (7-0) recommends approval of the rezoning and the two special use permit requests with the two conditions attached to the SUP per Section 10-3-55.4 (4) submitted by the applicant and amended by staff.



# City of Harrisonburg

City Hall  
409 South Main Street  
Harrisonburg, VA 22801

## Legislation Text

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**File #:** ID 26-155, **Version:** 1

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**Subject:**

Consider a request from Marilyn S. Pendlebury for a special use permit at 1340 South Main Street (to allow multifamily buildings with more than 12 units)

Presented By: Adam Fletcher, Department of Community Development

A request from Marilyn S. Pendlebury for a special use permit per Section 10-3-55.4 (1) to allow multiple-family dwellings of more than twelve (12) units per building in the R-5C, High Density Residential District Conditional. The +/- 1.23-acre property is addressed as 1340 South Main Street and is identified as tax map parcel 18-R-22.



June 9, 2026 City Council Meeting

**Title**

Consider Rezoning (Proffer Amendment) and Special Use Permits for 1340 South Main Street — Planning Commission and Adam Fletcher, Community Development

**Summary**

Project name	N/A
Address/Location	1340 South Main Street
Tax Map Parcels	18-R-11
Total Land Area	+/- 1.23 acres
Property Owner	Marilyn S. Pendlebury
Owner’s Representative	Mike Hendricksen and Hans Harman
Present Zoning	R-5C, High Density Residential Conditional
Proposed Zoning	R-5C, High Density Residential Conditional
Proposed Special Use Permit(s)	<ul style="list-style-type: none"> <li>Multiple-family dwellings of more than twelve (12) units per building per Section 10-3-55.4 (1)</li> <li>Retail stores, convenience shops, personal service establishments, restaurants (excluding those with drive-through facilities), medical clinics, and business and professional offices per Section 10-3-55.4 (4)</li> </ul>
Planning Commission	May 13, 2026 (Public Hearing)
City Council	June 9, 2026 (First Reading/Public Hearing) Anticipated June 23, 2026 (Second Reading)

**Recommendation**

Option 1. Staff and Planning Commission (7-0) recommend approval of the rezoning and two special use permit requests with conditions submitted by the applicant with additional language recommended by staff.

**Context & Analysis**

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

Site: Vacant lot, zoned R-5C

North: Office building, zoned R-3, and single-family detached dwellings, zoned R-1

East: Single-family detached dwelling and across Edgelawn Drive single-family detached dwellings, zoned R-1

South: Across East Weaver Avenue single family detached dwellings, zoned R-1, and an office building, zoned B-2C

West: Across South Main Street, residential uses, zoned R-3

The applicant is requesting a proffer amendment and two special use permits (SUPs) for a +/- 1.23-acre property addressed as 1340 South Main Street and identified as tax map parcel 18-R-22. The property is zoned R-5C, High-Density Residential District Conditional. Regarding the requested SUPs, the first is per Section 10-3-55.4 (1) to allow multiple-family dwellings of more than twelve (12) units per building. The second is per Section 10-3-55.4 (4) to allow retail stores, convenience shops, personal service establishments, restaurants (excluding those with drive-through facilities), medical clinics, and business and professional offices.

### *History*

In August 2017, City Council approved four requests from Marusstodd Properties, LLC, for the subject site, which at the time consisted of five parcels. The four requests included:

- An amendment to the Comprehensive Plan's Land Use Guide map from Professional and Low Density Residential to Mixed Use;
- A rezoning from R-1, Single-Family Residential and R-3, Medium-Density Residential to R-5C, High-Density Residential District Conditional;
- An SUP pursuant to Section 10-3-55.4(1) to allow multi-family dwellings with more than twelve (12) units per building; and
- An SUP pursuant to Section 10-3-55.4(4) to allow retail stores, convenience shops, personal service establishments, business and professional offices, and restaurants (excluding drive-through facilities).

In November 2018, City Council approved a preliminary plat that vacated internal property lines reducing the number of lots from five to two and approved the following Subdivision Ordinance variances:

- To not dedicate the standard public street right-of-way for Edgelawn Drive (Sections 10-2-41(a) and 10-2-66);
- To not dedicate the full 25 feet of public street right-of-way along the Edgelawn Drive frontage (Section 10-2-45); and
- To not construct or provide surety for frontage improvements along Edgelawn Drive and East Weaver Avenue at the time of subdivision (Sections 10-2-62 and 10-2-67).

The above noted Subdivision Ordinance variances were approved with the following condition:

- When frontage improvements along Edgelawn Drive are required as part of development or redevelopment of any property associated with the preliminary plat, the developer shall be responsible for constructing frontage improvements along Edgelawn Drive for all properties associated with the request. The frontage along Edgelawn Drive is shown as 210.63 linear feet on the approved preliminary plat.

In August 2019, the applicant recorded the final subdivision plat that vacated the internal property lines and created the subject site (1340 South Main Street), tax map parcel 18-R-22-A (1341 Edgelawn Drive) and dedicated 527 square feet of public street right-of-way along Edgelawn Drive.

The SUPs approved in 2017 have since expired because the uses were not established nor diligently pursued within the timeframe required by the Zoning Ordinance Section 10-3-130(c). Without a proffer amendment, the 2017 proffers would continue to require both residential and non-residential uses. Since the applicant still proposes commercial uses, a new SUP is required.

### *Proffers*

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

1. Any building constructed on site (excluding accessory buildings) shall contain residential and non-residential uses. Commercial uses shall only be permitted on the first floor and shall not exceed 5,000 square feet throughout all buildings. Residential units may be located on the first floor.
2. The total number of dwelling units on the property shall not exceed twenty-six (26) units. One-bedroom and two-bedroom units shall be permitted with no more than six (6) of the units being two-bedroom units.
3. No parking lot (including travel lanes and drive aisles) shall be located between any buildings and the following streets: South Main Street and East Weaver Avenue.
4. No vehicular access shall be permitted from the site to Edgelawn Drive.
5. A 6-foot tall opaque fence shall be installed and maintained along the frontage of Edgelawn Drive.
6. A 6-foot tall opaque fence shall be installed and maintained along the property lines adjoining tax map parcel #18-R-20, 18-R-21, & 18-R-22-A.
7. No structure, excluding a dumpster containment, shall be constructed within 150 ft. of the shared property line with Edgelawn Dr.
8. A minimum of six (6) small/ornamental deciduous or evergreen trees shall be planted along the street frontage of Edgelawn Drive. Tree locations along the street frontage are at the discretion of the property owner/developer.
9. At the time of construction the applicant shall reconstruct the curb ramp at the northeast corner of the intersection of South Main Street and East Weaver Avenue to meet the Public Right-of-Way Accessibility Guidelines standards.

The conceptual site layout is not proffered.

Proffers 3, 4 (formerly Proffer 5), and 7 (formerly proffer 8) remain unchanged from the existing regulating proffers. A copy of the 2017-approved existing proffers have been included by the applicant in their supporting documents.

Proffer 1 has been amended to identify a maximum of 5,000 square feet of non-residential space and to allow residential uses on all floors of the development. Proffer 2 has been amended to allow a maximum of 26 multi-family dwelling units, compared to the previously proffered maximum of 22 one-bedroom units. The updated proffer allows a mix of one- and two-bedroom units, with no more than six (6) units being two-bedroom units. If approved, and if they provide the maximum allowed six units with two bedrooms, then 10 additional bedrooms would be provided compared to the existing, approved proffers.

Proffers 5 and 6 (formerly Proffers 6 and 7 respectively) have been updated to provide clarity regarding the location of fencing along property lines and Edgelawn Drive. Proffer 8 (formerly Proffer 9) has also been updated to provide additional guidance for the required amount and type of landscaping along Edgelawn Drive. The original proffer language was unclear and could have been interpreted in a way that if there was no parking lot along Edgelawn Drive, then no trees would have been required.

Proffer 9 is a new proffer that will require the reconstruction of the sidewalk ramp at the intersection of South Main Street and East Weaver Avenue to meet Public Right-of-Way Accessibility Guidelines (PROWAG) standards. In addition, although not included as a proffer, the applicant will be required to construct sidewalks along East Weaver Avenue and Edgelawn Drive as part of site development. While a Subdivision Ordinance variance granted in 2018 allowed the deferral of sidewalk construction along Edgelawn Drive at the time of subdivision, that approval included a condition that requires frontage improvements to be constructed during development or redevelopment of the property. If the applicant does not want to construct the sidewalk, a new variance to the Subdivision Ordinance is required.

The applicant has removed old Proffer 4, which allowed for an entrance on South Main Street. Since the 2017 approval, the City has updated its access management standards. The previously proposed right-in/right-out entrance does not meet current requirements, which requires a minimum spacing of 250 feet between access points on minor arterial streets. Since the distance between East Weaver Avenue and Edgelawn Drive along South Main Street is less than 450 feet, there is no appropriate location for a new access point. As a result, the applicant has removed this proffer.

#### *Land Use*

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

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

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

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

The applicant has proffered that there would be a maximum of 26 units on the site, which makes the site density 21 units per acre. Without proffers and if there are no commercial uses on the site, the applicant would be able to construct up to 30 units. However, Proffer 1 requires non-residential uses on the site and given the size of the lot and the R-5 district regulations, the maximum number of multifamily units allowed on the site is 26, the same number as proffered.

Staff believes that the proposed uses, with the submitted proffers, generally conform with the Mixed Use area designation.

#### *Transportation and Traffic*

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

The applicant has proposed the following two traffic-related conditions in relation to their SUP to allow retail stores, convenience shops, personal service establishments, business and professional offices, and restaurants. Staff supports the submitted two conditions with the additional text underlined below:

1. All traffic generating uses on the site, including uses not associated with the special use permit, shall be limited to a combined total of 100 vehicle trips in either the AM or PM peak hour as calculated using the latest edition of the Institute of Transportation Engineer’s Trip Generation Manual unless the property owner first,

at their cost: (1) completes a Traffic Impact Analysis accepted by the City Department of Public Works and (2) implements all identified mitigation measures or improvements. The City Department of Public Works may, in its sole discretion, waive, in whole or in part, completion of a Traffic Impact Analysis or any identified mitigation measures or improvements.

2. No drive-throughs will be permitted.

The additional text within condition #1 clarifies that all uses on the site will be included in the calculation of traffic generation, not just uses associated with the SUP. Staff appreciates the submission of condition #2 as it would prohibit any use from having a drive-through as current regulations only prohibit restaurants from having a drive-through.

#### *Public Water and Sanitary Sewer*

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

#### *Housing*

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

#### *Public Schools*

The City contracted with the University of Virginia's Weldon Cooper Center for Public Service to complete a report titled "Population and School Enrollment Projections for the City of Harrisonburg" (April 2025). The report can be found at the following link: [https://harrisonburgva.gov/sites/default/files/city-manager/HarrisonburgSchoolEnrollment\\_2025-04-30\\_Final.pdf](https://harrisonburgva.gov/sites/default/files/city-manager/HarrisonburgSchoolEnrollment_2025-04-30_Final.pdf). This report provides overall student enrollment projections through 2034 as well as estimated student generation by housing type for each elementary school attendance zone.

Based on the Weldon Cooper Center report's calculation, this development's proposed 26 residential units are estimated to generate nine K-12 students at full build-out. According to the School Board's current attendance boundaries, Keister Elementary School, Thomas Harrison Middle School, and Harrisonburg High School would serve the students residing in this development.

#### *Conclusion*

Staff believes that the amendments to the proffers do not change the intent of the of the 2017 rezoning and does not increase the intensity of the use of the site. Staff recommends approval of the rezoning and the two SUPs with the following conditions for the SUP to allow retail stores, convenience shops, personal service establishments, business and professional offices, and restaurants:

1. All traffic generating uses on the site, including uses not associated with the special use permit, shall be limited to a combined total of 100 vehicle trips in either the AM or PM peak hour as calculated using the latest edition of the Institute of Transportation Engineer's Trip Generation Manual unless the property owner first, at their cost: (1) completes a Traffic Impact Analysis accepted by the City Department of Public Works and (2) implements all identified mitigation measures or improvements. The City Department of Public Works may, in its sole discretion, waive, in whole or in part, completion of a Traffic Impact Analysis or any identified mitigation measures or improvements.
2. No drive-throughs will be permitted.

### **Options**

1. Approve the rezoning and two special use permit requests with conditions submitted by the applicant with additional language recommended by staff.
2. Approve the rezoning and two special use permit requests with conditions as submitted by the applicant.
3. Approve the rezoning and two special use permit requests with other condition(s).
4. Approve the rezoning request and deny one or both of the special use permit requests.
5. Deny the rezoning and special use permit requests.

### **Attachments**

- Extract from Planning Commission
- Site maps
- Application and supporting documents



# CITY OF HARRISONBURG COMMUNITY DEVELOPMENT

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June 1, 2026

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

**SUBJECT:** *Consider a request from Marilyn S. Pendlebury to rezone 1340 South Main Street*

*Consider a request from Marilyn S. Pendlebury for a special use permit at 1340 South Main Street (to allow multifamily buildings with more than 12 units)*

*Consider a request from Marilyn S. Pendlebury for a special use permit at 1340 South Main Street (to allow retail, offices, restaurants, etc.)*

**EXTRACT FROM THE DRAFT MINUTES OF HARRISONBURG PLANNING  
COMMISSION MEETING HELD ON: May 13, 2026**

Chair Baugh read the request and asked staff to review.

Ms. Rupkey said the applicant is requesting a proffer amendment and two special use permits (SUPs) for a +/- 1.23-acre property addressed as 1340 South Main Street and identified as tax map parcel 18-R-22. The property is zoned R-5C, High-Density Residential District Conditional. Regarding the requested SUPs, the first is per Section 10-3-55.4 (1) to allow multiple-family dwellings of more than twelve (12) units per building. The second is per Section 10-3-55.4 (4) to allow retail stores, convenience shops, personal service establishments, restaurants (excluding those with drive-through facilities), medical clinics, and business and professional offices.

*History*

In August 2017, City Council approved four requests from Marusstodd Properties, LLC, for the subject site, which at the time consisted of five parcels. The four requests included:

- An amendment to the Comprehensive Plan's Land Use Guide map from Professional and Low Density Residential to Mixed Use;
- A rezoning from R-1, Single-Family Residential and R-3, Medium-Density Residential to R-5C, High-Density Residential District Conditional;
- An SUP pursuant to Section 10-3-55.4(1) to allow multi-family dwellings with more than twelve (12) units per building; and

- An SUP pursuant to Section 10-3-55.4(4) to allow retail stores, convenience shops, personal service establishments, business and professional offices, and restaurants (excluding drive-through facilities).

In November 2018, City Council approved a preliminary plat that vacated internal property lines reducing the number of lots from five to two and approved the following Subdivision Ordinance variances:

- To not dedicate the standard public street right-of-way for Edgelawn Drive (Sections 10-2-41(a) and 10-2-66);
- To not dedicate the full 25 feet of public street right-of-way along the Edgelawn Drive frontage (Section 10-2-45); and
- To not construct or provide surety for frontage improvements along Edgelawn Drive and East Weaver Avenue at the time of subdivision (Sections 10-2-62 and 10-2-67).

The above noted Subdivision Ordinance variances were approved with the following condition:

- When frontage improvements along Edgelawn Drive are required as part of development or redevelopment of any property associated with the preliminary plat, the developer shall be responsible for constructing frontage improvements along Edgelawn Drive for all properties associated with the request. The frontage along Edgelawn Drive is shown as 210.63 linear feet on the approved preliminary plat.

In August 2019, the applicant recorded the final subdivision plat that vacated the internal property lines and created the subject site (1340 South Main Street), tax map parcel 18-R-22-A (1341 Edgelawn Drive) and dedicated 527 square feet of public street right-of-way along Edgelawn Drive.

The SUPs approved in 2017 have since expired because the uses were not established nor diligently pursued within the timeframe required by the Zoning Ordinance Section 10-3-130(c). Without a proffer amendment, the 2017 proffers would continue to require both residential and non-residential uses. Since the applicant still proposes commercial uses, a new SUP is required.

### *Proffers*

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

1. Any building constructed on site (excluding accessory buildings) shall contain residential and non-residential uses. Commercial uses shall only be permitted on the first floor and shall not exceed 5,000 square feet throughout all buildings. Residential units may be located on the first floor.
2. The total number of dwelling units on the property shall not exceed twenty-six (26) units. One-bedroom and two-bedroom units shall be permitted with no more than six (6) of the units being two-bedroom units.
3. No parking lot (including travel lanes and drive aisles) shall be located between any buildings and the following streets: South Main Street and East Weaver Avenue.
4. No vehicular access shall be permitted from the site to Edgelawn Drive.

5. A 6-foot tall opaque fence shall be installed and maintained along the frontage of Edgelawn Drive.
6. A 6-foot tall opaque fence shall be installed and maintained along the property lines adjoining tax map parcel #18-R-20, 18-R-21, & 18-R-22-A.
7. No structure, excluding a dumpster containment, shall be constructed within 150 ft. of the shared property line with Edgelawn Dr.
8. A minimum of six (6) small/ornamental deciduous or evergreen trees shall be planted along the street frontage of Edgelawn Drive. Tree locations along the street frontage are at the discretion of the property owner/developer.
9. At the time of construction the applicant shall reconstruct the curb ramp at the northeast corner of the intersection of South Main Street and East Weaver Avenue to meet the Public Right-of-Way Accessibility Guidelines standards.

The conceptual site layout is not proffered.

Proffers 3, 4 (formerly Proffer 5), and 7 (formerly proffer 8) remain unchanged from the existing regulating proffers. A copy of the 2017-approved existing proffers have been included by the applicant in their supporting documents.

Proffer 1 has been amended to identify a maximum of 5,000 square feet of non-residential space and to allow residential uses on all floors of the development. Proffer 2 has been amended to allow a maximum of 26 multi-family dwelling units, compared to the previously proffered maximum of 22 one-bedroom units. The updated proffer allows a mix of one- and two-bedroom units, with no more than six (6) units being two-bedroom units. If approved, and if they provide the maximum allowed six units with two bedrooms, then 10 additional bedrooms would be provided compared to the existing, approved proffers.

Proffers 5 and 6 (formerly Proffers 6 and 7 respectively) have been updated to provide clarity regarding the location of fencing along property lines and Edgelawn Drive. Proffer 8 (formerly Proffer 9) has also been updated to provide additional guidance for the required amount and type of landscaping along Edgelawn Drive. The original proffer language was unclear and could have been interpreted in a way that if there was no parking lot along Edgelawn Drive, then no trees would have been required.

Proffer 9 is a new proffer that will require the reconstruction of the sidewalk ramp at the intersection of South Main Street and East Weaver Avenue to meet Public Right-of-Way Accessibility Guidelines (PROWAG) standards. In addition, although not included as a proffer, the applicant will be required to construct sidewalks along East Weaver Avenue and Edgelawn Drive as part of site development. While a Subdivision Ordinance variance granted in 2018 allowed the deferral of sidewalk construction along Edgelawn Drive at the time of subdivision, that approval included a condition that requires frontage improvements to be constructed during development or redevelopment of the property. If the applicant does not want to construct the sidewalk, a new variance to the Subdivision Ordinance is required.

The applicant has removed old Proffer 4, which allowed for an entrance on South Main Street. Since the 2017 approval, the City has updated its access management standards. The previously proposed right-in/right-out entrance does not meet current requirements, which requires a

minimum spacing of 250 feet between access points on minor arterial streets. Since the distance between East Weaver Avenue and Edgelawn Drive along South Main Street is less than 450 feet, there is no appropriate location for a new access point. As a result, the applicant has removed this proffer.

#### *Land Use*

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

The Mixed Use category includes both existing and proposed areas for mixed use. Mixed Use areas shown on the Land Use Guide map are intended to combine residential and non-residential uses in neighborhoods, where the different uses are finely mixed instead of separated. Mixed Use can take the form of a single building, a single parcel, a city block, or entire neighborhoods. Quality architectural design features and strategic placement of green spaces for large scale developments will ensure development compatibility of a mixed use neighborhood with the surrounding area. These areas are prime candidates for “live-work” and traditional neighborhood developments (TND). Live-work developments combine residential and commercial uses allowing people to both live and work in the same area. The scale and massing of buildings is an important consideration when developing in Mixed Use areas. Commercial uses would be expected to have an intensity equivalent to a Floor Area Ratio of at least 0.4, although the City does not measure commercial intensity in that way. Downtown is an existing area that exhibits and is planned to continue to contain a mix of land uses.

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

The applicant has proffered that there would be a maximum of 26 units on the site, which makes the site density 21 units per acre. Without proffers and if there are no commercial uses on the site, the applicant would be able to construct up to 30 units. However, Proffer 1 requires non-residential uses on the site and given the size of the lot and the R-5 district regulations, the maximum number of multifamily units allowed on the site is 26, the same number as proffered.

Staff believes that the proposed uses, with the submitted proffers, generally conform with the Mixed Use area designation.

#### *Transportation and Traffic*

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

The applicant has proposed the following two traffic-related conditions in relation to their SUP to allow retail stores, convenience shops, personal service establishments, business and professional offices, and restaurants. Staff supports the submitted two conditions with the additional text underlined below:

1. All traffic generating uses on the site, including uses not associated with the special use permit, shall be limited to a combined total of 100 vehicle trips in either the AM or PM peak hour as calculated using the latest edition of the Institute of Transportation Engineer's Trip Generation Manual unless the property owner first, at their cost: (1) completes a Traffic Impact Analysis accepted by the City Department of Public Works and (2) implements all identified mitigation measures or improvements. The City Department of Public Works may, in its sole discretion, waive, in whole or in part, completion of a Traffic Impact Analysis or any identified mitigation measures or improvements.
2. No drive-throughs will be permitted.

The additional text within condition #1 clarifies that all uses on the site will be included in the calculation of traffic generation, not just uses associated with the SUP. Staff appreciates the submission of condition #2 as it would prohibit any use from having a drive-through as current regulations only prohibit restaurants from having a drive-through.

#### *Public Water and Sanitary Sewer*

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

#### *Housing*

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

#### *Public Schools*

The City contracted with the University of Virginia's Weldon Cooper Center for Public Service to complete a report titled "Population and School Enrollment Projects for the City of Harrisonburg" (April 2025). The report can be found at the following link: [https://harrisonburgva.gov/sites/default/files/city-manager/HarrisonburgSchoolEnrollment\\_2025-04-30\\_Final.pdf](https://harrisonburgva.gov/sites/default/files/city-manager/HarrisonburgSchoolEnrollment_2025-04-30_Final.pdf). This report provides overall student enrollment projections through 2034 as well as estimated student generation by housing type for each elementary school attendance zone.

Based on the Weldon Cooper Center report's calculation, this development's proposed 26 residential units are estimated to generate nine K-12 students at full build-out. According to the

School Board's current attendance boundaries, Keister Elementary School, Thomas Harrison Middle School, and Harrisonburg High School would serve the students residing in this development.

*Conclusion*

Staff believes that the amendments to the proffers do not change the intent of the of the 2017 rezoning and does not increase the intensity of the use of the site. Staff recommends approval of the rezoning and the two SUPs with the following conditions for the SUP to allow retail stores, convenience shops, personal service establishments, business and professional offices, and restaurants:

1. All traffic generating uses on the site, including uses not associated with the special use permit, shall be limited to a combined total of 100 vehicle trips in either the AM or PM peak hour as calculated using the latest edition of the Institute of Transportation Engineer's Trip Generation Manual unless the property owner first, at their cost: (1) completes a Traffic Impact Analysis accepted by the City Department of Public Works and (2) implements all identified mitigation measures or improvements. The City Department of Public Works may, in its sole discretion, waive, in whole or in part, completion of a Traffic Impact Analysis or any identified mitigation measures or improvements.
2. No drive-throughs will be permitted.

Ms. Rupkey asked if there were any questions for staff.

Commissioner Seitz said I noted that the site plan that was submitted as an example is not a proffered site plan, I get that. And I noticed that the date of it was about a year ago, 2025. I know we can ask the applicant this, do they have the capacity to make the building bigger or what is going to happen to this area where we are not going to have access to South Main Street?

Ms. Rupkey said that would be a question for the applicant, but they are not proffering the exact location of that building.

Commissioner Seitz said that was the other question...but it does say the building does need to be against [South] Main Street and against Weaver [Street] on the corner.

Ms. Rupkey said correct, but they could theoretically change the shape.

Commissioner Seitz said whatever the footprint it is pushed west and pushed south.

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

Mike Hendricksen, the applicant's representative and contract purchaser, came forward to speak to the request. He said for the last many years we have watched this site sit; as we all have. This, I would say, is an infill site. There are some other terms used to describe some other things earlier and I think this is an infill site and a perfect candidate for this type of mixed use development. I am one of the contractor purchasers by the way and I have a partner on this and when we sit down and talk through: hey let's look at the previous plan, what we like about it, and what we might not

like about it, and what do we think should be adjusted. Ten thousand square feet of commercial space on the previous plan there is a lot of commercial space for this site. It would generate a lot more traffic to this site than what we have proposed now at 5,000 square feet. On the residential side, I think it was 22 one-bedroom units, and if I am not mistaken, I think there was some shorter-term type of idea with renting those. These would be longer term units. Twenty-six apartments. Twenty of them, potentially, one-bedroom up to six two-bedroom units, and I think we would be maxed out at that six two-bedroom units so we would have to have a minimum of 20 one-bedroom units the way that we have presented it. In terms of overall ideas with mixed use buildings, we do believe that these help the social interactions that I think we are all wanting to continue to see in sites like this where you have a mix of uses. You have some potentially service type things. You have some residential. You have some impromptu and then planned interactions between the two, these different groups of people that are in our community. So, while this is not a large site like some previous ones that have been discussed, we think that there can be some types of interactions between residents, professionals, people needing services, all of that type of thing on this site. One thing I will just go back to right quick that was mentioned about the placement of the building, we want the building up along South Main [Street]. We do not want to put that back and put a bunch of parking right there. We would like to see the parking behind the building, as we have it drawn there. That date may have been last year but there have been significant updates on this plan since our initial work on this last year. Where we are, we would love to see this new iteration of the mixed-use plan that we have put forward move forward to the stage. Like I have said, we have watched this site sit for a very long time as everyone has kind of wondering, there was something that was approved at one time and nothing happened. We would like to see something be approved and happen here and corresponds with our Comprehensive Plan as well. I will be glad to answer any questions you have.

Commissioner Seitz said what makes this viable now? How come the previous approvals and stuff did not move ahead? What has changed to make this viable now that did not come together previously?

Mr. Hendricksen said I think the main thing from the previous plan, everyone on Commission knew the late [Mr. Giles] Stone and so I think at that stage where he was in his career and life, this was a pretty big project. This is a pretty big step forward. At that point in time, I am just not sure he wanted to take the risks. At this point, we see that it is here. It is in a corridor that is growing and will continue to grow especially with the announcements and things that have been mentioned about JMU's growth. Some of that additional staffing potentially that was discussed with that growth, maybe they can find a home here as well as some services.

Vice Chair Porter said have you had much discussion with the neighborhood? The folks that live on Weaver [Street] and some of the residential that is close to the site.

Mr. Hendricksen said we have not.

Chair Baugh said this is a neighborhood that has historically gotten quite engaged. I know some folks that are here and suspect that they are attached to some other people who are watching this pretty intently.

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

Suzanne Fiederlein, a resident at 28 Edgelawn Drive, came forward to speak to the request. She said I were involved in the discussions back in 2017 as well. We have lived there 30 years and several of our neighbors have lived there even longer. Having read all of the documents related to this, I really appreciate the owner's attempt to be very honest and true to the agreements that were reached in 2017, adhering to the proffers that were presented then. What I would like to draw attention to is that there are other things that have changed around it since 2017. In particular, the traffic situation and what has happened elsewhere in the neighborhood. We have had major problems in the neighborhood with the apartments across [South] Main Street from us. This is right down from Port Republic Road and South Main Street, it is a horrible intersection. We cannot get in and out of our neighborhood easily at Edgelawn Drive or Weaver Avenue or Monument Avenue and that is only going to get worse when Kids Castle opens. There are times when I am trying to turn into my neighborhood going south toward South Main Street, I cannot get in at Edgelawn Drive, Weaver Avenue and Monument Avenue because it is all backed up. This one entrance now, no entrance off of Main Street, it is only going to be off of Weaver Avenue, and it is going to add a whole lot more traffic in and out of Weaver Avenue. With the fraternities having moved in at 17 and 21 Weaver Avenue there are excessive cars parked on the streets. The one good thing about having the open field is that the students have been parking in the old parking lot there and getting off the street. Students from across the street park there and on the street. We are only going to have more traffic in and out of Weaver Street as a result of this. It is a problem again of something much larger than this development itself. It would be really nice to use this land for a good residential purpose in our neighborhood. My concern is with the larger traffic problem in the area. The fact that we cannot get in and out of our neighborhood and coming from Port Republic Road which is horribly backed up as well and now you cannot turn left in various places at certain times into our neighborhood. We are really trapped in our neighborhood. Having more traffic and it will not just be coming from South Main Street they will be turning onto Crawford Avenue and coming down through South Main and Weaver Avenue. We have a wicked curve and wicked hill there. People walk in the street with their dogs and their kids. It is just a major problem. Since 2017, that aspect has become a lot worse. That is the main concern I want to draw your attention to about this. Not the development, per se, but the fact that it is really in a place that is going to have major traffic problems. Thank you.

Randy Hoffman, a resident at 25 Edgelawn Drive, came forward to speak to the request. He said my wife and I live at 25 Edgelawn Drive which is the one property on this block that is an owner residential property. There is the other residential spot behind our house that is the rental home right now. We clearly have a highly invested interest in this. It was interesting to me this evening hearing many of the presenters talk about approaching neighborhood before pitching their plans. I certainly wish that would have occurred and I wish I had a better understanding. As an example, the drawings that I saw showed an entry and an exit off South Main Street and unless I have misunderstood, I understand that is no longer going to be in the plan. There will be an entry and exit only off of Weaver Avenue. That is not what was shown on the information that we were sent. I think that this plan in general is probably the best of many bad alternatives for somebody who is living on the property. I will support your decision to approve it. I do think that there are

still some concerns that I want to voice. When we acquired this property in 2004 from Pete Shank, who I think deserves to be better recognized as a community leader than he seems to have gotten. I know he was never really involved in government, but he was a great guy for the community. We bought the house from him. It was really apparent when we bought this house that we were acquiring property very close to commercial. We are in essence half a block from one of the busiest intersections in Harrisonburg, either way. We are about half a block off of Port Republic Road. We are half a block off of South Main Street. At the time that we acquired this property, there were all commercial properties on South Main Street. All of those commercial properties were professional businesses, and it was our understanding that was the zoning. I realize things change over time, and I do not think zoning can be carved in stone, but as a homeowner in this situation, I find it disconcerting that after buying property and looking into the zoning that surrounded me that it somehow got pulled out from under my feet. It is now not just for business professionals, but it is also for high density residential. Again, I am not opposed to this particular plan. I think it probably is one of the best alternatives that we can expect in the neighborhood. I have concerns that with the traffic as it is laying out and especially hearing that people cannot enter or exit directly from South Main Street, you are going to put a lot of people going out onto Weaver Avenue and many of them are likely to try and circumvent what is going to be a backup to South Main Street by cutting through Edgelawn Drive. I am not sure how familiar you are with Edgelawn Drive but while Edgelawn Drive, as it leaves South Main Street and goes back to where it turns, is two lanes. Once it turns and heads towards Weaver Avenue it is about 11 feet wide and two cars cannot pass. Right now, if somebody is coming out of Edgelawn Drive and I am going in off Weaver Avenue one of us has to stop and go well hey neighbor I will get out of your way I will back up. It has not been an issue but somehow I am very worried about this since the entrance and exit off of South Main Street has been eliminated. I do not know that this was actually in a proffer but I think this may have been something that may have been a discussion with Giles Stone, who I know very well. By the way I do not think Giles was ready to give up on business ideas at the time he took this project on. I think it is probably likely that what he found was he did not have investors interested in 10,000 square feet of retail space. I think that is probably a little bit too much for the area myself. He had indicated however that the businesses that would go in there would not be around the clock and go until late at night. I am a little concerned that I do not see anything to that effect. I am not sure that I ever did in proffers, but I am concerned that those businesses that can go in there may be 24 hour and there is nothing that prevents the current or future owners from going ahead with that type of business. There are a couple of other things that I am sure that you can ask for in a proffer. Being the one residence there I would feel a whole lot more comfortable if the fence that separated this development from our property were taller than six foot. I would appreciate not having the people on the second floor of 22 apartments looking down into my backyard. I do not know what the height limits are. I think it would probably require a special use to go more than six feet. It seems like that would indicated in this case. I do not feel like I should have to pay for a 12-foot fence. I am also concerned that the current drawings reverted the dumpster location back to the corner right next to our home and not up against Weaver Avenue like it had been represented in the last set of drawings that Giles had submitted.

Tom Templeton, a resident of 131 East Weaver Avenue, came forward to speak to the request. He said we have been at our residence since August of 1992. We have been loyal members of that neighborhood. We have had a lot of good times in that neighborhood and we miss the people that

are no longer there. Each day I get up early in the morning and see a lot of traffic. If the City wants to make a lot of money they need to put a police officer up at the end of Weaver Avenue right where it meets Crawford Avenue. That is a dangerous intersection. I stand there in my yard and I watch. As far as this apartment building, I think it is hard on the integrity of the neighborhood. I do not know that it is necessary. If you go down to the bottom of Weaver Avenue where they want to build this thing there are two rentals on the south side of Weaver Avenue that Suzanne mentioned and those kids park in different directions all the time. It is a bottleneck right there. I leave for work anywhere from six o'clock to seven o'clock in the morning and a lot of times it is hard to get out onto Weaver Avenue especially coming back in the evenings. If you come up Port Republic Road and your blinking lights are running where you cannot turn left onto Crawford Avenue. You cannot turn left into the little alley of Hillcrest Drive so you have to come down to Route 11, turn left into Edgelawn Drive or turn left onto Weaver Avenue it is tough. It is a dangerous situation. I appreciate what you guys do here. My dad back in the 70s and 80s where I grew up in Western Pennsylvania he was President of Town Council and County Commissioner and he would appreciate what you girls and guys do here this evening and we appreciate what you do also.

Dave Pruett, a resident of 28 Edgelawn Drive, came forward to speak to the request. He said we are very concerned about several things. We have been in our house going on 31 years. We love the Purcell Park neighborhood. It is vibrant. The neighbors are great. We constantly feel under threat. JMU is buying us out through piecemeal. Frats have moved across South Main Street from us and we get parties three nights a week. It is supposed to end at 10 o'clock and it can go to 1 or so sometimes. It seems to me that one of your jobs is to at minimum preserve the integrity of neighborhoods. With that said, I recognize something has to be done with that property. Like Randy, I do not quite feel like it is the least bad alternatives I think there are a couple of alternatives. You may not remember but the very first proposal for that property was townhomes. I think even better than townhomes would be duplexes and triplexes. I am not a developer and I realize that the horse is out of the barn. I always find that the devil is in the details. Everything looks good on paper but how it is processed it can turn out very good or very bad. I am thankful that Giles worked with us before he passed away. That developer seems to be taking some of the concerns of the neighborhood into consideration which it would have certainly been nice if they had talked to us directly, which has not happened. My wife mentioned the traffic issue and it is not manufactured, it is a real problem. There are times when we absolutely cannot get out of our neighborhood and it is only going to get worse. As much as we love having the new kids' playground at Purcell Park that is going to attract a lot of traffic. I guess you know your business better than I do. Try not to do anything that is going to damage this wonderful neighborhood. It is hard to keep the integrity, it is real easy to break it.

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

Commissioner Jezior said I am not sure who this question is for but why was the entrance and exit onto South Main Street taken away?

Ms. Rupkey said it is still shown on the concept plan, the Engineer did not remove it from the concept plan but it is physically no longer allowed due to our access management standards. We

would not allow them to build that entrance based on what we allow for distances between entrances.

Commissioner Jezior said so it is too close to it?

Ms. Rupkey said yes it needs to be 250 feet away and to move it 250 feet away from Edgelawn Drive puts it too close to East Weaver Avenue. Moving it 200 feet from East Weaver Avenue is too close to Edgelawn Drive.

Vice Chair Porter said I have a question related to Edgelawn Drive because I lived on Bluestone Street for a period of time and I know that is a strange little road there that is effectively a one lane alley. I guess I am looking at City staff here, how do we view that road? Is it just a navigable normal City maintained road?

Ms. Rupkey said it is a public street. It is substandard and does not meet the requirements for width, curb and gutter, and sidewalks. It does not have any of that but it is a public street.

Vice Chair Porter said I am not sure that it would make the neighbors any happier to close it but I will tell you this would be a concern to me. I have taken that road a few times and I have been in that same situation the gentleman had brought up where someone is coming around the other way, and I have to back up and allow them to go past. I would think that putting 22 apartments and some commercial property next to this will definitely exacerbate the situation. I would be concerned about that condition regardless of where this goes.

Commissioner Kettler said I would wonder why someone would be going down Edgelawn Drive.

Commissioner Seitz said traffic just backs up and blocks Weaver Avenue and Edgelawn Drive. Then the minute that happens people that are in the neighborhood are taking whatever route they can to try to get to a point of access to these streets. I lived at 1210 South Main Street before it got torn down and turned into a parking lot. I understand the traffic situation in this neighborhood.

Commissioner Kettler said I look at the placement for this within the larger context and it is clearly an area that is increasing slowly in intensity but it is definitely car-centric now and so threading that needle of trying to improve it and increase housing and to do that in the context of what is actually economically possible conflicts with my general preference towards less parking and fewer trips. I think overall it is a good plan. I also think with Edgelawn Drive it just shows some of the limitations of not being a true alley or a full street.

Commissioner Seitz said I am constantly amazed how often individual developments bump up against systemic problems that are beyond the purview of the particular developer. I think that as the City that is where we need to step in and identify solutions that serve the needs of the residents and addresses the concerns of the folks that live in that neighborhood but also set the table for needed development. I am just saying that time and time again I hear legitimate concerns about the impact of projects and struggle to balance the legitimacy of the project

candidly. Outside of the context of this particular neighborhood and the traffic problems and stuff like that I think it is a good project. How do you reconcile that with bigger neighborhood wide issues? Going through the 2018 Comp Plan and there was a call in there for development of neighborhood area plans which are great. One got done for the Northeast Neighborhood and it was fantastic, much needed for the Northeast Neighborhood. To my knowledge that is the only one that got done. This is the perfect example of where you need a small neighborhood plan so that developers have guidance when they look at properties.

Vice Chair Porter said I think that is a very salient point. As someone who did live in this neighborhood for a period of time, I would agree with that. I think the City is failing this community a little bit by what is being allowed to happen on Weaver Avenue. There should be some enforcement related to these students that are parking in multiple different directions. I have seen that. As someone that used to live on Bluestone Street, I know what the party culture is like on that particular block and the kinds of conditions that you have coming through your neighborhood in the middle of the evening particularly on a Friday or Saturday night. This will probably exacerbate that. I do understand your concerns in that area, and I would have the same concerns. There are a lot of issues with entry and egress into this neighborhood. Going all the way up to Monument Avenue and then getting onto Port Republic Road that is an issue as well. The fact is if you have students that are jamming up that area and a lot of these fraternity houses are overpopulated and need to be addressed from a code enforcement perspective. This has been something I have been crusading on for a little while and I do think that this is a factor in this particular issue is that you do have the student population that is parking multiple different directions, parking in areas that are probably not permissible, and the fact that they are also illegally parking on this site. Which if I owned this property I would be concerned about it. Even though it probably gives you guys some relief the reality is that should not be happening. I feel like at some point the City, it is incumbent on them to look at the situation and whether that is code enforcement or police action to address it. I also know there is a lot speeding in that neighborhood as well. Those concerns are all really valid. I am not sure how germane it is to this actual development other than the fact that this development would certainly make it worse.

Commissioner Alsindi said I kind of disagree with you Commissioner Porter in a positive sense. I know this sounds more subjective but this is just my view, that having the area here generally with nothing and having just houses here I think it increases the possibility of people having those fraternity houses over there. The boredom and nothing to do of students probably is another factor that increases this kind of pattern. While I consider what I heard from people in the neighborhood, looking at it from a strategic and more futuristic perspective, having such kind of apartments there I think affects the behavior of civility and the practice of people how they live including students. The fact that there is nothing there I notice there is more calmness as a living neighborhood. There are also students here who are bothering people but generally speaking I think this pattern of development there I would assume they would behave in a different way when you have stores and businesses over there that are more developed. You can go to a restaurant and sit down rather than hanging in dark streets over there doing nothing and bothering people. I am just looking at it from that point of view that strategically having such developments would change the overall pattern of people living in urbanized neighborhoods.

Vice Chair Porter said as a former fraternity member in my youth I can tell you right now I have zero faith in our ability to be able to adjust our behavior based upon what is around us. I do think that neighborhood has been suffering from that issue for a while. There is commerce down the street and there are other things in the neighborhood and it does not change how those students behave in those areas. I think the only thing that would change that behavior is proper enforcement and making sure the right number of students are living in those homes and if they are parking in the wrong direction that they are being ticketed. If they are parking in areas that are not appropriate that they are being ticketed. Eventually they will get tired of paying those fines or having to call mom and dad to pay those fines. I think the bigger issue here is the fact that, I think it is probably where we are going to be headed here pretty quickly, is that this is not a bad development at all and I hope that there is a way that this can be discussed with the neighbors to try to be able to address some of these concerns before it comes to Council. I see this type of development as being in the right place and I do understand the concerns of the neighborhood certainly and I am arguing both sides of the issue here. I do see this as the type of place that we are looking for density and more units in our community, that if I was going to walk or bike to JMU I would be more likely to do it from this location than the place we just had a large issue about. I also think if it is managed properly and managed well it could actually be an asset to that neighborhood. Again, I think a lot of these concerns about dumpster placement and fence height are legitimate concerns that need to be worked on but at the end of the day we are not going to be able to make a lot of determination based on those details. I think what it comes down to is this a permissible use of this area and does it serve the public interest. I am of the belief that it does. I think a commercial space is something that would add something depending on what type of commercial space it is in that community. I think it is more are we doing a good enough job of managing this neighborhood and supporting the residents of this neighborhood to make this viable and so it is not a nuisance for the neighbors? I think that is my take on it.

