

Total Fees Due: \$ 610.00 ✓ pd
Application Fee: \$550.00 plus \$30.00 per acre

Date Application & Fee Received: 11-9-18
Received by: Bankis

Application for Change of Zoning District (Rezoning) City of Harrisonburg, Virginia

www.harrisonburgva.gov/zoning-applications

Section 1: Description of Property

Location (street address): 110 Old South High St; and 70 South High St
Tax Map Number: Sheet: 25;35 Block: C;X Lot: 11;14,15 Total Land Area: 1.29 acres acres or sq. ft.
Existing Zoning District: R-3; M-1, R-3 Proposed Zoning District: B-1
Existing Comprehensive Plan Designation: B-1

Section 2: Property Owner's Information

Property Owner's Name: Community Mennonite Church
Street Address: 70 South High Street Email: cmc_office@cmcva.org
City: Harrisonburg State: VA Zip: 22801
Telephone: Work: (540) 433-2148 Fax: _____ Mobile/Home: _____

Section 3: Owner's Representative Information

Owner's Representative: Jason Gerlach
Street Address: 3562 Greenmount Rd Email: jason.gerlach@cmcva.org
City: Rockingham State: VA Zip: 22802
Telephone: Work: (540) 433-2148 Fax: _____ Mobile/Home: (540) 421-8155

Section 4: 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: 
Property Owner

Section 5: Required Attachments to be provided by Applicant

- Letter explaining Proposed Use & Reasons for Seeking Change in Zoning
- Statement of 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 Department prior to submitting Rezoning application. More information at www.harrisonburgva.gov/traffic-impact-analysis.

November 8, 2018

City of Harrisonburg
% Allison Banks, Thanh Dang
409 South Main Street
Harrisonburg, VA 22801

Dear Allison and Thanh,

I am submitting a rezoning application for Community Mennonite Church properties at 70 South High Street and 110 Old South High Street.

On October 1, 2018 we learned that 110 Old South High Street needed to be rezoned if Community Mennonite Church wants to use the Dean House (110 Old South High Street) for both housing upstairs and assembly use, as the Planning/Zoning Department determined that the property has to be rezoned to B-1 zoning. The Planning/Zoning Department would fully support the rezone to B-1 since the future comprehensive plan already has 110 Old South High Street included in it.

The Planning/Zoning Department also suggested that Community Mennonite Church rezone its other two church properties (70 South High Street) to B-1 zoning at the same time, since currently a portion of it is considered nonconforming and would provide Community Mennonite Church flexibility for any future construction or additions.

Although we could've expedited the paperwork ahead of the October 5th application deadline, we needed to process the decision at our Church Council level. Our internal conversation led to a question about Section 10-3-86(5). We informed the Planning/Zoning Department about our question prior to submitting an application to rezone and received the following response from Planning/Zoning Specialist, Rachel Drescher, stating,

"Attached [see copy of Rachel's letter included] is a zoning verification letter explaining that both an assembly use and a residential use are permitted within the B-1 Zoning District, as long as the uses are separated. It has come to zoning staff's attention that it is not a building code requirement for this specific property to separate the upstairs residential use and the downstairs religious assembly use, which is in conflict with the zoning ordinance, which requires these uses to be separated. Additionally, each floor would not be required to have separate addresses, separate entrances, or a Certificate of Occupancy for each use. A mixed use Certificate of Occupancy would be issued for the entire building.

However, after discussing this with planning and zoning staff, **staff** is going to request a zoning ordinance amendment to Section 10-3-86(5) to read as follows:

"Religious, educational, charitable and benevolent institutional uses which do not provide housing facilities."

In short, the Zoning Ordinance allows both the religious use and residential use within the B-1 District. No questions there. The current zoning ordinance requires the uses to be separated, however, staff is requesting a zoning ordinance amendment so zoning would no longer require this, thus no building separation requirement would be necessary if the property at 110 South High Street was rezoned to the B-1 District. Additionally, each floor would **not** be required to have separate addresses, separate entrances, or a Certificate of Occupancy for each use. A mixed use Certificate of Occupancy would be issued for the entire building.

