



City of Harrisonburg, Virginia

Department of Planning & Community Development

Building Inspections

Engineering

Planning & Zoning

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To: Eric Campbell, City Manager
From: Adam Fletcher, Director – Department of Planning and Community Development and Harrisonburg Planning Commission
Date: July 10, 2018
Re: Rezoning – 1550 and 1650 North Liberty Street and 451 Acorn Drive (B-2C to M-1C)

Summary:

Public hearing to consider a request from Lantz-Eby Enterprises, with representative Tim Reamer, to rezone 19 +/- acres from B-2C, General Business District Conditional to M-1C, General Industrial District Conditional. The 19 +/- acre area is part of a larger 39 +/- acre parcel and is located at 1550 and 1650 North Liberty Street and 451 Acorn Drive and identified as tax map 45-D-1.

Background:

The Comprehensive Plan designates this area as General Industrial. This designation states that these areas are composed of land and structures used for light and general manufacturing, wholesaling, warehousing, high-technology, research and development and related activities.

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

- Site:** Undeveloped property, zoned B-2C
- North:** Across Acorn Drive, undeveloped property, zoned M-1
- East:** Across Acorn Drive, undeveloped property, zoned M-1
- South:** Across Mount Clinton Pike, nonconforming agricultural operations, zoned M-1; and offices on State-owned property, zoned M-1
- West:** Undeveloped property, zoned M-1

Key Issues:

The applicant, Lantz-Eby Enterprises, is requesting to rezone 19 +/- acres of a 39 +/- acre parcel from B-2C, General Business District Conditional to M-1C, General Industrial District Conditional. The 19 +/- acre site is located on the northwest corner of Mt. Clinton Pike and Acorn Drive.

On June 22, 1998, City Council approved the rezoning for the 19-acre site from M-1, General Industrial District to B-2C, General Business District Conditional for a proposed cultural center that was intended to highlight the history and culture of the Mennonite and Brethren people. The proffers associated with the rezoning limited uses such that the property owner can only develop a cultural center, family restaurant, conference center, and lodging facility. No other uses are currently permitted on this site and the 19 +/- acre site remains undeveloped today.

If the rezoning request is approved, the applicant plans to subdivide the 39 +/- acre parcel into 3 lots as illustrated in the attached subdivision plat to market the new parcels for development. Due to the size of the parent tract and because the resultant parcels would all be larger than five acres, the subdivision of the property does not have to be reviewed and approved by the City. Unofficially, staff describes such subdivisions as “large-lot subdivisions.” The reason these divisions do not need to be approved by the City is because the Subdivision Ordinance defines a “subdivision,” among other things, as “[t]he division of a lot, tract or parcel of land into two (2) or more lots, tracts or parcels, any of which are less than five (5) acres in area for the purpose, whether immediate or future, of sale or of building development,” and thus the division of the property is not, by definition, a subdivision. When divisions of properties can meet the parameters of being a large-lot subdivision, once the division is recorded at the court house, staff requests for the property owner to provide us with a recorded copy so that we can maintain our mapping data.

As indicated in the attached Determination of Need for a Traffic Impact Analysis (TIA), the Department of Public Works determined that a TIA would not be required for the rezoning because the uses permitted in the M-1 zoning district would generate less traffic than the existing proffered allowable uses. Regardless, it should be understood that the Design and Construction Standards Manual (DCSM) could require any use that might be developed on the subject site to complete a TIA during an engineered comprehensive site plan review.

The applicant has proffered the following (written verbatim):

As part of this request, we hereby proffer to dedicate variable width property from the subject site for public street right-of-way (ROW). The dedications shall be determined based upon the following descriptions from the centerlines of the identified streets along the subject property’s side of the street:

- a. to establish 34 feet of ROW from the centerline of Mount Clinton Pike;
- b. to establish 32 feet of ROW from the centerline of Acorn Drive, and;
- c. to establish 32 feet of ROW from the centerline of North Liberty Street.

The applicant intends to dedicate ROW to the City when they subdivide the property.

The request to rezone this site to M-1C, General Industrial District Conditional is supported by the Comprehensive Plan, which designates this area as General Industrial. Therefore, staff recommends approving the rezoning request to M-1C, General Industrial Conditional as requested by the applicant.

Environmental Impact:

N/A

Fiscal Impact:

N/A

Prior Actions:

N/A

Alternatives:

- (a) Recommend approval of the conditional rezoning request as submitted by the applicant; or
- (b) Recommend denial of the rezoning request.

Community Engagement:

As required, the request was published in the local newspaper twice advertising for Planning Commission’s public hearing and twice for City Council’s public hearing for the rezoning as shown below:

Rezoning – 1550 and 1650 North Liberty Street and 451 Acorn Drive (B-2C to M-1C)

Public hearing to consider a request from Lantz-Eby Enterprises, with representative Tim Reamer, to rezone 19 +/- acres from B-2C, General Business District Conditional to M-1C, General Industrial District Conditional. The Zoning Ordinance states that the B-2, General Business District is intended to provide sufficient space in appropriate locations for a wide variety of retail shopping, commercial, automotive, miscellaneous recreational, and service activities. No minimum lot size restrictions exist in the B-2, General Business District. The M-1, General Industrial District is intended primarily for manufacturing, processing, storage, and distribution activities, which are not properly associated with, nor compatible with, residential and institutional development. No minimum lot size restrictions exist in the M-1, General Industrial District. The Comprehensive Plan designates this area as General Industrial. This designation states that these areas are composed of land and structures used for light and general manufacturing, wholesaling, warehousing, high-technology, research and development and related activities. The parcel is located at 1550 and 1650 North Liberty Street and 451 Acorn Drive and is identified as tax map 45-D-1. The parcel is currently split-zoned and if the request is approved, the parcel would remain split-zoned as M-1 and M-1C.

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

Recommendation:

Staff recommends alternative (a) to approve the conditional rezoning request as submitted by the applicant.

Attachments:

- 1. Extract (3 pages)
- 2. Site maps (2 pages)
- 3. Application, applicant letter, and supporting documents (6 pages)

Review:

Planning Commission recommended (7-0) alternative (a) to approve the conditional rezoning request as submitted by the applicant.