Commissioner Kettler said in terms of getting to JMU from this general area, I went on the site visit but I did not go to JMU from there. I am not as familiar with this neighborhood. In order to do that they would basically have to go east and then north and go across Port Republic Road or they have to go right up South Main Street. Is that right?

Chair Baugh said pretty much. The foot traffic there as a point of reference, talking about things have changed, there was a time when the apartments on South Avenue was primarily student housing. Which is actually a little further away. There was time when there was even more foot traffic sort of from that area. That is right, that traffic funnels onto South Main Street for the most part. I think one of the concerns of the neighborhood over the years has been various little things that might pull people wander through the neighborhood but that is not really what this is I do not think. Really what has been the idea...there has been a lot of history with this neighborhood. I could vouch for some of the comments that were made. This has always been a neighborhood that has been concerned about what is going on around them and there have been some spots that if you actually know properties that have been purchased in the hope that one day the climate would change and that maybe to knock a house down and go to more intense development. That has never really happened. To be brutally frank the development now where the Starbucks is right off of the interchange that got approved by Council over the vehement objection of the neighborhood when it happened. I mean the neighborhood did not even like that going in there. Then the concern to a modestly lesser extent of those sort of

commercial, and I get it they were kind of quasi-professional office building spaces, that get you all the way up to the Port Republic Road corridor. Of course, it used to be a bank on the corner and now I guess it is a law firm in there. That has kind of been the history of that. I think maybe [unintelligible] recognition that well for the part that is on US Route 11 probably makes a little sense for that to have a little commercial or dense orientation. We are not too crazy about that. We are certainly not interested in seeing more.

Councilmember Dent said come to think of it, that former bank that is now law offices, there was a proposal there to put one of those drive- through coffee places.

Chair Baugh said yeah we shot that down.

Councilmember Dent said we shot it down because that would have been massively disruptive.

Chair Baugh said which is now down South Main Street on the other side and it is a much better location for it.

Councilmember Dent said clearly disruptive to the neighborhood. There are not any proffers or any such about the kinds of commercial that would go in there. It is also sort of up against South Main Street a drive through or any such.

Commissioner Kettler said I think something else that is important that I heard is there are concerns with something like this going in and students being nearby and density being part of that. The most consistent thing that I heard was traffic. I think that is something important to keep in mind as we head into the item three away from where we are at.

Councilmember Dent said come to think of it the large parking area is that because it is a multistory...how many stories is this? Commercial on the bottom even some apartments on the bottom with so many stories of apartments, 26 units. How many stories does that make it?

Chair Baugh said three stories.

Commissioner Seitz said it is 26 units, 6 of them are two-bedroom units so that is 12 plus 20 that is 32 units. Is it a [parking] space and a half per bedroom?

Ms. Dang said it depends on the breakdown.

Councilmember Dent said I suppose there is also allowance for the parking for the commercial.

Ms. Rupkey said they would be required for the one-bedroom to do one and a half spaces and for two-bedroom, two and a half spaces.

Councilmember Dent said how about for the commercial?

Ms. Rupkey said that would depend on what the final use ends up being.

Councilmember Dent said for example, correct me if I am wrong, it is conceivable if all of it got approved that the property owner could find a tenant but it would be a particular use that there are not enough parking spaces to accommodate that use. It would not be allowed even though that commercial use would otherwise generally be allowed. You still have to meet the parking requirements.

Commissioner Seitz said it just seems like if there was ever a case for parking reduction in parking requirements, this site is it.

Commissioner Jezior said it was 90 percent parking for the amount of bedrooms. They were not doing one and a half per.

Mr. Russ said for four bedrooms you need three and a half. Three bedroom you also need two and a half. Three and four bedrooms need fewer parking spaces per bedroom.

Commissioner Jezior said I think in talking about the traffic as well coming out, I like that the building is situated on South Main Street for the pedestrians especially with the commercial space. Sight lines though for traffic coming out from Weaver Avenue are probably going to be a problem as people are coming out and taking a left there and people cutting through. If you have the building set all the way forward you are not going to be able to see traffic going down South Main Street as well.

Ms. Dang said that is a good point and it will be evaluated during the site plan review.

Councilmember Dent said this possible underground stormwater retention might create an effective bit of setback off of Weaver Avenue. Is that right?

Mr. Fletcher said they will not be able to prohibit sight lines they have to meet sight distance requirements.

Commissioner Kettler said I do agree with what what you are generally saying of it being oriented toward the street and not back like right up against the existing residential property.

Chair Baugh said if I recall correctly whether you like it or not that was one of the things that as this thing was negotiated with folks in the neighborhood it was one of the results from that was to get the building placed in that spot. I think the original proposal was more of that sort of tradition kind of building in the middle or maybe skewed a little towards the front parking all around it.

Commissioner Kettler said I think this is a lot better then.

Councilmember Dent said that is one thing staff consistently recommends no parking in front of the building so that it is tucked behind and you are not looking at cars going down the street. More neighborhood walkability.

Ms. Dang said I just want to acknowledge that for all the traffic concerns that have been discussed and the parking issues on the street know that when you all have these discussions right

here and from these community members at public hearings, when the minutes are drafted we send a copy or send that excerpt to the other departments, Police and Public Works to make them aware so that it is going to somebody who can evaluate it.

Councilmember Dent said that is a good point because when they say they cannot get in and out of the neighborhood I wonder if the City needs to make some kind of adjustment like a traffic light at Monument Avenue. This could be a candidate for some of the traffic calming if people are speeding down some of the streets.

Chair Baugh said I know a lot of people do not like to do it, but the most effective thing you can do, and it really only has two layers to it... if its a traffic parking issue, call the Police Department. If it is too many people in a space, these folks [Community Development]. Certainly, on that civil side I can tell you for a fact because it is a complaint driven system. If somebody comes in and talks to Community Development somebody will go out there and take a look at it. You may not like the answer and a lot of times you find things like everybody is in the same family and that is why there is 15 people there. I can tell you from real world experience, particularly on the traffic stuff and again, I do not want to be that guy calling the cops, okay. When a City Council member goes to say I am hearing from constituents about all of these problems in this area the first thing you get is they look at their data and they see how many complaints they have had. If the answer is not a whole lot, people have been toughing it out they are going to say this is the first we have heard of it or we heard one time and it went away. I have known of instances where people sort of bought into okay I guess we are going to have to be the squeaky wheel for a while and it was sort of effective. It is kind of not the fun option on trying to deal with this challenge in my neighborhood. I have definitely found situations where you know darn well because you live close to it or got through there that there are issues in the neighborhood and HPD database does not have any data that supports it so that just tells you are starting at ground zero to get their attention.

Commissioner Kettler said I was just going to say however we feel about these, do we feel comfortable about doing them as one motion?

Chair Baugh said I will throw it out, if anybody does not feel comfortable voting on these in one motion whether because they want to vote for one and not for the other. Any other reason, speak up now or forever hold your peace. Are we okay with taking it up as one motion?

Vice Chair Porter said I wanted to point out as I am sitting here looking at the changes being made to the proffers, most of the issues we have discussed are not going to be impacted by these changes. There is a by-right use currently on the property, and it is an expired special use permit for sure, but the reality is the circumstances that neighbors are most concerned about, the material changes that are going to be made by us passing this or not are not going to be necessarily addressed by this. It might stop the development for a period of time. but the reality is this is going to move forward in some fashion by-right pretty much today. I go back to the applicant and say it would be well worth your time to talk to these folks and have a sit down. I think I even heard the one gentleman say he would probably support this if some of his concerns were addressed. I think that is a worthwhile process to engage in before it goes to Council regardless of how we vote, The reality is I feel like a lot of these circumstances which are unfortunate are not going to be impacted by this decision or the other.

Chair Baugh said I was tempted to do it earlier, just to be clear, what we are actually voting on here, slightly oversimplified, is we are okay with reducing the amount of commercial. They want to tweak the fencing. They are going to enhance some of the stuff at the intersection of South Main Street and East Weaver Avenue and the entrance on South Main Street is gone due to the reasons we went into. You could in theory vote against approving the special use permit to allow them to have more units in it or to do the commercial. But now if you do, you have got a property that is zoned R-5 for high density and it is in the Land Use Guide for Mixed Use and you are sort of saying you cannot have high density or mixed use.

Commissioner Kettler said I move to approve the rezoning and two special use permit requests with conditions submitted by the applicant with additional language recommended by staff.

Councilmember Dent seconded the motion.

Chair Baugh called for a roll call vote.

Commissioner Seitz	Aye
Commissioner Jezior	Aye
Councilmember Dent	Aye
Commissioner Alsindi	Aye
Commissioner Kettler	Aye
Vice Chair Porter	Aye
Chair Baugh	Aye

The motion to recommend approval of the rezoning request and two special use permit requests passed (7-0). The recommendation will move forward to City Council on June 9, 2026.

# City of Harrisonburg

Rezoning

Proffer amendment, R-5C

Special Use Permits

Section 10-3-55.4 (1)

to allow multiple-family dwellings of more than twelve (12) Units

Section 10-3-55.4 (4)

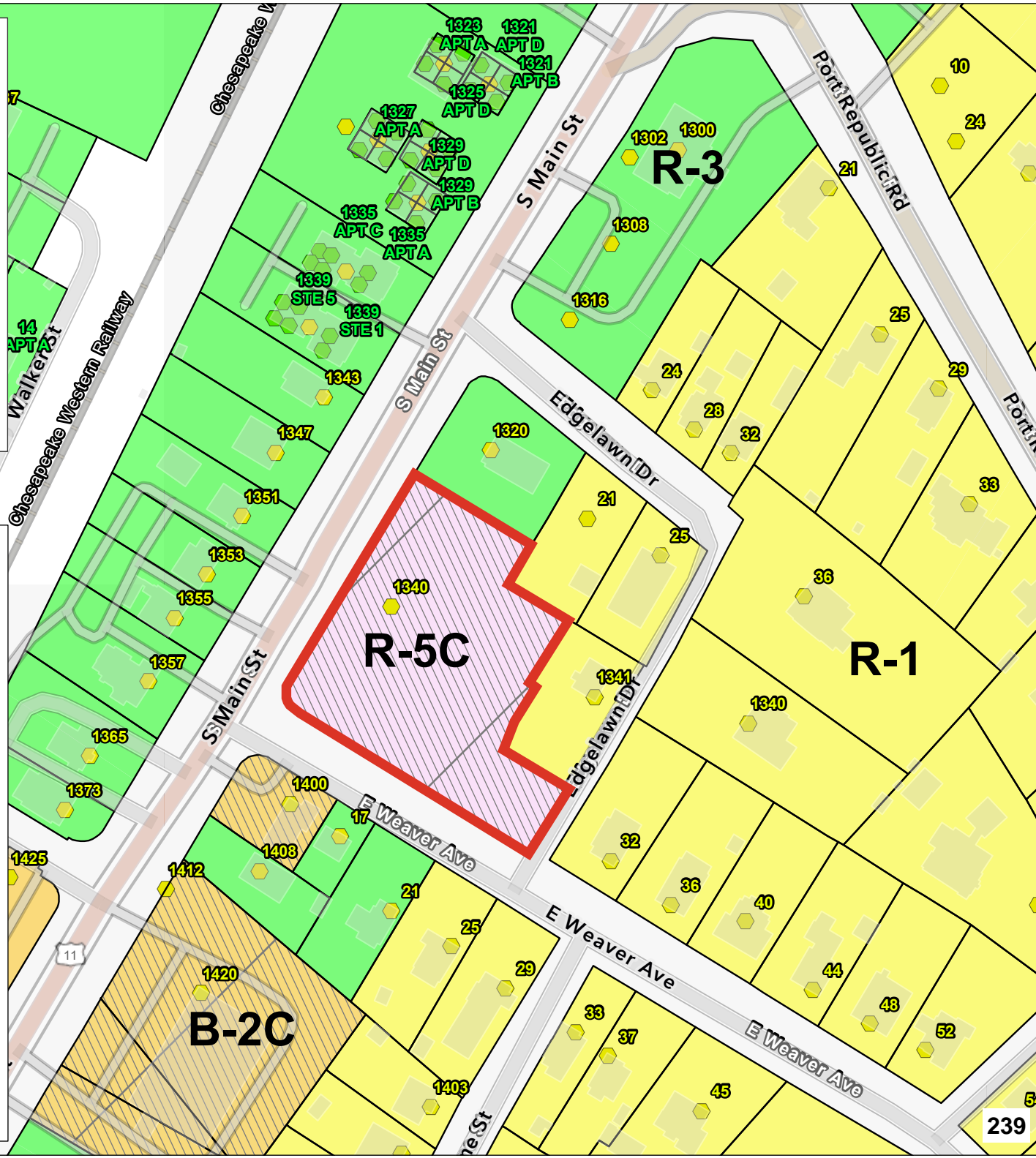
to allow retail

1340 South Main Street

Tax Map Parcel: 18-R-22

+/- 1.23-acres

## Zoning



# City of Harrisonburg

Rezoning  
Proffer amendment, R-5C  
Special Use Permits  
Section 10-3-55.4 (1)  
to allow multiple-family dwellings of more than twelve (12) Units  
Section 10-3-55.4 (4)  
to allow retail  
1340 South Main Street  
Tax Map Parcel: 18-R-22  
+/- 1.23-acres

## (Future) Land Use Guide

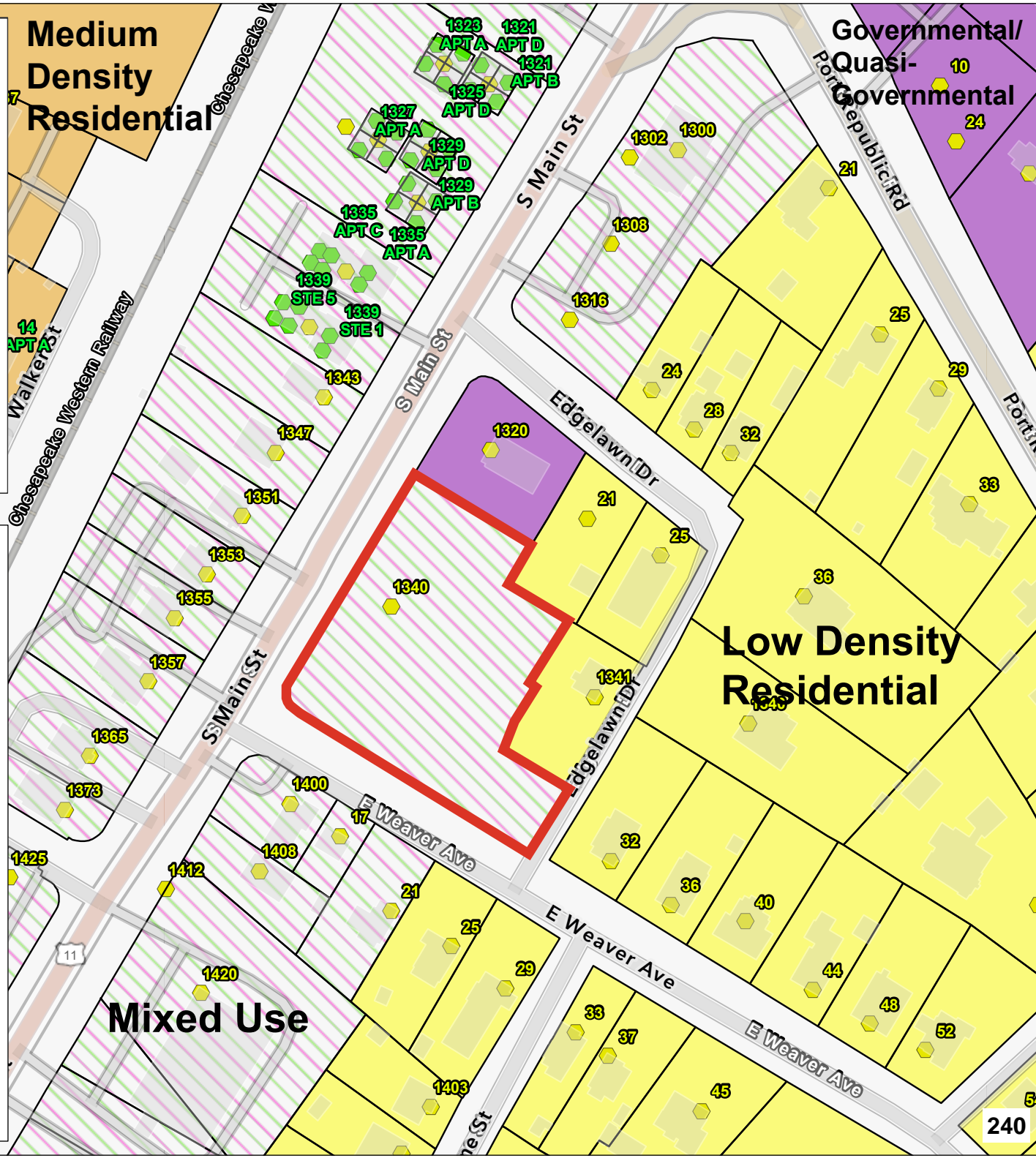


**Medium Density Residential**

**Governmental/Quasi-Governmental**

**Low Density Residential**

**Mixed Use**



# City of Harrisonburg

## Rezoning

Proffer amendment, R-5C

Special Use Permits

Section 10-3-55.4 (1)

to allow multiple-family dwellings of more than twelve (12) Units

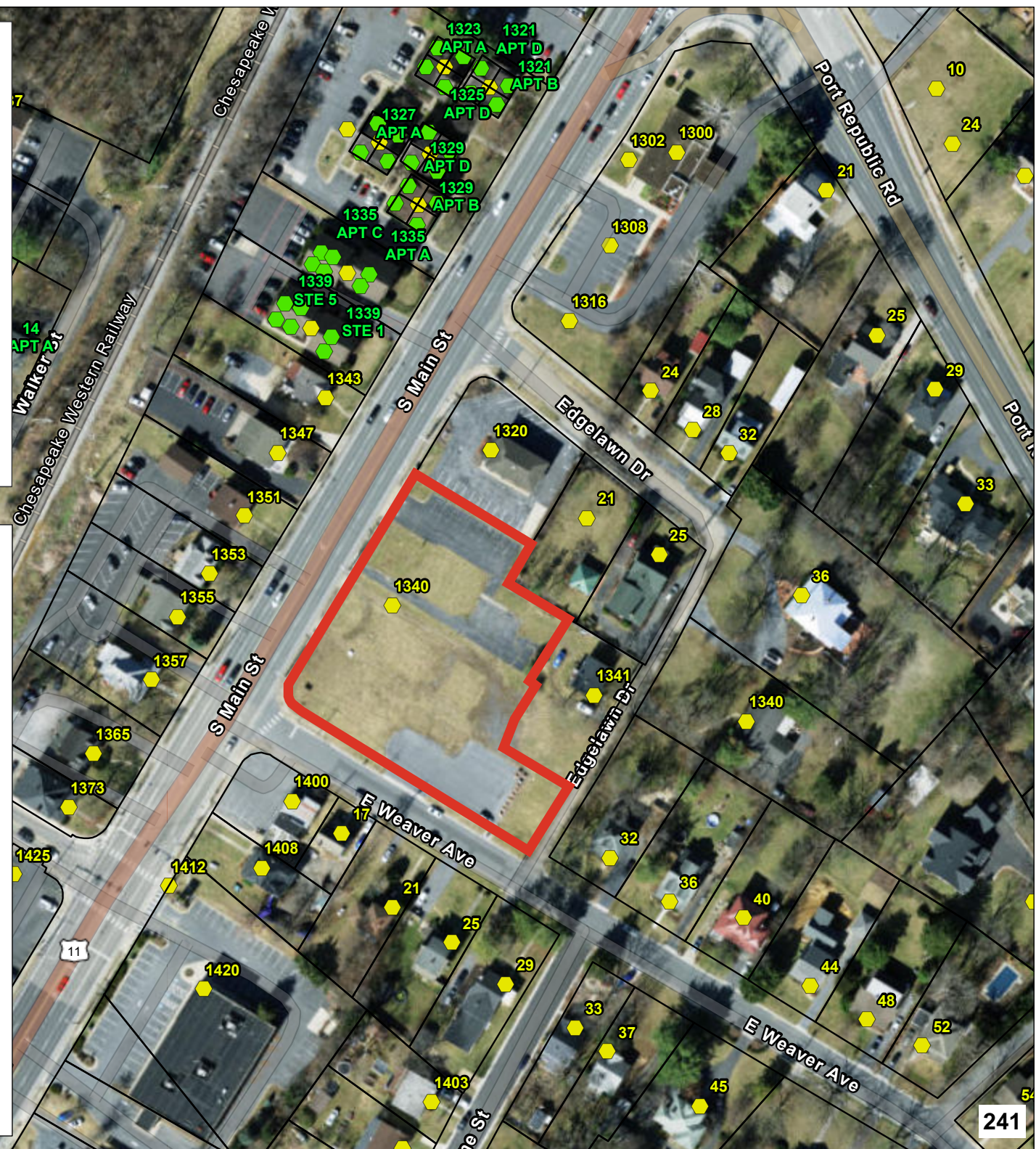
Section 10-3-55.4 (4)

to allow retail

1340 South Main Street

Tax Map Parcel: 18-R-22

+/- 1.23-acres





**CITY OF HARRISONBURG  
COMMUNITY  
DEVELOPMENT**

**Change of Zoning District  
(Rezoning) Application**  
[www.harrisonburgva.gov/zoning](http://www.harrisonburgva.gov/zoning)

PROPERTY INFORMATION			
1340 S. Main St., Harrisonburg, VA 22801	018 R 22	1.23	acres or sq.ft. (circle)
Property Address	Tax Map Parcel/ID	Total Land Area	
Existing Zoning District: <u>R5C</u>	Proposed Zoning District: <u>R5C</u>		
Existing Comprehensive Plan Designation: <u>Mixed Use</u>			
PROPERTY OWNER INFORMATION			
Marilyn Pendlebury	804.908.1987		
Property Owner Name	Telephone		
6049 Shady Oak Ct.	pendlebury@comcast.net		
Street Address	E-Mail		
Mechanicsville	VA	23111	
City	State	Zip	
OWNER'S REPRESENTATIVE INFORMATION			
Mike Hendricksen / Hans Harman (Contracted Purchasers)	540.908.7528		
Owner's Representative	Telephone		
222 Fairway Drive	mike@investmentsblue.com		
Street Address	E-Mail		
Harrisonburg	VA	22802	
City	State	Zip	
CERTIFICATION			
<p><i>I certify that the information supplied on this application and on the attachments provided (maps and other information) is accurate and true to the best of my knowledge. In addition, I hereby grant permission to the agents and employees of the City of Harrisonburg to enter the above property for the purposes of processing and reviewing this application. I also understand that, when required, public notice signs will be posted by the City on any property.</i></p>			
 _____ PROPERTY OWNER		3/26/2026 _____ DATE	
REQUIRED ATTACHMENTS			
<input type="checkbox"/> Letter explaining proposed use & reasons for seeking change in zoning. <input type="checkbox"/> Statement on proffers, if applying for conditional rezoning. <input type="checkbox"/> Survey of property or site map. <input type="checkbox"/> Traffic Impact Analysis (TIA) Determination Form OR Traffic Impact Analysis (TIA) Acceptance Letter signed by Public Works Department. Applicant is responsible for coordinating with Public Works prior to submitting this application. For more information, visit <a href="http://www.harrisonburgva.gov/traffic-impact-analysis">www.harrisonburgva.gov/traffic-impact-analysis</a> .			
TO BE COMPLETED BY PLANNING & ZONING DIVISION			
3/30/26 _____ Date Application and Fee Received		Total Fees Due: \$ <u>455.60</u> Paid Application Fee: \$550.00 + \$30.00 per acre	
 _____ Received By			



CITY OF HARRISONBURG  
**COMMUNITY  
DEVELOPMENT**

**Special Use Permit Application**

[www.harrisonburgva.gov/zoning](http://www.harrisonburgva.gov/zoning)

**PROPERTY INFORMATION**

1340 S. Main St., Harrisonburg, VA 22801      018 R 22      1.23      acres or sq.ft.  
Property Address      Tax Map      Total Land Area      (circle)

Existing Zoning Classification: R5C

Special Use being requested: Allow for a building of more than 12 residential units with some residential units on the ground level.

**PROPERTY OWNER INFORMATION**

Marilyn Pendlebury      804.908.1987  
Property Owner Name      Telephone  
6049 Shady Oak Ct.      pendlebury@comcast.net  
Street Address      E-Mail  
Mechanicsville      VA      23111  
City      State      Zip

**OWNER'S REPRESENTATIVE INFORMATION**

Mike Hendricksen / Hans Harman (Contracted Purchasers)      540.908.7528  
Owner's Representative      Telephone  
222 Fairway Drive      mike@investmentsblue.com  
Street Address      E-Mail  
Harrisonburg      VA      22802  
City      State      Zip

**CERTIFICATION**

*I certify that the information supplied on this application and on the attachments provided (maps and other information) is accurate and true to the best of my knowledge. In addition, I hereby grant permission to the agents and employees of the City of Harrisonburg to enter the above property for the purposes of processing and reviewing this application. I also understand that, when required, public notice signs will be posted by the City on any property.*

Marilyn Pendlebury  
PROPERTY OWNER

3/26/2026  
DATE

**REQUIRED ATTACHMENTS**

- Site or Property Map
- Letter explaining proposed use & reasons for seeking a Special Use Permit.
- Traffic Impact Analysis (TIA) Determination Form OR Traffic Impact Analysis (TIA) Acceptance Letter signed by Public Works Department. Applicant is responsible for coordinating with Public Works prior to submitting this application. For more information, visit [www.harrisonburgva.gov/traffic-impact-analysis](http://www.harrisonburgva.gov/traffic-impact-analysis). This requirement is waived for the following SUPs: major family day homes, reducing required parking areas, reduction in required side yard setback, wireless telecommunication facilities, wall and fences, and short-term rentals. To prevent delays in reviewing your application, please consult with Planning staff to confirm your application does not require a TIA Determination Form or TIA Acceptance Letter.

Note: If applying for a Wireless Telecommunications Facility allowed only by SUP, then also submit a wireless telecommunications facility application.

**TO BE COMPLETED BY PLANNING & ZONING DIVISION**

3/30/26  
Date Application and Fee Received

Total Fees Due: \$ 485 Paid  
Application Fee: \$425.00 + \$30.00 per acre

[Signature]  
Received By



**CITY OF HARRISONBURG  
COMMUNITY  
DEVELOPMENT**

**Special Use Permit Application**

[www.harrisonburgva.gov/zoning](http://www.harrisonburgva.gov/zoning)

**PROPERTY INFORMATION**

1340 S. Main St., Harrisonburg, VA 22801      018 R 22      1.23 acres or sq.ft.  
 Property Address      Tax Map      Total Land Area (circle)

Existing Zoning Classification: R5C

Special Use being requested: \_\_\_\_\_

Allow for retail, personal service, offices, restaurants, and convenience store.

**PROPERTY OWNER INFORMATION**

Marilyn Pendlebury      [Redacted]  
 Property Owner Name      Telephone  
 6049 Shady Oak Ct.      [Redacted]  
 Street Address      E-Mail  
 Mechanicsville      VA      23111  
 City      State      Zip

**OWNER'S REPRESENTATIVE INFORMATION**

Mike Hendricksen / Hans Harman (Contracted Purchasers)      [Redacted]  
 Owner's Representative      Telephone  
 222 Fairway Drive      [Redacted]  
 Street Address      E-Mail  
 Harrisonburg      VA      22802  
 City      State      Zip

**CERTIFICATION**

*I certify that the information supplied on this application and on the attachments provided (maps and other information) is accurate and true to the best of my knowledge. In addition, I hereby grant permission to the agents and employees of the City of Harrisonburg to enter the above property for the purposes of processing and reviewing this application. I also understand that, when required, public notice signs will be posted by the City on any property.*

May Pendlebury  
 PROPERTY OWNER

3/25/2026  
 DATE

**REQUIRED ATTACHMENTS**

- Site or Property Map
- Letter explaining proposed use & reasons for seeking a Special Use Permit.
- Traffic Impact Analysis (TIA) Determination Form OR Traffic Impact Analysis (TIA) Acceptance Letter signed by Public Works Department. Applicant is responsible for coordinating with Public Works prior to submitting this application. For more information, visit [www.harrisonburgva.gov/traffic-impact-analysis](http://www.harrisonburgva.gov/traffic-impact-analysis). This requirement is waived for the following SUPs: major family day homes, reducing required parking areas, reduction in required side yard setback, wireless telecommunication facilities, wall and fences, and short-term rentals. To prevent delays in reviewing your application, please consult with Planning staff to confirm your application does not require a TIA Determination Form or TIA Acceptance Letter.

Note: If applying for a Wireless Telecommunications Facility allowed only by SUP, then also submit a wireless telecommunications facility application.

**TO BE COMPLETED BY PLANNING & ZONING DIVISION**

3/30/26  
 Date Application and Fee Received  
[Signature]  
 Received By

Total Fees Due: \$ 485 Paid  
 Application Fee: \$425.00 + \$30.00 per acre

**1340 S. Main Street, Harrisonburg, VA**

**Site Map**



**Current Zoning – R5C**



**Comp Plan – Mixed Use**

**1340 S. Main St., Harrisonburg, VA**

**Proposed Use & Reasons for Seeking a Special Use Permit & Proffer Amendment**

We are seeking to conform with the City of Harrisonburg Comprehensive Plan and have a mixed-use development on this site that consists of up to 5,000 SF of commercial space and up to 26 residential apartments.

The previously approved use on this site was for up to 10,000 SF of commercial space and 22 one-bedroom residential apartments. We believe that 10,000 SF of commercial space is an abundance of retail for a mixed use building on this site and for this location along the S. Main corridor and we are proposing to reduce this by 50% (from 'up to 10,000 SF' to 'up to 5,000 SF') while increasing the number of possible residential apartments by 18% (from 22 one-bedroom units up to a mix of a total of 26 one-bedroom and two-bedroom units).

Based on standards from the Institute of Transportation Engineers (ITE), our updated plan for up to 5,000 SF of commercial space and 26 residential apartments should generate less traffic than the previously approved plan. We do not know the exact use breakdown of the 5,000 SF of commercial space at this time, but, assuming it is retail use, based on ITE estimates we believe that by reducing the commercial space we will reduce estimated traffic to this site by approximately 220 daily trips. Adding four more residential apartment units is estimated to increase residential daily trips by 27 (ITE estimate is 6.6 daily trips for standard average low-rise apartments). Our proposed plan compared to the previously approved plan may have an estimated net result based on ITE estimates of lowering traffic to this site by approximately 193 daily trips (approximately 33% reduction). We believe this is a positive thing for this site and the surrounding community by reducing the anticipated traffic and increasing the safety of those entering and exiting S. Main St. in this area.

In meetings with City Staff, we have gained an understanding of the reasoning behind many of the aspects of the previously approved request (orienting the building closer to the street, no parking between the building and the public street, etc.) and are in agreement with the building placement and site buffers.

Research by Urban Land Institute and U.S. Environmental Protection Agency shows that mixed-use developments on infill sites such as these are generally positive for communities, offering sustainable growth, reducing sprawl, and increasing local tax bases. Sites that combine residential and commercial uses generally foster social interaction and

reduce vehicle dependency and our hope is that the occupants of this building will enjoy planned and impromptu interactions with one another on-site.-

We are seeking a Special Use Permit to:

Allow for a building of more than 12 residential units.

Allow for retail, personal service, offices, restaurants, and convenience store.

If granted the Special Use permit:

All traffic generating uses shall be limited to a combined total of 100 vehicle trips in either the AM or PM peak hour as calculated using the latest edition of the Institute of Transportation Engineer's Trip Generation Manual unless the property owner first, at their cost: (1) completes a Traffic Impact Analysis approved by the City Department of Public Works and (2) implements all identified mitigation measures or improvements. The City Department of Public Works may, in its sole discretion, waive, in whole or in part, completion of a Traffic Impact Analysis or any identified mitigation measures or improvements.

No drive-throughs will be permitted.

We are seeking to amend the previous 2017 proffers. Attached is a copy of the 2017 approved proffers as well as the proposed new proffer.

REVISED: August 8, 2017

~~March 23, 2017~~

Mrs. Thanh Dang, City Planner  
City of Harrisonburg  
Department of Planning and Community Development  
409 South Main Street  
Harrisonburg, VA 22801

Ref: Stone Suites – Rezoning R-3 & R-1 to R5 (TM: 18-R-22, 22A partial, 23 partial, 24, 24A)

Dear Mrs. Dang,

The concept Plan included with this submittal illustrates the parcels and portions of parcels for which rezoning to R-5 is being requested.

The following revised proffers are provided with the proposed rezoning:

1. Any building constructed on site shall contain residential and non-residential uses. The first floor of any building shall contain only non-residential uses.
2. The site shall contain no more than 22 one bedroom multiple-family units.
3. No parking lot (including travel lanes and drive aisles) shall be located between any buildings and the following streets: South Main Street and East Weaver Avenue.
4. Only one vehicular access point to South Main Street shall be permitted, and it shall be only for right-in/right-out traffic movements.
5. No vehicular access shall be permitted from the site to Edgelawn Drive.
6. A 6-foot opaque fence shall be installed at a minimum of 19-feet from the centerline of the existing Edgelawn Drive public street right-of-way.
7. A 6-foot opaque fence shall be installed along the northeastern property line adjoining tax map parcel # 18-R-20.
8. No structure including accessory buildings shall be constructed within 150 ft. of the shared property line with Edgelawn Dr. (excluding a dumpster containment).
9. Twice the number of required street trees shall be planted along Edgelawn Dr. than is required by the zoning ordinance.

I (we) hereby proffer that the development of the subject property on this application shall be in strict accordance with the conditions set for in this submission.

Sincerely



Giles Stone for Marusstodd Properties, LLC

**1340 S. Main St., Harrisonburg, VA**

**Statement on Proffers**

In connection with the rezoning request for the property located at 1340 South Main Street and identified as tax map parcel 18-R-22, I hereby proffer that the use and development of the subject property shall be in strict accordance with the conditions set forth in this submission.

1. Any building constructed on site (excluding accessory buildings) shall contain residential and non-residential uses. Commercial uses shall only be permitted on the first floor and shall not exceed 5,000 square feet throughout all buildings. Residential units may be located on the first floor.
2. The total number of dwelling units on the property shall not exceed twenty-six (26) units. One-bedroom and two-bedroom units shall be permitted with no more than six (6) of the units being two-bedroom units.
3. No parking lot (including travel lanes and drive aisles) shall be located between any buildings and the following streets: South Main Street and East Weaver Avenue.
4. No vehicular access shall be permitted from the site to Edgelawn Drive.
5. A 6-foot tall opaque fence shall be installed and maintained along the frontage of Edgelawn Drive.
6. A 6-foot tall opaque fence shall be installed and maintained along the property lines adjoining tax map parcel #18-R-20, 18-R-21, & 18-R-22-A.
7. No structure, excluding a dumpster containment, shall be constructed within 150 ft. of the shared property line with Edgelawn Dr.
8. A minimum of six (6) small/ornamental deciduous or evergreen trees shall be planted along the street frontage of Edgelawn Drive. Tree locations along the street frontage are at the discretion of the property owner/developer.

9. At the time of construction the applicant shall reconstruct the curb ramp at the northeast corner of the intersection of South Main Street and East Weaver Avenue to meet the Public Right-of-Way Accessibility Guidelines standards.

Marilyn Pendlebury  
MARILYN PENDLEBURY, PROPERTY OWNER

2026-05-05  
Date

# CERTIFICATE *of* SIGNATURE

REF NUMBER  
XPJYV NEGJR ZR4CC FGMS4

DOCUMENT COMPLETED BY ALL PARTIES ON  
05 MAY 2026 17:20:33  
UTC

## SIGNER

**MARILYN PENDLEBURY**

EMAIL  
PENDLEBURY@COMCAST.NET

## TIMESTAMP

SENT  
05 MAY 2026 15:44:33

VIEWED  
05 MAY 2026 17:19:56

SIGNED  
05 MAY 2026 17:20:33

## SIGNATURE

*Marilyn Pendlebury*

IP ADDRESS  
73.148.45.58

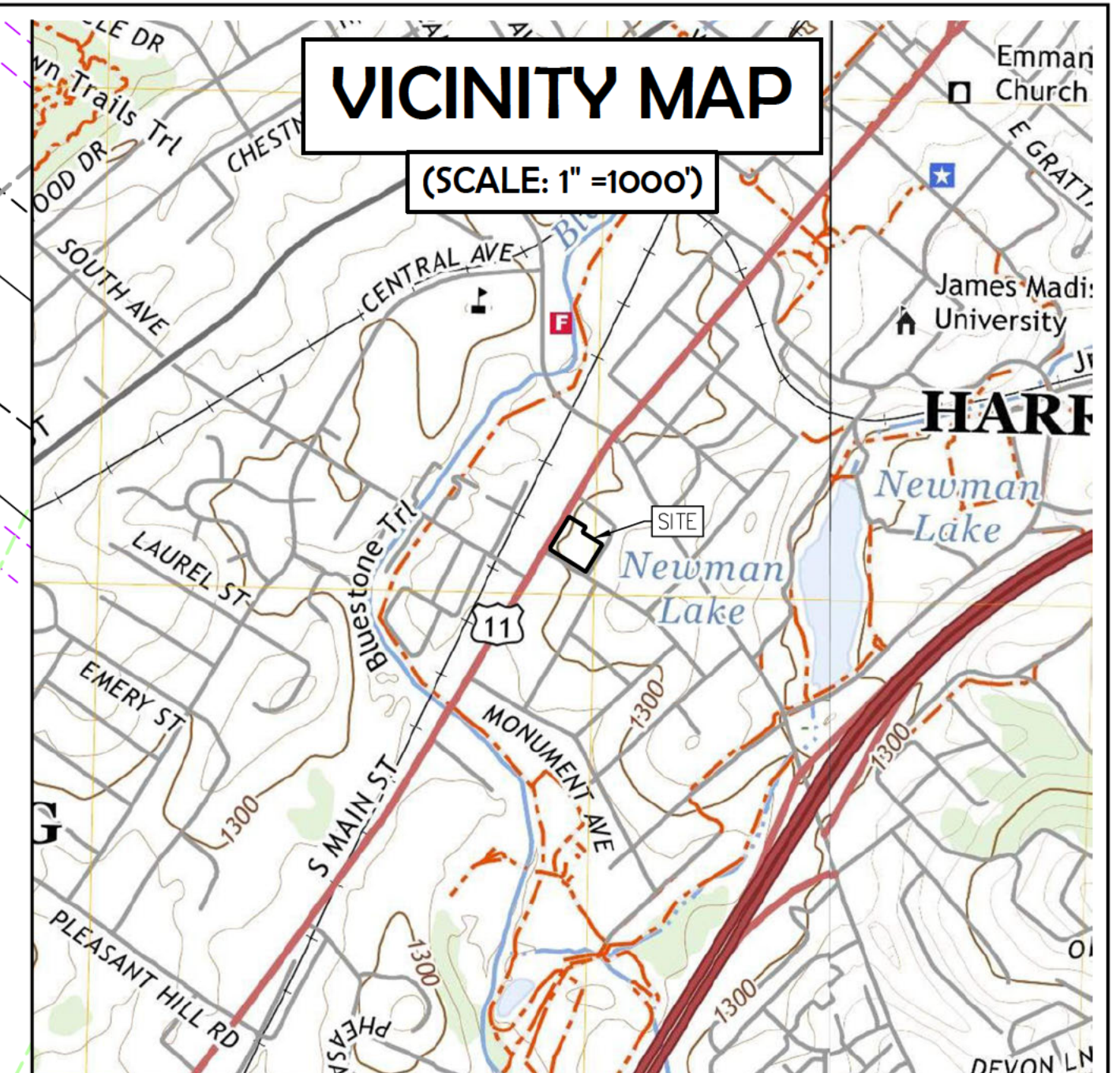
LOCATION  
HENRICO, UNITED STATES

## RECIPIENT VERIFICATION

EMAIL VERIFIED  
05 MAY 2026 17:19:56



NEW POSSIBLE - PROPOSED USE AND PARKING REQUIREMENTS						
PROPOSED BUILDING	USE	QUANTITY	UNITS	RATE	SPACES REQUIRED	
1	APARTMENTS	28 (28 @ 1 BED + 6 @ 2 BEDS)	1 BEDROOM 2 BEDROOM	1 1/4 UNIT 2 1/2 UNIT	45	
1	COMMERCIAL	1	5,000 SF	200 SF	25	
ARTICLE G, SECTION 10-3-25 (7) SECTION 10-3-25 (15)					TOTAL SPACES REQUIRED	70
					HANDICAP REQUIRED	4
					TOTAL SPACES PROVIDED	76
					HANDICAP PROVIDED	4



LEGEND	
[Yellow Box]	PROPOSED BUILDING
[Dashed Line]	PROPOSED SIDEWALK/DRIVEWAY
[Grey Box]	PAVED AREA
[Red Line]	SITE BOUNDARY
[Blue Line]	EX PROPERTY LINE
[Black Line]	PRO PROPERTY LINE
[Dotted Line]	SETBACK
[Dashed Line]	CENTERLINE
[Thin Line]	EDGE OF PAVEMENT

**CIVIL DESIGN:**  
**AES CONSULTING ENGINEERS**  
 ATTN: ED BLACKWELL  
 568 EAST MARKET STREET  
 HARRISONBURG, VA 22801  
 540-432-9555

**OWNER/DEVELOPER:**  
**MARUSSTODD PROPERTIES LLC**  
 190 E MOSBY RD  
 HARRISONBURG, VA 22802  
 540-908-7528

**PROPERTY INFO:**  
 TM# 018 R 22  
 1340 S MAIN ST  
 HARRISONBURG, VA 22801  
 AREA=1.23± ACRES  
 CURRENT ZONING: R-5C  
 PROPOSED ZONING: R-5C  
 EXISTING USE: UNDEVELOPED  
 PROPOSED USE: MIXED USE  
 COMMERCIAL & RESIDENTIAL  
 PROPOSED DENSITY: 32.5 U/A  
 FEMA FLOOD ZONE: X

TM# 018 R 21  
 OWNER: JCF VENTURES LLC C/O  
 MARILYN PENDLEBURY  
 ADDRESS: 6049 SHADY OAK CT  
 MECHANICSVILLE, VA 23111  
 ZONE: R-3

TM# 018 R 20  
 OWNER: HOFFMAN RANDY C KIMBERLY E  
 ADDRESS: 25 EDGELOWN DR  
 HARRISONBURG, VA 22801  
 ZONE: R-1

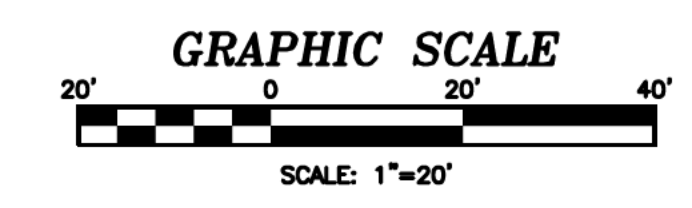
TM# 018 R 19  
 OWNER: HOFFMAN RANDY C KIMBERLY E  
 ADDRESS: 25 EDGELOWN DR  
 HARRISONBURG, VA 22801  
 ZONE: R-1

TM# 018 R 22  
 OWNER: MARUSSTODD PROPERTIES LLC  
 ADDRESS: 190 E MOSBY RD  
 HARRISONBURG, VA 22802  
 ZONE: R-5C

TM# 018 R 22-A  
 OWNER: MARUSSTODD PROPERTIES LLC  
 ADDRESS: 190 E MOSBY RD  
 HARRISONBURG, VA 22801  
 ZONE: R-1

This entrance subject to Site Plan Approval.  
 Subject to Change.

