



CITY OF HARRISONBURG COMMUNITY DEVELOPMENT

409 SOUTH MAIN STREET, HARRISONBURG, VA 22801
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To: Ande Banks, City Manager
From: Adam Fletcher, Director, Department of Community Development and Harrisonburg Planning Commission
Date: September 12, 2023 (Regular Meeting)
Re: Special Use Permit – 315 South Dogwood Drive (To Allow Child Day Care Centers in R-1)

Summary:

Project name	Harrisonburg First Church of the Brethren Daycare
Address/Location	315 South Dogwood Drive
Tax Map Parcels	24-A-28
Total Land Area	+/- 5.5 acres
Property Owner	Bill Harper-Harrisonburg First Church of the Brethren
Owner's Representative	Julie Shank
Present Zoning	R-1, Single Family Residential District
Special Use Permit Request	To Allow Child Daycare Centers per Section 10-3-34 (1)
Staff Recommendation	Approval
Planning Commission Recommendation	August 9, 2023 (Public Hearing) (6-0)
City Council	September 12, 2023 (Public Hearing)

Background:

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

Site: Harrisonburg First Church of the Brethren, zoned R-1

North: Westover Park, zoned R-1

East: Across South Dogwood Drive, Single family dwellings, zoned R-1

South: Single family dwellings and nonconforming townhomes, zoned R-1 and R-2

West: Westover Park, zoned R-1

Key Issues:

The applicant is requesting a special use permit (SUP) per Section 10-3-34 (1) of the Zoning Ordinance (ZO) to allow for a daycare center to be located within Harrisonburg First Church of the Brethren. The property is currently occupied by a church and is located at 315 South Dogwood Drive. The church is not the operator of the daycare but is letting the daycare locate within their facilities. Note that if the

church was the operator, the SUP would not be required because in such situations the daycare is considered an extension of the church and an allowable use.

The daycare is planning to operate for 50 children in four classrooms in the church's new gymnasium wing. The daycare is planning to operate Monday to Friday from 7:30 am to 5:30 pm. The applicant is also planning provide a fence around a play area in the rear of the property. The church currently has sufficient parking to support both the church use and the daycare facility.

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 property is adjacent to Westover Park and to existing neighborhoods. Staff does not have concerns that the proposed use will adversely affect the residential neighborhood.

Transportation and Traffic

The Determination of Need for a Traffic Impact Analysis (TIA) form ("TIA determination form") for the proposed SUP is attached. The TIA determination form indicated that the project will not generate 100 or more new peak hour trips, which is the threshold for staff to require a TIA.

Public Water and Sanitary Sewer

Staff has no concerns regarding water and sanitary sewer service availability for the proposed development.

Recommendation

Staff recommends approval with the following condition:

1. If in the opinion of Planning Commission or City Council, the use 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.

Environmental Impact:

N/A

Fiscal Impact:

N/A

Prior Actions:

N/A

Alternatives:

- (a) Approve the special use permit request as submitted by the applicant;
- (b) Approve the special use permit request with the suggested condition;

- (c) Approve the special use permit with other conditions(s); or
- (d) Deny the special use permit.

Community Engagement:

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

Special Use Permit – 315 South Dogwood Drive (To Allow Child Day Care Centers in R-1)

Public hearing to consider a request from Trustees Harrisonburg First Church of the Brethren for a special use permit per Section 10-3-34 (1) of the Zoning Ordinance to allow child day care centers in the R-1, Single-Family Residential District. The +/- 5.5-acre property is addressed as 315 South Dogwood Drive and is identified as tax map parcel 24-A-28.

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 (b) to recommend approval with the suggested condition.

Attachments:

1. Extract from Planning Commission
2. Site maps
3. Application and supporting documents

Review:

Planning Commission recommended approval (6-0) of the special use permit with suggested conditions. Commissioner Washington was absent.