Moving forward

Zoning staff will be requesting the above zoning ordinance amendment, regardless of whether CMC chooses to rezone. This will go to Planning Commission in December and City Council in January."

Once Community Mennonite Church's Council received the above response they could make an informed decision to submit the rezoning application.

Thank you for attention to this matter! A special thanks to Rachel Drescher for responding to our question and helping us along the way!

Sincerely,

A handwritten signature in black ink, appearing to read 'Jason Gerlach', written over the printed name.

Jason Gerlach

Associate Pastor
Community Mennonite Church

In connection with the rezoning for the properties located at 110 Old South High Street and 70 South High Street (tax map parcels 25-C-11 and 35-X-14 & 15) the following is hereby proffered:

- The properties identified as tax map parcels 25-C-11, 35-X-14, and 35-X-15, shall provide at least 25 off-street parking spaces, which may be located on one or any combination of the three properties. Any use on each identified parcel may use the parking spaces proffered herein.

Rev. Jennifer Davis Sweeney

Representative Signature

12-10-18

Date

Lead Pastor

Title



City of Harrisonburg, Virginia
Department of Planning & Community Development

409 South Main Street
Harrisonburg, Virginia 22801
(540) 432-7700 / FAX (540) 432-7777
www.harrisonburgva.gov/community-development

Building Inspections
Engineering
Planning & Zoning

October 29, 2018

Community Mennonite Church
70 South High Street
Harrisonburg, VA 22801

RE: Church assembly and residential uses within the B-1, Central Business District

To whom it may concern,

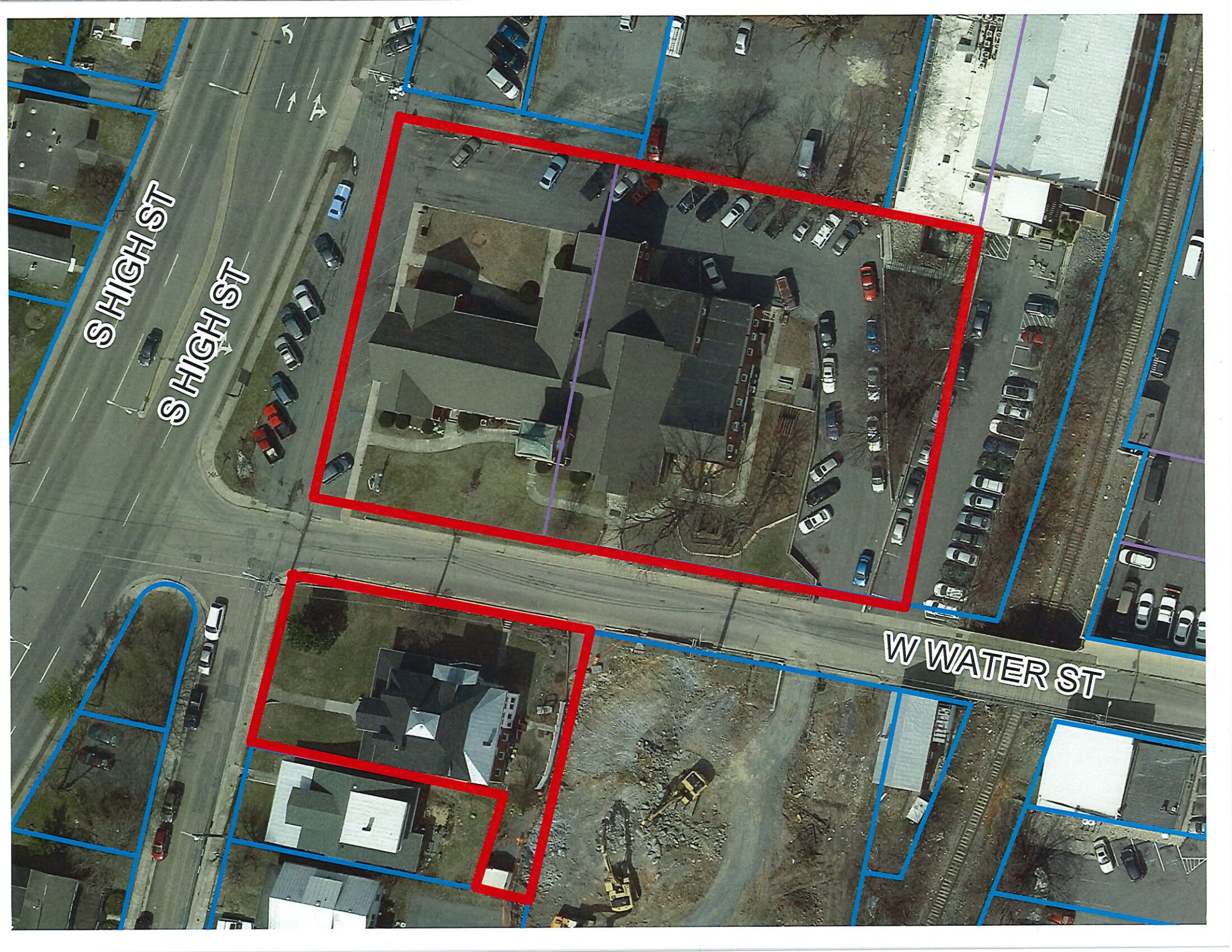
Within the B-1, Central Business District, residential uses are permitted per Section 10-3-84(3) *Hotels, motels and buildings used for dwelling unit(s), CBD, as defined under section 10-3-24. Dwelling unit(s), CBD, may be occupied by a family or not more than four (4) persons, except that such occupancy may be superseded by building regulations,* and church assembly uses are permitted per Section 10-3-84(5) *Religious, educational, charitable and benevolent institutional uses which do not provide housing facilities.*