Possible Underground  
 Stormwater Retention



Rev.	Date	Description

**DRAFT**

THIS PLAN HAS  
 NOT RECEIVED  
 FINAL APPROVAL  
 AND IS NOT  
 APPROVED FOR  
 CONSTRUCTION.

668 East Market Street  
 Harrisonburg, Virginia 22801  
 Phone: (540) 432-9555  
 www.aesva.com

PRELIMINARY LAYOUT  
 FOR  
**1340 S MAIN STREET**  
 MIXED USE DEVELOPMENT  
 MARUSSTODD PROPERTIES LLC  
 CITY OF HARRISONBURG, VIRGINIA

Project Contacts:	EHB
Project Number:	3196
Scale:	Date:
AS NOTED	5-14-25
Sheet Title:	PRELIMINARY LAYOUT
Sheet Number:	1

Filename: S:\000\03196 1340 South Main Street\03196\Draw\03196-1340 S Main St.dwg Plotdate: January 8, 2025



City of Harrisonburg, VA  
 Department of Public Works

**Determination of Need for a  
 Traffic Impact Analysis (TIA)**  
 www.harrisonburgva.gov/traffic-impact-analysis

For inclusion in an application for Planning Commission review (for Special Use Permit, Rezoning or Preliminary Plat), this form must be submitted to the Public Works Department at least 5 business days prior to the Planning Commission application deadline.

<b>Contact Information</b>			
Consultant Name: Telephone: E-mail:			
Owner Name: Telephone: E-mail:	Marilyn Pendlebury / Contracted Purchasers are Mike Hendricksen & Hans Harman 540.908.7528 (Mike H.) Mike@InvestmentsBlue.com		
<b>Project Information</b>			
Project Name:	1340 S. Main		
Project Address: TM #:	1340 South Main Street 018 R 22		
Existing Land Use(s):	Vacant		
Proposed Land Use(s): (if applicable)	Mixed-Use		
Submission Type:	Comprehensive Site Plan <input type="radio"/>	Special Use Permit <input checked="" type="radio"/>	Rezoning <input type="radio"/> Preliminary Plat <input type="radio"/>
Project Description: (Include site plan or preliminary sketch and additional details on land use, acreage, access to site, etc)	We are seeking to conform with the City of Harrisonburg Comprehensive Plan on this 1.23 Acres site along S. Main St. and have a mixed-use development that consists of up to 5,000 SF of commercial space and up to 30 residential apartments (up to 24 one-bedroom apartments and up to 6 two-bedroom apartments) with more than the required parking on-site.		
<b>Peak Hour Trip Generation (from row 15 on the second page)</b>			
AM Peak Hour Trips:	32		
PM Peak Hour Trips:	47		

**(reserved for City staff)**

TIA required? Yes \_\_\_\_\_ No

Comments:

Accepted by: Teretha Mason

Date: 04/09/2026

### Peak Hour Trip Generation by Land Use

Row	ITE Land Use		ITE Land Use Code	Unit	Quantity	AM Peak Hour of Adjacent Street Traffic	PM Peak Hour of Adjacent Street Traffic
1	Proposed #1	Multi-Family Housing	220	Dwelling Units	30	12	16
2	Proposed #2	Commercial	822	Gross Leasable Area	5,000	20	31
3	Proposed #3						
4	Proposed #4						
5	Proposed #5						
6	Proposed #6						
7	Total New Trips					32	47
8	Existing #1	Vacant	NA			0	0
9	Existing #2						
10	Existing #3						
11	Existing #4						
12	Existing #5						
13	Existing #6						
14	Total Existing Trips					0	0
15	Final Total (Total New – Total Existing)					32	47

#### Instructions

Determination of trip generation rates shall be in conformance with ITE guidelines.

1. Based on the intended use(s), calculate the AM Peak and PM Peak trip generation using the AM and PM Peak Hour of Adjacent Street Traffic rates from the most current version of the ITE Trip Generation Manual (rows 1-6). Attach additional sheets as necessary for more uses.
2. Sum up all of the trips generated for the new uses in the Total New Trips row (row 7).
3. If the development has any existing uses, calculate the AM Peak and PM Peak trip generations using the AM and PM Peak Hour of Adjacent Street Traffic rates from the most current version of the ITE Trip Generation Manual (rows 8-13). Attach additional sheets as necessary for more uses.
4. Sum up all of the trips generated for the existing uses in the Total Existing Trips row (row 14).
5. Subtract the total existing trips from the total new trips to get the final total number of trips generated by the development (row 15). Enter these numbers on the first page.

Revised Date: December 2019



May 13, 2026 Planning Commission Meeting

**Title**

Consider Rezoning (Proffer Amendment) and Special Use Permits for 1340 South Main Street — Meg Rupkey, Community Development

**Summary**

Project name	N/A
Address/Location	1340 South Main Street
Tax Map Parcels	18-R-11
Total Land Area	+/- 1.23 acres
Property Owner	Marilyn S. Pendlebury
Owner’s Representative	Mike Hendricksen and Hans Harman
Present Zoning	R-5C, High Density Residential Conditional
Proposed Zoning	R-5C, High Density Residential Conditional
Proposed Special Use Permit(s)	<ul style="list-style-type: none"> <li>Multiple-family dwellings of more than twelve (12) units per building per Section 10-3-55.4 (1)</li> <li>Retail stores, convenience shops, personal service establishments, restaurants (excluding those with drive-through facilities), medical clinics, and business and professional offices per Section 10-3-55.4 (4)</li> </ul>
Planning Commission	May 13, 2026 (Public Hearing)
City Council	Anticipated June 9, 2026 (First Reading/Public Hearing) Anticipated June 23, 2026 (Second Reading)

**Recommendation**

Option 1. Recommend approval of the rezoning and two special use permit requests with conditions submitted by the applicant with additional language recommended by staff.

**Context & Analysis**

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

Site: Vacant lot, zoned R-5C

North: Office building, zoned R-3, and single-family detached dwellings, zoned R-1

East: Single-family detached dwelling and across Edgelawn Drive single-family detached dwellings, zoned R-1

South: Across East Weaver Avenue single family detached dwellings, zoned R-1, and an office building, zoned B-2C

West: Across South Main Street, residential uses, zoned R-3

The applicant is requesting a proffer amendment and two special use permits (SUPs) for a +/- 1.23-acre property addressed as 1340 South Main Street and identified as tax map parcel 18-R-22. The property is zoned R-5C, High-Density Residential District Conditional. Regarding the requested SUPs, the first is per Section 10-3-55.4 (1) to allow multiple-family dwellings of more than twelve (12) units per building. The second is per Section 10-3-55.4 (4) to allow retail stores, convenience shops, personal service establishments, restaurants (excluding those with drive-through facilities), medical clinics, and business and professional offices.

### *History*

In August 2017, City Council approved four requests from Marusstodd Properties, LLC, for the subject site, which at the time consisted of five parcels. The four requests included:

- An amendment to the Comprehensive Plan's Land Use Guide map from Professional and Low Density Residential to Mixed Use;
- A rezoning from R-1, Single-Family Residential and R-3, Medium-Density Residential to R-5C, High-Density Residential District Conditional;
- An SUP pursuant to Section 10-3-55.4(1) to allow multi-family dwellings with more than twelve (12) units per building; and
- An SUP pursuant to Section 10-3-55.4(4) to allow retail stores, convenience shops, personal service establishments, business and professional offices, and restaurants (excluding drive-through facilities).

In November 2018, City Council approved a preliminary plat that vacated internal property lines reducing the number of lots from five to two and approved the following Subdivision Ordinance variances:

- To not dedicate the standard public street right-of-way for Edgelawn Drive (Sections 10-2-41(a) and 10-2-66);
- To not dedicate the full 25 feet of public street right-of-way along the Edgelawn Drive frontage (Section 10-2-45); and
- To not construct or provide surety for frontage improvements along Edgelawn Drive and East Weaver Avenue at the time of subdivision (Sections 10-2-62 and 10-2-67).

The above noted Subdivision Ordinance variances were approved with the following condition:

- When frontage improvements along Edgelawn Drive are required as part of development or redevelopment of any property associated with the preliminary plat, the developer shall be responsible for constructing frontage improvements along Edgelawn Drive for all properties associated with the request. The frontage along Edgelawn Drive is shown as 210.63 linear feet on the approved preliminary plat.

In August 2019, the applicant recorded the final subdivision plat that vacated the internal property lines and created the subject site (1340 South Main Street), tax map parcel 18-R-22-A (1341 Edgelawn Drive) and dedicated 527 square feet of public street right-of-way along Edgelawn Drive.

The SUPs approved in 2017 have since expired because the uses were not established nor diligently pursued within the timeframe required by the Zoning Ordinance Section 10-3-130(c). Without a proffer amendment, the 2017 proffers would continue to require both residential and non-residential uses. Since the applicant still proposes commercial uses, a new SUP is required.

### *Proffers*

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

1. Any building constructed on site (excluding accessory buildings) shall contain residential and non-residential uses. Commercial uses shall only be permitted on the first floor and shall not exceed 5,000 square feet throughout all buildings. Residential units may be located on the first floor.
2. The total number of dwelling units on the property shall not exceed twenty-six (26) units. One-bedroom and two-bedroom units shall be permitted with no more than six (6) of the units being two-bedroom units.
3. No parking lot (including travel lanes and drive aisles) shall be located between any buildings and the following streets: South Main Street and East Weaver Avenue.
4. No vehicular access shall be permitted from the site to Edgelawn Drive.
5. A 6-foot tall opaque fence shall be installed and maintained along the frontage of Edgelawn Drive.
6. A 6-foot tall opaque fence shall be installed and maintained along the property lines adjoining tax map parcel #18-R-20, 18-R-21, & 18-R-22-A.
7. No structure, excluding a dumpster containment, shall be constructed within 150 ft. of the shared property line with Edgelawn Dr.
8. A minimum of six (6) small/ornamental deciduous or evergreen trees shall be planted along the street frontage of Edgelawn Drive. Tree locations along the street frontage are at the discretion of the property owner/developer.
9. At the time of construction the applicant shall reconstruct the curb ramp at the northeast corner of the intersection of South Main Street and East Weaver Avenue to meet the Public Right-of-Way Accessibility Guidelines standards.

The conceptual site layout is not proffered.

Proffers 3, 4 (formerly Proffer 5), and 7 (formerly proffer 8) remain unchanged from the existing regulating proffers. A copy of the 2017-approved existing proffers have been included by the applicant in their supporting documents.

Proffer 1 has been amended to identify a maximum of 5,000 square feet of non-residential space and to allow residential uses on all floors of the development. Proffer 2 has been amended to allow a maximum of 26 multi-family dwelling units, compared to the previously proffered maximum of 22 one-bedroom units. The updated proffer allows a mix of one- and two-bedroom units, with no more than six (6) units being two-bedroom units. If approved, and if they provide the maximum allowed six units with two bedrooms, then 10 additional bedrooms would be provided compared to the existing, approved proffers.

Proffers 5 and 6 (formerly Proffers 6 and 7 respectively) have been updated to provide clarity regarding the location of fencing along property lines and Edgelawn Drive. Proffer 8 (formerly Proffer 9) has also been updated to provide additional guidance for the required amount and type of landscaping along Edgelawn Drive. The original proffer language was unclear and could have been interpreted in a way that if there was no parking lot along Edgelawn Drive, then no trees would have been required.

Proffer 9 is a new proffer that will require the reconstruction of the sidewalk ramp at the intersection of South Main Street and East Weaver Avenue to meet Public Right-of-Way Accessibility Guidelines (PROWAG) standards. In addition, although not included as a proffer, the applicant will be required to construct sidewalks along East Weaver Avenue and Edgelawn Drive as part of site development. While a Subdivision Ordinance variance granted in 2018 allowed the deferral of sidewalk construction along Edgelawn Drive at the time of subdivision, that approval included a condition that requires frontage improvements to be constructed during development or redevelopment of the property. If the applicant does not want to construct the sidewalk, a new variance to the Subdivision Ordinance is required.

The applicant has removed old Proffer 4, which allowed for an entrance on South Main Street. Since the 2017 approval, the City has updated its access management standards. The previously proposed right-in/right-out entrance does not meet current requirements, which requires a minimum spacing of 250 feet between access points on minor arterial streets. Since the distance between East Weaver Avenue and Edgelawn Drive along South Main Street is less than 450 feet, there is no appropriate location for a new access point. As a result, the applicant has removed this proffer.

#### *Land Use*

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

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

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

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

The applicant has proffered that there would be a maximum of 26 units on the site, which makes the site density 21 units per acre. Without proffers and if there are no commercial uses on the site, the applicant would be able to construct up to 30 units. However, Proffer 1 requires non-residential uses on the site and given the size of the lot and the R-5 district regulations, the maximum number of multifamily units allowed on the site is 26, the same number as proffered.

Staff believes that the proposed uses, with the submitted proffers, generally conform with the Mixed Use area designation.

#### *Transportation and Traffic*

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

The applicant has proposed the following two traffic-related conditions in relation to their SUP to allow retail stores, convenience shops, personal service establishments, business and professional offices, and restaurants. Staff supports the submitted two conditions with the additional text underlined below:

1. All traffic generating uses on the site, including uses not associated with the special use permit, shall be limited to a combined total of 100 vehicle trips in either the AM or PM peak hour as calculated using the latest edition of the Institute of Transportation Engineer’s Trip Generation Manual unless the property owner first,

at their cost: (1) completes a Traffic Impact Analysis accepted by the City Department of Public Works and (2) implements all identified mitigation measures or improvements. The City Department of Public Works may, in its sole discretion, waive, in whole or in part, completion of a Traffic Impact Analysis or any identified mitigation measures or improvements.

2. No drive-throughs will be permitted.

The additional text within condition #1 clarifies that all uses on the site will be included in the calculation of traffic generation, not just uses associated with the SUP. Staff appreciates the submission of condition #2 as it would prohibit any use from having a drive-through as current regulations only prohibit restaurants from having a drive-through.

#### *Public Water and Sanitary Sewer*

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

#### *Housing*

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

#### *Public Schools*

The City contracted with the University of Virginia's Weldon Cooper Center for Public Service to complete a report titled "Population and School Enrollment Projections for the City of Harrisonburg" (April 2025). The report can be found at the following link: [https://harrisonburgva.gov/sites/default/files/city-manager/HarrisonburgSchoolEnrollment\\_2025-04-30\\_Final.pdf](https://harrisonburgva.gov/sites/default/files/city-manager/HarrisonburgSchoolEnrollment_2025-04-30_Final.pdf). This report provides overall student enrollment projections through 2034 as well as estimated student generation by housing type for each elementary school attendance zone.

Based on the Weldon Cooper Center report's calculation, this development's proposed 26 residential units are estimated to generate nine K-12 students at full build-out. According to the School Board's current attendance boundaries, Keister Elementary School, Thomas Harrison Middle School, and Harrisonburg High School would serve the students residing in this development.

#### *Conclusion*

Staff believes that the amendments to the proffers do not change the intent of the of the 2017 rezoning and does not increase the intensity of the use of the site. Staff recommends approval of the rezoning and the two SUPs with the following conditions for the SUP to allow retail stores, convenience shops, personal service establishments, business and professional offices, and restaurants:

All traffic generating uses on the site, including uses not associated with the special use permit, shall be limited to a combined total of 100 vehicle trips in either the AM or PM peak hour as calculated using the latest edition of the Institute of Transportation Engineer's Trip Generation Manual unless the property owner first, at their cost: (1) completes a Traffic Impact Analysis accepted by the City Department of Public Works and (2) implements all identified mitigation measures or improvements. The City Department of Public Works may, in its sole discretion, waive, in whole or in part, completion of a Traffic Impact Analysis or any identified mitigation measures or improvements.

No drive-throughs will be permitted.

### **Options**

1. Recommend approval of the rezoning and two special use permit requests with conditions submitted by the applicant with additional language recommended by staff.
2. Recommend approval of the rezoning and two special use permit requests with conditions as submitted by the applicant.
3. Recommend approval of the rezoning and two special use permit requests with other condition(s).
4. Recommend approval of the rezoning request and denial of one or both of the special use permit requests.
5. Recommend denial of the rezoning and special use permit requests.

### **Attachments**

- Site maps
- Application and supporting documents

## NOTICE OF PUBLIC HEARING

The Harrisonburg City Council will hold public hearings in the City Council Chambers, 409 South Main Street, Harrisonburg, VA on Tuesday, June 9, 2026, at 7:00 p.m., to consider the following:

### ***Special Use Permit – 1315 Carrera Lane (Short-Term Rental in R-1)***

A request from Kevin T. and Denise F. Goertzen for a special use permit per Section 10-3-34 (7) to allow a short-term rental in the R-1, Single-Family Residential District. The +/- 30,086-square foot property is addressed as 1315 Carrera Lane and is identified as tax map parcel 18-R-16.

### ***Rezoning – 850 Canterbury Court (R-1 to R-8C)***

A request from Robin L. Lake to rezone a +/- 12,692-square foot property from R-1, Single-Family Residential District to R-8C, Small Lot Residential District Conditional. The property is addressed as 850 Canterbury Court and is identified as tax map parcel 23-V-14.

### ***Rezoning – 1351 and 1361 Peach Grove Avenue (R-5C (proffer amendment) & B-2 to R-5C)***

A request from Skylar & Talli LLC and James Madison University Real Estate Foundation Inc to rezone two adjacent parcels totaling +/- 15.35-acres from R-5C, High Density Residential District Conditional and B-2, General Business District to R-5C, High Density Residential District Conditional. The parcels are addressed as 1351 & 1361 Peach Grove Avenue, are identified as tax map parcels 92-F-10 & 6, and are currently zoned R-5C and B-2, respectively.

### ***Special Use Permit – 1351 and 1361 Peach Grove Avenue (To Allow Multiple-Family Dwellings of More Than 12 Units Per Building in R-5)***

A request from Skylar & Talli LLC and James Madison University Real Estate Foundation Inc for a special use permit per Section 10-3-55.4 (1) to allow multiple-family dwellings of more than twelve (12) units per building in the R-5, High Density Residential District. The two adjacent parcels totaling +/- 15.35-acres are addressed as 1351 & 1361 Peach Grove Avenue and are identified as tax map parcels 92-F-10 & 6, respectively.

### ***Rezoning – 1340 South Main Street (proffer amendment, R-5C)***

A request from Marilyn S. Pendlebury to rezone a +/- 1.23-acre property to amend proffers for a property zoned R-5C, High Density Residential Conditional. The property is addressed as 1340 South Main Street and is identified as tax map parcel 18-R-22.

### ***Special Use Permit - 1340 South Main Street (to allow multiple-family building with more than 12 units in R-5C)***

A request from Marilyn S. Pendlebury for a special use permit per Section 10-3-55.4 (1) to allow multiple-family dwellings of more than twelve (12) units per building in the R-5C, High Density Residential District Conditional. The +/- 1.23-acre property is addressed as 1340 South Main Street and is identified as tax map parcel 18-R-22.

### ***Special Use Permit - 1340 South Main Street (to allow retail, offices, restaurants, etc. in R-5C)***

A request from Marilyn S. Pendlebury for a special use permit per Section 10-3-55.4 (4) to allow retail stores, convenience shops, personal service establishments, restaurants (excluding those with drive-through facilities), medical clinics, and business and professional offices under conditions set forth in subsections 10-3-55.6 (f) and (g) in the R-5C, High Density Residential District Conditional. The +/- 1.23-acre property is addressed as 1340 South Main Street and is identified as tax map parcel 18-R-22.

Applications and other information are available for review by contacting the Department of Community Development, 409 South Main Street, Monday through Friday, 8:00 a.m. to 5:00 p.m. Please call (540) 432-

7700 to obtain a copy by email or by appointment. More information is available at [www.harrisonburgva.gov/public-hearings](http://www.harrisonburgva.gov/public-hearings). Interested parties will be able to attend the meeting and to watch the meeting on Public Education Government Channel 1072, and the City's website at [www.harrisonburgva.legistar.com/Calendar.aspx](http://www.harrisonburgva.legistar.com/Calendar.aspx).

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**Publication dates:**

Wednesday, May 27, 2026

Wednesday, June 3, 2026

**STATE OF VIRGINIA  
CITY OF HARRISONBURG, to with:**

I, Pamela Ulmer, city clerk, certify that the Harrisonburg City Council will be addressed on Tuesday, June 9, 2026, at 7:00 p.m., or as soon as the agenda permits, to consider the following:

***Special Use Permit – 1315 Carrera Lane (Short-Term Rental in R-1)***

A request from Kevin T. and Denise F. Goertzen for a special use permit per Section 10-3-34 (7) to allow a short-term rental in the R-1, Single-Family Residential District. The +/- 30,086-square foot property is addressed as 1315 Carrera Lane and is identified as tax map parcel 18-R-16.

***Rezoning – 850 Canterbury Court (R-1 to R-8C)***

A request from Robin L. Lake to rezone a +/- 12,692-square foot property from R-1, Single-Family Residential District to R-8C, Small Lot Residential District Conditional. The property is addressed as 850 Canterbury Court and is identified as tax map parcel 23-V-14.

***Rezoning – 1351 and 1361 Peach Grove Avenue (R-5C (proffer amendment) & B-2 to R-5C)***

A request from Skylar & Talli LLC and James Madison University Real Estate Foundation Inc to rezone two adjacent parcels totaling +/- 15.35-acres from R-5C, High Density Residential District Conditional and B-2, General Business District to R-5C, High Density Residential District Conditional. The parcels are addressed as 1351 & 1361 Peach Grove Avenue, are identified as tax map parcels 92-F-10 & 6, and are currently zoned R-5C and B-2, respectively.

***Special Use Permit – 1351 and 1361 Peach Grove Avenue (To Allow Multiple-Family Dwellings of More Than 12 Units Per Building in R-5)***

A request from Skylar & Talli LLC and James Madison University Real Estate Foundation Inc for a special use permit per Section 10-3-55.4 (1) to allow multiple-family dwellings of more than twelve (12) units per building in the R-5, High Density Residential District. The two adjacent parcels totaling +/- 15.35-acres are addressed as 1351 & 1361 Peach Grove Avenue and are identified as tax map parcels 92-F-10 & 6, respectively.

***Rezoning – 1340 South Main Street (proffer amendment, R-5C)***

A request from Marilyn S. Pendlebury to rezone a +/- 1.23-acre property to amend proffers for a property zoned R-5C, High Density Residential Conditional. The property is addressed as 1340 South Main Street and is identified as tax map parcel 18-R-22.

***Special Use Permit - 1340 South Main Street (to allow multiple-family building with more than 12 units in R-5C)***

A request from Marilyn S. Pendlebury for a special use permit per Section 10-3-55.4 (1) to allow multiple-family dwellings of more than twelve (12) units per building in the R-5C, High Density Residential District Conditional. The +/- 1.23-acre property is addressed as 1340 South Main Street and is identified as tax map parcel 18-R-22.

***Special Use Permit - 1340 South Main Street (to allow retail, offices, restaurants, etc. in R-5C)***

A request from Marilyn S. Pendlebury for a special use permit per Section 10-3-55.4 (4) to allow retail stores, convenience shops, personal service establishments, restaurants (excluding those with drive-through facilities), medical clinics, and business and professional offices under conditions

set forth in subsections 10-3-55.6 (f) and (g) in the R-5C, High Density Residential District Conditional. The +/- 1.23-acre property is addressed as 1340 South Main Street and is identified as tax map parcel 18-R-22.

Applications and other information are available for review by contacting the Department of Community Development, 409 South Main Street, Monday through Friday, 8:00 a.m. to 5:00 p.m. Please call (540) 432-7700 to obtain a copy by email or by appointment. More information is available at [www.harrisonburgva.gov/public-hearings](http://www.harrisonburgva.gov/public-hearings). Interested parties will be able to attend the meeting and to watch the meeting on Public Education Government Channel 1072, and the City's website at [www.harrisonburg-va.legistar.com/Calendar.aspx](http://www.harrisonburg-va.legistar.com/Calendar.aspx).

Given under my hand this 18 day of May 2026

  
\_\_\_\_\_  
City Clerk

Subscribed and sworn to before me this 18 day of May, 2026 a Notary Public in and for the Commonwealth of Virginia.

  
\_\_\_\_\_  
Notary

My commission expires May 31, 2029



Peach Grove

RODNEY & SYLVIA EAGLE TRUSTEES  
& RODNEY L EAGLE & SYLVIA L  
EAGLE LIVING TRUST  
1188 PORT REPUBLIC RD  
HARRISONBURG VA 22801  
JAMES MADISON UNIVERSITY REAL  
ESTATE FOUNDATION INC  
1031 HARRISON ST MSC 8501  
HARRISONBURG VA 22807-1034

PCSC ASSOCIATES LLC  
2529 VIRGINIA BEACH BLVD  
VIRGINIA BEACH VA 23452-7650

County of Rockingham Attn: County  
Administrator  
PO Box 1252  
HARRISONBURG VA 22803

RODNEY EAGLE & SYLVIA EAGLE  
TRUSTEES & RODNEY L EAGLE &  
SYLVIA L EAGLE LIVING TRUST  
C/O CVS  
COCKEYSVILLE MD 21030  
DEER RUN FW LLC  
1985 CEDERBRIDGE AVE STE 1  
LAKEWOOD NJ 08701

HOLTZMAN FAMILY LIMITED  
PARTNERSHIP #1  
PO BOX 8  
MT JACKSON VA 22842

HILLS SOUTH SH OWNER LLC  
2 SCHOOL STREET  
RYE NY 10580

SKYLAR & TALLI LLC  
PO BOX 1039  
HARRISONBURG VA 22803

MCDONALD'S CORPORATION  
ATTN : DEPT 027 - REAL ESTATE TAX  
CHICAGO IL 60607

*Canterbury Court*

CHANDLER HARRY L MARLENE A  
747 FIR ST  
HARRISONBURG VA 22801

WIGHTMAN WILLIAM H K MARGARET  
O  
840 CANTERBURY CT  
HARRISONBURG VA 22801

County of Rockingham  
Attn: County Administrator  
PO Box 1252  
Harrisonburg, VA 22803

J WAYNE LAMBERT TRUST AND  
CHARLOTTE H CRAIG TRUST  
851 CANTERBURY CT  
HARRISONBURG VA 22801

LAKE ROBIN L  
850 CANTERBURY CT  
HARRISONBURG VA 22801

KRECH STEPHEN A JOYCE H  
841 CANTERBURY CT  
HARRISONBURG VA 22801

DIENER V EUGENE GLORIA Y  
6087 MT CLINTON PIKE  
ROCKINGHAM VA 22802

*Carrera Lane*

ROSTEM HASHIM M  
101 PORT REPUBLIC RD  
HARRISONBURG VA 22801

JOSHUA EDWARD GUSTIN &  
HEATHER GUSTIN  
9224 ARNIE CT  
MANASSAS PARK VA 20111

GRAVES JOYCE L TRUSTEE  
36 EDGELAWN DR  
HARRISONBURG VA 22801

LANTZ JOHN D JR JESSICA LYNN  
44 E WEAVER AVE  
HARRISONBURG VA 22801

MATTHIAS BRUCE P KAREN K  
54 WEAVER AVE  
HARRISONBURG VA 22801

MANOLO AGUILAR OROZCO &  
GLENDA MARTINEZ  
57 PORT REPUBLIC RD  
HARRISONBURG VA 22801

MEDLEY GREGORY L GRISELDA M  
1340 EDGELAWN DR  
HARRISONBURG VA 22801

KYLE CHRISTOPHER S MARJORIE C  
1102 RIDGEWOOD RD  
HARRISONBURG VA 22801

HUDSON GLORIA V TRUSTEE  
45 PORT REPUBLIC RD  
HARRISONBURG VA 22801

KEVIN T GOERTZEN & DENISE F  
GOERTZEN  
1315 CARRERA LANE  
HARRISONBURG VA 22801

HEGG KEVIN J EATON LYNN E  
40 WEAVER AVE  
HARRISONBURG VA 22801

JOSEPH S ROBERTSON & SULONI  
ROBERTSON  
52 E WEAVER AVE  
HARRISONBURG VA 22801

S Main St

GRAYSON K PRITCHARD & SARAH J  
PRITCHARD  
29 E WEAVER ST  
HARRISONBURG VA 22801

LOHR BRIAN S JULIE V  
1776 CROSS KEYS RD  
HARRISONBURG VA 22801

MARILYN S PENDLEBURY  
6049 SHADY OAK CT  
MECHANICSVILLE VA 23111

SCOTT TAMMY LYNN  
25 E WEAVER AVE  
HARRISONBURG VA 22801

C & N REAL PROPERTIES LLC  
15871 CITY VIEW DR STE 300  
MIDLOTHIAN VA 23113

HOFFMAN RANDY C KIMBERLY E  
25 EDGELAWN DR  
HARRISONBURG VA 22801

GARY L BEATTY TR & GARY L BEATTY  
TRUST  
450 S MASON ST  
HARRISONBURG VA 22801

JCF VENTURES LLC & C/O MARILYN  
PENDLEBURY  
6049 SHADY OAK CT  
MECHANICSVILLE VA 23111



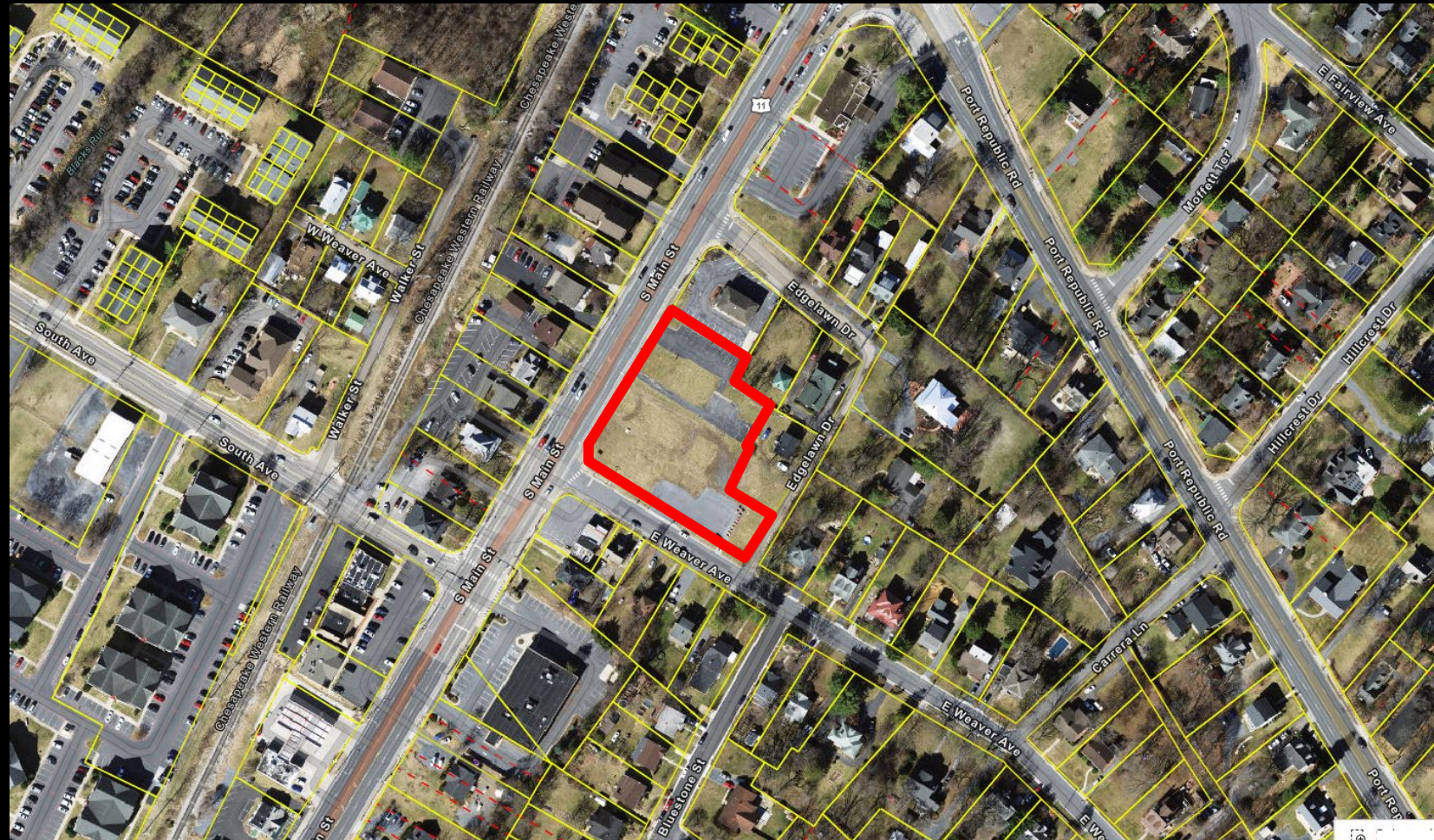
# Rezoning and SUPs – 10-3-55.4 (1) and (4) 1340 South Main Street



# Rezoning and SUPs – 10-3-55.4 (1) and (4) 1340 South Main Street



# Rezoning and SUPs – 10-3-55.4 (1) and (4) 1340 South Main Street









REZONING & SPECIAL  
USE PERMIT(S)  
PUBLIC HEARING / WITH FOLIOGA O  
OR CITY ACTION / ACCIÓN MUNICIPAL  
AUDIENCIA PÚBLICA / AUDIENCIA MUNICIPAL  
FOR INFORMATION / PARA INFORMACIÓN  
COMMUNITY DEVELOPMENT  
840-432-7700  
CITY OF WASHINGTON, DC

## August 2017:

- Comprehensive Plan Land Use Guide Map Amendment.
- Rezoning from R-1 and R-3 to R-5C for 22 one-bedroom units as well as retail uses.
- SUP to allow multi-family dwellings with more than 12 units per building.
- SUP to allow non-residential uses (excluding restaurant drive-through facilities)

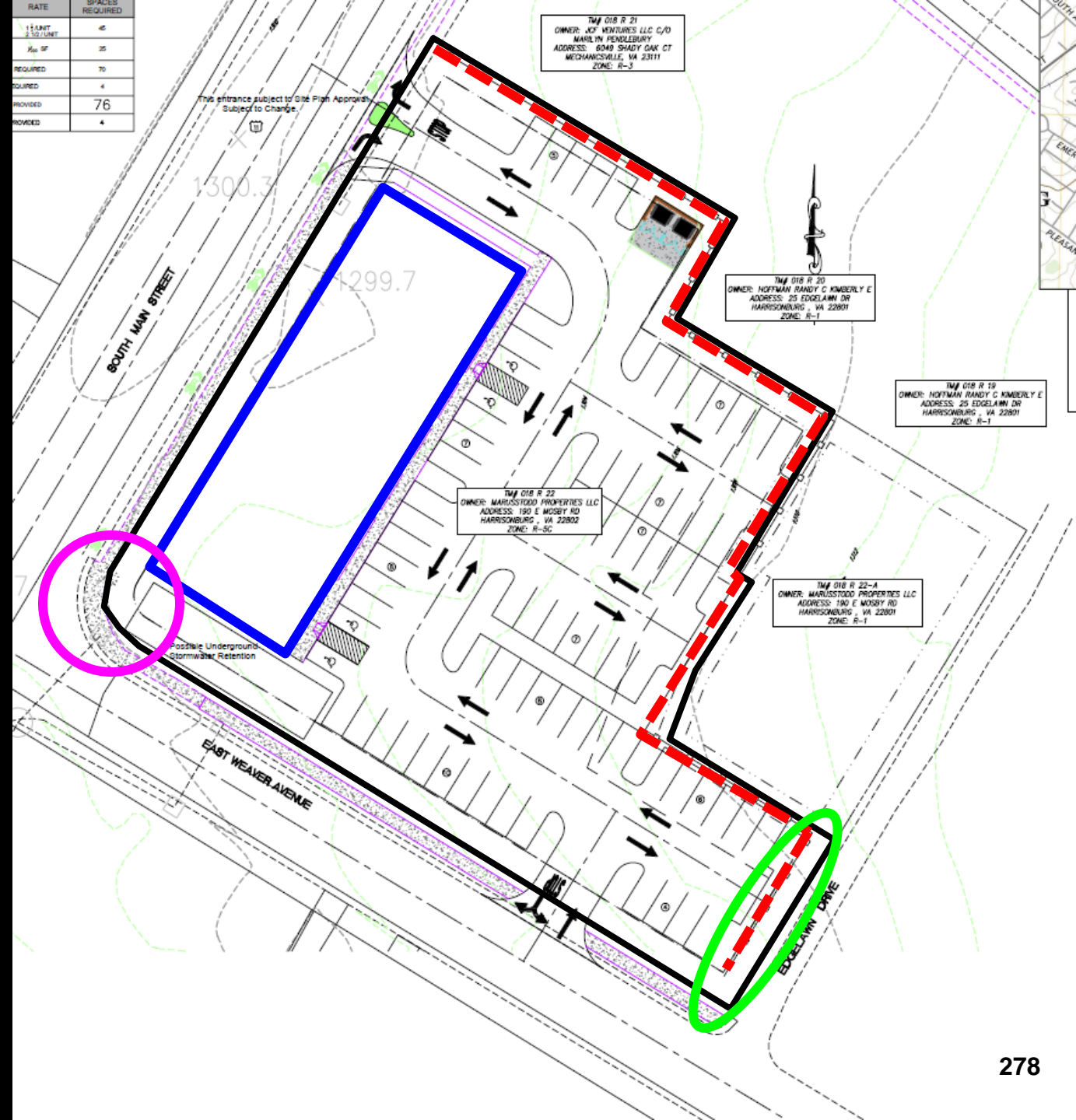
## November 2018:

- PP and Sub. Ord. variances approved to not dedicate ROW along Edgelawn Drive and to not construct improvements along Edgelawn Drive and East Weaver Avenue during the subdivision.

## August 2019:

- Final subdivision plat recorded with the dedication of 527 square feet of ROW along Edgelawn Drive.

1. Residential and non-residential uses, with no more than 5,000 sq. ft. of non-residential space.
2. 26 units consisting of 1 and 2 bedrooms with no more than 6 units with 2 bedrooms.
3. No parking lot between the building and South Main St. and East Weaver Ave.
4. No vehicular access to Edgelawn Dr.
5. 6-foot opaque fence along Edgelawn Dr.
6. 6-foot opaque fence along tax maps 18-R-20, 21, and 22A.
7. No structure, except a dumpster, shall be located within 150 ft. of Edgelawn Dr. ROW.
8. Minimum of 6 small ornamental deciduous or evergreen trees along Edgelawn Dr.
9. Reconstruct the curb ramp to accessibility guideline standards at corner of South Main St. and East Weaver Ave.



# Proposed Proffer Amendments

Existing 2017-Approved Proffers	Proposed Proffer Amendments
1. Buildings shall contain residential and nonresidential uses. First floor shall contain non-residential uses.	1. Principle buildings shall contain residential and non-residential uses. Commercial uses shall only be permitted on the first floor and shall not exceed 5,000 square feet throughout all buildings. Residential units may be located on the first floor.
2. 22 one-bedroom multi-family units.	2. 26 total units with only one- and two-bedrooms. No more than 6 units may be two-bedroom units.
4. Only one vehicular access point to South Main Street, which shall only be right-in/right-out.	4. This proffer was removed.

# SUP Requests

## Section 10-3-55.4(1):

To allow multi-family dwellings with more than twelve (12) units per building.

## Section 10-3-55.4(4):

Retail stores, convenience shops, personal service establishments, restaurants (excluding those with drive-through facilities), medical clinics, and business and professional offices under conditions set forth in subsections 10-3-55.6(f) and (g) and such other conditions deemed necessary by city council.

# Suggested Conditions for SUP Section 10-3-55.4 (4)

1. All traffic generating uses on the site, including uses not associated with the special use permit, shall be limited to a combined total of 100 vehicle trips in either the AM or PM peak hour as calculated using the latest edition of the Institute of Transportation Engineer's Trip Generation Manual unless the property owner first, at their cost: (1) completes a Traffic Impact Analysis accepted by the City Department of Public Works and (2) implements all identified mitigation measures or improvements. The City Department of Public Works may, in its sole discretion, waive, in whole or in part, completion of a Traffic Impact Analysis or any identified mitigation measures or improvements.
2. No drive-throughs will be permitted.

# Recommendation

Staff and Planning Commission (7-0) recommends approval of the rezoning and the two special use permit requests with the two conditions attached to the SUP per Section 10-3-55.4 (4) submitted by the applicant and amended by staff.



# City of Harrisonburg

City Hall  
409 South Main Street  
Harrisonburg, VA 22801

## Legislation Text

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**File #:** ID 26-156, **Version:** 1

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**Subject:**

Consider a request from Marilyn S. Pendlebury for a special use permit at 1340 South Main Street (to allow retail, offices, restaurants, etc.)

Presented By: Adam Fletcher, Department of Community Development

A request from Marilyn S. Pendlebury for a special use permit per Section 10-3-55.4 (4) to allow retail stores, convenience shops, personal service establishments, restaurants (excluding those with drive-through facilities), medical clinics, and business and professional offices under conditions set forth in subsections 10-3-55.6 (f) and (g) in the R-5C, High Density Residential District Conditional. The +/- 1.23-acre property is addressed as 1340 South Main Street and is identified as tax map parcel 18-R-22.



June 9, 2026 City Council Meeting

**Title**

Consider Rezoning (Proffer Amendment) and Special Use Permits for 1340 South Main Street — Planning Commission and Adam Fletcher, Community Development

**Summary**

Project name	N/A
Address/Location	1340 South Main Street
Tax Map Parcels	18-R-11
Total Land Area	+/- 1.23 acres
Property Owner	Marilyn S. Pendlebury
Owner’s Representative	Mike Hendricksen and Hans Harman
Present Zoning	R-5C, High Density Residential Conditional
Proposed Zoning	R-5C, High Density Residential Conditional
Proposed Special Use Permit(s)	<ul style="list-style-type: none"> <li>Multiple-family dwellings of more than twelve (12) units per building per Section 10-3-55.4 (1)</li> <li>Retail stores, convenience shops, personal service establishments, restaurants (excluding those with drive-through facilities), medical clinics, and business and professional offices per Section 10-3-55.4 (4)</li> </ul>
Planning Commission	May 13, 2026 (Public Hearing)
City Council	June 9, 2026 (First Reading/Public Hearing) Anticipated June 23, 2026 (Second Reading)

**Recommendation**

Option 1. Staff and Planning Commission (7-0) recommend approval of the rezoning and two special use permit requests with conditions submitted by the applicant with additional language recommended by staff.

**Context & Analysis**

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

Site: Vacant lot, zoned R-5C

North: Office building, zoned R-3, and single-family detached dwellings, zoned R-1

East: Single-family detached dwelling and across Edgelawn Drive single-family detached dwellings, zoned R-1

South: Across East Weaver Avenue single family detached dwellings, zoned R-1, and an office building, zoned B-2C

West: Across South Main Street, residential uses, zoned R-3

The applicant is requesting a proffer amendment and two special use permits (SUPs) for a +/- 1.23-acre property addressed as 1340 South Main Street and identified as tax map parcel 18-R-22. The property is zoned R-5C, High-Density Residential District Conditional. Regarding the requested SUPs, the first is per Section 10-3-55.4 (1) to allow multiple-family dwellings of more than twelve (12) units per building. The second is per Section 10-3-55.4 (4) to allow retail stores, convenience shops, personal service establishments, restaurants (excluding those with drive-through facilities), medical clinics, and business and professional offices.

### *History*

In August 2017, City Council approved four requests from Marusstodd Properties, LLC, for the subject site, which at the time consisted of five parcels. The four requests included:

- An amendment to the Comprehensive Plan's Land Use Guide map from Professional and Low Density Residential to Mixed Use;
- A rezoning from R-1, Single-Family Residential and R-3, Medium-Density Residential to R-5C, High-Density Residential District Conditional;
- An SUP pursuant to Section 10-3-55.4(1) to allow multi-family dwellings with more than twelve (12) units per building; and
- An SUP pursuant to Section 10-3-55.4(4) to allow retail stores, convenience shops, personal service establishments, business and professional offices, and restaurants (excluding drive-through facilities).

In November 2018, City Council approved a preliminary plat that vacated internal property lines reducing the number of lots from five to two and approved the following Subdivision Ordinance variances:

- To not dedicate the standard public street right-of-way for Edgelawn Drive (Sections 10-2-41(a) and 10-2-66);
- To not dedicate the full 25 feet of public street right-of-way along the Edgelawn Drive frontage (Section 10-2-45); and
- To not construct or provide surety for frontage improvements along Edgelawn Drive and East Weaver Avenue at the time of subdivision (Sections 10-2-62 and 10-2-67).

The above noted Subdivision Ordinance variances were approved with the following condition:

- When frontage improvements along Edgelawn Drive are required as part of development or redevelopment of any property associated with the preliminary plat, the developer shall be responsible for constructing frontage improvements along Edgelawn Drive for all properties associated with the request. The frontage along Edgelawn Drive is shown as 210.63 linear feet on the approved preliminary plat.

In August 2019, the applicant recorded the final subdivision plat that vacated the internal property lines and created the subject site (1340 South Main Street), tax map parcel 18-R-22-A (1341 Edgelawn Drive) and dedicated 527 square feet of public street right-of-way along Edgelawn Drive.

The SUPs approved in 2017 have since expired because the uses were not established nor diligently pursued within the timeframe required by the Zoning Ordinance Section 10-3-130(c). Without a proffer amendment, the 2017 proffers would continue to require both residential and non-residential uses. Since the applicant still proposes commercial uses, a new SUP is required.

### *Proffers*

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

1. Any building constructed on site (excluding accessory buildings) shall contain residential and non-residential uses. Commercial uses shall only be permitted on the first floor and shall not exceed 5,000 square feet throughout all buildings. Residential units may be located on the first floor.
2. The total number of dwelling units on the property shall not exceed twenty-six (26) units. One-bedroom and two-bedroom units shall be permitted with no more than six (6) of the units being two-bedroom units.
3. No parking lot (including travel lanes and drive aisles) shall be located between any buildings and the following streets: South Main Street and East Weaver Avenue.
4. No vehicular access shall be permitted from the site to Edgelawn Drive.
5. A 6-foot tall opaque fence shall be installed and maintained along the frontage of Edgelawn Drive.
6. A 6-foot tall opaque fence shall be installed and maintained along the property lines adjoining tax map parcel #18-R-20, 18-R-21, & 18-R-22-A.
7. No structure, excluding a dumpster containment, shall be constructed within 150 ft. of the shared property line with Edgelawn Dr.
8. A minimum of six (6) small/ornamental deciduous or evergreen trees shall be planted along the street frontage of Edgelawn Drive. Tree locations along the street frontage are at the discretion of the property owner/developer.
9. At the time of construction the applicant shall reconstruct the curb ramp at the northeast corner of the intersection of South Main Street and East Weaver Avenue to meet the Public Right-of-Way Accessibility Guidelines standards.

The conceptual site layout is not proffered.

Proffers 3, 4 (formerly Proffer 5), and 7 (formerly proffer 8) remain unchanged from the existing regulating proffers. A copy of the 2017-approved existing proffers have been included by the applicant in their supporting documents.

Proffer 1 has been amended to identify a maximum of 5,000 square feet of non-residential space and to allow residential uses on all floors of the development. Proffer 2 has been amended to allow a maximum of 26 multi-family dwelling units, compared to the previously proffered maximum of 22 one-bedroom units. The updated proffer allows a mix of one- and two-bedroom units, with no more than six (6) units being two-bedroom units. If approved, and if they provide the maximum allowed six units with two bedrooms, then 10 additional bedrooms would be provided compared to the existing, approved proffers.

Proffers 5 and 6 (formerly Proffers 6 and 7 respectively) have been updated to provide clarity regarding the location of fencing along property lines and Edgelawn Drive. Proffer 8 (formerly Proffer 9) has also been updated to provide additional guidance for the required amount and type of landscaping along Edgelawn Drive. The original proffer language was unclear and could have been interpreted in a way that if there was no parking lot along Edgelawn Drive, then no trees would have been required.

Proffer 9 is a new proffer that will require the reconstruction of the sidewalk ramp at the intersection of South Main Street and East Weaver Avenue to meet Public Right-of-Way Accessibility Guidelines (PROWAG) standards. In addition, although not included as a proffer, the applicant will be required to construct sidewalks along East Weaver Avenue and Edgelawn Drive as part of site development. While a Subdivision Ordinance variance granted in 2018 allowed the deferral of sidewalk construction along Edgelawn Drive at the time of subdivision, that approval included a condition that requires frontage improvements to be constructed during development or redevelopment of the property. If the applicant does not want to construct the sidewalk, a new variance to the Subdivision Ordinance is required.

The applicant has removed old Proffer 4, which allowed for an entrance on South Main Street. Since the 2017 approval, the City has updated its access management standards. The previously proposed right-in/right-out entrance does not meet current requirements, which requires a minimum spacing of 250 feet between access points on minor arterial streets. Since the distance between East Weaver Avenue and Edgelawn Drive along South Main Street is less than 450 feet, there is no appropriate location for a new access point. As a result, the applicant has removed this proffer.

#### *Land Use*

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

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

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

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

The applicant has proffered that there would be a maximum of 26 units on the site, which makes the site density 21 units per acre. Without proffers and if there are no commercial uses on the site, the applicant would be able to construct up to 30 units. However, Proffer 1 requires non-residential uses on the site and given the size of the lot and the R-5 district regulations, the maximum number of multifamily units allowed on the site is 26, the same number as proffered.

Staff believes that the proposed uses, with the submitted proffers, generally conform with the Mixed Use area designation.

#### *Transportation and Traffic*

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

The applicant has proposed the following two traffic-related conditions in relation to their SUP to allow retail stores, convenience shops, personal service establishments, business and professional offices, and restaurants. Staff supports the submitted two conditions with the additional text underlined below:

1. All traffic generating uses on the site, including uses not associated with the special use permit, shall be limited to a combined total of 100 vehicle trips in either the AM or PM peak hour as calculated using the latest edition of the Institute of Transportation Engineer’s Trip Generation Manual unless the property owner first,

at their cost: (1) completes a Traffic Impact Analysis accepted by the City Department of Public Works and (2) implements all identified mitigation measures or improvements. The City Department of Public Works may, in its sole discretion, waive, in whole or in part, completion of a Traffic Impact Analysis or any identified mitigation measures or improvements.

2. No drive-throughs will be permitted.

The additional text within condition #1 clarifies that all uses on the site will be included in the calculation of traffic generation, not just uses associated with the SUP. Staff appreciates the submission of condition #2 as it would prohibit any use from having a drive-through as current regulations only prohibit restaurants from having a drive-through.

#### *Public Water and Sanitary Sewer*

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

#### *Housing*

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

#### *Public Schools*

The City contracted with the University of Virginia's Weldon Cooper Center for Public Service to complete a report titled "Population and School Enrollment Projections for the City of Harrisonburg" (April 2025). The report can be found at the following link: [https://harrisonburgva.gov/sites/default/files/city-manager/HarrisonburgSchoolEnrollment\\_2025-04-30\\_Final.pdf](https://harrisonburgva.gov/sites/default/files/city-manager/HarrisonburgSchoolEnrollment_2025-04-30_Final.pdf). This report provides overall student enrollment projections through 2034 as well as estimated student generation by housing type for each elementary school attendance zone.

Based on the Weldon Cooper Center report's calculation, this development's proposed 26 residential units are estimated to generate nine K-12 students at full build-out. According to the School Board's current attendance boundaries, Keister Elementary School, Thomas Harrison Middle School, and Harrisonburg High School would serve the students residing in this development.

#### *Conclusion*

Staff believes that the amendments to the proffers do not change the intent of the of the 2017 rezoning and does not increase the intensity of the use of the site. Staff recommends approval of the rezoning and the two SUPs with the following conditions for the SUP to allow retail stores, convenience shops, personal service establishments, business and professional offices, and restaurants:

1. All traffic generating uses on the site, including uses not associated with the special use permit, shall be limited to a combined total of 100 vehicle trips in either the AM or PM peak hour as calculated using the latest edition of the Institute of Transportation Engineer's Trip Generation Manual unless the property owner first, at their cost: (1) completes a Traffic Impact Analysis accepted by the City Department of Public Works and (2) implements all identified mitigation measures or improvements. The City Department of Public Works may, in its sole discretion, waive, in whole or in part, completion of a Traffic Impact Analysis or any identified mitigation measures or improvements.
2. No drive-throughs will be permitted.

### **Options**

1. Approve the rezoning and two special use permit requests with conditions submitted by the applicant with additional language recommended by staff.
2. Approve the rezoning and two special use permit requests with conditions as submitted by the applicant.
3. Approve the rezoning and two special use permit requests with other condition(s).
4. Approve the rezoning request and deny one or both of the special use permit requests.
5. Deny the rezoning and special use permit requests.

### **Attachments**

- Extract from Planning Commission
- Site maps
- Application and supporting documents



# CITY OF HARRISONBURG COMMUNITY DEVELOPMENT

409 SOUTH MAIN STREET, HARRISONBURG, VA 22801

OFFICE (540) 432-7700 • FAX (540) 432-7777

June 1, 2026

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

**SUBJECT:** *Consider a request from Marilyn S. Pendlebury to rezone 1340 South Main Street*

*Consider a request from Marilyn S. Pendlebury for a special use permit at 1340 South Main Street (to allow multifamily buildings with more than 12 units)*

*Consider a request from Marilyn S. Pendlebury for a special use permit at 1340 South Main Street (to allow retail, offices, restaurants, etc.)*

**EXTRACT FROM THE DRAFT MINUTES OF HARRISONBURG PLANNING  
COMMISSION MEETING HELD ON: May 13, 2026**

Chair Baugh read the request and asked staff to review.

Ms. Rupkey said the applicant is requesting a proffer amendment and two special use permits (SUPs) for a +/- 1.23-acre property addressed as 1340 South Main Street and identified as tax map parcel 18-R-22. The property is zoned R-5C, High-Density Residential District Conditional. Regarding the requested SUPs, the first is per Section 10-3-55.4 (1) to allow multiple-family dwellings of more than twelve (12) units per building. The second is per Section 10-3-55.4 (4) to allow retail stores, convenience shops, personal service establishments, restaurants (excluding those with drive-through facilities), medical clinics, and business and professional offices.

*History*

In August 2017, City Council approved four requests from Marusstodd Properties, LLC, for the subject site, which at the time consisted of five parcels. The four requests included:

- An amendment to the Comprehensive Plan's Land Use Guide map from Professional and Low Density Residential to Mixed Use;
- A rezoning from R-1, Single-Family Residential and R-3, Medium-Density Residential to R-5C, High-Density Residential District Conditional;
- An SUP pursuant to Section 10-3-55.4(1) to allow multi-family dwellings with more than twelve (12) units per building; and

- An SUP pursuant to Section 10-3-55.4(4) to allow retail stores, convenience shops, personal service establishments, business and professional offices, and restaurants (excluding drive-through facilities).

In November 2018, City Council approved a preliminary plat that vacated internal property lines reducing the number of lots from five to two and approved the following Subdivision Ordinance variances:

- To not dedicate the standard public street right-of-way for Edgelawn Drive (Sections 10-2-41(a) and 10-2-66);
- To not dedicate the full 25 feet of public street right-of-way along the Edgelawn Drive frontage (Section 10-2-45); and
- To not construct or provide surety for frontage improvements along Edgelawn Drive and East Weaver Avenue at the time of subdivision (Sections 10-2-62 and 10-2-67).

The above noted Subdivision Ordinance variances were approved with the following condition:

- When frontage improvements along Edgelawn Drive are required as part of development or redevelopment of any property associated with the preliminary plat, the developer shall be responsible for constructing frontage improvements along Edgelawn Drive for all properties associated with the request. The frontage along Edgelawn Drive is shown as 210.63 linear feet on the approved preliminary plat.

In August 2019, the applicant recorded the final subdivision plat that vacated the internal property lines and created the subject site (1340 South Main Street), tax map parcel 18-R-22-A (1341 Edgelawn Drive) and dedicated 527 square feet of public street right-of-way along Edgelawn Drive.

The SUPs approved in 2017 have since expired because the uses were not established nor diligently pursued within the timeframe required by the Zoning Ordinance Section 10-3-130(c). Without a proffer amendment, the 2017 proffers would continue to require both residential and non-residential uses. Since the applicant still proposes commercial uses, a new SUP is required.

### *Proffers*

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

1. Any building constructed on site (excluding accessory buildings) shall contain residential and non-residential uses. Commercial uses shall only be permitted on the first floor and shall not exceed 5,000 square feet throughout all buildings. Residential units may be located on the first floor.
2. The total number of dwelling units on the property shall not exceed twenty-six (26) units. One-bedroom and two-bedroom units shall be permitted with no more than six (6) of the units being two-bedroom units.
3. No parking lot (including travel lanes and drive aisles) shall be located between any buildings and the following streets: South Main Street and East Weaver Avenue.
4. No vehicular access shall be permitted from the site to Edgelawn Drive.

5. A 6-foot tall opaque fence shall be installed and maintained along the frontage of Edgelawn Drive.
6. A 6-foot tall opaque fence shall be installed and maintained along the property lines adjoining tax map parcel #18-R-20, 18-R-21, & 18-R-22-A.
7. No structure, excluding a dumpster containment, shall be constructed within 150 ft. of the shared property line with Edgelawn Dr.
8. A minimum of six (6) small/ornamental deciduous or evergreen trees shall be planted along the street frontage of Edgelawn Drive. Tree locations along the street frontage are at the discretion of the property owner/developer.
9. At the time of construction the applicant shall reconstruct the curb ramp at the northeast corner of the intersection of South Main Street and East Weaver Avenue to meet the Public Right-of-Way Accessibility Guidelines standards.

The conceptual site layout is not proffered.

Proffers 3, 4 (formerly Proffer 5), and 7 (formerly proffer 8) remain unchanged from the existing regulating proffers. A copy of the 2017-approved existing proffers have been included by the applicant in their supporting documents.

Proffer 1 has been amended to identify a maximum of 5,000 square feet of non-residential space and to allow residential uses on all floors of the development. Proffer 2 has been amended to allow a maximum of 26 multi-family dwelling units, compared to the previously proffered maximum of 22 one-bedroom units. The updated proffer allows a mix of one- and two-bedroom units, with no more than six (6) units being two-bedroom units. If approved, and if they provide the maximum allowed six units with two bedrooms, then 10 additional bedrooms would be provided compared to the existing, approved proffers.

Proffers 5 and 6 (formerly Proffers 6 and 7 respectively) have been updated to provide clarity regarding the location of fencing along property lines and Edgelawn Drive. Proffer 8 (formerly Proffer 9) has also been updated to provide additional guidance for the required amount and type of landscaping along Edgelawn Drive. The original proffer language was unclear and could have been interpreted in a way that if there was no parking lot along Edgelawn Drive, then no trees would have been required.

Proffer 9 is a new proffer that will require the reconstruction of the sidewalk ramp at the intersection of South Main Street and East Weaver Avenue to meet Public Right-of-Way Accessibility Guidelines (PROWAG) standards. In addition, although not included as a proffer, the applicant will be required to construct sidewalks along East Weaver Avenue and Edgelawn Drive as part of site development. While a Subdivision Ordinance variance granted in 2018 allowed the deferral of sidewalk construction along Edgelawn Drive at the time of subdivision, that approval included a condition that requires frontage improvements to be constructed during development or redevelopment of the property. If the applicant does not want to construct the sidewalk, a new variance to the Subdivision Ordinance is required.

The applicant has removed old Proffer 4, which allowed for an entrance on South Main Street. Since the 2017 approval, the City has updated its access management standards. The previously proposed right-in/right-out entrance does not meet current requirements, which requires a

minimum spacing of 250 feet between access points on minor arterial streets. Since the distance between East Weaver Avenue and Edgelawn Drive along South Main Street is less than 450 feet, there is no appropriate location for a new access point. As a result, the applicant has removed this proffer.

#### *Land Use*

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

The Mixed Use category includes both existing and proposed areas for mixed use. Mixed Use areas shown on the Land Use Guide map are intended to combine residential and non-residential uses in neighborhoods, where the different uses are finely mixed instead of separated. Mixed Use can take the form of a single building, a single parcel, a city block, or entire neighborhoods. Quality architectural design features and strategic placement of green spaces for large scale developments will ensure development compatibility of a mixed use neighborhood with the surrounding area. These areas are prime candidates for “live-work” and traditional neighborhood developments (TND). Live-work developments combine residential and commercial uses allowing people to both live and work in the same area. The scale and massing of buildings is an important consideration when developing in Mixed Use areas. Commercial uses would be expected to have an intensity equivalent to a Floor Area Ratio of at least 0.4, although the City does not measure commercial intensity in that way. Downtown is an existing area that exhibits and is planned to continue to contain a mix of land uses.

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

The applicant has proffered that there would be a maximum of 26 units on the site, which makes the site density 21 units per acre. Without proffers and if there are no commercial uses on the site, the applicant would be able to construct up to 30 units. However, Proffer 1 requires non-residential uses on the site and given the size of the lot and the R-5 district regulations, the maximum number of multifamily units allowed on the site is 26, the same number as proffered.

Staff believes that the proposed uses, with the submitted proffers, generally conform with the Mixed Use area designation.

#### *Transportation and Traffic*

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

The applicant has proposed the following two traffic-related conditions in relation to their SUP to allow retail stores, convenience shops, personal service establishments, business and professional offices, and restaurants. Staff supports the submitted two conditions with the additional text underlined below:

1. All traffic generating uses on the site, including uses not associated with the special use permit, shall be limited to a combined total of 100 vehicle trips in either the AM or PM peak hour as calculated using the latest edition of the Institute of Transportation Engineer's Trip Generation Manual unless the property owner first, at their cost: (1) completes a Traffic Impact Analysis accepted by the City Department of Public Works and (2) implements all identified mitigation measures or improvements. The City Department of Public Works may, in its sole discretion, waive, in whole or in part, completion of a Traffic Impact Analysis or any identified mitigation measures or improvements.
2. No drive-throughs will be permitted.

The additional text within condition #1 clarifies that all uses on the site will be included in the calculation of traffic generation, not just uses associated with the SUP. Staff appreciates the submission of condition #2 as it would prohibit any use from having a drive-through as current regulations only prohibit restaurants from having a drive-through.

#### *Public Water and Sanitary Sewer*

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

#### *Housing*

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

#### *Public Schools*

The City contracted with the University of Virginia's Weldon Cooper Center for Public Service to complete a report titled "Population and School Enrollment Projections for the City of Harrisonburg" (April 2025). The report can be found at the following link: [https://harrisonburgva.gov/sites/default/files/city-manager/HarrisonburgSchoolEnrollment\\_2025-04-30\\_Final.pdf](https://harrisonburgva.gov/sites/default/files/city-manager/HarrisonburgSchoolEnrollment_2025-04-30_Final.pdf). This report provides overall student enrollment projections through 2034 as well as estimated student generation by housing type for each elementary school attendance zone.

Based on the Weldon Cooper Center report's calculation, this development's proposed 26 residential units are estimated to generate nine K-12 students at full build-out. According to the

School Board's current attendance boundaries, Keister Elementary School, Thomas Harrison Middle School, and Harrisonburg High School would serve the students residing in this development.

*Conclusion*

Staff believes that the amendments to the proffers do not change the intent of the of the 2017 rezoning and does not increase the intensity of the use of the site. Staff recommends approval of the rezoning and the two SUPs with the following conditions for the SUP to allow retail stores, convenience shops, personal service establishments, business and professional offices, and restaurants:

1. All traffic generating uses on the site, including uses not associated with the special use permit, shall be limited to a combined total of 100 vehicle trips in either the AM or PM peak hour as calculated using the latest edition of the Institute of Transportation Engineer's Trip Generation Manual unless the property owner first, at their cost: (1) completes a Traffic Impact Analysis accepted by the City Department of Public Works and (2) implements all identified mitigation measures or improvements. The City Department of Public Works may, in its sole discretion, waive, in whole or in part, completion of a Traffic Impact Analysis or any identified mitigation measures or improvements.
2. No drive-throughs will be permitted.

Ms. Rupkey asked if there were any questions for staff.

Commissioner Seitz said I noted that the site plan that was submitted as an example is not a proffered site plan, I get that. And I noticed that the date of it was about a year ago, 2025. I know we can ask the applicant this, do they have the capacity to make the building bigger or what is going to happen to this area where we are not going to have access to South Main Street?

Ms. Rupkey said that would be a question for the applicant, but they are not proffering the exact location of that building.

Commissioner Seitz said that was the other question...but it does say the building does need to be against [South] Main Street and against Weaver [Street] on the corner.

Ms. Rupkey said correct, but they could theoretically change the shape.

Commissioner Seitz said whatever the footprint it is pushed west and pushed south.

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

Mike Hendricksen, the applicant's representative and contract purchaser, came forward to speak to the request. He said for the last many years we have watched this site sit; as we all have. This, I would say, is an infill site. There are some other terms used to describe some other things earlier and I think this is an infill site and a perfect candidate for this type of mixed use development. I am one of the contractor purchasers by the way and I have a partner on this and when we sit down and talk through: hey let's look at the previous plan, what we like about it, and what we might not

like about it, and what do we think should be adjusted. Ten thousand square feet of commercial space on the previous plan there is a lot of commercial space for this site. It would generate a lot more traffic to this site than what we have proposed now at 5,000 square feet. On the residential side, I think it was 22 one-bedroom units, and if I am not mistaken, I think there was some shorter-term type of idea with renting those. These would be longer term units. Twenty-six apartments. Twenty of them, potentially, one-bedroom up to six two-bedroom units, and I think we would be maxed out at that six two-bedroom units so we would have to have a minimum of 20 one-bedroom units the way that we have presented it. In terms of overall ideas with mixed use buildings, we do believe that these help the social interactions that I think we are all wanting to continue to see in sites like this where you have a mix of uses. You have some potentially service type things. You have some residential. You have some impromptu and then planned interactions between the two, these different groups of people that are in our community. So, while this is not a large site like some previous ones that have been discussed, we think that there can be some types of interactions between residents, professionals, people needing services, all of that type of thing on this site. One thing I will just go back to right quick that was mentioned about the placement of the building, we want the building up along South Main [Street]. We do not want to put that back and put a bunch of parking right there. We would like to see the parking behind the building, as we have it drawn there. That date may have been last year but there have been significant updates on this plan since our initial work on this last year. Where we are, we would love to see this new iteration of the mixed-use plan that we have put forward move forward to the stage. Like I have said, we have watched this site sit for a very long time as everyone has kind of wondering, there was something that was approved at one time and nothing happened. We would like to see something be approved and happen here and corresponds with our Comprehensive Plan as well. I will be glad to answer any questions you have.

Commissioner Seitz said what makes this viable now? How come the previous approvals and stuff did not move ahead? What has changed to make this viable now that did not come together previously?

Mr. Hendricksen said I think the main thing from the previous plan, everyone on Commission knew the late [Mr. Giles] Stone and so I think at that stage where he was in his career and life, this was a pretty big project. This is a pretty big step forward. At that point in time, I am just not sure he wanted to take the risks. At this point, we see that it is here. It is in a corridor that is growing and will continue to grow especially with the announcements and things that have been mentioned about JMU's growth. Some of that additional staffing potentially that was discussed with that growth, maybe they can find a home here as well as some services.

Vice Chair Porter said have you had much discussion with the neighborhood? The folks that live on Weaver [Street] and some of the residential that is close to the site.

Mr. Hendricksen said we have not.

Chair Baugh said this is a neighborhood that has historically gotten quite engaged. I know some folks that are here and suspect that they are attached to some other people who are watching this pretty intently.

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

Suzanne Fiederlein, a resident at 28 Edgelawn Drive, came forward to speak to the request. She said I were involved in the discussions back in 2017 as well. We have lived there 30 years and several of our neighbors have lived there even longer. Having read all of the documents related to this, I really appreciate the owner's attempt to be very honest and true to the agreements that were reached in 2017, adhering to the proffers that were presented then. What I would like to draw attention to is that there are other things that have changed around it since 2017. In particular, the traffic situation and what has happened elsewhere in the neighborhood. We have had major problems in the neighborhood with the apartments across [South] Main Street from us. This is right down from Port Republic Road and South Main Street, it is a horrible intersection. We cannot get in and out of our neighborhood easily at Edgelawn Drive or Weaver Avenue or Monument Avenue and that is only going to get worse when Kids Castle opens. There are times when I am trying to turn into my neighborhood going south toward South Main Street, I cannot get in at Edgelawn Drive, Weaver Avenue and Monument Avenue because it is all backed up. This one entrance now, no entrance off of Main Street, it is only going to be off of Weaver Avenue, and it is going to add a whole lot more traffic in and out of Weaver Avenue. With the fraternities having moved in at 17 and 21 Weaver Avenue there are excessive cars parked on the streets. The one good thing about having the open field is that the students have been parking in the old parking lot there and getting off the street. Students from across the street park there and on the street. We are only going to have more traffic in and out of Weaver Street as a result of this. It is a problem again of something much larger than this development itself. It would be really nice to use this land for a good residential purpose in our neighborhood. My concern is with the larger traffic problem in the area. The fact that we cannot get in and out of our neighborhood and coming from Port Republic Road which is horribly backed up as well and now you cannot turn left in various places at certain times into our neighborhood. We are really trapped in our neighborhood. Having more traffic and it will not just be coming from South Main Street they will be turning onto Crawford Avenue and coming down through South Main and Weaver Avenue. We have a wicked curve and wicked hill there. People walk in the street with their dogs and their kids. It is just a major problem. Since 2017, that aspect has become a lot worse. That is the main concern I want to draw your attention to about this. Not the development, per se, but the fact that it is really in a place that is going to have major traffic problems. Thank you.

Randy Hoffman, a resident at 25 Edgelawn Drive, came forward to speak to the request. He said my wife and I live at 25 Edgelawn Drive which is the one property on this block that is an owner residential property. There is the other residential spot behind our house that is the rental home right now. We clearly have a highly invested interest in this. It was interesting to me this evening hearing many of the presenters talk about approaching neighborhood before pitching their plans. I certainly wish that would have occurred and I wish I had a better understanding. As an example, the drawings that I saw showed an entry and an exit off South Main Street and unless I have misunderstood, I understand that is no longer going to be in the plan. There will be an entry and exit only off of Weaver Avenue. That is not what was shown on the information that we were sent. I think that this plan in general is probably the best of many bad alternatives for somebody who is living on the property. I will support your decision to approve it. I do think that there are

still some concerns that I want to voice. When we acquired this property in 2004 from Pete Shank, who I think deserves to be better recognized as a community leader than he seems to have gotten. I know he was never really involved in government, but he was a great guy for the community. We bought the house from him. It was really apparent when we bought this house that we were acquiring property very close to commercial. We are in essence half a block from one of the busiest intersections in Harrisonburg, either way. We are about half a block off of Port Republic Road. We are half a block off of South Main Street. At the time that we acquired this property, there were all commercial properties on South Main Street. All of those commercial properties were professional businesses, and it was our understanding that was the zoning. I realize things change over time, and I do not think zoning can be carved in stone, but as a homeowner in this situation, I find it disconcerting that after buying property and looking into the zoning that surrounded me that it somehow got pulled out from under my feet. It is now not just for business professionals, but it is also for high density residential. Again, I am not opposed to this particular plan. I think it probably is one of the best alternatives that we can expect in the neighborhood. I have concerns that with the traffic as it is laying out and especially hearing that people cannot enter or exit directly from South Main Street, you are going to put a lot of people going out onto Weaver Avenue and many of them are likely to try and circumvent what is going to be a backup to South Main Street by cutting through Edgelawn Drive. I am not sure how familiar you are with Edgelawn Drive but while Edgelawn Drive, as it leaves South Main Street and goes back to where it turns, is two lanes. Once it turns and heads towards Weaver Avenue it is about 11 feet wide and two cars cannot pass. Right now, if somebody is coming out of Edgelawn Drive and I am going in off Weaver Avenue one of us has to stop and go well hey neighbor I will get out of your way I will back up. It has not been an issue but somehow I am very worried about this since the entrance and exit off of South Main Street has been eliminated. I do not know that this was actually in a proffer but I think this may have been something that may have been a discussion with Giles Stone, who I know very well. By the way I do not think Giles was ready to give up on business ideas at the time he took this project on. I think it is probably likely that what he found was he did not have investors interested in 10,000 square feet of retail space. I think that is probably a little bit too much for the area myself. He had indicated however that the businesses that would go in there would not be around the clock and go until late at night. I am a little concerned that I do not see anything to that effect. I am not sure that I ever did in proffers, but I am concerned that those businesses that can go in there may be 24 hour and there is nothing that prevents the current or future owners from going ahead with that type of business. There are a couple of other things that I am sure that you can ask for in a proffer. Being the one residence there I would feel a whole lot more comfortable if the fence that separated this development from our property were taller than six foot. I would appreciate not having the people on the second floor of 22 apartments looking down into my backyard. I do not know what the height limits are. I think it would probably require a special use to go more than six feet. It seems like that would indicated in this case. I do not feel like I should have to pay for a 12-foot fence. I am also concerned that the current drawings reverted the dumpster location back to the corner right next to our home and not up against Weaver Avenue like it had been represented in the last set of drawings that Giles had submitted.

Tom Templeton, a resident of 131 East Weaver Avenue, came forward to speak to the request. He said we have been at our residence since August of 1992. We have been loyal members of that neighborhood. We have had a lot of good times in that neighborhood and we miss the people that

are no longer there. Each day I get up early in the morning and see a lot of traffic. If the City wants to make a lot of money they need to put a police officer up at the end of Weaver Avenue right where it meets Crawford Avenue. That is a dangerous intersection. I stand there in my yard and I watch. As far as this apartment building, I think it is hard on the integrity of the neighborhood. I do not know that it is necessary. If you go down to the bottom of Weaver Avenue where they want to build this thing there are two rentals on the south side of Weaver Avenue that Suzanne mentioned and those kids park in different directions all the time. It is a bottleneck right there. I leave for work anywhere from six o'clock to seven o'clock in the morning and a lot of times it is hard to get out onto Weaver Avenue especially coming back in the evenings. If you come up Port Republic Road and your blinking lights are running where you cannot turn left onto Crawford Avenue. You cannot turn left into the little alley of Hillcrest Drive so you have to come down to Route 11, turn left into Edgelawn Drive or turn left onto Weaver Avenue it is tough. It is a dangerous situation. I appreciate what you guys do here. My dad back in the 70s and 80s where I grew up in Western Pennsylvania he was President of Town Council and County Commissioner and he would appreciate what you girls and guys do here this evening and we appreciate what you do also.

Dave Pruett, a resident of 28 Edgelawn Drive, came forward to speak to the request. He said we are very concerned about several things. We have been in our house going on 31 years. We love the Purcell Park neighborhood. It is vibrant. The neighbors are great. We constantly feel under threat. JMU is buying us out through piecemeal. Frats have moved across South Main Street from us and we get parties three nights a week. It is supposed to end at 10 o'clock and it can go to 1 or so sometimes. It seems to me that one of your jobs is to at minimum preserve the integrity of neighborhoods. With that said, I recognize something has to be done with that property. Like Randy, I do not quite feel like it is the least bad alternatives I think there are a couple of alternatives. You may not remember but the very first proposal for that property was townhomes. I think even better than townhomes would be duplexes and triplexes. I am not a developer and I realize that the horse is out of the barn. I always find that the devil is in the details. Everything looks good on paper but how it is processed it can turn out very good or very bad. I am thankful that Giles worked with us before he passed away. That developer seems to be taking some of the concerns of the neighborhood into consideration which it would have certainly been nice if they had talked to us directly, which has not happened. My wife mentioned the traffic issue and it is not manufactured, it is a real problem. There are times when we absolutely cannot get out of our neighborhood and it is only going to get worse. As much as we love having the new kids' playground at Purcell Park that is going to attract a lot of traffic. I guess you know your business better than I do. Try not to do anything that is going to damage this wonderful neighborhood. It is hard to keep the integrity, it is real easy to break it.

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

Commissioner Jezior said I am not sure who this question is for but why was the entrance and exit onto South Main Street taken away?

Ms. Rupkey said it is still shown on the concept plan, the Engineer did not remove it from the concept plan but it is physically no longer allowed due to our access management standards. We

would not allow them to build that entrance based on what we allow for distances between entrances.

Commissioner Jezior said so it is too close to it?

Ms. Rupkey said yes it needs to be 250 feet away and to move it 250 feet away from Edgelawn Drive puts it too close to East Weaver Avenue. Moving it 200 feet from East Weaver Avenue is too close to Edgelawn Drive.

Vice Chair Porter said I have a question related to Edgelawn Drive because I lived on Bluestone Street for a period of time and I know that is a strange little road there that is effectively a one lane alley. I guess I am looking at City staff here, how do we view that road? Is it just a navigable normal City maintained road?

Ms. Rupkey said it is a public street. It is substandard and does not meet the requirements for width, curb and gutter, and sidewalks. It does not have any of that but it is a public street.

Vice Chair Porter said I am not sure that it would make the neighbors any happier to close it but I will tell you this would be a concern to me. I have taken that road a few times and I have been in that same situation the gentleman had brought up where someone is coming around the other way, and I have to back up and allow them to go past. I would think that putting 22 apartments and some commercial property next to this will definitely exacerbate the situation. I would be concerned about that condition regardless of where this goes.

Commissioner Kettler said I would wonder why someone would be going down Edgelawn Drive.

Commissioner Seitz said traffic just backs up and blocks Weaver Avenue and Edgelawn Drive. Then the minute that happens people that are in the neighborhood are taking whatever route they can to try to get to a point of access to these streets. I lived at 1210 South Main Street before it got torn down and turned into a parking lot. I understand the traffic situation in this neighborhood.

Commissioner Kettler said I look at the placement for this within the larger context and it is clearly an area that is increasing slowly in intensity but it is definitely car-centric now and so threading that needle of trying to improve it and increase housing and to do that in the context of what is actually economically possible conflicts with my general preference towards less parking and fewer trips. I think overall it is a good plan. I also think with Edgelawn Drive it just shows some of the limitations of not being a true alley or a full street.

Commissioner Seitz said I am constantly amazed how often individual developments bump up against systemic problems that are beyond the purview of the particular developer. I think that as the City that is where we need to step in and identify solutions that serve the needs of the residents and addresses the concerns of the folks that live in that neighborhood but also set the table for needed development. I am just saying that time and time again I hear legitimate concerns about the impact of projects and struggle to balance the legitimacy of the project

candidly. Outside of the context of this particular neighborhood and the traffic problems and stuff like that I think it is a good project. How do you reconcile that with bigger neighborhood wide issues? Going through the 2018 Comp Plan and there was a call in there for development of neighborhood area plans which are great. One got done for the Northeast Neighborhood and it was fantastic, much needed for the Northeast Neighborhood. To my knowledge that is the only one that got done. This is the perfect example of where you need a small neighborhood plan so that developers have guidance when they look at properties.

Vice Chair Porter said I think that is a very salient point. As someone who did live in this neighborhood for a period of time, I would agree with that. I think the City is failing this community a little bit by what is being allowed to happen on Weaver Avenue. There should be some enforcement related to these students that are parking in multiple different directions. I have seen that. As someone that used to live on Bluestone Street, I know what the party culture is like on that particular block and the kinds of conditions that you have coming through your neighborhood in the middle of the evening particularly on a Friday or Saturday night. This will probably exacerbate that. I do understand your concerns in that area, and I would have the same concerns. There are a lot of issues with entry and egress into this neighborhood. Going all the way up to Monument Avenue and then getting onto Port Republic Road that is an issue as well. The fact is if you have students that are jamming up that area and a lot of these fraternity houses are overpopulated and need to be addressed from a code enforcement perspective. This has been something I have been crusading on for a little while and I do think that this is a factor in this particular issue is that you do have the student population that is parking multiple different directions, parking in areas that are probably not permissible, and the fact that they are also illegally parking on this site. Which if I owned this property I would be concerned about it. Even though it probably gives you guys some relief the reality is that should not be happening. I feel like at some point the City, it is incumbent on them to look at the situation and whether that is code enforcement or police action to address it. I also know there is a lot speeding in that neighborhood as well. Those concerns are all really valid. I am not sure how germane it is to this actual development other than the fact that this development would certainly make it worse.

Commissioner Alsindi said I kind of disagree with you Commissioner Porter in a positive sense. I know this sounds more subjective but this is just my view, that having the area here generally with nothing and having just houses here I think it increases the possibility of people having those fraternity houses over there. The boredom and nothing to do of students probably is another factor that increases this kind of pattern. While I consider what I heard from people in the neighborhood, looking at it from a strategic and more futuristic perspective, having such kind of apartments there I think affects the behavior of civility and the practice of people how they live including students. The fact that there is nothing there I notice there is more calmness as a living neighborhood. There are also students here who are bothering people but generally speaking I think this pattern of development there I would assume they would behave in a different way when you have stores and businesses over there that are more developed. You can go to a restaurant and sit down rather than hanging in dark streets over there doing nothing and bothering people. I am just looking at it from that point of view that strategically having such developments would change the overall pattern of people living in urbanized neighborhoods.