If the property located at 110 Old South High Street is rezoned to B-1, Central Business District, a church assembly use and a residential use would be permitted on the property, provided building code requirements are met and the uses are separated; the assembly use will be restricted to the first floor and the residential use restricted to the second floor. Note that each floor shall have separate entrances, separate addresses, and a Certificate of Occupancy should be issued for each use.

If you have any question, please do not hesitate to contact staff at 540-432-7700 or visit the office of Planning and Community Development on the 2nd floor of City Hall, 409 South Main Street, Harrisonburg, VA 22801.

Sincerely,
The City of Harrisonburg

Rachel Drescher
Planning/Zoning Specialist



S HIGH ST
S HIGH ST

W WATER ST



City of Harrisonburg, VA
Department of Public Works

Determination of Need for a
Traffic Impact Analysis (TIA)

www.harrisonburgva.gov/traffic-impact-analysis

Contact Information	
Consultant Name:	Jason Gerlach
Telephone:	(540) 433-2148
E-mail:	jason.gerlach@cmcva.org
Owner Name:	Community Mennonite Church
Telephone:	(540) 433-2148
E-mail:	cmc_office@cmcva.org
Project Information	
Project Name:	Rezoning Community MC to B-1
Project Address: TM #:	110 Old South High St, and 70 South High St.
Existing Land Use(s):	Congregational uses (both locations)
Proposed Land Use(s): (if applicable)	Voluntary Service Unit (upstairs of 110 Old South High St.)
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)	Nothing will be changing at 70 South High Street, however Harrisonburg City Planning/Zoning department has requested that we rezone lots at this location b/c part of it is nonconforming. The proposed change at 110 Old South High St is that the second floor will become a Voluntary Service Unit (in which three or four young adults will live and serve nonprofit organizations). The main floor of 110 Old South High St will continue to be used for congregational use.
Peak Hour Trip Generation (from row 15 on the second page)	
AM Peak Hour Trips:	1
PM Peak Hour Trips:	1

(reserved for City staff)

TIA required? Yes _____ No

Comments:

Accepted by: 

Date: 11/08/2018

Revised Date: May 2017

Peak Hour Trip Generation by Land Use

Row	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	540	KSF	4	1	1
2	Proposed #2	210	DU	1	1	1
3	Proposed #3					
4	Proposed #4					
5	Proposed #5					
6	Proposed #6					
7	Total New Trips				2	2
8	Existing #1	560	KSF	4	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)				1	1

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: May 2017