Vice Chair Porter said as a former fraternity member in my youth I can tell you right now I have zero faith in our ability to be able to adjust our behavior based upon what is around us. I do think that neighborhood has been suffering from that issue for a while. There is commerce down the street and there are other things in the neighborhood and it does not change how those students behave in those areas. I think the only thing that would change that behavior is proper enforcement and making sure the right number of students are living in those homes and if they are parking in the wrong direction that they are being ticketed. If they are parking in areas that are not appropriate that they are being ticketed. Eventually they will get tired of paying those fines or having to call mom and dad to pay those fines. I think the bigger issue here is the fact that, I think it is probably where we are going to be headed here pretty quickly, is that this is not a bad development at all and I hope that there is a way that this can be discussed with the neighbors to try to be able to address some of these concerns before it comes to Council. I see this type of development as being in the right place and I do understand the concerns of the neighborhood certainly and I am arguing both sides of the issue here. I do see this as the type of place that we are looking for density and more units in our community, that if I was going to walk or bike to JMU I would be more likely to do it from this location than the place we just had a large issue about. I also think if it is managed properly and managed well it could actually be an asset to that neighborhood. Again, I think a lot of these concerns about dumpster placement and fence height are legitimate concerns that need to be worked on but at the end of the day we are not going to be able to make a lot of determination based on those details. I think what it comes down to is this a permissible use of this area and does it serve the public interest. I am of the belief that it does. I think a commercial space is something that would add something depending on what type of commercial space it is in that community. I think it is more are we doing a good enough job of managing this neighborhood and supporting the residents of this neighborhood to make this viable and so it is not a nuisance for the neighbors? I think that is my take on it.

Commissioner Kettler said in terms of getting to JMU from this general area, I went on the site visit but I did not go to JMU from there. I am not as familiar with this neighborhood. In order to do that they would basically have to go east and then north and go across Port Republic Road or they have to go right up South Main Street. Is that right?

Chair Baugh said pretty much. The foot traffic there as a point of reference, talking about things have changed, there was a time when the apartments on South Avenue was primarily student housing. Which is actually a little further away. There was time when there was even more foot traffic sort of from that area. That is right, that traffic funnels onto South Main Street for the most part. I think one of the concerns of the neighborhood over the years has been various little things that might pull people wander through the neighborhood but that is not really what this is I do not think. Really what has been the idea...there has been a lot of history with this neighborhood. I could vouch for some of the comments that were made. This has always been a neighborhood that has been concerned about what is going on around them and there have been some spots that if you actually know properties that have been purchased in the hope that one day the climate would change and that maybe to knock a house down and go to more intense development. That has never really happened. To be brutally frank the development now where the Starbucks is right off of the interchange that got approved by Council over the vehement objection of the neighborhood when it happened. I mean the neighborhood did not even like that going in there. Then the concern to a modestly lesser extent of those sort of

commercial, and I get it they were kind of quasi-professional office building spaces, that get you all the way up to the Port Republic Road corridor. Of course, it used to be a bank on the corner and now I guess it is a law firm in there. That has kind of been the history of that. I think maybe [unintelligible] recognition that well for the part that is on US Route 11 probably makes a little sense for that to have a little commercial or dense orientation. We are not too crazy about that. We are certainly not interested in seeing more.

Councilmember Dent said come to think of it, that former bank that is now law offices, there was a proposal there to put one of those drive- through coffee places.

Chair Baugh said yeah we shot that down.

Councilmember Dent said we shot it down because that would have been massively disruptive.

Chair Baugh said which is now down South Main Street on the other side and it is a much better location for it.

Councilmember Dent said clearly disruptive to the neighborhood. There are not any proffers or any such about the kinds of commercial that would go in there. It is also sort of up against South Main Street a drive through or any such.

Commissioner Kettler said I think something else that is important that I heard is there are concerns with something like this going in and students being nearby and density being part of that. The most consistent thing that I heard was traffic. I think that is something important to keep in mind as we head into the item three away from where we are at.

Councilmember Dent said come to think of it the large parking area is that because it is a multistory...how many stories is this? Commercial on the bottom even some apartments on the bottom with so many stories of apartments, 26 units. How many stories does that make it?

Chair Baugh said three stories.

Commissioner Seitz said it is 26 units, 6 of them are two-bedroom units so that is 12 plus 20 that is 32 units. Is it a [parking] space and a half per bedroom?

Ms. Dang said it depends on the breakdown.

Councilmember Dent said I suppose there is also allowance for the parking for the commercial.

Ms. Rupkey said they would be required for the one-bedroom to do one and a half spaces and for two-bedroom, two and a half spaces.

Councilmember Dent said how about for the commercial?

Ms. Rupkey said that would depend on what the final use ends up being.

Councilmember Dent said for example, correct me if I am wrong, it is conceivable if all of it got approved that the property owner could find a tenant but it would be a particular use that there are not enough parking spaces to accommodate that use. It would not be allowed even though that commercial use would otherwise generally be allowed. You still have to meet the parking requirements.

Commissioner Seitz said it just seems like if there was ever a case for parking reduction in parking requirements, this site is it.

Commissioner Jezior said it was 90 percent parking for the amount of bedrooms. They were not doing one and a half per.

Mr. Russ said for four bedrooms you need three and a half. Three bedroom you also need two and a half. Three and four bedrooms need fewer parking spaces per bedroom.

Commissioner Jezior said I think in talking about the traffic as well coming out, I like that the building is situated on South Main Street for the pedestrians especially with the commercial space. Sight lines though for traffic coming out from Weaver Avenue are probably going to be a problem as people are coming out and taking a left there and people cutting through. If you have the building set all the way forward you are not going to be able to see traffic going down South Main Street as well.

Ms. Dang said that is a good point and it will be evaluated during the site plan review.

Councilmember Dent said this possible underground stormwater retention might create an effective bit of setback off of Weaver Avenue. Is that right?

Mr. Fletcher said they will not be able to prohibit sight lines they have to meet sight distance requirements.

Commissioner Kettler said I do agree with what what you are generally saying of it being oriented toward the street and not back like right up against the existing residential property.

Chair Baugh said if I recall correctly whether you like it or not that was one of the things that as this thing was negotiated with folks in the neighborhood it was one of the results from that was to get the building placed in that spot. I think the original proposal was more of that sort of tradition kind of building in the middle or maybe skewed a little towards the front parking all around it.

Commissioner Kettler said I think this is a lot better then.

Councilmember Dent said that is one thing staff consistently recommends no parking in front of the building so that it is tucked behind and you are not looking at cars going down the street. More neighborhood walkability.

Ms. Dang said I just want to acknowledge that for all the traffic concerns that have been discussed and the parking issues on the street know that when you all have these discussions right

here and from these community members at public hearings, when the minutes are drafted we send a copy or send that excerpt to the other departments, Police and Public Works to make them aware so that it is going to somebody who can evaluate it.

Councilmember Dent said that is a good point because when they say they cannot get in and out of the neighborhood I wonder if the City needs to make some kind of adjustment like a traffic light at Monument Avenue. This could be a candidate for some of the traffic calming if people are speeding down some of the streets.

Chair Baugh said I know a lot of people do not like to do it, but the most effective thing you can do, and it really only has two layers to it... if its a traffic parking issue, call the Police Department. If it is too many people in a space, these folks [Community Development]. Certainly, on that civil side I can tell you for a fact because it is a complaint driven system. If somebody comes in and talks to Community Development somebody will go out there and take a look at it. You may not like the answer and a lot of times you find things like everybody is in the same family and that is why there is 15 people there. I can tell you from real world experience, particularly on the traffic stuff and again, I do not want to be that guy calling the cops, okay. When a City Council member goes to say I am hearing from constituents about all of these problems in this area the first thing you get is they look at their data and they see how many complaints they have had. If the answer is not a whole lot, people have been toughing it out they are going to say this is the first we have heard of it or we heard one time and it went away. I have known of instances where people sort of bought into okay I guess we are going to have to be the squeaky wheel for a while and it was sort of effective. It is kind of not the fun option on trying to deal with this challenge in my neighborhood. I have definitely found situations where you know darn well because you live close to it or got through there that there are issues in the neighborhood and HPD database does not have any data that supports it so that just tells you are starting at ground zero to get their attention.

Commissioner Kettler said I was just going to say however we feel about these, do we feel comfortable about doing them as one motion?

Chair Baugh said I will throw it out, if anybody does not feel comfortable voting on these in one motion whether because they want to vote for one and not for the other. Any other reason, speak up now or forever hold your peace. Are we okay with taking it up as one motion?

Vice Chair Porter said I wanted to point out as I am sitting here looking at the changes being made to the proffers, most of the issues we have discussed are not going to be impacted by these changes. There is a by-right use currently on the property, and it is an expired special use permit for sure, but the reality is the circumstances that neighbors are most concerned about, the material changes that are going to be made by us passing this or not are not going to be necessarily addressed by this. It might stop the development for a period of time. but the reality is this is going to move forward in some fashion by-right pretty much today. I go back to the applicant and say it would be well worth your time to talk to these folks and have a sit down. I think I even heard the one gentleman say he would probably support this if some of his concerns were addressed. I think that is a worthwhile process to engage in before it goes to Council regardless of how we vote, The reality is I feel like a lot of these circumstances which are unfortunate are not going to be impacted by this decision or the other.

Chair Baugh said I was tempted to do it earlier, just to be clear, what we are actually voting on here, slightly oversimplified, is we are okay with reducing the amount of commercial. They want to tweak the fencing. They are going to enhance some of the stuff at the intersection of South Main Street and East Weaver Avenue and the entrance on South Main Street is gone due to the reasons we went into. You could in theory vote against approving the special use permit to allow them to have more units in it or to do the commercial. But now if you do, you have got a property that is zoned R-5 for high density and it is in the Land Use Guide for Mixed Use and you are sort of saying you cannot have high density or mixed use.

Commissioner Kettler said I move to approve the rezoning and two special use permit requests with conditions submitted by the applicant with additional language recommended by staff.

Councilmember Dent seconded the motion.

Chair Baugh called for a roll call vote.

Commissioner Seitz	Aye
Commissioner Jezior	Aye
Councilmember Dent	Aye
Commissioner Alsindi	Aye
Commissioner Kettler	Aye
Vice Chair Porter	Aye
Chair Baugh	Aye

The motion to recommend approval of the rezoning request and two special use permit requests passed (7-0). The recommendation will move forward to City Council on June 9, 2026.

# City of Harrisonburg

Rezoning

Proffer amendment, R-5C

Special Use Permits

Section 10-3-55.4 (1)

to allow multiple-family dwellings of more than twelve (12) Units

Section 10-3-55.4 (4)

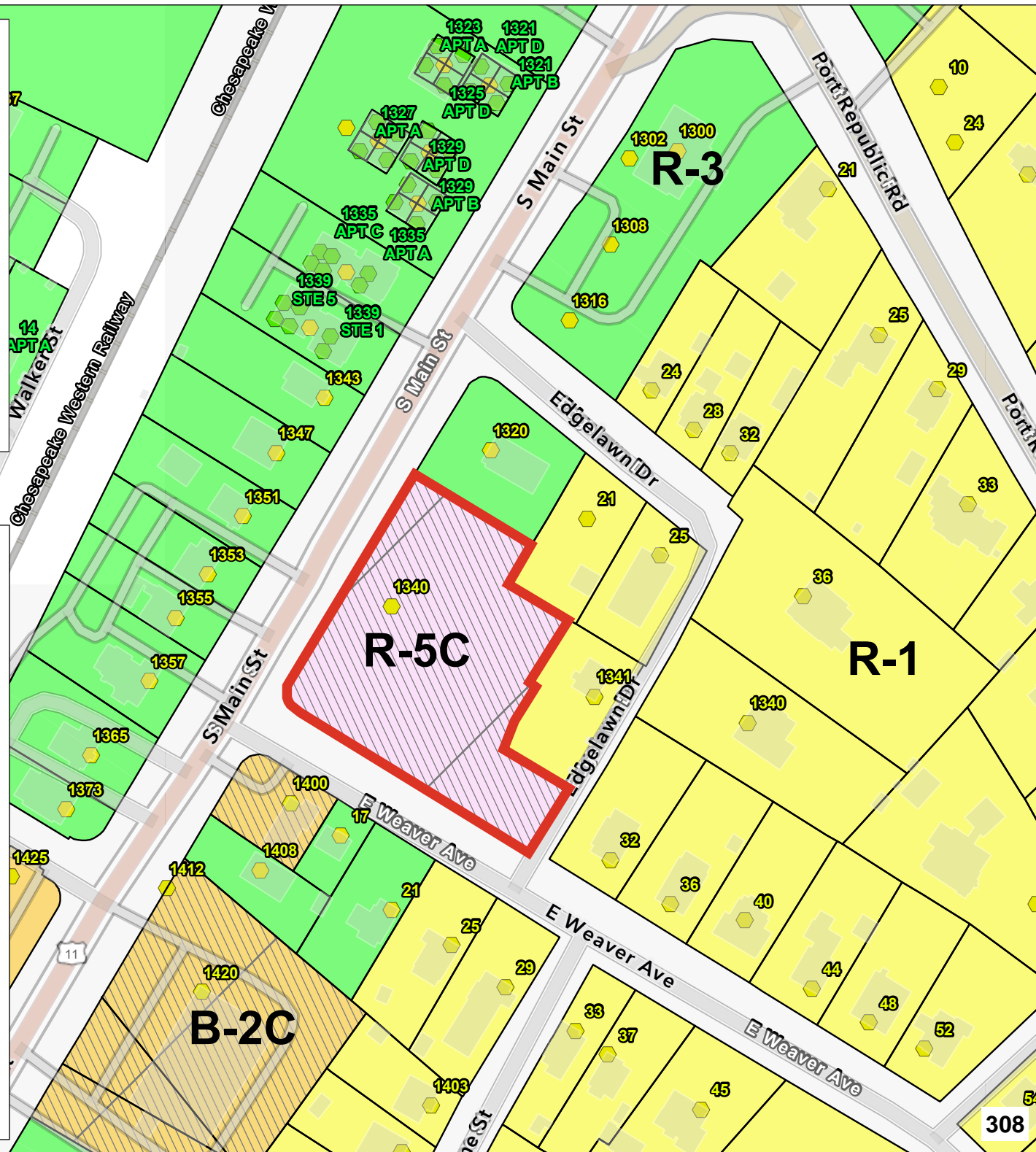
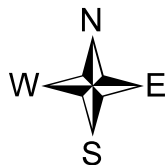
to allow retail

1340 South Main Street

Tax Map Parcel: 18-R-22

+/- 1.23-acres

## Zoning



# City of Harrisonburg

Rezoning  
Proffer amendment, R-5C  
Special Use Permits  
Section 10-3-55.4 (1)  
to allow multiple-family dwellings of more than twelve (12) Units  
Section 10-3-55.4 (4)  
to allow retail  
1340 South Main Street  
Tax Map Parcel: 18-R-22  
+/- 1.23-acres

## (Future) Land Use Guide

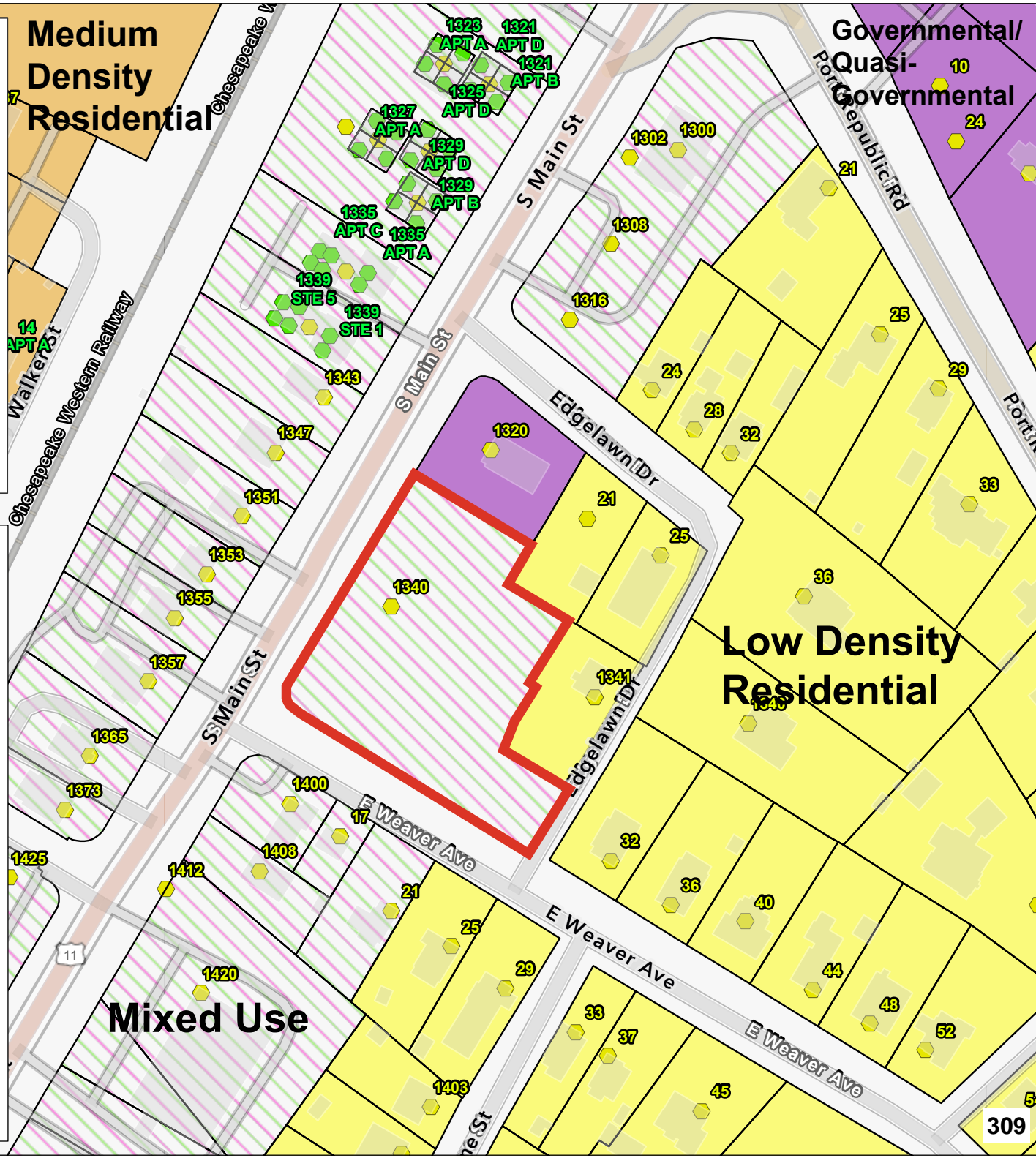


**Medium Density Residential**

**Governmental/Quasi-Governmental**

**Low Density Residential**

**Mixed Use**



# City of Harrisonburg

## Rezoning

Proffer amendment, R-5C

Special Use Permits

Section 10-3-55.4 (1)

to allow multiple-family dwellings of more than twelve (12) Units

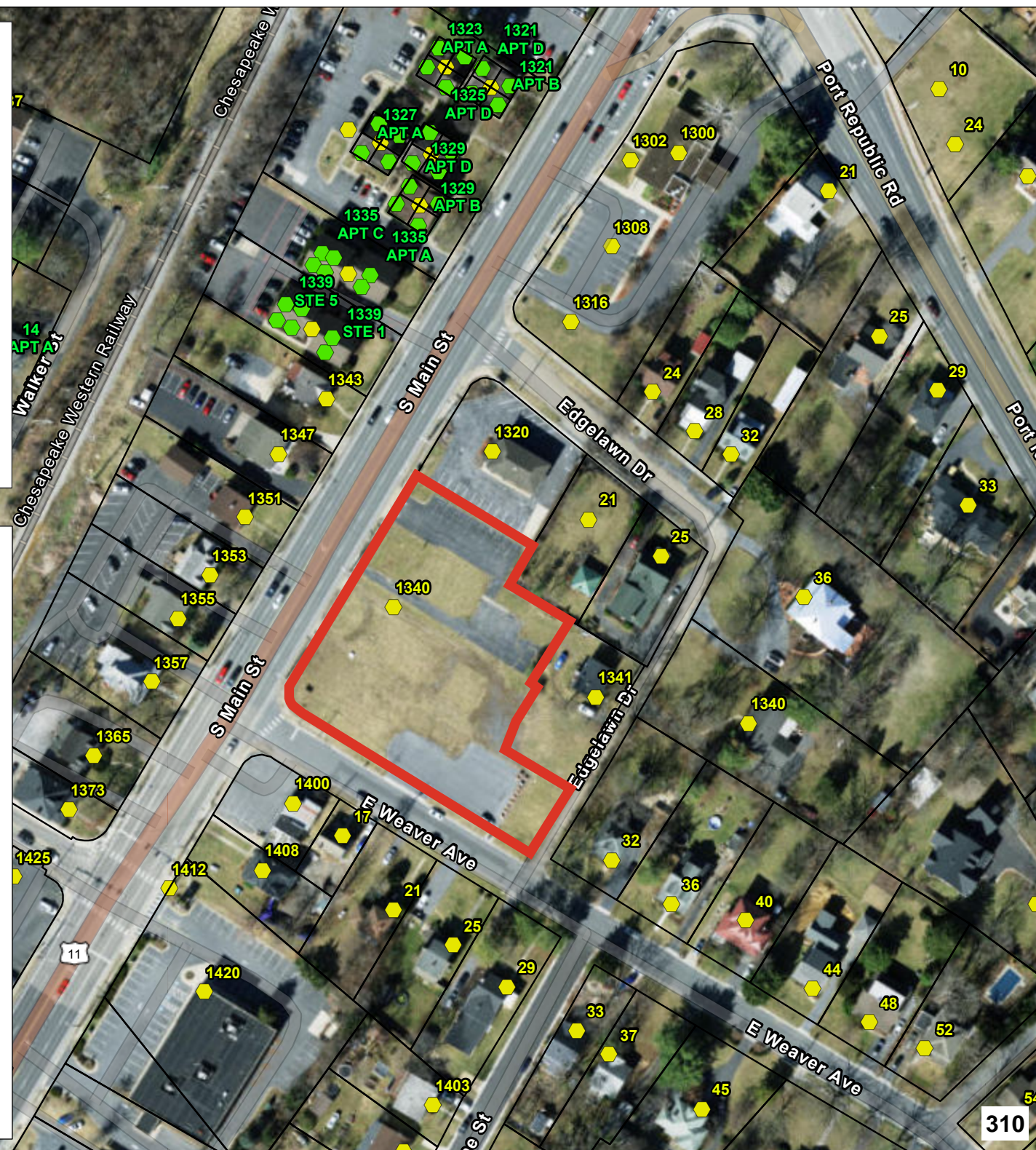
Section 10-3-55.4 (4)

to allow retail

1340 South Main Street

Tax Map Parcel: 18-R-22

+/- 1.23-acres





CITY OF HARRISONBURG  
**COMMUNITY  
DEVELOPMENT**

**Change of Zoning District  
(Rezoning) Application**  
[www.harrisonburgva.gov/zoning](http://www.harrisonburgva.gov/zoning)

**PROPERTY INFORMATION**

1340 S. Main St., Harrisonburg, VA 22801  
Property Address

018 R 22  
Tax Map Parcel/ID

1.23  
Total Land Area

acres or sq.ft.  
(circle)

Existing Zoning District: R5C

Proposed Zoning District: R5C

Existing Comprehensive Plan Designation: Mixed Use

**PROPERTY OWNER INFORMATION**

Marilyn Pendlebury  
Property Owner Name

804.908.1987  
Telephone

6049 Shady Oak Ct.  
Street Address

pendlebury@comcast.net  
E-Mail

Mechanicsville VA 23111  
City State Zip

**OWNER'S REPRESENTATIVE INFORMATION**

Mike Hendricksen / Hans Harman (Contracted Purchasers)  
Owner's Representative

540.908.7528  
Telephone

222 Fairway Drive  
Street Address

mike@investmentsblue.com  
E-Mail

Harrisonburg VA 22802  
City State Zip

**CERTIFICATION**

*I certify that the information supplied on this application and on the attachments provided (maps and other information) is accurate and true to the best of my knowledge. In addition, I hereby grant permission to the agents and employees of the City of Harrisonburg to enter the above property for the purposes of processing and reviewing this application. I also understand that, when required, public notice signs will be posted by the City on any property.*

Marilyn Pendlebury  
PROPERTY OWNER

3/26/2026  
DATE

**REQUIRED ATTACHMENTS**

- Letter explaining proposed use & reasons for seeking change in zoning.
- Statement on proffers, if applying for conditional rezoning.
- Survey of property or site map.
- Traffic Impact Analysis (TIA) Determination Form OR Traffic Impact Analysis (TIA) Acceptance Letter signed by Public Works Department. Applicant is responsible for coordinating with Public Works prior to submitting this application. For more information, visit [www.harrisonburgva.gov/traffic-impact-analysis](http://www.harrisonburgva.gov/traffic-impact-analysis).

**TO BE COMPLETED BY PLANNING & ZONING DIVISION**

3/30/26  
Date Application and Fee Received

Total Fees Due: \$ 455.60 Paid  
Application Fee: \$550.00 + \$30.00 per acre

[Signature]  
Received By



**CITY OF HARRISONBURG  
COMMUNITY  
DEVELOPMENT**

**Special Use Permit Application**

[www.harrisonburgva.gov/zoning](http://www.harrisonburgva.gov/zoning)

**PROPERTY INFORMATION**

1340 S. Main St., Harrisonburg, VA 22801      018 R 22      1.23      acres or sq.ft.  
 Property Address      Tax Map      Total Land Area      (circle)

Existing Zoning Classification: R5C

Special Use being requested: Allow for a building of more than 12 residential units with some residential units on the ground level.

**PROPERTY OWNER INFORMATION**

Marilyn Pendlebury      804.908.1987  
 Property Owner Name      Telephone  
 6049 Shady Oak Ct.      pendlebury@comcast.net  
 Street Address      E-Mail  
 Mechanicsville      VA      23111  
 City      State      Zip

**OWNER'S REPRESENTATIVE INFORMATION**

Mike Hendricksen / Hans Harman (Contracted Purchasers)      540.908.7528  
 Owner's Representative      Telephone  
 222 Fairway Drive      mike@investmentsblue.com  
 Street Address      E-Mail  
 Harrisonburg      VA      22802  
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Marilyn Pendlebury  
 PROPERTY OWNER

3/26/2026  
 DATE

**REQUIRED ATTACHMENTS**

- Site or Property Map
- Letter explaining proposed use & reasons for seeking a Special Use Permit.
- Traffic Impact Analysis (TIA) Determination Form OR Traffic Impact Analysis (TIA) Acceptance Letter signed by Public Works Department. Applicant is responsible for coordinating with Public Works prior to submitting this application. For more information, visit [www.harrisonburgva.gov/traffic-impact-analysis](http://www.harrisonburgva.gov/traffic-impact-analysis). This requirement is waived for the following SUPs: major family day homes, reducing required parking areas, reduction in required side yard setback, wireless telecommunication facilities, wall and fences, and short-term rentals. To prevent delays in reviewing your application, please consult with Planning staff to confirm your application does not require a TIA Determination Form or TIA Acceptance Letter.

Note: If applying for a Wireless Telecommunications Facility allowed only by SUP, then also submit a wireless telecommunications facility application.

**TO BE COMPLETED BY PLANNING & ZONING DIVISION**

3/30/26  
 Date Application and Fee Received

Total Fees Due: \$ 485 Paid  
 Application Fee: \$425.00 + \$30.00 per acre

[Signature]  
 Received By



**CITY OF HARRISONBURG  
COMMUNITY  
DEVELOPMENT**

**Special Use Permit Application**

[www.harrisonburgva.gov/zoning](http://www.harrisonburgva.gov/zoning)

**PROPERTY INFORMATION**

1340 S. Main St., Harrisonburg, VA 22801      018 R 22      1.23 acres or sq.ft.  
 Property Address      Tax Map      Total Land Area (circle)

Existing Zoning Classification: R5C

Special Use being requested: \_\_\_\_\_

Allow for retail, personal service, offices, restaurants, and convenience store.

**PROPERTY OWNER INFORMATION**

Marilyn Pendlebury      [Redacted]  
 Property Owner Name      Telephone  
 6049 Shady Oak Ct.      [Redacted]  
 Street Address      E-Mail  
 Mechanicsville      VA      23111  
 City      State      Zip

**OWNER'S REPRESENTATIVE INFORMATION**

Mike Hendricksen / Hans Harman (Contracted Purchasers)      [Redacted]  
 Owner's Representative      Telephone  
 222 Fairway Drive      [Redacted]  
 Street Address      E-Mail  
 Harrisonburg      VA      22802  
 City      State      Zip

**CERTIFICATION**

*I certify that the information supplied on this application and on the attachments provided (maps and other information) is accurate and true to the best of my knowledge. In addition, I hereby grant permission to the agents and employees of the City of Harrisonburg to enter the above property for the purposes of processing and reviewing this application. I also understand that, when required, public notice signs will be posted by the City on any property.*

May Pendlebury  
 PROPERTY OWNER

3/25/2026  
 DATE

**REQUIRED ATTACHMENTS**

- Site or Property Map
- Letter explaining proposed use & reasons for seeking a Special Use Permit.
- Traffic Impact Analysis (TIA) Determination Form OR Traffic Impact Analysis (TIA) Acceptance Letter signed by Public Works Department. Applicant is responsible for coordinating with Public Works prior to submitting this application. For more information, visit [www.harrisonburgva.gov/traffic-impact-analysis](http://www.harrisonburgva.gov/traffic-impact-analysis). This requirement is waived for the following SUPs: major family day homes, reducing required parking areas, reduction in required side yard setback, wireless telecommunication facilities, wall and fences, and short-term rentals. To prevent delays in reviewing your application, please consult with Planning staff to confirm your application does not require a TIA Determination Form or TIA Acceptance Letter.

Note: If applying for a Wireless Telecommunications Facility allowed only by SUP, then also submit a wireless telecommunications facility application.

**TO BE COMPLETED BY PLANNING & ZONING DIVISION**

3/30/26  
 Date Application and Fee Received

Total Fees Due: \$ 485 Paid  
 Application Fee: \$425.00 + \$30.00 per acre

[Signature]  
 Received By

**1340 S. Main Street, Harrisonburg, VA**

**Site Map**



**Current Zoning – R5C**



**Comp Plan – Mixed Use**

**1340 S. Main St., Harrisonburg, VA**

**Proposed Use & Reasons for Seeking a Special Use Permit & Proffer Amendment**

We are seeking to conform with the City of Harrisonburg Comprehensive Plan and have a mixed-use development on this site that consists of up to 5,000 SF of commercial space and up to 26 residential apartments.

The previously approved use on this site was for up to 10,000 SF of commercial space and 22 one-bedroom residential apartments. We believe that 10,000 SF of commercial space is an abundance of retail for a mixed use building on this site and for this location along the S. Main corridor and we are proposing to reduce this by 50% (from 'up to 10,000 SF' to 'up to 5,000 SF') while increasing the number of possible residential apartments by 18% (from 22 one-bedroom units up to a mix of a total of 26 one-bedroom and two-bedroom units).

Based on standards from the Institute of Transportation Engineers (ITE), our updated plan for up to 5,000 SF of commercial space and 26 residential apartments should generate less traffic than the previously approved plan. We do not know the exact use breakdown of the 5,000 SF of commercial space at this time, but, assuming it is retail use, based on ITE estimates we believe that by reducing the commercial space we will reduce estimated traffic to this site by approximately 220 daily trips. Adding four more residential apartment units is estimated to increase residential daily trips by 27 (ITE estimate is 6.6 daily trips for standard average low-rise apartments). Our proposed plan compared to the previously approved plan may have an estimated net result based on ITE estimates of lowering traffic to this site by approximately 193 daily trips (approximately 33% reduction). We believe this is a positive thing for this site and the surrounding community by reducing the anticipated traffic and increasing the safety of those entering and exiting S. Main St. in this area.

In meetings with City Staff, we have gained an understanding of the reasoning behind many of the aspects of the previously approved request (orienting the building closer to the street, no parking between the building and the public street, etc.) and are in agreement with the building placement and site buffers.

Research by Urban Land Institute and U.S. Environmental Protection Agency shows that mixed-use developments on infill sites such as these are generally positive for communities, offering sustainable growth, reducing sprawl, and increasing local tax bases. Sites that combine residential and commercial uses generally foster social interaction and

reduce vehicle dependency and our hope is that the occupants of this building will enjoy planned and impromptu interactions with one another on-site.-

We are seeking a Special Use Permit to:

Allow for a building of more than 12 residential units.

Allow for retail, personal service, offices, restaurants, and convenience store.

If granted the Special Use permit:

All traffic generating uses shall be limited to a combined total of 100 vehicle trips in either the AM or PM peak hour as calculated using the latest edition of the Institute of Transportation Engineer's Trip Generation Manual unless the property owner first, at their cost: (1) completes a Traffic Impact Analysis approved by the City Department of Public Works and (2) implements all identified mitigation measures or improvements. The City Department of Public Works may, in its sole discretion, waive, in whole or in part, completion of a Traffic Impact Analysis or any identified mitigation measures or improvements.

No drive-throughs will be permitted.

We are seeking to amend the previous 2017 proffers. Attached is a copy of the 2017 approved proffers as well as the proposed new proffer.

REVISED: August 8, 2017

~~March 23, 2017~~

Mrs. Thanh Dang, City Planner  
City of Harrisonburg  
Department of Planning and Community Development  
409 South Main Street  
Harrisonburg, VA 22801

Ref: Stone Suites – Rezoning R-3 & R-1 to R5 (TM: 18-R-22, 22A partial, 23 partial, 24, 24A)

Dear Mrs. Dang,

The concept Plan included with this submittal illustrates the parcels and portions of parcels for which rezoning to R-5 is being requested.

The following revised proffers are provided with the proposed rezoning:

1. Any building constructed on site shall contain residential and non-residential uses. The first floor of any building shall contain only non-residential uses.
2. The site shall contain no more than 22 one bedroom multiple-family units.
3. No parking lot (including travel lanes and drive aisles) shall be located between any buildings and the following streets: South Main Street and East Weaver Avenue.
4. Only one vehicular access point to South Main Street shall be permitted, and it shall be only for right-in/right-out traffic movements.
5. No vehicular access shall be permitted from the site to Edgelawn Drive.
6. A 6-foot opaque fence shall be installed at a minimum of 19-feet from the centerline of the existing Edgelawn Drive public street right-of-way.
7. A 6-foot opaque fence shall be installed along the northeastern property line adjoining tax map parcel # 18-R-20.
8. No structure including accessory buildings shall be constructed within 150 ft. of the shared property line with Edgelawn Dr. (excluding a dumpster containment).
9. Twice the number of required street trees shall be planted along Edgelawn Dr. than is required by the zoning ordinance.

I (we) hereby proffer that the development of the subject property on this application shall be in strict accordance with the conditions set for in this submission.

Sincerely



Giles Stone for Marusstodd Properties, LLC

**1340 S. Main St., Harrisonburg, VA**

**Statement on Proffers**

In connection with the rezoning request for the property located at 1340 South Main Street and identified as tax map parcel 18-R-22, I hereby proffer that the use and development of the subject property shall be in strict accordance with the conditions set forth in this submission.

1. Any building constructed on site (excluding accessory buildings) shall contain residential and non-residential uses. Commercial uses shall only be permitted on the first floor and shall not exceed 5,000 square feet throughout all buildings. Residential units may be located on the first floor.
2. The total number of dwelling units on the property shall not exceed twenty-six (26) units. One-bedroom and two-bedroom units shall be permitted with no more than six (6) of the units being two-bedroom units.
3. No parking lot (including travel lanes and drive aisles) shall be located between any buildings and the following streets: South Main Street and East Weaver Avenue.
4. No vehicular access shall be permitted from the site to Edgelawn Drive.
5. A 6-foot tall opaque fence shall be installed and maintained along the frontage of Edgelawn Drive.
6. A 6-foot tall opaque fence shall be installed and maintained along the property lines adjoining tax map parcel #18-R-20, 18-R-21, & 18-R-22-A.
7. No structure, excluding a dumpster containment, shall be constructed within 150 ft. of the shared property line with Edgelawn Dr.
8. A minimum of six (6) small/ornamental deciduous or evergreen trees shall be planted along the street frontage of Edgelawn Drive. Tree locations along the street frontage are at the discretion of the property owner/developer.

9. At the time of construction the applicant shall reconstruct the curb ramp at the northeast corner of the intersection of South Main Street and East Weaver Avenue to meet the Public Right-of-Way Accessibility Guidelines standards.

Marilyn Pendlebury  
MARILYN PENDLEBURY, PROPERTY OWNER

2026-05-05  
Date

# CERTIFICATE *of* SIGNATURE

REF NUMBER  
XPJYV NEGJR ZR4CC FGMS4

DOCUMENT COMPLETED BY ALL PARTIES ON  
05 MAY 2026 17:20:33  
UTC

## SIGNER

**MARILYN PENDLEBURY**

EMAIL  
PENDLEBURY@COMCAST.NET

## TIMESTAMP

SENT  
05 MAY 2026 15:44:33

VIEWED  
05 MAY 2026 17:19:56

SIGNED  
05 MAY 2026 17:20:33

## SIGNATURE

*Marilyn Pendlebury*

IP ADDRESS  
73.148.45.58

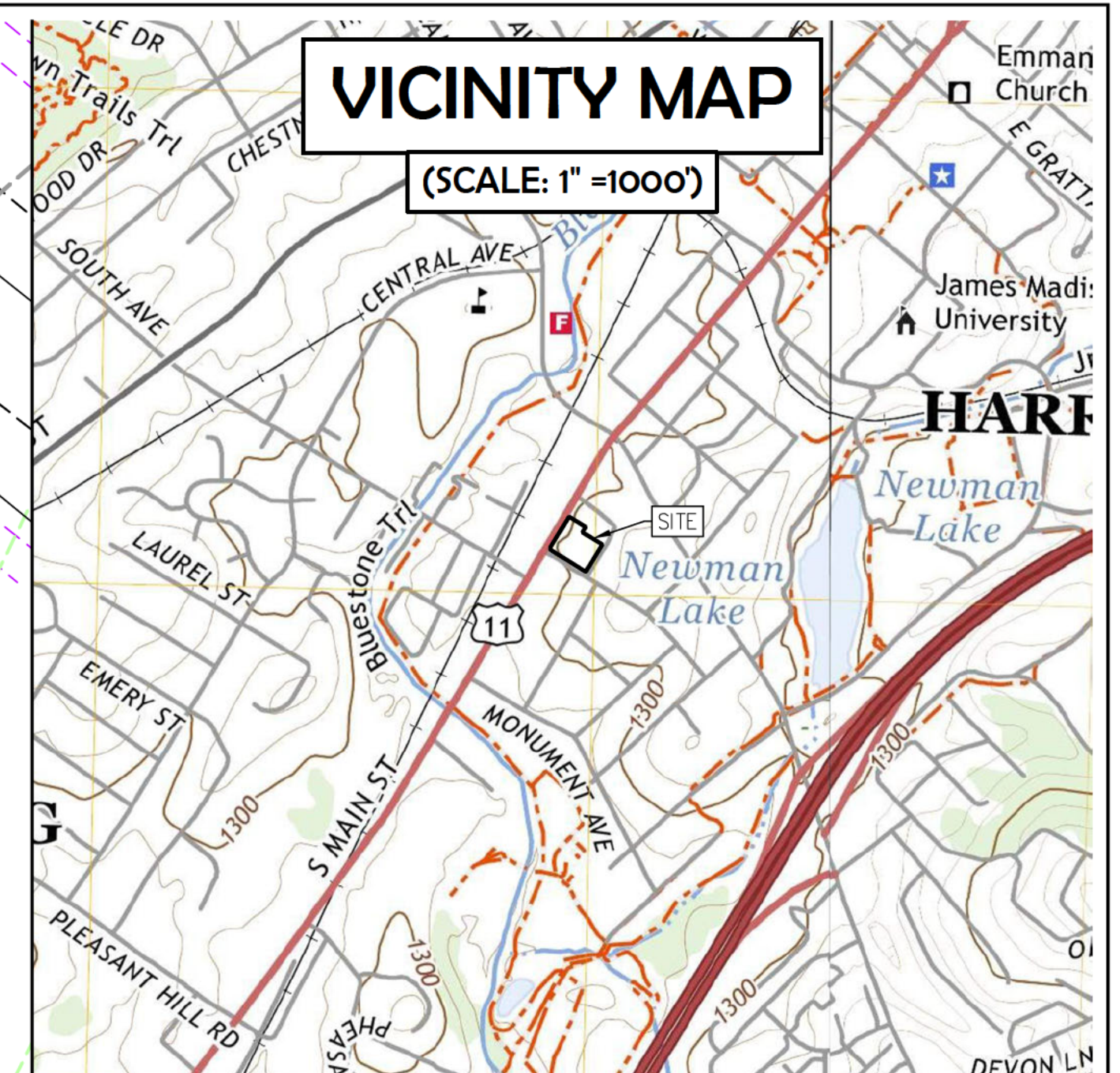
LOCATION  
HENRICO, UNITED STATES

## RECIPIENT VERIFICATION

EMAIL VERIFIED  
05 MAY 2026 17:19:56



NEW POSSIBLE - PROPOSED USE AND PARKING REQUIREMENTS					
PROPOSED BUILDING	USE	QUANTITY	UNITS	RATE	SPACES REQUIRED
1	APARTMENTS	26 (20 @ 1 BED + 6 @ 2 BEDS)	1 BEDROOM 2 BEDROOM	1 1/4 UNIT 2 1/2 UNIT	45
1	COMMERCIAL	1	5,000 SF	200 SF	25
ARTICLE G, SECTION 10-3-25 (7) SECTION 10-3-25 (15)					
TOTAL SPACES REQUIRED					70
HANDICAP REQUIRED					4
TOTAL SPACES PROVIDED					76
HANDICAP PROVIDED					4



LEGEND	
[Symbol]	PROPOSED BUILDING
[Symbol]	PROPOSED SIDEWALK/DRIVEWAY
[Symbol]	PAVED AREA
[Symbol]	SITE BOUNDARY
[Symbol]	EX PROPERTY LINE
[Symbol]	PRO PROPERTY LINE
[Symbol]	SETBACK
[Symbol]	CENTERLINE
[Symbol]	EDGE OF PAVEMENT

**CIVIL DESIGN:**  
**AES CONSULTING ENGINEERS**  
 ATTN: ED BLACKWELL  
 568 EAST MARKET STREET  
 HARRISONBURG, VA 22801  
 540-432-9555

**OWNER/DEVELOPER:**  
**MARUSSTODD PROPERTIES LLC**  
 190 E MOSBY RD  
 HARRISONBURG, VA 22802  
 540-908-7528

**PROPERTY INFO:**  
 TM# 018 R 22  
 1340 S MAIN ST  
 HARRISONBURG, VA 22801  
 AREA=1.23± ACRES  
 CURRENT ZONING: R-5C  
 PROPOSED ZONING: R-5C  
 EXISTING USE: UNDEVELOPED  
 PROPOSED USE: MIXED USE  
 COMMERCIAL & RESIDENTIAL  
 PROPOSED DENSITY: 32.5 U/A  
 FEMA FLOOD ZONE: X

TM# 018 R 21  
 OWNER: JCF VENTURES LLC C/O  
 MARILYN PENDLEBURY  
 ADDRESS: 6049 SHADY OAK CT  
 MECHANICSVILLE, VA 23111  
 ZONE: R-3

TM# 018 R 20  
 OWNER: HOFFMAN RANDY C KIMBERLY E  
 ADDRESS: 25 EDGELOWN DR  
 HARRISONBURG, VA 22801  
 ZONE: R-1

TM# 018 R 19  
 OWNER: HOFFMAN RANDY C KIMBERLY E  
 ADDRESS: 25 EDGELOWN DR  
 HARRISONBURG, VA 22801  
 ZONE: R-1

TM# 018 R 22  
 OWNER: MARUSSTODD PROPERTIES LLC  
 ADDRESS: 190 E MOSBY RD  
 HARRISONBURG, VA 22802  
 ZONE: R-5C

TM# 018 R 22-A  
 OWNER: MARUSSTODD PROPERTIES LLC  
 ADDRESS: 190 E MOSBY RD  
 HARRISONBURG, VA 22801  
 ZONE: R-1

This entrance subject to Site Plan Approval.  
 Subject to Change.

Possible Underground  
 Stormwater Retention

Rev.	Date	Description	Revised By

**DRAFT**

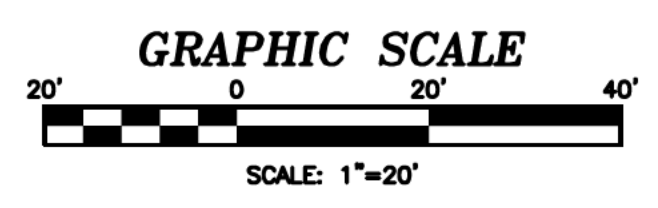
THIS PLAN HAS  
 NOT RECEIVED  
 FINAL APPROVAL  
 AND IS NOT  
 APPROVED FOR  
 CONSTRUCTION.

668 East Market Street  
 Harrisonburg, Virginia 22801  
 Phone: (540) 432-8555  
 www.aesva.com

Hampton Roads | Central Virginia | Middle Peninsula | Shenandoah Valley

PRELIMINARY LAYOUT  
 FOR  
**1340 S MAIN STREET**  
 MIXED USE DEVELOPMENT  
 MARUSSTODD PROPERTIES LLC  
 CITY OF HARRISONBURG, VIRGINIA

Project Contacts:	EHB
Project Number:	3196
Scale:	Date:
AS NOTED	5-14-25
Sheet Title:	PRELIMINARY LAYOUT
Sheet Number:	1



Filename: S:\0000\03196 1340 South Main Street\03196\03196-1340 S Main St.dwg Plotdate: January 8, 2025



City of Harrisonburg, VA  
Department of Public Works

**Determination of Need for a  
Traffic Impact Analysis (TIA)**

www.harrisonburgva.gov/traffic-impact-analysis

For inclusion in an application for Planning Commission review (for Special Use Permit, Rezoning or Preliminary Plat), this form must be submitted to the Public Works Department at least 5 business days prior to the Planning Commission application deadline.

<b>Contact Information</b>			
Consultant Name:			
Telephone:			
E-mail:			
Owner Name:	Marilyn Pendlebury / Contracted Purchasers are Mike Hendricksen & Hans Harman		
Telephone:	540.908.7528 (Mike H.)		
E-mail:	Mike@InvestmentsBlue.com		
<b>Project Information</b>			
Project Name:	1340 S. Main		
Project Address:	1340 South Main Street		
TM #:	018 R 22		
Existing Land Use(s):	Vacant		
Proposed Land Use(s): (if applicable)	Mixed-Use		
Submission Type:	Comprehensive Site Plan <input type="radio"/>	Special Use Permit <input checked="" type="radio"/>	Rezoning <input type="radio"/> Preliminary Plat <input type="radio"/>
Project Description: (Include site plan or preliminary sketch and additional details on land use, acreage, access to site, etc)	We are seeking to conform with the City of Harrisonburg Comprehensive Plan on this 1.23 Acres site along S. Main St. and have a mixed-use development that consists of up to 5,000 SF of commercial space and up to 30 residential apartments (up to 24 one-bedroom apartments and up to 6 two-bedroom apartments) with more than the required parking on-site.		
<b>Peak Hour Trip Generation (from row 15 on the second page)</b>			
AM Peak Hour Trips:	32		
PM Peak Hour Trips:	47		

**(reserved for City staff)**

TIA required? Yes \_\_\_\_\_ No

Comments:

Accepted by: Teretha Mason

Date: 04/09/2026

### Peak Hour Trip Generation by Land Use

Row	ITE Land Use		ITE Land Use Code	Unit	Quantity	AM Peak Hour of Adjacent Street Traffic	PM Peak Hour of Adjacent Street Traffic
1	Proposed #1	Multi-Family Housing	220	Dwelling Units	30	12	16
2	Proposed #2	Commercial	822	Gross Leasable Area	5,000	20	31
3	Proposed #3						
4	Proposed #4						
5	Proposed #5						
6	Proposed #6						
7	Total New Trips					32	47
8	Existing #1	Vacant	NA			0	0
9	Existing #2						
10	Existing #3						
11	Existing #4						
12	Existing #5						
13	Existing #6						
14	Total Existing Trips					0	0
15	Final Total (Total New – Total Existing)					32	47

#### Instructions

Determination of trip generation rates shall be in conformance with ITE guidelines.

- Based on the intended use(s), calculate the AM Peak and PM Peak trip generation using the AM and PM Peak Hour of Adjacent Street Traffic rates from the most current version of the ITE Trip Generation Manual (rows 1-6). Attach additional sheets as necessary for more uses.
- Sum up all of the trips generated for the new uses in the Total New Trips row (row 7).
- If the development has any existing uses, calculate the AM Peak and PM Peak trip generations using the AM and PM Peak Hour of Adjacent Street Traffic rates from the most current version of the ITE Trip Generation Manual (rows 8-13). Attach additional sheets as necessary for more uses.
- Sum up all of the trips generated for the existing uses in the Total Existing Trips row (row 14).
- Subtract the total existing trips from the total new trips to get the final total number of trips generated by the development (row 15). Enter these numbers on the first page.

Revised Date: December 2019



May 13, 2026 Planning Commission Meeting

**Title**

Consider Rezoning (Proffer Amendment) and Special Use Permits for 1340 South Main Street — Meg Rupkey, Community Development

**Summary**

Project name	N/A
Address/Location	1340 South Main Street
Tax Map Parcels	18-R-11
Total Land Area	+/- 1.23 acres
Property Owner	Marilyn S. Pendlebury
Owner’s Representative	Mike Hendricksen and Hans Harman
Present Zoning	R-5C, High Density Residential Conditional
Proposed Zoning	R-5C, High Density Residential Conditional
Proposed Special Use Permit(s)	<ul style="list-style-type: none"> <li>Multiple-family dwellings of more than twelve (12) units per building per Section 10-3-55.4 (1)</li> <li>Retail stores, convenience shops, personal service establishments, restaurants (excluding those with drive-through facilities), medical clinics, and business and professional offices per Section 10-3-55.4 (4)</li> </ul>
Planning Commission	May 13, 2026 (Public Hearing)
City Council	Anticipated June 9, 2026 (First Reading/Public Hearing) Anticipated June 23, 2026 (Second Reading)

**Recommendation**

Option 1. Recommend approval of the rezoning and two special use permit requests with conditions submitted by the applicant with additional language recommended by staff.

**Context & Analysis**

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

Site: Vacant lot, zoned R-5C

North: Office building, zoned R-3, and single-family detached dwellings, zoned R-1

East: Single-family detached dwelling and across Edgelawn Drive single-family detached dwellings, zoned R-1

South: Across East Weaver Avenue single family detached dwellings, zoned R-1, and an office building, zoned B-2C

West: Across South Main Street, residential uses, zoned R-3

The applicant is requesting a proffer amendment and two special use permits (SUPs) for a +/- 1.23-acre property addressed as 1340 South Main Street and identified as tax map parcel 18-R-22. The property is zoned R-5C, High-Density Residential District Conditional. Regarding the requested SUPs, the first is per Section 10-3-55.4 (1) to allow multiple-family dwellings of more than twelve (12) units per building. The second is per Section 10-3-55.4 (4) to allow retail stores, convenience shops, personal service establishments, restaurants (excluding those with drive-through facilities), medical clinics, and business and professional offices.

### *History*

In August 2017, City Council approved four requests from Marusstodd Properties, LLC, for the subject site, which at the time consisted of five parcels. The four requests included:

- An amendment to the Comprehensive Plan's Land Use Guide map from Professional and Low Density Residential to Mixed Use;
- A rezoning from R-1, Single-Family Residential and R-3, Medium-Density Residential to R-5C, High-Density Residential District Conditional;
- An SUP pursuant to Section 10-3-55.4(1) to allow multi-family dwellings with more than twelve (12) units per building; and
- An SUP pursuant to Section 10-3-55.4(4) to allow retail stores, convenience shops, personal service establishments, business and professional offices, and restaurants (excluding drive-through facilities).

In November 2018, City Council approved a preliminary plat that vacated internal property lines reducing the number of lots from five to two and approved the following Subdivision Ordinance variances:

- To not dedicate the standard public street right-of-way for Edgelawn Drive (Sections 10-2-41(a) and 10-2-66);
- To not dedicate the full 25 feet of public street right-of-way along the Edgelawn Drive frontage (Section 10-2-45); and
- To not construct or provide surety for frontage improvements along Edgelawn Drive and East Weaver Avenue at the time of subdivision (Sections 10-2-62 and 10-2-67).

The above noted Subdivision Ordinance variances were approved with the following condition:

- When frontage improvements along Edgelawn Drive are required as part of development or redevelopment of any property associated with the preliminary plat, the developer shall be responsible for constructing frontage improvements along Edgelawn Drive for all properties associated with the request. The frontage along Edgelawn Drive is shown as 210.63 linear feet on the approved preliminary plat.

In August 2019, the applicant recorded the final subdivision plat that vacated the internal property lines and created the subject site (1340 South Main Street), tax map parcel 18-R-22-A (1341 Edgelawn Drive) and dedicated 527 square feet of public street right-of-way along Edgelawn Drive.

The SUPs approved in 2017 have since expired because the uses were not established nor diligently pursued within the timeframe required by the Zoning Ordinance Section 10-3-130(c). Without a proffer amendment, the 2017 proffers would continue to require both residential and non-residential uses. Since the applicant still proposes commercial uses, a new SUP is required.

### *Proffers*

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

1. Any building constructed on site (excluding accessory buildings) shall contain residential and non-residential uses. Commercial uses shall only be permitted on the first floor and shall not exceed 5,000 square feet throughout all buildings. Residential units may be located on the first floor.
2. The total number of dwelling units on the property shall not exceed twenty-six (26) units. One-bedroom and two-bedroom units shall be permitted with no more than six (6) of the units being two-bedroom units.
3. No parking lot (including travel lanes and drive aisles) shall be located between any buildings and the following streets: South Main Street and East Weaver Avenue.
4. No vehicular access shall be permitted from the site to Edgelawn Drive.
5. A 6-foot tall opaque fence shall be installed and maintained along the frontage of Edgelawn Drive.
6. A 6-foot tall opaque fence shall be installed and maintained along the property lines adjoining tax map parcel #18-R-20, 18-R-21, & 18-R-22-A.
7. No structure, excluding a dumpster containment, shall be constructed within 150 ft. of the shared property line with Edgelawn Dr.
8. A minimum of six (6) small/ornamental deciduous or evergreen trees shall be planted along the street frontage of Edgelawn Drive. Tree locations along the street frontage are at the discretion of the property owner/developer.
9. At the time of construction the applicant shall reconstruct the curb ramp at the northeast corner of the intersection of South Main Street and East Weaver Avenue to meet the Public Right-of-Way Accessibility Guidelines standards.

The conceptual site layout is not proffered.

Proffers 3, 4 (formerly Proffer 5), and 7 (formerly proffer 8) remain unchanged from the existing regulating proffers. A copy of the 2017-approved existing proffers have been included by the applicant in their supporting documents.

Proffer 1 has been amended to identify a maximum of 5,000 square feet of non-residential space and to allow residential uses on all floors of the development. Proffer 2 has been amended to allow a maximum of 26 multi-family dwelling units, compared to the previously proffered maximum of 22 one-bedroom units. The updated proffer allows a mix of one- and two-bedroom units, with no more than six (6) units being two-bedroom units. If approved, and if they provide the maximum allowed six units with two bedrooms, then 10 additional bedrooms would be provided compared to the existing, approved proffers.

Proffers 5 and 6 (formerly Proffers 6 and 7 respectively) have been updated to provide clarity regarding the location of fencing along property lines and Edgelawn Drive. Proffer 8 (formerly Proffer 9) has also been updated to provide additional guidance for the required amount and type of landscaping along Edgelawn Drive. The original proffer language was unclear and could have been interpreted in a way that if there was no parking lot along Edgelawn Drive, then no trees would have been required.

Proffer 9 is a new proffer that will require the reconstruction of the sidewalk ramp at the intersection of South Main Street and East Weaver Avenue to meet Public Right-of-Way Accessibility Guidelines (PROWAG) standards. In addition, although not included as a proffer, the applicant will be required to construct sidewalks along East Weaver Avenue and Edgelawn Drive as part of site development. While a Subdivision Ordinance variance granted in 2018 allowed the deferral of sidewalk construction along Edgelawn Drive at the time of subdivision, that approval included a condition that requires frontage improvements to be constructed during development or redevelopment of the property. If the applicant does not want to construct the sidewalk, a new variance to the Subdivision Ordinance is required.

The applicant has removed old Proffer 4, which allowed for an entrance on South Main Street. Since the 2017 approval, the City has updated its access management standards. The previously proposed right-in/right-out entrance does not meet current requirements, which requires a minimum spacing of 250 feet between access points on minor arterial streets. Since the distance between East Weaver Avenue and Edgelawn Drive along South Main Street is less than 450 feet, there is no appropriate location for a new access point. As a result, the applicant has removed this proffer.

#### *Land Use*

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

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

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

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

The applicant has proffered that there would be a maximum of 26 units on the site, which makes the site density 21 units per acre. Without proffers and if there are no commercial uses on the site, the applicant would be able to construct up to 30 units. However, Proffer 1 requires non-residential uses on the site and given the size of the lot and the R-5 district regulations, the maximum number of multifamily units allowed on the site is 26, the same number as proffered.

Staff believes that the proposed uses, with the submitted proffers, generally conform with the Mixed Use area designation.

#### *Transportation and Traffic*

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

The applicant has proposed the following two traffic-related conditions in relation to their SUP to allow retail stores, convenience shops, personal service establishments, business and professional offices, and restaurants. Staff supports the submitted two conditions with the additional text underlined below:

1. All traffic generating uses on the site, including uses not associated with the special use permit, shall be limited to a combined total of 100 vehicle trips in either the AM or PM peak hour as calculated using the latest edition of the Institute of Transportation Engineer’s Trip Generation Manual unless the property owner first,

at their cost: (1) completes a Traffic Impact Analysis accepted by the City Department of Public Works and (2) implements all identified mitigation measures or improvements. The City Department of Public Works may, in its sole discretion, waive, in whole or in part, completion of a Traffic Impact Analysis or any identified mitigation measures or improvements.

2. No drive-throughs will be permitted.

The additional text within condition #1 clarifies that all uses on the site will be included in the calculation of traffic generation, not just uses associated with the SUP. Staff appreciates the submission of condition #2 as it would prohibit any use from having a drive-through as current regulations only prohibit restaurants from having a drive-through.

#### *Public Water and Sanitary Sewer*

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

#### *Housing*

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

#### *Public Schools*

The City contracted with the University of Virginia's Weldon Cooper Center for Public Service to complete a report titled "Population and School Enrollment Projects for the City of Harrisonburg" (April 2025). The report can be found at the following link: [https://harrisonburgva.gov/sites/default/files/city-manager/HarrisonburgSchoolEnrollment\\_2025-04-30\\_Final.pdf](https://harrisonburgva.gov/sites/default/files/city-manager/HarrisonburgSchoolEnrollment_2025-04-30_Final.pdf). This report provides overall student enrollment projections through 2034 as well as estimated student generation by housing type for each elementary school attendance zone.

Based on the Weldon Cooper Center report's calculation, this development's proposed 26 residential units are estimated to generate nine K-12 students at full build-out. According to the School Board's current attendance boundaries, Keister Elementary School, Thomas Harrison Middle School, and Harrisonburg High School would serve the students residing in this development.

#### *Conclusion*

Staff believes that the amendments to the proffers do not change the intent of the of the 2017 rezoning and does not increase the intensity of the use of the site. Staff recommends approval of the rezoning and the two SUPs with the following conditions for the SUP to allow retail stores, convenience shops, personal service establishments, business and professional offices, and restaurants:

All traffic generating uses on the site, including uses not associated with the special use permit, shall be limited to a combined total of 100 vehicle trips in either the AM or PM peak hour as calculated using the latest edition of the Institute of Transportation Engineer's Trip Generation Manual unless the property owner first, at their cost: (1) completes a Traffic Impact Analysis accepted by the City Department of Public Works and (2) implements all identified mitigation measures or improvements. The City Department of Public Works may, in its sole discretion, waive, in whole or in part, completion of a Traffic Impact Analysis or any identified mitigation measures or improvements.

No drive-throughs will be permitted.

### **Options**

1. Recommend approval of the rezoning and two special use permit requests with conditions submitted by the applicant with additional language recommended by staff.
2. Recommend approval of the rezoning and two special use permit requests with conditions as submitted by the applicant.
3. Recommend approval of the rezoning and two special use permit requests with other condition(s).
4. Recommend approval of the rezoning request and denial of one or both of the special use permit requests.
5. Recommend denial of the rezoning and special use permit requests.

### **Attachments**

- Site maps
- Application and supporting documents

## NOTICE OF PUBLIC HEARING

The Harrisonburg City Council will hold public hearings in the City Council Chambers, 409 South Main Street, Harrisonburg, VA on Tuesday, June 9, 2026, at 7:00 p.m., to consider the following:

### ***Special Use Permit – 1315 Carrera Lane (Short-Term Rental in R-1)***

A request from Kevin T. and Denise F. Goertzen for a special use permit per Section 10-3-34 (7) to allow a short-term rental in the R-1, Single-Family Residential District. The +/- 30,086-square foot property is addressed as 1315 Carrera Lane and is identified as tax map parcel 18-R-16.

### ***Rezoning – 850 Canterbury Court (R-1 to R-8C)***

A request from Robin L. Lake to rezone a +/- 12,692-square foot property from R-1, Single-Family Residential District to R-8C, Small Lot Residential District Conditional. The property is addressed as 850 Canterbury Court and is identified as tax map parcel 23-V-14.

### ***Rezoning – 1351 and 1361 Peach Grove Avenue (R-5C (proffer amendment) & B-2 to R-5C)***

A request from Skylar & Talli LLC and James Madison University Real Estate Foundation Inc to rezone two adjacent parcels totaling +/- 15.35-acres from R-5C, High Density Residential District Conditional and B-2, General Business District to R-5C, High Density Residential District Conditional. The parcels are addressed as 1351 & 1361 Peach Grove Avenue, are identified as tax map parcels 92-F-10 & 6, and are currently zoned R-5C and B-2, respectively.

### ***Special Use Permit – 1351 and 1361 Peach Grove Avenue (To Allow Multiple-Family Dwellings of More Than 12 Units Per Building in R-5)***

A request from Skylar & Talli LLC and James Madison University Real Estate Foundation Inc for a special use permit per Section 10-3-55.4 (1) to allow multiple-family dwellings of more than twelve (12) units per building in the R-5, High Density Residential District. The two adjacent parcels totaling +/- 15.35-acres are addressed as 1351 & 1361 Peach Grove Avenue and are identified as tax map parcels 92-F-10 & 6, respectively.

### ***Rezoning – 1340 South Main Street (proffer amendment, R-5C)***

A request from Marilyn S. Pendlebury to rezone a +/- 1.23-acre property to amend proffers for a property zoned R-5C, High Density Residential Conditional. The property is addressed as 1340 South Main Street and is identified as tax map parcel 18-R-22.

### ***Special Use Permit - 1340 South Main Street (to allow multiple-family building with more than 12 units in R-5C)***

A request from Marilyn S. Pendlebury for a special use permit per Section 10-3-55.4 (1) to allow multiple-family dwellings of more than twelve (12) units per building in the R-5C, High Density Residential District Conditional. The +/- 1.23-acre property is addressed as 1340 South Main Street and is identified as tax map parcel 18-R-22.

### ***Special Use Permit - 1340 South Main Street (to allow retail, offices, restaurants, etc. in R-5C)***

A request from Marilyn S. Pendlebury for a special use permit per Section 10-3-55.4 (4) to allow retail stores, convenience shops, personal service establishments, restaurants (excluding those with drive-through facilities), medical clinics, and business and professional offices under conditions set forth in subsections 10-3-55.6 (f) and (g) in the R-5C, High Density Residential District Conditional. The +/- 1.23-acre property is addressed as 1340 South Main Street and is identified as tax map parcel 18-R-22.

Applications and other information are available for review by contacting the Department of Community Development, 409 South Main Street, Monday through Friday, 8:00 a.m. to 5:00 p.m. Please call (540) 432-

7700 to obtain a copy by email or by appointment. More information is available at [www.harrisonburgva.gov/public-hearings](http://www.harrisonburgva.gov/public-hearings). Interested parties will be able to attend the meeting and to watch the meeting on Public Education Government Channel 1072, and the City's website at [www.harrisonburgva.legistar.com/Calendar.aspx](http://www.harrisonburgva.legistar.com/Calendar.aspx).

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**Publication dates:**

Wednesday, May 27, 2026

Wednesday, June 3, 2026

**STATE OF VIRGINIA  
CITY OF HARRISONBURG, to with:**

I, Pamela Ulmer, city clerk, certify that the Harrisonburg City Council will be addressed on Tuesday, June 9, 2026, at 7:00 p.m., or as soon as the agenda permits, to consider the following:

***Special Use Permit – 1315 Carrera Lane (Short-Term Rental in R-1)***

A request from Kevin T. and Denise F. Goertzen for a special use permit per Section 10-3-34 (7) to allow a short-term rental in the R-1, Single-Family Residential District. The +/- 30,086-square foot property is addressed as 1315 Carrera Lane and is identified as tax map parcel 18-R-16.

***Rezoning – 850 Canterbury Court (R-1 to R-8C)***

A request from Robin L. Lake to rezone a +/- 12,692-square foot property from R-1, Single-Family Residential District to R-8C, Small Lot Residential District Conditional. The property is addressed as 850 Canterbury Court and is identified as tax map parcel 23-V-14.

***Rezoning – 1351 and 1361 Peach Grove Avenue (R-5C (proffer amendment) & B-2 to R-5C)***

A request from Skylar & Talli LLC and James Madison University Real Estate Foundation Inc to rezone two adjacent parcels totaling +/- 15.35-acres from R-5C, High Density Residential District Conditional and B-2, General Business District to R-5C, High Density Residential District Conditional. The parcels are addressed as 1351 & 1361 Peach Grove Avenue, are identified as tax map parcels 92-F-10 & 6, and are currently zoned R-5C and B-2, respectively.

***Special Use Permit – 1351 and 1361 Peach Grove Avenue (To Allow Multiple-Family Dwellings of More Than 12 Units Per Building in R-5)***

A request from Skylar & Talli LLC and James Madison University Real Estate Foundation Inc for a special use permit per Section 10-3-55.4 (1) to allow multiple-family dwellings of more than twelve (12) units per building in the R-5, High Density Residential District. The two adjacent parcels totaling +/- 15.35-acres are addressed as 1351 & 1361 Peach Grove Avenue and are identified as tax map parcels 92-F-10 & 6, respectively.

***Rezoning – 1340 South Main Street (proffer amendment, R-5C)***

A request from Marilyn S. Pendlebury to rezone a +/- 1.23-acre property to amend proffers for a property zoned R-5C, High Density Residential Conditional. The property is addressed as 1340 South Main Street and is identified as tax map parcel 18-R-22.

***Special Use Permit - 1340 South Main Street (to allow multiple-family building with more than 12 units in R-5C)***

A request from Marilyn S. Pendlebury for a special use permit per Section 10-3-55.4 (1) to allow multiple-family dwellings of more than twelve (12) units per building in the R-5C, High Density Residential District Conditional. The +/- 1.23-acre property is addressed as 1340 South Main Street and is identified as tax map parcel 18-R-22.

***Special Use Permit - 1340 South Main Street (to allow retail, offices, restaurants, etc. in R-5C)***

A request from Marilyn S. Pendlebury for a special use permit per Section 10-3-55.4 (4) to allow retail stores, convenience shops, personal service establishments, restaurants (excluding those with drive-through facilities), medical clinics, and business and professional offices under conditions

set forth in subsections 10-3-55.6 (f) and (g) in the R-5C, High Density Residential District Conditional. The +/- 1.23-acre property is addressed as 1340 South Main Street and is identified as tax map parcel 18-R-22.

Applications and other information are available for review by contacting the Department of Community Development, 409 South Main Street, Monday through Friday, 8:00 a.m. to 5:00 p.m. Please call (540) 432-7700 to obtain a copy by email or by appointment. More information is available at [www.harrisonburgva.gov/public-hearings](http://www.harrisonburgva.gov/public-hearings). Interested parties will be able to attend the meeting and to watch the meeting on Public Education Government Channel 1072, and the City's website at [www.harrisonburg-va.legistar.com/Calendar.aspx](http://www.harrisonburg-va.legistar.com/Calendar.aspx).

Given under my hand this 18 day of May 2026

  
\_\_\_\_\_  
City Clerk

Subscribed and sworn to before me this 18 day of May, 2026 a Notary Public in and for the Commonwealth of Virginia.

  
\_\_\_\_\_  
Notary

My commission expires May 31, 2029



Peach Grove

RODNEY & SYLVIA EAGLE TRUSTEES  
& RODNEY L EAGLE & SYLVIA L  
EAGLE LIVING TRUST  
1188 PORT REPUBLIC RD  
HARRISONBURG VA 22801  
JAMES MADISON UNIVERSITY REAL  
ESTATE FOUNDATION INC  
1031 HARRISON ST MSC 8501  
HARRISONBURG VA 22807-1034

PCSC ASSOCIATES LLC  
2529 VIRGINIA BEACH BLVD  
VIRGINIA BEACH VA 23452-7650

County of Rockingham Attn: County  
Administrator  
PO Box 1252  
HARRISONBURG VA 22803

RODNEY EAGLE & SYLVIA EAGLE  
TRUSTEES & RODNEY L EAGLE &  
SYLVIA L EAGLE LIVING TRUST  
C/O CVS  
COCKEYSVILLE MD 21030  
DEER RUN FW LLC  
1985 CEDERBRIDGE AVE STE 1  
LAKEWOOD NJ 08701

HOLTZMAN FAMILY LIMITED  
PARTNERSHIP #1  
PO BOX 8  
MT JACKSON VA 22842

HILLS SOUTH SH OWNER LLC  
2 SCHOOL STREET  
RYE NY 10580

SKYLAR & TALLI LLC  
PO BOX 1039  
HARRISONBURG VA 22803

MCDONALD'S CORPORATION  
ATTN : DEPT 027 - REAL ESTATE TAX  
CHICAGO IL 60607

*Canterbury Court*

CHANDLER HARRY L MARLENE A  
747 FIR ST  
HARRISONBURG VA 22801

WIGHTMAN WILLIAM H K MARGARET  
O  
840 CANTERBURY CT  
HARRISONBURG VA 22801

County of Rockingham  
Attn: County Administrator  
PO Box 1252  
Harrisonburg, VA 22803

J WAYNE LAMBERT TRUST AND  
CHARLOTTE H CRAIG TRUST  
851 CANTERBURY CT  
HARRISONBURG VA 22801

LAKE ROBIN L  
850 CANTERBURY CT  
HARRISONBURG VA 22801

KRECH STEPHEN A JOYCE H  
841 CANTERBURY CT  
HARRISONBURG VA 22801

DIENER V EUGENE GLORIA Y  
6087 MT CLINTON PIKE  
ROCKINGHAM VA 22802

*Carrera Lane*

ROSTEM HASHIM M  
101 PORT REPUBLIC RD  
HARRISONBURG VA 22801

JOSHUA EDWARD GUSTIN &  
HEATHER GUSTIN  
9224 ARNIE CT  
MANASSAS PARK VA 20111

GRAVES JOYCE L TRUSTEE  
36 EDGELAWN DR  
HARRISONBURG VA 22801

LANTZ JOHN D JR JESSICA LYNN  
44 E WEAVER AVE  
HARRISONBURG VA 22801

MATTHIAS BRUCE P KAREN K  
54 WEAVER AVE  
HARRISONBURG VA 22801

MANOLO AGUILAR OROZCO &  
GLENDA MARTINEZ  
57 PORT REPUBLIC RD  
HARRISONBURG VA 22801

MEDLEY GREGORY L GRISELDA M  
1340 EDGELAWN DR  
HARRISONBURG VA 22801

KYLE CHRISTOPHER S MARJORIE C  
1102 RIDGEWOOD RD  
HARRISONBURG VA 22801

HUDSON GLORIA V TRUSTEE  
45 PORT REPUBLIC RD  
HARRISONBURG VA 22801

KEVIN T GOERTZEN & DENISE F  
GOERTZEN  
1315 CARRERA LANE  
HARRISONBURG VA 22801

HEGG KEVIN J EATON LYNN E  
40 WEAVER AVE  
HARRISONBURG VA 22801

JOSEPH S ROBERTSON & SULONI  
ROBERTSON  
52 E WEAVER AVE  
HARRISONBURG VA 22801

S Main St

GRAYSON K PRITCHARD & SARAH J  
PRITCHARD  
29 E WEAVER ST  
HARRISONBURG VA 22801

LOHR BRIAN S JULIE V  
1776 CROSS KEYS RD  
HARRISONBURG VA 22801

MARILYN S PENDLEBURY  
6049 SHADY OAK CT  
MECHANICSVILLE VA 23111

SCOTT TAMMY LYNN  
25 E WEAVER AVE  
HARRISONBURG VA 22801

C & N REAL PROPERTIES LLC  
15871 CITY VIEW DR STE 300  
MIDLOTHIAN VA 23113

HOFFMAN RANDY C KIMBERLY E  
25 EDGELAWN DR  
HARRISONBURG VA 22801

GARY L BEATTY TR & GARY L BEATTY  
TRUST  
450 S MASON ST  
HARRISONBURG VA 22801

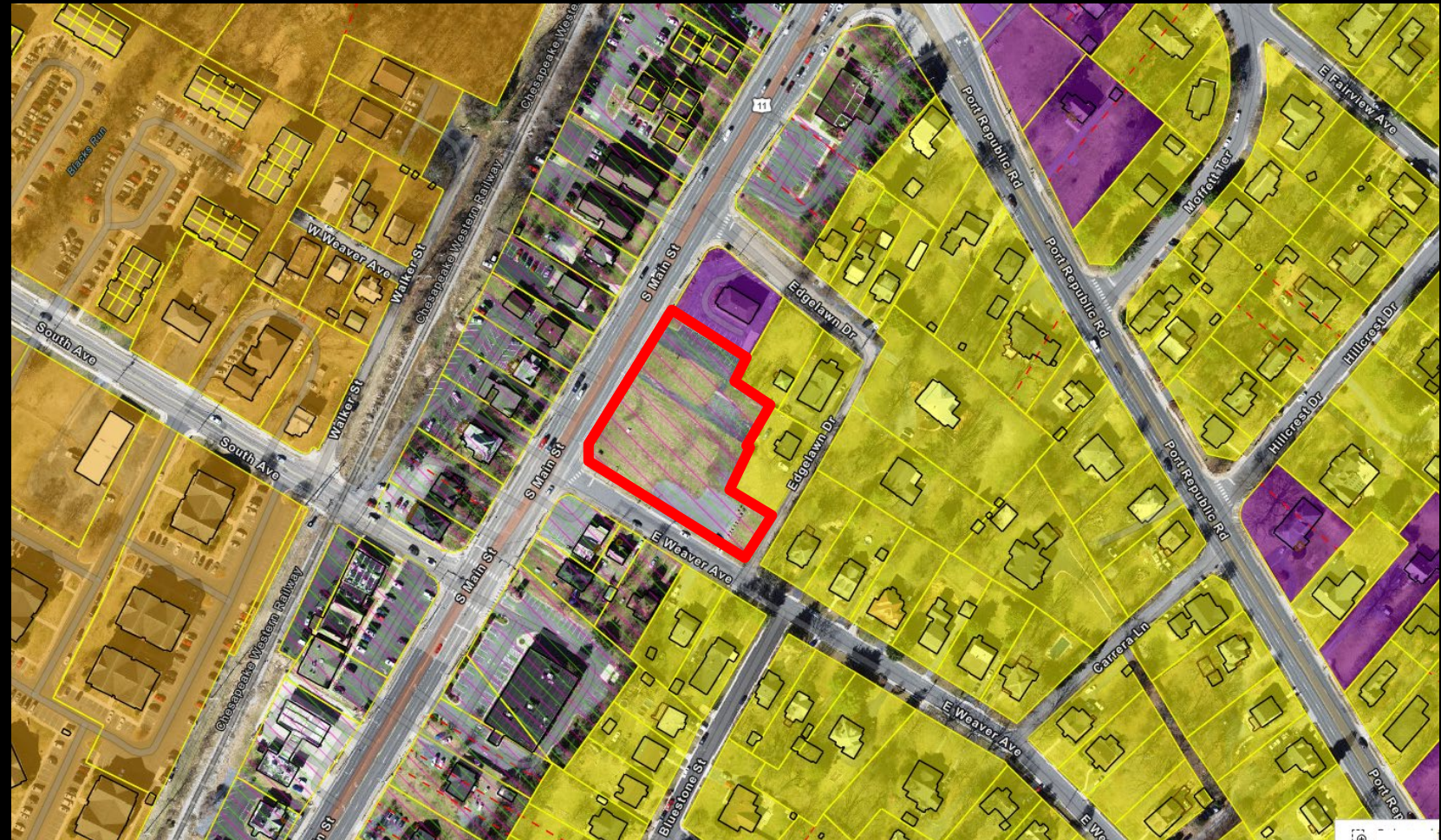
JCF VENTURES LLC & C/O MARILYN  
PENDLEBURY  
6049 SHADY OAK CT  
MECHANICSVILLE VA 23111



# Rezoning and SUPs – 10-3-55.4 (1) and (4) 1340 South Main Street



# Rezoning and SUPs – 10-3-55.4 (1) and (4) 1340 South Main Street



# Rezoning and SUPs – 10-3-55.4 (1) and (4) 1340 South Main Street









REZONING & SPECIAL  
USE PERMIT(S)

PUBLIC HEARING / WITH FOLLOWS A  
OR CITY ACTION / ACCIÓN MUNICIPAL

FOR INFORMATION / PARA INFORMACIÓN

COMMUNITY DEVELOPMENT  
840-432-7700

## August 2017:

- Comprehensive Plan Land Use Guide Map Amendment.
- Rezoning from R-1 and R-3 to R-5C for 22 one-bedroom units as well as retail uses.
- SUP to allow multi-family dwellings with more than 12 units per building.
- SUP to allow non-residential uses (excluding restaurant drive-through facilities)

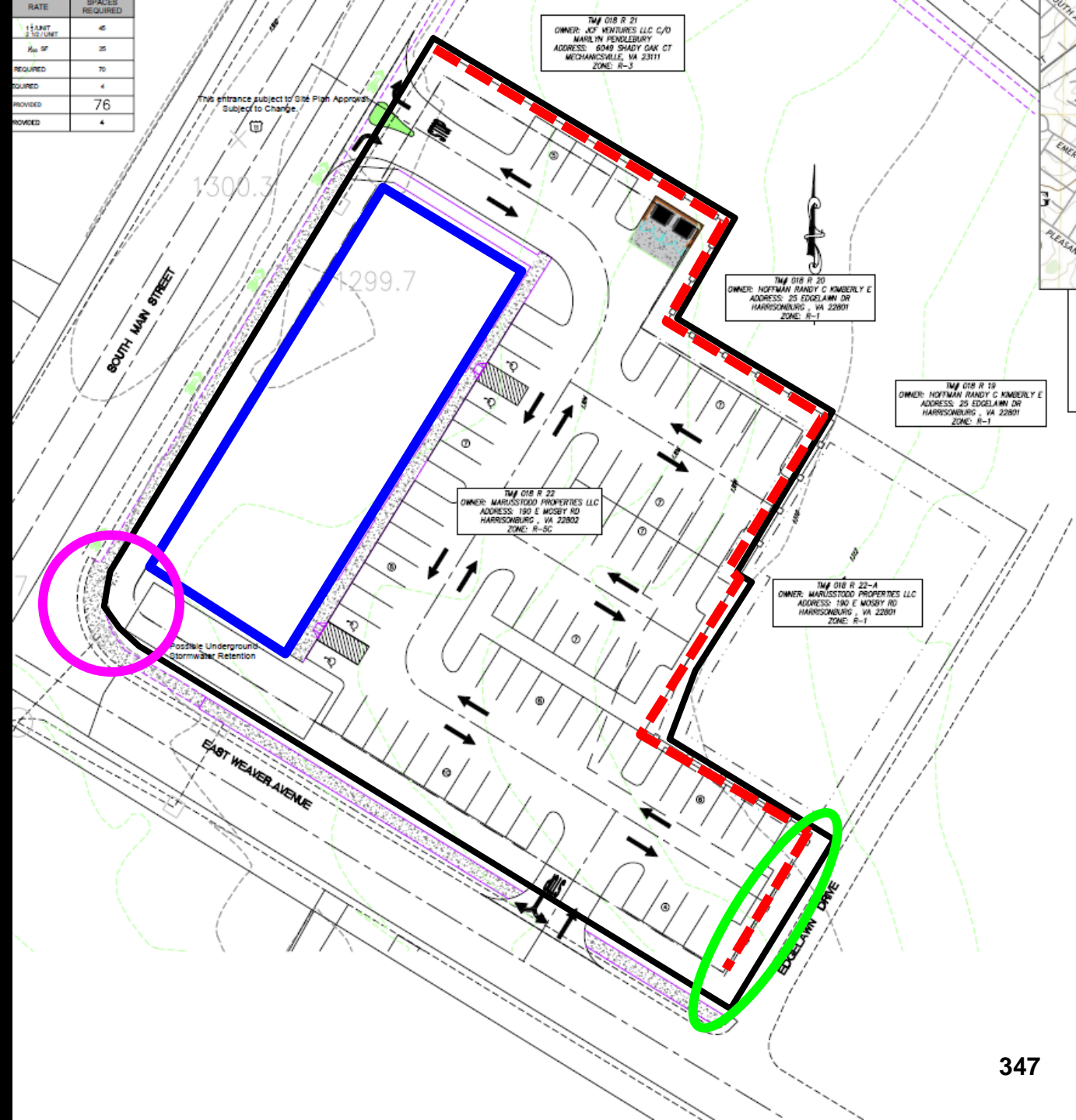
## November 2018:

- PP and Sub. Ord. variances approved to not dedicate ROW along Edgelawn Drive and to not construct improvements along Edgelawn Drive and East Weaver Avenue during the subdivision.

## August 2019:

- Final subdivision plat recorded with the dedication of 527 square feet of ROW along Edgelawn Drive.

1. Residential and non-residential uses, with no more than 5,000 sq. ft. of non-residential space.
2. 26 units consisting of 1 and 2 bedrooms with no more than 6 units with 2 bedrooms.
3. No parking lot between the building and South Main St. and East Weaver Ave.
4. No vehicular access to Edgelawn Dr.
5. 6-foot opaque fence along Edgelawn Dr.
6. 6-foot opaque fence along tax maps 18-R-20, 21, and 22A.
7. No structure, except a dumpster, shall be located within 150 ft. of Edgelawn Dr. ROW.
8. Minimum of 6 small ornamental deciduous or evergreen trees along Edgelawn Dr.
9. Reconstruct the curb ramp to accessibility guideline standards at corner of South Main St. and East Weaver Ave.



# Proposed Proffer Amendments

Existing 2017-Approved Proffers	Proposed Proffer Amendments
1. Buildings shall contain residential and nonresidential uses. First floor shall contain non-residential uses.	1. Principle buildings shall contain residential and non-residential uses. Commercial uses shall only be permitted on the first floor and shall not exceed 5,000 square feet throughout all buildings. Residential units may be located on the first floor.
2. 22 one-bedroom multi-family units.	2. 26 total units with only one- and two-bedrooms. No more than 6 units may be two-bedroom units.
4. Only one vehicular access point to South Main Street, which shall only be right-in/right-out.	4. This proffer was removed.

# SUP Requests

## Section 10-3-55.4(1):

To allow multi-family dwellings with more than twelve (12) units per building.

## Section 10-3-55.4(4):

Retail stores, convenience shops, personal service establishments, restaurants (excluding those with drive-through facilities), medical clinics, and business and professional offices under conditions set forth in subsections 10-3-55.6(f) and (g) and such other conditions deemed necessary by city council.

# Suggested Conditions for SUP Section 10-3-55.4 (4)

1. All traffic generating uses on the site, including uses not associated with the special use permit, shall be limited to a combined total of 100 vehicle trips in either the AM or PM peak hour as calculated using the latest edition of the Institute of Transportation Engineer's Trip Generation Manual unless the property owner first, at their cost: (1) completes a Traffic Impact Analysis accepted by the City Department of Public Works and (2) implements all identified mitigation measures or improvements. The City Department of Public Works may, in its sole discretion, waive, in whole or in part, completion of a Traffic Impact Analysis or any identified mitigation measures or improvements.
2. No drive-throughs will be permitted.

# Recommendation

Staff and Planning Commission (7-0) recommends approval of the rezoning and the two special use permit requests with the two conditions attached to the SUP per Section 10-3-55.4 (4) submitted by the applicant and amended by staff.



# City of Harrisonburg

City Hall  
409 South Main Street  
Harrisonburg, VA 22801

## Legislation Text

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**File #:** ID 26-174, **Version:** 1

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**Subject:**

Consider approving an ordinance amendment to Section 7-4-1(a)(1)(a), 7-4-1(a)(1)(b), 7-4-1(a)(2)(a), 7-4-1(a)(2)(b), 7-4-1(a)(3), 7-4-1(a)(4), 7-4-1(b)(1)(a), 7-4-1(b)(1)(b), 7-4-1(b)(2)(a), 7-4-1(b)(2)(b), 7-4-1(b)(3) of the Harrisonburg City Code increasing water, sewer/authority, and a seasonal tiered rate structure.

Presented By: Mike Collins, Public Utilities Director

The ordinance amendment to 7-4-1(a)(b) would increase rates per one thousand (1000) gallons charged by the City as follows; water rates by twenty-seven cents (\$.27), sewer rates by six cents (\$.06), authority rates by eight cents (\$.08), and seasonal to a tiered rate structure: five cents (\$.05) per one thousand (1000) gallons  $\leq$  five thousand (5000) gallons, thirty cents (\$.30) per one thousand (1000) gallons  $\geq$  six thousand gallons.



May 26, 2026 City Council Meeting

**Title**

Mike Collins, Director, Public Utilities

**Summary**

The Director of Public Utilities is requesting City Council to revise City Code of Ordinance Sections 7-4-1(a)(1)(a), 7-4-1(a)(1)(b), 7-4-1(a)(2)(a), 7-4-1(a)(2)(b), 7-4-1(a)(3), 7-4-1(a)(4), 7-4-1(b)(1)(a), 7-4-1(b)(1)(b), 7-4-1(b)(2)(a), 7-4-1(b)(2)(b), 7-4-1(b)(3)

**Recommendation**

Option 1. Revise Ordinance

**Fiscal Impact**

Establishes the bases for the cash revenue forecasts in budget FY2027

**Context & Analysis**

Section 7-4-1: Schedule of rates and charges generally

*Item a:* The water rate increase was planned in budget FY2027 at \$0.27 per 1000 gallons

*Item b:* The sewer rate increase was planned in budget FY2027 at \$0.06 per 1000 gallons

*Item c:* The authority rate increase was planned in budget FY2027 at \$0.08 per 1000 gallons

*Item d:* The seasonal rate increase was planned in budget FY2027 at the following tiered rate structure:

Gallons per month	Rate
1,000	\$0.05
2,000	\$0.10
3,000	\$0.15
4,000	\$0.20
5,000	\$0.25
≥6,000	\$0.30

**Options**

1. Accept Revisions
2. Status Quo

**Attachments**

1. Memorandum
2. Ordinance Revision – Changes Tracked
3. Ordinance Revision – Changes Accepted
4. Public Hearing Notice

**NOTICE OF PUBLIC HEARING  
ON AN ORDINANCE AMENDMENT INCREASING THE WATER AND SEWER  
RATES IN THE CITY OF HARRISONBURG**

The Harrisonburg City Council will hold a public hearing on May 26, 2026, at 7:00 p.m., or as soon as the agenda permits, in the City Council Chambers located at 409 South Main Street, Harrisonburg, Virginia, to solicit public comments concerning the following:

Amending and re-enacting the Harrisonburg City Code Section 7-4-1(a)(1)(a), 7-4-1(a)(1)(b), 7-4-1(a)(2)(a), 7-4-1(a)(2)(b), 7-4-1(a)(3), 7-4-1(a)(4) to **increase** city and rural water rates by \$.27 per one thousand (1000) gallons as follows:

Gallons used	7-4-1(1)(a) City water per 1000 gallons	7-4-1(1)(b) Rural Water per 1000 gallons
0-250,000	\$0.27	\$0.27
250,000 plus	\$0.27	\$0.27

Amending and re-enacting the Harrisonburg City Code Section 7-4-1(1) to increase the minimum water charges by meter as follows:

Meter Size (inches)	City Minimum (per month)	Rural Minimum (per month)
5/8" / 3/4"	\$0.81	\$0.81
1	\$2.03	\$2.03
1½	\$4.05	\$4.05
2	\$6.48	\$6.48
3	\$12.96	\$12.96
4	\$20.25	\$20.25
6	\$40.50	\$40.50
8	\$64.80	\$64.80
10	\$284.10	\$284.10

Amending and re-enacting the Harrisonburg City Code Section 7-4-1(b)(1)(a), 7-4-1(b)(1)(b), 7-4-1(b)(2)(a), and 7-4-1(b)(2)(b), 7-4-1(3) city and rural sewer rate charges will increase by \$0.06 per one thousand (1000) gallons;

Gallons used	7-4-1(2)(a) City Sewer per 1000 gallons	7-4-1(2)(b) Rural Sewer per 1000 gallons
0-250,000	\$0.06	\$0.06
250,000 plus	\$0.06	\$0.06

Amending and re-enacting the Harrisonburg City Code Section 7-4-1(3) to increase the minimum sewer charges by meter as follows:

Meter Size (inches)	City Minimum (per month)	Rural Minimum (per month)
5/8" / 3/4"	\$0.18	\$0.18
1	\$0.45	\$0.45
1½	\$0.90	\$0.90
2	\$1.44	\$1.44
3	\$2.88	\$2.88
4	\$4.50	\$4.50
6	\$9.00	\$9.00
8	\$14.40	\$14.40
10	\$37.80	\$37.80

Amending and re-enacting the Harrisonburg City Code Section 7-4-1(b)(1)(a), 7-4-1(b)(1)(b), 7-4-1(b)(2)(a), and 7-4-1(b)(2)(b), 7-4-1(3) city and rural authority rate charges will increase by \$0.08 per one thousand (1000) gallons;

Gallons used	7-4-1(2)(a) City Authority per 1000 gallons	7-4-1(2)(b) Rural Authority per 1000 gallons
0-250,000	\$0.08	\$0.08
250,000 plus	\$0.08	\$0.08

Amending and re-enacting the Harrisonburg City Code Section 7-4-1(3) to increase the minimum authority charges by meter as follows:

Meter Size (inches)	City Minimum (per month)	Rural Minimum (per month)
5/8" / 3/4"	\$0.24	\$0.24
1	\$0.60	\$0.60
1½	\$1.20	\$1.20
2	\$1.92	\$1.92
3	\$3.84	\$3.84
4	\$6.00	\$6.00
6	\$12.00	\$12.00
8	\$19.20	\$19.20

10	\$50.40	\$50.40
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Amending and re-enacting the Harrisonburg City Code Section 7-4-1(a)(3) to increase the seasonal charge to water bills generated in the months of July, August, September, October, and November by meter consumption per one thousand (1000) gallons;

Gallons (per month)	Rate
1,000	\$0.05
2,000	\$0.10
3,000	\$0.15
4,000	\$0.20
5,000	\$0.25
≥6,000	\$0.30

Copies of the proposed ordinance amendment are available on the city’s website and are available in the City Manager’s Office, 409 South Main Street, Harrisonburg, Virginia, Monday through Friday, 8:00 a.m. to 5:00 p. m.

All persons interested will have an opportunity to express their views at this public hearing.

Legal authority for the enactment of the above described increases is found in Section 15.2-2119 of the Code of Virginia.

Any person requiring auxiliary aids, including signers, in connection with this public hearing shall notify the City Manager at least five (5) days prior to the time of the hearing.

CITY OF HARRISONBURG  
Ande Banks,  
City Manager

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To be advertised one (2) times:

Monday, May 11, 2026  
Monday, May 18, 2026

**ORDINANCE AMENDING AND RE-ENACTING SECTION 7-4-1 – SCHEDULE OF RATES AND CHARGES GENERALLY, OF THE CODE OF ORDINANCES, CITY OF HARRISONBURG, VIRGINIA**

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

That Section 7-4-1 be amended and re-enacted as follows:

**Sec. 7-4-1. - Schedule of rates and charges generally.**

The rates for water and sewer services, or specific sewer metering applications as approved by the director, to be applied to one hundred (100) percent of the water meter readings, shall be as follows:

(a) Water rates, per month:

(1) City water rates, per month:

a. First zero (0) gallons to two hundred fifty thousand (250,000) gallons at four dollars and ~~forty-four~~seventy-one cents (\$4.~~44~~71) per one thousand (1,000) gallons;

b. All over two hundred fifty thousand (250,000) gallons at four dollars and ~~fourteen~~forty-one cents (\$4.~~44~~41) per one thousand (1,000) gallons.

(2) Rural water rates, per month:

a. First zero (0) gallons to two hundred fifty thousand (250,000) gallons at six dollars and ~~fifty-one~~seventy-eight cents (\$6.~~51~~78) per one thousand (1,000) gallons;

b. All over two hundred fifty thousand (250,000) gallons at five dollars and ~~fifty-seven~~eighty-four cents (\$5.~~57~~84) per one thousand (1,000) gallons.

(3) In addition to the city and rural water rates as set forth above, there shall be added to all water bills generated in the months of July, August, September, October, and November of each year a tiered seasonal water rate charge ~~of twenty-five cents (\$0.25)~~ per one thousand (1,000) gallons.

<u>Gallons</u> <u>(per month)</u>	<u>Rate</u>
<u>1,000</u>	<u>\$0.05</u>
<u>2,000</u>	<u>\$0.10</u>
<u>3,000</u>	<u>\$0.15</u>
<u>4,000</u>	<u>\$0.20</u>

<u>5,000</u>	<u>\$0.25</u>
<u>≥6,000</u>	<u>\$0.30</u>

(4) Minimum water charges per month by meter: (Three thousand (3,000) gallons for 5/8 meter; AWWA equivalent multiplier for larger sizes):

Meter Size (inches)	AWWA Multiplier	City Minimum (per month)	Rural Minimum (per month)
5/8 or 3/4	1.0	<del>\$13.32</del> <u>14.13</u>	<del>\$19.53</del> <u>20.34</u>
1	2.5	<del>\$33.30</del> <u>35.33</u>	<del>\$48.83</del> <u>50.85</u>
1 1/2	5.0	<del>\$66.60</del> <u>70.65</u>	<del>\$97.65</del> <u>101.70</u>
2	8.0	<del>\$106.56</del> <u>113.04</u>	<del>\$156.24</del> <u>162.72</u>
3	16.0	<del>\$213.12</del> <u>226.08</u>	<del>\$312.48</del> <u>325.44</u>
4	25.0	<del>\$333.00</del> <u>353.25</u>	<del>\$488.25</del> <u>508.50</u>
6	50.0	<del>\$666.00</del> <u>706.50</u>	<del>\$976.50</del> <u>1,017.00</u>
8	80.0	<del>\$1,065.60</del> <u>1,130.40</u>	<del>\$1,562.40</del> <u>1,627.20</u>
10	210.0	<del>\$2,683.20</del> <u>2,967.30</u>	<del>\$3,744.10</del> <u>3,914.20</u>

(5) Rockingham County Water Agreement of 1995 (north and east areas): Rates shall conform to the contract or any amendments to the same.

(6) When using storm water or surface water for "green water" purposes as set forth in [section 7-3-81](#) of this Code, water shall be billed at the city and county water rates; as published in [section 7-4-1](#); however, less the operating component of the rate. The operating component of the rate is calculated as follows: [annual pumping, storage and monitoring costs, plus annual transmission and distribution costs, plus annual water treatment costs; the sum divided by total annual consumption per one thousand (1,000) gallons].

(b) Sewer plus authority rates, per month:

(1) City sewer plus authority rates, per month (includes two dollars and ninety-~~six~~ cents (~~\$2.90~~6) per one thousand (1,000) gallons for each of the following rate groups for sewer charge):

a. First zero (0) gallons to two hundred fifty thousand (250,000) gallons at six dollars and ~~fifty-three~~sixty-seven cents (~~\$6.53~~67) per one thousand (1,000) gallons;

b. All over two hundred fifty thousand (250,000) gallons at six dollars and ~~thirty-three~~forty-seven cents (\$~~6.33~~47) per one thousand (1,000) gallons.

(2) Rural sewer plus authority rates, per month (includes two dollars and ninety-~~six~~six cents (\$~~2.90~~6) per one thousand (1,000) gallons for each of the following rate groups for the sewer charge):

a. First zero (0) gallons to two hundred fifty thousand (250,000) gallons at nine dollars and ~~thirty-four~~forty-eight cents (\$~~9.34~~48) per one thousand (1,000) gallons;

b. All over two hundred fifty thousand (250,000) gallons at ~~eight~~nine dollars and ~~ninety-two~~six cents (\$~~8.92~~9.06) per one thousand (1,000) gallons.

(3) Minimum sewer charges, per month by meter: (Three thousand (3,000) gallons for 5/8; meter; AWWA equivalent multiplier for larger sizes):

Meter Size (inches)	AWWA Multiplier	City Minimum (per month)	Rural Minimum (per month)
5/8 or 3/4	1.0	\$ <del>19.59</del> <u>20.01</u>	\$ <del>28.02</del> <u>28.44</u>
1	2.5	\$ <del>48.98</del> <u>50.03</u>	\$ <del>70.05</del> <u>71.10</u>
1½	5.0	\$ <del>97.95</del> <u>100.05</u>	\$ <del>140.10</del> <u>142.20</u>
2	8.0	\$ <del>156.72</del> <u>160.08</u>	\$ <del>224.16</del> <u>227.52</u>
3	16.0	\$ <del>313.44</del> <u>320.16</u>	\$ <del>448.32</del> <u>455.04</u>
4	25.0	\$ <del>489.75</del> <u>500.25</u>	\$ <del>700.50</del> <u>711.00</u>
6	50.0	\$ <del>979.50</del> <u>1,000.50</u>	\$ <del>1,401.00</del> <u>1,422.00</u>
8	80.0	\$ <del>1,567.20</del> <u>1,600.80</u>	\$ <del>2,241.60</del> <u>2,275.20</u>
10	210.00	\$ <del>4,037.90</del> <u>4,126.10</u>	\$ <del>5,724.60</del> <u>5,812.80</u>

All minimum charges for both city and rural include authority O & M and debt charge. There shall be a separate minimum charge for each meter

(4) Rockingham County Water Agreement of 1995 (north and east areas): Rates shall conform to the contract or any amendments to the same.

(c) Utility tax: A twenty (20) percent utility tax is added to the total water bills of city and rural users, maximum two dollars (\$2.00) residential, twenty dollars (\$20.00) commercial.

(d) Regulations: All unpaid accounts are subject to discontinuance of service one (1) month and five (5) days after past due. There shall be an administrative charge of thirty-five dollars (\$35.00) added to the utility bill of any account that requires adjustment due to a returned payment by the

bank on which it is drawn, for any reason. After three (3) returned payments, utility accounts may be removed from automatic draft per the discretion of the director, or their assigned. Should the account have a reduced deposit due to automatic draft set up during initialization the remainder deposit due will be billed to the utility account due in the next billing cycle. Utility accounts will be eligible to re-establish automatic bank draft after twelve (12) months. Accounts sixty (60) days or more past due shall be forwarded to a collection agency. Administrative charges incurred from the collection of past due accounts shall be charged to the account holder.

(e) Other charges:

Administrative / Field call - next business day	\$25.00
Administrative / Field call - same day service before cutoff time	\$75.00
Administrative / Field call - after business hours	\$175.00
Re-connection - next business day	\$35.00
Re-connection - same day service before cutoff time	\$75.00
Re-connection - after business hours	\$175.00
Tapping order per meter $\geq$ 72 hours' notice	\$25.00
Tapping order per meter $<$ 72 hours' notice	\$75.00
Tapping order per meter - after business hours	\$175.00
Meter test $<$ 1 1/2" in size	\$150.00
Meter test $\geq$ 1 1/2" in size	\$495.00
Site visit fee	\$25.00

(f) (1) Field call charge for turning on the water service, transferring account ownership or turn on or off of meter for repairs that are not constituted as an emergency which charges shall be included on the next monthly statement submitted after service is provided;

(2) There is no charge for turning service off;

(3) Cost shall be as defined in [section 7-4-23](#) of this Code;

(4) Re-connection charge applies to any person, firm, or corporation whose utility service has been discontinued for nonpayment of account, or who fail to comply with delinquent payment cutoff time, and shall, before the service is re-established, pay all delinquent and current bills.

(5) When a date and time to establish a connection has been agreed to between the customer and the city public utilities department and the customer fails to be present at such date and time then the customer shall be charged a site visit fee of twenty-five dollars (\$25.00).

(6) Installation of meters will be assessed a twenty-five-dollar (\$25.00) fee per meter when scheduled seventy-two (72) hours in advance; if less than seventy-two (72) hours a one hundred seventy-five dollar (\$175.00) fee will be assessed per meter. There will be no additional connection fee subject to [section 7-4-1](#).

(g) [Exemptions.] The director is authorized on application to exempt the payment of all charges imposed by this section, those citizens, or spouse of those, who qualify for active military service deployment on foreign soils.

(h) [Changes to fees.] Subsequent to July 1, 2012, any changes to the fees and rates as set forth in this section shall be made by the city council and published in the annual appropriation ordinance.

This ordinance shall be effective from the \_\_\_\_ day of \_\_\_\_\_, 2026. Adopted and approved this \_\_ day of \_\_\_\_\_, 2026.

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MAYOR

ATTESTE:

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CITY CLERK



# City of Harrisonburg

City Hall  
409 South Main Street  
Harrisonburg, VA 22801

## Legislation Text

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**File #:** ORD 26-010, **Version:** 1

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**Subject:**

Consider adopting an Ordinance amendment Section 6-5-4(c) - Stormwater Utility Fee, of the Code of Ordinances, City of Harrisonburg, VA

Presented By: Keith Thomas, Sustainability and Environmental Manager

City Council will consider amending Section 6-5-4 (c) to increase the Stormwater Utility Fee from \$8.00 per billing unit per year, to \$10.00 per billing unit per year.



**HARRISONBURG | VA**  
**FRIENDLY BY NATURE**



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June 9, 2026, City Council Meeting

**Title**

Ordinance Amendment Adjusting Stormwater Utility Fee – Keith Thomas Public Works

**Summary**

A proposed amendment to Section 6-5-4 (c) adjusting the stormwater utility fee from \$8.00 per year to \$10.00 per year.

**Recommendation**

Option 1. Adopt the ordinance amendment as presented

**Fiscal Impact**

The proposed increase in stormwater utility fees has been incorporated into the budget for the upcoming fiscal year.

**Context & Analysis**

Staff recommends increasing the stormwater utility fee from \$8.00 per year to \$10.00 per year.

**Options**

1. Adopt the ordinance amendment as proposed by staff

**Attachments**

1. Proposed ordinance amendment
2. Presentation

**ORDINANCE AMENDING AND RE-ENACTING  
SECTION 6-5-4(c), STORMWATER UTILITY FEE  
OF THE CODE OF ORDINANCES CITY OF HARRISONBURG, VIRGINIA**

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

That Section 6-5-4(c) be amended and re-enacted as follows:

**Sec. 6-5-4. Stormwater utility fee.**

(c) The billing rate per billing unit to be used for calculating the stormwater utility fee shall be ~~eight~~ ten dollars (~~\$8.00~~ 10.00) per year. City council may modify the billing rate in the future.

The remainder of the Section is reaffirmed and reenacted in its entirety, except as hereby modified.

This ordinance shall be effective from the \_\_\_\_\_ day of \_\_\_\_\_, 2026. Adopted and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
**MAYOR**

ATTESTE:

\_\_\_\_\_  
CITY CLERK



# Stormwater Utility Fee Ordinance Update

June 9, 2026

# Drainage Improvement Program



- Program was created in 2019
- Residents apply to be a part of it
- General process
  - Application > Staff/SWAC Review > Feasibility Study > Design Improvements > Install Improvements
- We have received applications/worked with 10 neighborhoods
- 5 are at the design improvement stage
  - Woodland Drive (VDOT completing part of I-81 expansion)
  - Need to plan for designing and installing remaining 4

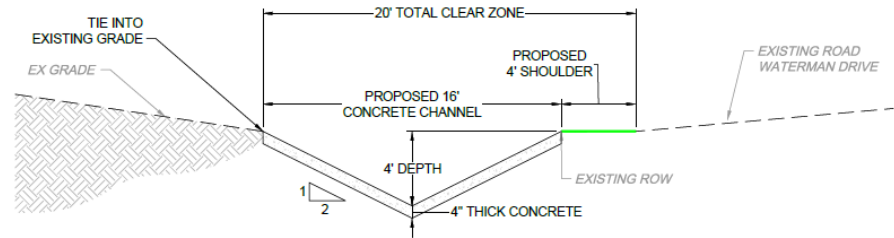
# Waterman Drive Corridor



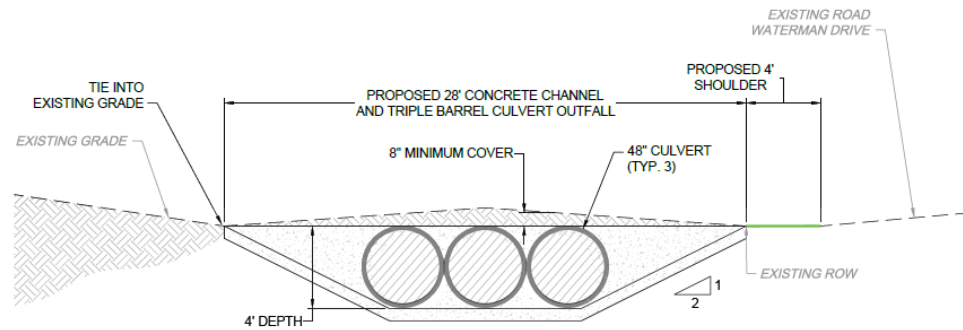
## Waterman Drive & Market Street Proposed Ditch Connection

110 Waterman Dr - 800 W Market St

- Proposed barrel 48" culvert
- Proposed concrete channel
- Proposed barrel 48" culvert update
- Storm sewer
- SWP
- Manhole
- Drop inlet
- Pipe structure

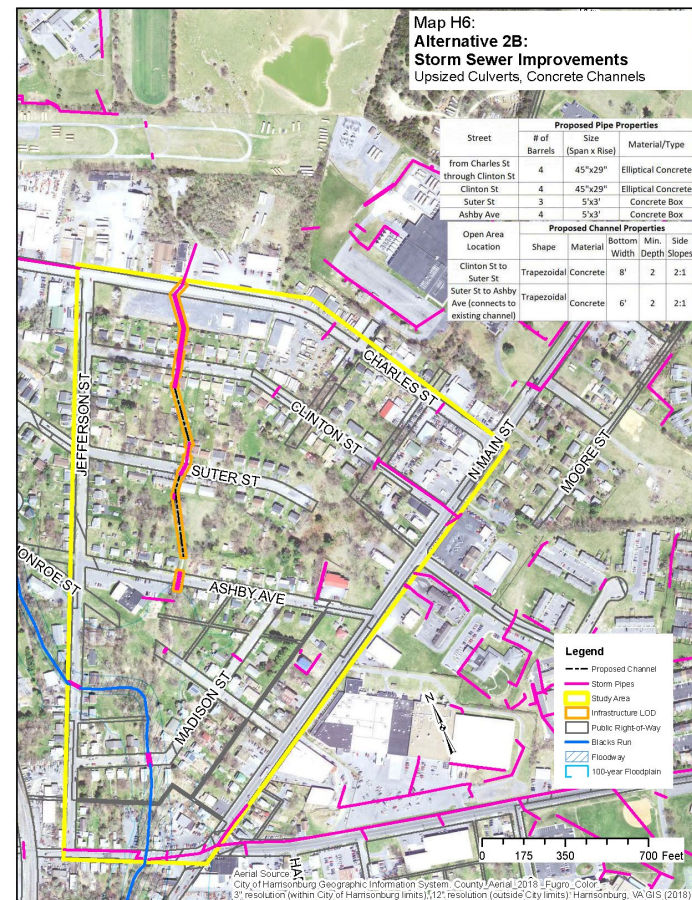
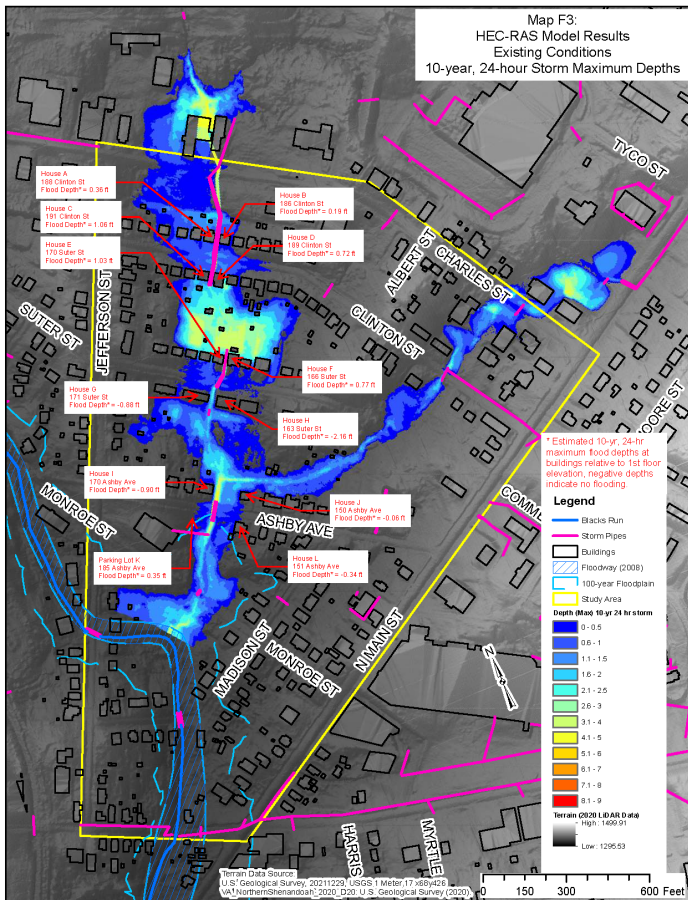


**CHANNEL SECTION VIEW**  
N.T.S

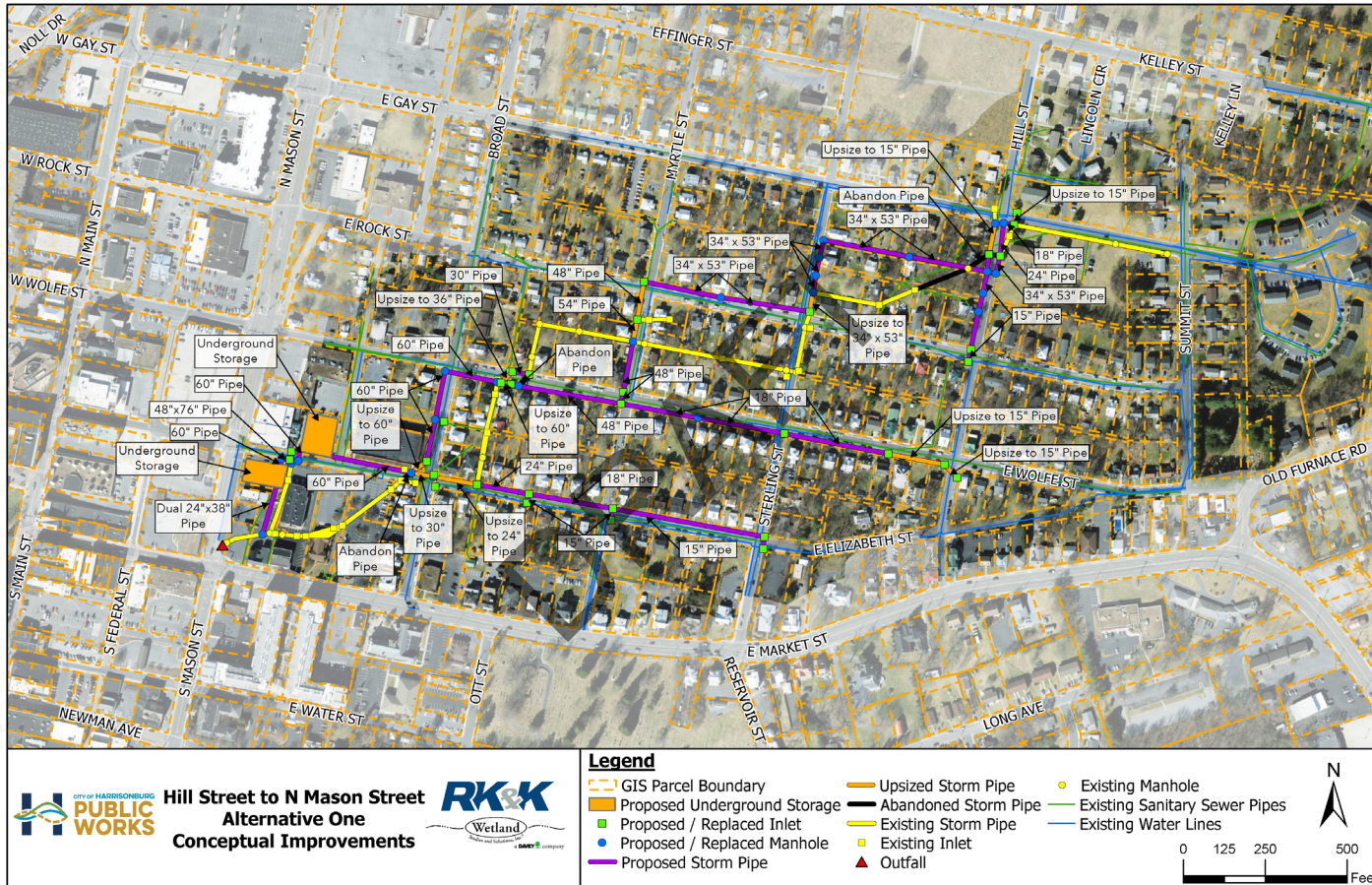


**CULVERT SECTION VIEW**  
N.T.S

# Charles Street to Madison Street



# Northeast- South



# Northeast- North



Wetland Studies and Solutions, Inc.  
a DAVEY company

Exhibit F

# Estimated Project Costs



Project	Estimated Cost
Waterman Drive Corridor	\$7,500,000
Charles Street to Madison Street	\$4,500,000
Northeast- South	\$23,000,000
Northeast- North	TBD

# SW Utility Fee Ordinance Update



- Sec. 6-5-4. Stormwater utility fee

(c) The billing rate per billing unit to be used for calculating the stormwater utility fee shall be ~~eight~~ ten dollars (~~\$8.00~~10.00) per year. City council may modify the billing rate in the future.

- Increasing the fee by \$2 will generate approximately \$460,000/ year
- Increased portion will be set aside to use for quantity improvements

	R-1	R-2	R-3	R-4
Annual Bill (\$10/500sqft) Median	\$70.00	\$50.00	\$40.00	\$30.00
Difference from Current	\$14.00	\$10.00	\$8.00	\$6.00



# City of Harrisonburg

City Hall  
409 South Main Street  
Harrisonburg, VA 22801

## Legislation Text

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**File #:** ORD 26-012, **Version:** 1

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**Subject:**

Consider amending and re-enacting Section 10-4-19 - Erosion Control and Stormwater Management Fees of the Code of Ordinances, Harrisonburg, Virginia

Presented By: Matthew Huston, Department of Community Development

Proposed change to the Erosion Control and Stormwater Management Ordinance Section 10-4-19 - Fees. Fees for review of stormwater management plans and permit issuance, modification or transfer of registration statements, and permit maintenance are proposed to increase to match fees set by the State Water Control Board pursuant to 9VAC25-875-1360 through -1420. Fees are proposed to increase by between 49% and 63%, depending on type of permit. Fees would be subject to future increases tied to the Consumer Price Index.



June 9, 2026 City Council Meeting

## **Title**

Consider Ordinance Amendment to Section 10-4-19 to Adjust Stormwater Construction Permit Fees—Matthew Huston, Community Development

## **Summary**

The Virginia Erosion and Stormwater Management Regulation (9VAC25-875) has been amended to increase the fees for various plan reviews and permits for the erosion and stormwater program administered by the Virginia Department of Environmental Quality. The amended regulation also incorporates future adjustments to fees following the Consumer Price Index (CPI). These regulatory changes go into effect no earlier than July 1, 2026. The plan review and permitting fees charged under the City’s construction stormwater program currently match those charged by the state. Staff propose to adopt the fee increases implemented by the state as well as the future CPI-based adjustments to those fees.

## **Recommendation**

Option 1. Adopt ordinance amendment adjusting erosion and stormwater management construction permitting fees as proposed by staff.

## **Fiscal Impact**

The cost to the City for increasing the fees is trivial—updating permit application forms, communicating the change, etc. If the City elects not to increase its fees, the state’s fees will still increase and the City’s contribution toward the state’s fees will increase, leaving less revenue to support the City’s erosion and stormwater management program.

## **Context & Analysis**

At its November 18, 2025, meeting, the State Water Control Board adopted amendments to the Virginia Erosion and Stormwater Management Regulation (9VAC25-875) to meet the program cost recovery requirements in Chapter 2 of the 2024 Special Session I Acts of Assembly. The amendments revise the existing statewide permit fee schedules for the VPDES<sup>1</sup> Permit for Discharges of Stormwater from Construction Activities, MS4<sup>2</sup> permits, associated permit modification, and permit maintenance. Changes to the existing regulation include not only

<sup>1</sup> Virginia Pollutant Discharge Elimination System

<sup>2</sup> Municipal Separate Storm Sewer System

revising the fee schedules, but also the inclusion of a consumer price index (CPI) annual adjustment factor, as well as changing the portion of the total permit fee paid to the Department of Environmental Quality by local Erosion and Stormwater Management Program authorities (such as the City's) from 28% to 30%. The revised fee schedules increase fees by between 49% and 62%, depending on the type of permit. The changes go into effect no sooner than July 1, 2026.

Currently, the fees charged under the City's erosion and stormwater management program match those in the state regulation prior to this recently adopted amendment. These fees are listed explicitly in the City's Erosion Control and Stormwater Management Ordinance within Section 10-4-19. Staff propose to match the revised fees essentially by incorporating the state's fees by reference. In this way, when the state increases its fees under a CPI adjustment, the City's fees will change as well, without having to amend the City ordinance.

For plan review and permit fees for which there is no equivalent under the state's fee schedule (i.e., the state stormwater program does not apply), staff propose no changes to the City's fees. These include fees for erosion control only, for resubmission of plans not approved, and for single-family detached residential structures.

It is important to note that if the City elects not to change its fees, the state fees will still change on July 1, 2026 (or soon thereafter). The 30% portion of fees collected under the City's program to be remitted to the state is based on the state's fee schedule, so the City would retain less revenue to support its program. To take an example:

Current fee schedule	Total fee collected	Portion remitted to state	Portion kept by City
Small Construction Activity (1 to 5 acres)	\$2,700	\$756	\$1,944
If City <u>matches</u> new state fee schedule	Total fee collected	Portion remitted to state	Portion kept by City
Small Construction Activity (1 to 5 acres)	\$4,100	\$1,230	\$2,870
If City <u>does not match</u> new state fee schedule	Total fee collected	Portion remitted to state	Portion kept by City
Small Construction Activity (1 to 5 acres)	\$2,700	\$1,230	\$1,470

Summary tables of the proposed fee changes are attached.

### Options

1. Adopt ordinance amendment adjusting erosion and stormwater management construction permitting fees to match state fees and future CPI adjustments as proposed by staff.

2. Adopt ordinance amendment adjusting erosion and stormwater management construction permitting fees to match current state fee increase, but require future ordinance amendment be considered whenever state fees change.
3. Keep ordinance with current erosion and stormwater management construction permitting fees.

**Attachments**

1. Current Ordinance Reflecting Recommended Amendments
2. Summary Tables of Proposed Fee Changes
3. PowerPoint Presentation

**Summary Tables of Proposed Fee Changes**

**Table 1: Fees for review of Stormwater Management Plan and permit issuance**

Type of Permit	Current fee collected by City	Current portion reimbursed to DEQ by City	Proposed fee collected by City	Proposed portion reimbursed to DEQ by City
General/Stormwater Management— Small Construction Activity/Land Clearing involving construction of one single-family detached residential structure on an individual lot disturbing greater than or equal to 1 acre and less than 5 acres and covered under an "Agreement in Lieu of a Stormwater Management Plan"	\$200.00	\$0	\$200.00	\$0
General/Stormwater Management— Small Construction Activity/Land Clearing involving construction of one single-family detached residential structure on an individual lot within a common plan of development or sale and covered under an "Agreement in Lieu of a Stormwater Management Plan"	\$200.00	\$0	\$200.00	\$0
General/Stormwater Management— Small Construction Activity/Land Clearing (Areas within common plans of development or sale with land disturbance acreage less than 1 acre.)	\$290.00	\$81.00	\$450.00	\$135.00
General/Stormwater Management— Small Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 1 acre and less than 5 Acres)	\$2,700.00	\$756.00	\$4,100.00	\$1,230.00

Type of Permit	Current fee collected by City	Current portion reimbursed to DEQ by City	Proposed fee collected by City	Proposed portion reimbursed to DEQ by City
General/Stormwater Management— Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 5 acres and less than 10 acres)	\$3,400.00	\$952.00	\$5,100.00	\$1,530.00
General/Stormwater Management— Large Construction Activity/Land Clearing [Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 10 acres and less than 50 acres]	\$4,500.00	\$1,260.00	\$6,800.00	\$2,040.00
General/Stormwater Management— Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 50 acres and less than 100 acres)	\$6,100.00	\$1,708.00	\$9,100.00	\$2,730.00
General/Stormwater Management— Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 100 acres)	\$9,600.00	\$2,688.00	\$14,300.00	\$4,290.00

Note: The above table is subject to CPI adjustments by DEQ.

**Table 2: Fees for review of resubmitted Stormwater Management Plan**

Fee type	Current fee collected by City	Proposed fee collected by City
Resubmission of withheld Stormwater Management Plan, each instance	\$300.00	\$300.00
Resubmission of Stormwater Management Plan needing minor revisions, each instance	\$100.00	\$100.00

Note: No portion of the fees in the above table go to DEQ.

**Table 3: Fees for review of Erosion Control Plan**

Fee type	Current fee collected by City	Proposed fee collected by City
Erosion Control for construction of one single-family detached residential structure on an individual lot with land disturbance greater than or equal to 10,000 square feet and less than 1 acre and covered under an "Agreement in Lieu of a Erosion Control Plan"	\$0.00	\$0.00
Erosion Control Plan for land disturbance greater than or equal to 10,000 square feet and less than or equal to 1 acre.	\$300.00	\$300.00
Erosion Control Plan for land disturbance greater than 1 acre	\$300.00 plus \$50.00 for every acre or part of an acre beyond 1 acre of land disturbance	\$300.00 plus \$50.00 for every acre or part of an acre beyond 1 acre of land disturbance
Resubmission of withheld Erosion Control Plan, each instance	\$300.00	\$300.00
Resubmission of Erosion Control Plan needing minor revisions, each instance	\$100.00	\$100.00

Note: No portion of the fees in the above table go to DEQ.

**Table 4: Fees for the modification or transfer of registration statements for the General Permit for Discharges of Stormwater from Construction Activities**

Type of Permit	Current fee collected by City	Proposed fee collected by City
General/Stormwater Management—Small Construction Activity/Land Clearing (Areas within common plans of development or sale with land disturbance acreage less than 1 acre)	\$20.00	\$30.00
General/Stormwater Management—Small Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 1 and less than 5 acres)	\$200.00	\$320.00

Type of Permit	Current fee collected by City	Proposed fee collected by City
General/Stormwater Management—Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 5 acres and less than 10 acres)	\$250.00	\$400.00
General/Stormwater Management—Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 10 acres and less than 50 acres)	\$300.00	\$480.00
General/Stormwater Management—Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 50 acres and less than 100 acres)	\$450.00	\$720.00
General/Stormwater Management—Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 100 acres)	\$700.00	\$1,120.00

Note: The above table is **not** subject to CPI adjustments by DEQ.  
No portion of the fees in the above table go to DEQ.

**Table 5: Permit Maintenance Fees**

Type of Permit	Current fee collected by City	Proposed fee collected by City
General/Stormwater Management—Small Construction Activity/Land Clearing (Areas within common plans of development or sale with land disturbance acreage less than 1 acre)	\$50.00	\$80.00
General/Stormwater Management—Small Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance equal to or greater than 1 acre and less than 5 acres)	\$400.00	\$650.00
General/Stormwater Management—Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 5 acres and less than 10 acres)	\$500.00	\$800.00

Type of Permit	Current fee collected by City	Proposed fee collected by City
General/Stormwater Management—Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 10 acres and less than 50 acres)	\$650.00	\$1,050.00
General/Stormwater Management—Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 50 acres and less than 100 acres)	\$900.00	\$1,450.00
General/Stormwater Management—Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater 100 acres)	\$1,400.00	\$2,250.00

Note: **The above table is subject to CPI adjustments by DEQ.**  
 No portion of the fees in the above table go to DEQ.

**ORDINANCE AMENDING AND RE-ENACTING TITLE 10 –  
PLANNING AND DEVELOPMENT, CHAPTER 4. – EROSION  
CONTROL AND STORMWATER MANAGEMENT, OF THE  
CODE OF ORDINANCES FOR THE  
CITY OF HARRISONBURG, VIRGINIA**

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

**That Section 10-4-19. Fees shall be amended as shown:**

**Sec. 10-4-19. Fees**

(a) ~~(a)~~—Fees to cover costs associated with implementation of a VESMP related to land disturbing activities and issuance of general permit coverage and VESMP authority permits shall be imposed in accordance with [this section](#). ~~Table 1 and Table 2~~. When a site has been purchased for development within a previously permitted common plan of development or sale, the applicant shall be subject to fees ~~in accordance with~~ [pertaining to](#) the disturbed acreage of their site [in accordance with this section](#) ~~according to Table 1 and Table 2~~.

(1) [Fees for review of Stormwater Management Plans and permit issuance shall be as set by the State Water Control Board pursuant to 9VAC25-875-1375 and 9VAC25-875-1400. Fees are charged based on the Type of Permit in Table 1 below. Fifty \(50\) percent of the fee shall be paid by the applicant at the time of plan submission, and the remaining fifty \(50\) percent shall be paid by the applicant following plan approval and prior to permit issuance. Pursuant to 9VAC25-875-1360, thirty \(30\) percent of the fees collected by the City under this paragraph shall be remitted to the Virginia Stormwater Management Fund.](#)

**Table 1: Fees for review of Stormwater Management Plan and permit issuance**

<del>Fee type</del> <a href="#">Type of Permit</a>	<del>Fee to be paid by applicant at time of plan submission</del>	<del>Fee to be paid by applicant following plan approval</del>	<del>Portion of total fee reimbursed to DEQ by the City</del>
General/Stormwater Management—Small Construction Activity/Land Clearing involving construction of one single-family <del>home detached residential structure or one residential duplex structure</del> on an individual lot disturbing greater than or equal to 1 acre and less than 5 acres and covered under an "Agreement in Lieu of a Stormwater Management Plan"	<del>\$200.00</del>	<del>\$0.00</del>	<del>\$0.00</del>
General/Stormwater Management—Small Construction Activity/Land Clearing involving	<del>\$200.00</del>	<del>\$0.00</del>	<del>\$0.00</del>

construction of one single-family <u>detached residential structure</u> <del>home or one residential duplex structure</del> on an individual lot within a common plan of development or sale and covered under an "Agreement in Lieu of a Stormwater Management Plan"			
General/Stormwater Management—Small Construction Activity/Land Clearing (Areas within common plans of development or sale with land disturbance acreage less than 1 acre.)	\$145.00	\$145.00	\$81.00
General/Stormwater Management—Small Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 1 acre and less than 5 Acres)	\$1,350.00	\$1,350.00	\$756.00
General/Stormwater Management—Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 5 acres and less than 10 acres)	\$1,700.00	\$1,700.00	\$952.00
General/Stormwater Management—Large Construction Activity/Land Clearing [Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 10 acres and less than 50 acres]	\$2,250.00	\$2,250.00	\$1,260.00
General/Stormwater Management—Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 50 acres and less than 100 acres)	\$3,050.00	\$3,050.00	\$1,708.00
General/Stormwater Management—Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 100 acres)	\$4,800.00	\$4,800.00	\$2,688.00
<del>Resubmission of withheld Stormwater Management Plan, each instance</del>	\$300.00	\$0.00	\$0.00
<del>Resubmission of Stormwater Management Plan needing minor revisions, each instance</del>	\$100.00	\$0.00	\$0.00

(2) Fees for review of resubmitted Stormwater Management Plans shall follow Table 2 below.

**Table 2: Fees for review of resubmitted Stormwater Management Plan**

<u>Fee type</u>	<u>Fee to be paid by applicant at time of plan resubmission</u>
<u>Resubmission of withheld Stormwater Management Plan, each instance</u>	<u>\$300.00</u>
<u>Resubmission of Stormwater Management Plan needing minor revisions, each instance</u>	<u>\$100.00</u>

(3) Fees for review of Erosion Control Plans shall follow Table 3 below.

**Table 32: Fees for review of Erosion Control Plan**

Fee type	Fee to be paid by applicant at time of plan submission
Erosion Control for construction of one single-family <del>detached residential dwelling home or one residential duplex structure on</del> <u>structure on</u> an individual lot with land disturbance greater than or equal to 10,000 square feet and less than 1 acre and covered under an "Agreement in Lieu of a Erosion Control Plan"	\$0.00
Erosion Control Plan for land disturbance greater than or equal to 10,000 square feet and less than or equal to 1 acre.	\$300.00
Erosion Control Plan for land disturbance greater than 1 acre	\$300.00 plus \$50.00 for every acre or part of an acre beyond 1 acre of land disturbance
Resubmission of withheld Erosion Control Plan, each instance	\$300.00
Resubmission of Erosion Control Plan needing minor revisions, each instance	\$100.00

- (b) Fees for the modification or transfer of registration statements from the general permit issued by the department shall be imposed in accordance with Table 34. If the general permit modifications result in changes to stormwater management plans that require additional review by the city, such reviews shall be subject to the fees set out in Table 34. The fee assessed shall be based on the total disturbed acreage of the site. In addition to the general permit modification fee, modifications resulting in an increase in total disturbed acreage shall pay the difference in the initial permit fee paid and the permit fee that would have applied for the total disturbed acreage in ~~Table 1~~ accordance with section 10-4-19(a)(1).

**Table 34: Fees for the modification or transfer of registration statements for the General Permit for Discharges of Stormwater from Construction Activities**

Type of Permit	Fee Amount
General/Stormwater Management—Small Construction Activity/Land Clearing (Areas within common plans of development or sale with land disturbance acreage less than 1 acre)	<del>\$20.00</del> <u>30.00</u>
General/Stormwater Management—Small Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 1 and less than 5 acres)	<del>\$200.00</del> <u>320.00</u>
General/Stormwater Management—Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 5 acres and less than 10 acres)	<del>\$250.00</del> <u>400.00</u>
General/Stormwater Management—Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 10 acres and less than 50 acres)	<del>\$300.00</del> <u>480.00</u>
General/Stormwater Management—Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 50 acres and less than 100 acres)	<del>\$450.00</del> <u>720.00</u>
General/Stormwater Management—Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 100 acres)	<del>\$700.00</del> <u>1,120.00</u>

- (c) ~~The following a~~Annual permit maintenance fees shall be imposed ~~in accordance with Table 4~~as set by the State Water Control Board pursuant to 9VAC25-875-1375 and 9VAC25-875-1420. ~~These fees shall also apply to , including fees imposed on~~ expired permits that have been administratively continued. With respect to the general permit, these fees shall apply until the permit coverage is terminated. Fees are charged based on the Type of Permit in Table 5 below.

**Table 45: Permit Maintenance Fees**

Type of Permit	Fee Amount
General/Stormwater Management—Small Construction Activity/Land Clearing (Areas within common plans of development or sale with land disturbance acreage less than 1 acre)	<del>\$50.00</del>
General/Stormwater Management—Small Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance equal to or greater than 1 acre and less than 5 acres)	<del>\$400.00</del>
General/Stormwater Management—Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale	<del>\$500.00</del>

with land disturbance acreage equal to or greater than 5 acres and less than 10 acres)	
General/Stormwater Management—Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 10 acres and less than 50 acres)	\$650.00
General/Stormwater Management—Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 50 acres and less than 100 acres)	\$900.00
General/Stormwater Management—Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater 100 acres)	\$1,400.00

General permit coverage maintenance fees shall be paid annually to the city, by the anniversary date of general permit coverage. No permit will be reissued or automatically continued without payment of the required fee. General permit coverage maintenance fees shall be applied until a notice of termination is effective.

- (d) The fees set forth in subsections (a) through (c) of this section, shall apply to:
- (1) All persons seeking coverage under the general permit.
  - (2) All permittees who request modifications to or transfers of their existing registration statement for coverage under a general permit.
  - (3) Persons whose coverage under the general permit has been revoked shall apply to the department for an individual permit for discharges of stormwater from construction activities.
- (e) Permit and permit coverage maintenance fees outlined ~~under section 10-4-19~~ within this section may apply to each general permit holder.
- (f) No general permit application fees will be assessed to:
- (1) Permittees who request minor modifications to general permits as defined in section 10-4-2 of this chapter. Permit modifications at the request of the permittee resulting in changes to erosion control and stormwater management plans that require additional review by the city shall not be exempt pursuant to this section.
  - (2) Permittees whose general permits are modified or amended at the initiative of the department, excluding errors in the registration statement identified by the city or errors related to the acreage of the site.
- (g) All incomplete payments will be deemed as non-payments, and the applicant shall be notified of any incomplete payments. Interest may be charged for late payments at the underpayment rate set forth in § 58.1-15 of the Code of Virginia and is calculated on a monthly basis at the applicable periodic rate. A ten (10) percent late payment fee shall be charged to any delinquent (over ninety (90) days past due) account. The ~~[locality]~~ city shall be entitled to all remedies available under the Code of Virginia in collecting any past due amount.

This ordinance shall be effective from the \_\_\_\_\_ day of \_\_\_\_\_, 2026. Adopted and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

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**MAYOR**

ATTESTE:

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CITY CLERK

## **NOTICE OF PUBLIC HEARING**

The Harrisonburg City Council will hold a public hearing in the City Council Chambers, 409 South Main Street, Harrisonburg, Virginia, on Tuesday, June 9, 2026, at 7:00 p.m. to consider the following:

Proposed change to the Erosion Control and Stormwater Management Ordinance Section 10-3-19, Fees. Fees for review of stormwater management plans and permit issuance, modification or transfer of registration statements, and permit maintenance are proposed to increase to match fees set by the State Water Control Board pursuant to 9VAC25-875-1360 through -1420. Fees are proposed to increase by between 49% and 63%, depending on type of permit. Fees would be subject to future increases tied to the Consumer Price Index.

The staff report and other information are available for review by contacting the Department of Community Development, 409 South Main Street, Monday through Friday, 8:00 a.m. to 5:00 p.m. Please call (540) 432-7700 to obtain a copy by email or by appointment. More information is available at [www.harrisonburgva.gov/public-hearings](http://www.harrisonburgva.gov/public-hearings). Interested parties may watch the City Council meeting, including the public hearing, on Public Education Government Channel 1072 or on the City's website, <https://harrisonburg-va.legistar.com/Calendar.aspx>.

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### **Advertising Dates:**

Tuesday, May 26, 2026

Monday, June 1, 2026

# Proposed Ordinance Amendment

## Stormwater Construction Permit Fees

# Background

- Virginia Erosion and Stormwater Management Regulation
  - Amended to increase fees for plan review and permits
  - Incorporates CPI adjustment for future fee increases
  - Effective no earlier than July 1, 2026
- City’s plan review and permit fees for erosion and stormwater management match “old” state fees
- Staff propose to adopt “new” state fees and CPI adjustment

# Options

1. Adopt ordinance amendment adjusting erosion and stormwater management construction permitting fees to match state fees and future CPI adjustments as proposed by staff.
2. Adopt ordinance amendment adjusting erosion and stormwater management construction permitting fees to match current state fee increase, but require future ordinance amendment be considered whenever state fees change.
3. Keep ordinance with current erosion and stormwater management construction permitting fees.

# Details

- State Water Control Board adopted amended regulation on 11/18/2025
- State law requires fees to cover between 60% and 62% of costs for state stormwater program
- Guidance: locality stormwater program fees to match state fees
- 30% of locality stormwater program fees are remitted to state to cover their oversight costs

# Details

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- City's erosion and stormwater management construction permit fees are listed explicitly in the City's ordinance.
- Proposal: Revise City's permit fees to incorporate state's fees by reference.
- Future increases in state fees would increase City fees without need to amend City ordinance

# Details

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- No proposed fee increases for:
  - Erosion control only plans
  - Resubmission of plans not approved
  - Single family detached residential structures

# Details

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- 30% of locality fee contribution to state is based on the state's fee schedule, not the locality's
- If City reduces or waives fees under its program, the City must still remit to the state
- City would retain less revenue to support its program

# Example: Small Construction Activity fee

	Total fee collected	Portion remitted to state	Portion kept by City
<b>Current fee schedule</b>	\$2,700	\$756	\$1,944
<b>If City <u>matches</u> new state fee schedule</b>	\$4,100	\$1,230	\$2,870
<b>If City <u>does not match</u> new state fee schedule</b>	\$2,700	\$1,230	\$1,470

# Recommendation

- Adopt ordinance amendment adjusting erosion and stormwater management construction permitting fees to match state fees and future CPI adjustments as proposed by staff.

# Questions and Discussion

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# City of Harrisonburg

City Hall  
409 South Main Street  
Harrisonburg, VA 22801

## Legislation Text

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**File #:** ORD 26-011, **Version:** 1

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**Subject:**

Consider a request to amend the City Code Title 11 Building Code Regulations Section 11-1-10 Appeals of the decisions of the building official, et al.

Presented By: Adam Fletcher, Department of Community Development

Consider amending Section 11-1-10 Appeals of the decisions of the building official, et al. by requiring completion of an application, accompanied by a \$300 application fee, when appealing the decision of the building official to the local board of building code appeals.



June 9, 2026 City Council Meeting

## **Title**

Consider a request to amend the City Code Title 11 Building Code Regulations Section 11-1-10 Appeals of the decisions of the building official, et al. — Adam Fletcher, Community Development

## **Summary**

Consider amending Section 11-1-10 Appeals of the decisions of the building official, et al. by requiring completion of an application, accompanied by a \$300 application fee, when appealing the decision of the building official to the local board of building code appeals (LBBCA).

## **Recommendation**

Option 1. Approve the amendments to the City Code.

## **Context & Analysis**

Section 11-1-10 is the section of the City Code that specifies the process to appeal the decision of the building official. Appeals of decisions of the building official are rare. Per staff records, there have been only five cases in the last 27 years with one occurring in each of the following years: 1999, 2003, 2005, 2007, and 2018.

For some time, staff have believed it would be appropriate to make minor modifications to Section 11-1-10 so that it is clear for those interested in appealing a decision of the building official to the LBBCA that they must submit an application to make the request and to submit a suitable application fee. Recently, Building Inspections staff, current Appeals Board members, and the Deputy City Attorney received training from the Department of Housing and Community Development regarding, among other topics, local boards of building codes appeals. This training reinforced staff's desire to make these minor modifications.

Staff would like to modify Section 11-1-10 as shown below to establish the criteria for submitting an appeal:

- a. [Appeal process.](#) Appeals of decisions of the building official, building maintenance official, fire official, or technical assistants (building or fire code inspectors) shall be as outlined in Section 119 of the USBC, or Section 112-~~0~~ of the SFPC.
- b. [Application.](#) The appeal must be submitted on the form provided by the Department of Community Development, filled out in its entirety.
- c. [Fee for appeal.](#) Requests to appeal a decision of the building official shall be accompanied with a payment of three hundred dollars (\$300.00).

Unlike other processes for which individuals might appeal staff interpretations or request deviations from the City Code and land use regulations (i.e., an appeal of the Zoning Administrator or requesting variances to the Zoning or Subdivision Ordinance), there is currently no fee for requesting an appeal of a decision of the building official. As noted above, staff believes it is appropriate to charge an application fee. The table below provides a listing of several localities and how much they charge for an appeal to their LBBCA.

<b>Locality/Jurisdiction</b>	<b>Fee Charged</b>
Albemarle County	\$350.00
City of Charlottesville	\$250.00
City of Fredericksburg	\$325.00
Prince William County	\$0.00
Rockingham County	\$250.00
City of Staunton	\$0.00
City of Williamsburg	\$35.00
City of Winchester	\$115.00

The proposed \$300.00 application fee is the same amount that the City charges to appeal a decision of the Zoning Administrator.

As part of this process, staff will finalize standard forms that will be made available to the public.

**Options**

1. Approve amendments to the City Code.
2. Deny amendments to the City Code.

**Attachments**

- Current Ordinance Reflecting Recommended Amendments.

**ORDINANCE AMENDING AND RE-ENACTING TITLE 11 – BUILDING CODE  
REGULATIONS, CHAPTER 1. – GENERAL BUILDING AND ADMINISTRATIVE  
PROVISIONS, SECTION 11-1-10, APPEALS OF THE DECISIONS OF THE BUILDING  
OFFICIAL, ET AL, THE CODE OF ORDINANCES CITY OF HARRISONVBURG,  
VIRGINIA**

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

**Section 11-1-10. Appeals of the decisions of the building official, et al.  
Amend and add subsections (a) and (b) as shown:**

- a. *Appeal process.* Appeals of decisions of the building official, building maintenance official, fire official, or technical assistants (building or fire code inspectors) shall be as outlined in Section 119 of the USBC, or Section 112.0 of the SFPC.
- b. *Application.* The appeal must be submitted on the form provided by the Department of Community Development, filled out in its entirety.
- c. *Fee for appeal.* Requests to appeal a decision of the building official shall be accompanied with a payment of three hundred dollars (\$300.00).

The remainder of the Section is reaffirmed and reenacted in its entirety, except as hereby modified.

This ordinance shall be effective from the \_\_\_\_ day of \_\_\_\_\_, 202\_\_. Adopted and approved this \_\_\_\_ day of \_\_\_\_\_, 202\_\_.

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**MAYOR**

ATTESTE:

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CITY CLERK

## NOTICE OF PUBLIC HEARING

The Harrisonburg City Council will hold public hearings in the City Council Chambers, 409 South Main Street, Harrisonburg, VA on Tuesday, June 9, 2026, at 7:00 p.m., to consider the following:

***City Code Amendment – Title 11 Building Code Regulations Section 11-1-10 Appeals of the decisions of the building official, et al.***

Consider amending Section 11-1-10 Appeals of the decisions of the building official, et al. by requiring completion of an application, accompanied by a \$300 application fee, when appealing the decision of the building official to the local board of building code appeals.

Applications and other information are available for review by contacting the Department of Community Development, 409 South Main Street, Monday through Friday, 8:00 a.m. to 5:00 p.m. Please call (540) 432-7700 to obtain a copy by email or by appointment. More information is available at [www.harrisonburgva.gov/public-hearings](http://www.harrisonburgva.gov/public-hearings). Interested parties will be able to attend the meeting and to watch the meeting on Public Education Government Channel 1072, and the City's website at [www.harrisonburg-va.legistar.com/Calendar.aspx](http://www.harrisonburg-va.legistar.com/Calendar.aspx).

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**Publication dates:**

Wednesday, May 27, 2026

Monday, June 1, 2026



# Building Code Regulations Amendment

## Section 11-1-10



Consider amending Section 11-1-10 Appeals of the decisions of the building official, et al. by requiring completion of an application, accompanied by a \$300 application fee, when appealing the decision of the building official to the local board of building code appeals (LBBCA).

**Section 11-1-10. Appeals of the decisions of the building official, et al.**  
**Amend and add subsections (a) and (b) as shown:**

- a. Appeal process. Appeals of decisions of the building official, building maintenance official, fire official, or technical assistants (building or fire code inspectors) shall be as outlined in Section 119 of the USBC, or Section 112.0 of the SFPC.
- b. Application. The appeal must be submitted on the form provided by the Department of Community Development, filled out in its entirety.
- c. Fee for appeal. Requests to appeal a decision of the building official shall be accompanied with a payment of three hundred dollars (\$300.00).

<b>Locality/Jurisdiction</b>	<b>Fee Charged</b>
Albemarle County	\$350.00
City of Charlottesville	\$250.00
City of Fredericksburg	\$325.00
Prince William County	\$0.00
Rockingham County	\$250.00
City of Staunton	\$0.00
City of Williamsburg	\$35.00
City of Winchester	\$115.00

# Recommendation

Staff recommends approval of the Building Code Regulations amendments to Section 11-1-10.





# City of Harrisonburg

City Hall  
409 South Main Street  
Harrisonburg, VA 22801

## Legislation Text

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**File #:** ID 26-188, **Version:** 1

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**Subject:**

Consider a supplemental appropriation in the amount of \$35,000 to the Police Department from state asset forfeiture funds.

**Presented By:** Joseph Tucker, Police Chief

Consider a supplemental appropriation for the Harrisonburg Police Department (Department) in the amount of \$35,000 from state asset forfeiture funds (to be used for Law Enforcement purposes only). Funds will be used for purchasing a one-year trial contract with Force Metrics. This cost includes a one-time set-up fee and the first-year license fee.



May 26, 2026 City Council Meeting

## **Title**

Consider a supplemental appropriation for the Harrisonburg Police Department in the amount of \$35,000 from state asset forfeiture funds (to be used for Law Enforcement purposes only).

## **Summary**

Consider a supplemental appropriation for the Harrisonburg Police Department in the amount of \$35,000 from state asset forfeiture funds (to be used for Law Enforcement purposes only). Funds will be used for purchasing a one-year trial contract with Force Metrics. This cost includes a one-time set-up fee and the first-year license fee.

## **Recommendation**

Option 1.

## **Fiscal Impact**

This contract is for a one-year trial period of the program. If the Department decides at the end of the one year to continue using Force Metrics, an annual cost of \$35,000 would be requested in the following proposed fiscal budget.

## **Context & Analysis**

ForceMetrics provides police departments and public safety agencies with:

### **Data Integration**

Data integration with existing 911 dispatch and police record management systems, FLOCK, and AXON

Cloud hosting, processing, and data storage

Extraction, cleaning and transformation of raw Computer Aided Dispatch (CAD) and Report Management System (RMS) data

Access to ForceMetrics Data Analysts for complex research and pattern of activity reports

Community dashboards for co-responders, social service agencies, and non-profit support.

### **Faster Search and Discovery**

Reduce time officers and dispatchers spend searching and pivoting on data. Searches are typically inflexible and slow, preventing officers and dispatchers from effectively searching data before arriving on scene. With ForceMetrics, quickly search any topic for instant intelligent information.

### **Easier Information Digestion with Report Auto-Summarization**

Officers and dispatchers read a lot of text throughout the day. ForceMetrics dramatically reduces the amount of required reading by optimizing the text of incident report narratives so officers, dispatchers and supervisors can quickly get the context of prior incidents.

### **Instant and Effective Collaboration**

Co-responders and adjacent agencies have the ability to instantly search and share data in real-time. This community data can be highly useful when interfacing with individuals in the community with special needs.

### **Officer Risk Identification**

ForceMetrics' contextual labeling feature allows responders to understand the context of a person, address, or report in seconds, so they can respond appropriately and understand any officer safety risks and social service needs before they engage.

### **Better, More Equitable Outcomes**

By leveraging automated labeling, departments can swiftly identify special needs, allocate appropriate resources, and provide an effective response, thereby promoting better and more equitable outcomes for victims, defendants, and the greater community.

### **Data-Informed Decision Making**

By combining enhanced and all-encompassing search capabilities with ForceMetrics' Analytics Dashboards, decision-making processes can be streamlined, enabling departments to rely on the most precise and up-to-date information available for data-driven policing in real-time.

### **Options**

1. Purchase ForceMetrics with state asset forfeiture funds at the proposed discounted rate.
2. Do not purchase the ForceMetrics Software at this time.

### **Attachments**

1. ForceMetrics Proposal

**CITY OF HARRISONBURG, VIRGINIA**  
**REQUEST FOR: SUPPLEMENTAL APPROPRIATION**  
**For Fiscal Year Ended June 30, 2026**

FUND	CODE	ACCOUNT DESCRIPTION	AMOUNT
1000	31010	AMOUNT FROM FUND BALANCE (State Asset Seizure 22702)	35,000.00

FUND	CODE	ACCOUNT DESCRIPTION	AMOUNT
1000	310131-43320	SERVICE CONTRACTS	35,000.00

**Reason:** To budget state asset drug forfeiture funds, general ledger code 22702.  
 These funds are only to be used for Law Enforcement purposes.

**Requested by:** \_\_\_\_\_  
*Approved Through Legistar*  
 Head of Department \_\_\_\_\_ Date

**Funds Available:** \_\_\_\_\_  
*Approved Through Legistar*  
 Director of Finance \_\_\_\_\_ Date

**Recommended & Approved:** \_\_\_\_\_  
*Approved Through Legistar*  
 City Manager \_\_\_\_\_ Date

**City Council Approval:** \_\_\_\_\_  
 (1st reading)

**City Council Approval:** \_\_\_\_\_  
 (2nd reading)

FINANCE DEPARTMENT'S POSTING \_\_\_\_\_  
 NAME DATE JV #



**FORCEMETRICS**

*Safety starts with understanding*

## **FORCEMETRICS PROPOSAL**

Harrisonburg, VA. Police Department

May, 14. 2026

**Prepared for:**

Chief Joseph Tucker

**Prepared by:**

Nick Bloom  
Regional Sales Manager



Chief Tucker

We would like to thank you for your interest in ForceMetrics, and for taking the time to meet with our team to discuss the needs of the Harrisonburg Police Department and how we can support you. We appreciate the opportunity to learn about your agency's operations, and are pleased to present our Proposal for the ForceMetrics solution, including software, data integration, and implementation services.

In this proposal, we outline how ForceMetrics will support your agency in achieving safety through understanding, enhancing your operations, investigations, and community initiatives by enabling your officers, dispatchers, and analysts to:

- Find important information faster, exponentially reducing search time.
- Use streamlined data to bring major case resources to calls for service.
- Simplify workflows, better allocate resources, and collaborate seamlessly.
- Optimize decision making in the moment to keep your community safe.

As you review, we hope you find that ForceMetrics is aptly suited to meet your agency's needs. Should you have questions, please contact me directly: [andre.mcgregor@forcemetrics.ai](mailto:andre.mcgregor@forcemetrics.ai).

Thank you for your consideration and we look forward to the opportunity to work with you.

Andre McGregor  
Founder & CEO

# About ForceMetrics

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**ForceMetrics is a search and situational awareness platform that turns insights into action, helping responders be decision-ready in seconds. We deliver trusted results when lives are on the line, empowering public safety agents to make better, more informed decisions in the moment.**

ForceMetrics was designed for non-technical and technical users alike to:

- Access high-speed search, insights, and analytics anytime and anywhere
- Streamline the process of navigating large amounts of data across disparate systems
- Identify critical insights in the moment when time is of the essence
- Help responders more efficiently and effectively serve their communities
- Aid in addressing social issues such as homelessness, mental health, and gun violence.

ForceMetrics provides police departments and public safety agencies with:

- Data integration with existing 911 dispatch and police record management systems
- Cloud hosting, processing, and data storage
- Extraction, cleaning and transformation of raw Computer Aided Dispatch (CAD) and Report Management System (RMS) data
- Processing of CAD & RMS datasets to identify homelessness, mental health, domestic violence, human trafficking, and other social service needs
- Access to ForceMetrics Data Analysts for complex research and pattern of activity reports
- Community dashboards for co-responders, social service agencies, and non-profit support.

## COMPANY BACKGROUND

Led by veteran law enforcement officers turned entrepreneurs, ForceMetrics was founded in 2020 to provide public safety tools that empower responders to make more informed decisions in the moment. We help responders understand clear storylines and build trust within communities, on the firm belief that safety starts with understanding. By streamlining data exploration and analytics across public safety systems, ForceMetrics unifies both data and teams to facilitate safe, informed, and effective response.

Active in Texas, Colorado, Georgia, Washington, Nevada, Florida, North Carolina, Virginia, and California, ForceMetrics is trusted by cities, counties, departments, and security teams to reduce risk, increase trust, and transform decision-making to improve public safety outcomes for all.

# Deployment Objectives

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## ForceMetrics & Harrisonburg Police Department

ForceMetrics serves and empowers law enforcement and communications across the entire agency. Use cases include:

### Faster Search and Discovery

Reduce time dispatchers spend searching and pivoting on your data. Searches are typically inflexible and slow, preventing officers and dispatchers from effectively searching data before arriving on scene. With ForceMetrics, quickly search any topic for instant intelligent information.

### Easier Information Digestion with Report Auto-Summarization

Officers and dispatchers read a lot of text throughout the day. ForceMetrics dramatically reduces the amount of required reading by optimizing the text of incident report narratives so officers, dispatchers, and supervisors can quickly get the context of prior incidents.

### Instant and Effective Collaboration

Co-responders and adjacent agencies have the ability to instantly search and share data in real-time. This community data can be highly useful when interfacing with individuals in the community with special needs.

### Officer Risk Identification

ForceMetrics' contextual labeling feature allows responders to understand the context of a person, address, or report in seconds, so they can respond appropriately and understand any officer safety risks and social service needs before they engage.

### Better, More Equitable Outcomes

By leveraging automated labeling, departments can swiftly identify special needs, allocate appropriate resources, and provide an effective response, thereby promoting better and more equitable outcomes for victims, defendants, and the greater community.

### Data-Informed Decision Making

By combining enhanced and all-encompassing search capabilities with ForceMetrics' Analytics Dashboards, decision-making processes can be streamlined, enabling departments to rely on the most precise and up-to-date information available for data-driven policing in real-time.

# Benefits of ForceMetrics

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## Vendor agnostic

Search multiple CAD/RMS/JMS



## Identified social needs

For the right, individual response



## Clean, simple search

Single pane of glass experience



## Increased efficiency

Fewer systems to search, time saved



## Automated safety flags

Extracted from call notes and reports



## Easy implementation

Five hours of work for Agency IT



## System optimized

Ingest any database or API source



## Security & Compliance

SOC 2 audited & FBI CJIS adjudicated

# Services & Features

Complete ForceMetrics platform access for users, including data integrations for the Harrisonburg Police Department User onboarding and training included. Features include the Enterprise Suite, standard support, and service level agreements in compliance with ForceMetrics standard.

## SERVICES

<b>Data Setup &amp; Warehousing</b>	Process of collecting, translating, storing, and managing Marion Police Department data for use within the ForceMetrics platform.
<b>Access Control &amp; Security</b>	Granular security and access restrictions based on agency role and/or security permissions.
<b>Onboarding Support &amp; Account Maintenance</b>	On-site and off site onboarding support and user helpdesk.

## FEATURES

- ❑ **Federated Search** – A single search bar for searching across the entirety of integrated data
- ❑ **Saved Search** – Ability to save searches for faster access
- ❑ **Entity Pages** – Dedicated pages summarizing information on people, addresses, and events
- ❑ **Labels** – Automated labeling classifying calls and events by topic, community need, or risk
- ❑ **Automated Report Summarization** – Automated summarization of police reports
- ❑ **Map** – Map-based visualization of search results
- ❑ **Follow** – Ability to follow entities for automated notification of new activity
- ❑ **Sharing** – Ability to share Entity Pages with other users within the department
- ❑ **Analytics Dashboard** – Analytics dashboard showing trends and patterns over time and space
- ❑ **Mobile Access (Web)** – Access to ForceMetrics web application through mobile devices
- ❑ **Alerts and Notifications Center** – Alerts and notifications panel to centralize new activity involving followed entities, saved searches, and shared entities
- ❑ **Single Sign-On (SAML 2.0)** – Simplified authentication system allowing users to login to ForceMetrics through an authentication provider

# Implementation

Based on proposed agency data sources, implementation of the ForceMetrics platform is projected to take 90 days, from kick-off to full operationalization. Key steps and time estimates are as follows, beginning upon receipt of complete data access.



## Kickoff

7 days

- Kickoff with stakeholders and needed resources

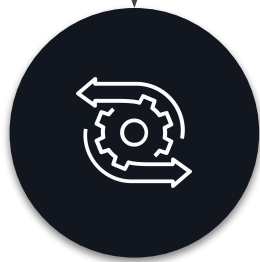


## Phase 1

SCOPING &  
INTEGRATION

60 days

- Review System Requirements
- Identification of the CAD replication server
- Provision of VM Server, data pull configuration
- Data “analysis/preparation” and indexation
- Virtual data validation sessions
- Identification of client-specific data
- Initial data pull
- User identification
- Establishment of success criteria and KPIs



## Phase 2

TRAINING &  
ROLLOUT

15 days

- Onsite onboarding classes/training
- Feedback follow up calls with Pilot Users
- Success criteria, usage, and KPI measurements
- Establishment of best practices for full onboarding: training documentation, rollout,

# Pricing

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The Project is comprised of two separate fees:

- **Set-up Fee:** One-time fee. Refers to the integration of data from the Client into the ForceMetrics platform. This fee will not be reapplied in the event of contract renewal.
- **License Fee -** Annual fee for use of ForceMetrics platform

*\*\* Pricing is valid for 180 days from Proposal Date and does not include any taxes if applicable*

Solution	Detail	Quantity	Cost
Velocity Pro	Velocity Pro includes all capabilities of Velocity Essential, with expanded integration capacity. The package supports up to eight standard data integrations and is designed for agencies requiring broader data connectivity across systems of record and partner platforms.	1	\$35,000
CAD	Tyler	1	Included
RMS	Tyler	1	Included
Integration 1	<a href="https://www.evidence.com">Evidence.com</a>	1	Included
Integration 2	Flock LPR	1	Included
<b>Software License Fee Total</b>			<b>\$35,000</b>
<b>Total Year Contract Fee</b>			<b>\$35,000</b>

Implementation			
Initial Setup Fee	Data Warehousing, Access Control & Security, Data Validation	1	Included
User Licenses		UNLIMITED	Included
<b>Technical Implementation Service Fees (One-Time Fees)</b>			<b>\$0.00</b>
Data Validation Sessions			Included
Early Access Onboarding	Power User Training		Included
General Onboarding	On-site or virtual		Included
Project Management			Included
<b>Project Implementation Service Fees (One-Time Fee)</b>			<b>\$0.00</b>
<b>Implementation Service Fees (One Time Fee)</b>			<b>\$0.00</b>



**FORCEMETRICS**

*Safety starts with understanding*



# Thank You

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# City of Harrisonburg

City Hall  
409 South Main Street  
Harrisonburg, VA 22801

## Legislation Text

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**File #:** ID 26-206, **Version:** 1

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**Subject:**

Consider a supplemental appropriation for the General Fund

Presented By: City Staff

The Police Department entered into a new agreement for the replacement of the department's existing taser, body worn camera and in-car camera equipment. The City owns the equipment which is essentially being vendor-financed through this new five-year agreement. This appropriation will align the city's budget with the accounting that will be required for financial statement purposes.



June 9, 2026 City Council Meeting

## **Title**

Consider a supplemental appropriation for the General Fund — Larry Propst, Department of Finance

## **Summary**

This request will appropriate \$1,907,755 for an equipment purchase agreement for the Police Department.

## **Recommendation**

Option 1. Approve the supplemental appropriation.

## **Fiscal Impact**

This supplemental appropriation will increase the General Fund budget by 1,907,755.

## **Context & Analysis**

In the current budget year, the Police Department entered into a new agreement for the replacement of the department's existing taser, body worn camera and in-car camera equipment. The City owns the equipment which is essentially being vendor-financed over this new five-year agreement. This appropriation will align the city's budget with the accounting that will be required for financial statement purposes.

## **Options**

1. Approve the supplemental appropriation request
2. Do not approve the supplemental appropriation request

## **Attachments**

1. Supplemental Appropriation

**CITY OF HARRISONBURG, VIRGINIA**  
**REQUEST FOR: SUPPLEMENTAL APPROPRIATION**  
**For Fiscal Year Ended June 30, 2026**

**Revenues:**

FUND	CODE	ACCOUNT DESCRIPTION	AMOUNT
1000	34150	EQUIP PURCHASE AGREEMENT	1,907,755.00

**Expenditures:**

FUND	CODE	ACCOUNT DESCRIPTION	AMOUNT
1000	310131-48113	EQUIPMENT	1,907,755.00

**Reason:** To appropriate funds for the purchase of police equipment.

**Funds Available:** Approved Through Legistar \_\_\_\_\_  
 Director of Finance Date

**Recommended & Approved:** Approved Through Legistar \_\_\_\_\_  
 City Manager Date

**City Council Approval:** \_\_\_\_\_  
 (1st reading)

**City Council Approval:** \_\_\_\_\_  
 (2nd reading)

FINANCE DEPARTMENT'S POSTING \_\_\_\_\_  
 NAME DATE JV #



# City of Harrisonburg

City Hall  
409 South Main Street  
Harrisonburg, VA 22801

## Legislation Text

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**File #:** ID 26-207, **Version:** 1

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**Subject:**

Consider a supplemental appropriation for the General Fund and General Capital Projects Fund

Presented By: City Staff

This supplemental appropriation request will appropriate a total of \$870,759.44 to the General and General Capital Projects Funds for various grants and donations.



June 9, 2026 City Council Meeting

## **Title**

Consider a supplemental appropriation for General Fund and General Capital Projects Fund — Larry Propst, Department of Finance

## **Summary**

This supplemental appropriation request will appropriate a total of \$870,759.44 to the General and General Capital Projects Funds for various grants and donations.

## **Recommendation**

Option 1. Approve the supplemental appropriation.

## **Fiscal Impact**

This supplemental appropriation will increase the General Fund budget by \$132,895.90 and the General Capital Projects Fund budget by \$737,863.54.

## **Context & Analysis**

Funding will be provided from the following sources.

- Parks and Recreation received a \$964.90 grant for the golf course and \$16,800 from several donations.
- Economic Development was awarded a \$26,250 National League of Cities (NLC) grant for the HEDI program.
- The Police Department was awarded a total of \$45,425 from DMV Grants for alcohol, speed and pedestrian/bicycle selective enforcement and \$43,456 for a portion of a DCJS Operation Ceasefire grant.
- James Madison University (JMU) provided \$737,863.54 in additional funding for the University Boulevard Realignment project.

## **Options**

1. Approve the supplemental appropriation request
2. Do not approve the supplemental appropriation request

## **Attachments**

1. Supplemental Appropriation

**CITY OF HARRISONBURG, VIRGINIA**  
**REQUEST FOR: SUPPLEMENTAL APPROPRIATION**  
**For Fiscal Year Ended June 30, 2026**

**Revenues:**

FUND	CODE	ACCOUNT DESCRIPTION	AMOUNT
1000	31846	MISCELLANEOUS GRANTS	964.90
1000	31809	DONATIONS	16,800.00
1000	31853	NLC GRANT	26,250.00
1000	32569	DCJS-OC GRANT PROGRAM	43,456.00
1000	33524	DMV GRANT	45,425.00
		<b>TOTAL</b>	<b>132,895.90</b>
1310	31934	REIMB-JMU	737,863.54

**Expenditures:**

FUND	CODE	ACCOUNT DESCRIPTION	AMOUNT
1000	310731-41020	SALARIES & WAGES-O/T	33,340.00
1000	310731-42010	FICA	2,550.00
1000	310731-46100	POLICE SUPPLIES	52,991.00
1000	730171-43360	MAINT & REP.-BLDGS & GNDS	964.90
1000	710871-48181	BUILDINGS & GROUNDS	6,800.00
1000	710271-48184	IMPROVEMENTS	10,000.00
1000	810521-43100	PROFESSIONAL SERVICES	26,250.00
		<b>TOTAL</b>	<b>132,895.90</b>
1310	910141-48768	UNIV BLVD REALIGNMENT	737,863.54

**Reason:** To appropriate funds to various departments that were awarded grants or donations. In addition, JMU providing additional funding for the University Blvd project.

**Funds Available:** \_\_\_\_\_  
*Approved Through Legistar*  
 Director of Finance \_\_\_\_\_ Date

**Recommended & Approved:** \_\_\_\_\_  
*Approved Through Legistar*  
 City Manager \_\_\_\_\_ Date

**City Council Approval:** \_\_\_\_\_  
 (1st reading)

**City Council Approval:** \_\_\_\_\_  
 (2nd reading)

FINANCE DEPARTMENT'S POSTING \_\_\_\_\_  
 NAME DATE JV #



# City of Harrisonburg

City Hall  
409 South Main Street  
Harrisonburg, VA 22801

## Legislation Text

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**File #:** ID 26-208, **Version:** 1

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**Subject:**

Consider a reallocation of funds in the General Capital Projects Fund

Presented By: City Staff

This request will reallocate \$123,076.89 from several capital project accounts to the Kids Castle project.



June 9, 2026 City Council Meeting

## **Title**

Consider a reallocation of funds in the General Capital Projects Fund — Larry Propst, Department of Finance

## **Summary**

This request will reallocate \$37,641.14 from the completed Ralph Sampson Park Spraygrounds capital project and \$85,435.75 from the existing Court Expansion capital project to the Kids Castle project.

## **Recommendation**

Option 1. Approve the reallocation of funds.

## **Fiscal Impact**

N/A.

## **Context & Analysis**

The Kids Castle ARPA project is in need of supplemental funding. This reallocation will provide a total of approximately \$123,000 in supplemental funding as the project nears its completion.

## **Options**

1. Approve the reallocation of funds

## **Attachments**

1. Reallocation of Budget Funds

**CITY OF HARRISONBURG, VIRGINIA**  
**REQUEST FOR: REALLOCATION OF BUDGETED FUNDS**  
**For Fiscal Year Ended June 30, 2026**

**From:**

FUND	CODE	ACCOUNT DESCRIPTION	AMOUNT
1310	910111-48764	COURT EXPANSION	85,435.75
1310	910171-48719	RALPH SAMPSON PARK	37,641.14
		<b>TOTAL</b>	<b>123,076.89</b>

**To:**

FUND	CODE	ACCOUNT DESCRIPTION	AMOUNT
1310	910171-48762	KIDS CASTLE	123,076.89

Reason: To reallocate unexpended project funds from several projects to the Kids Castle project.

**Funds Available:**

Approved Through Legistar  
 Director of Finance \_\_\_\_\_ Date

**Recommended & Approved:**

Approved Through Legistar  
 City Manager \_\_\_\_\_ Date

**City Council Approval:**

\_\_\_\_\_  
**(1st reading)**

**City Council Approval:**

\_\_\_\_\_  
 N/A  
**(2nd reading)**

FINANCE DEPARTMENT'S POSTING

\_\_\_\_\_  
 NAME DATE JV #