



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

July 2, 2018

TO THE MEMBERS OF CITY COUNCIL CITY OF HARRISONBURG, VIRGINIA

SUBJECT: 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.

EXTRACT FROM MINUTES OF HARRISONBURG PLANNING COMMISSION MEETING HELD ON: June 13, 2018

Chair Way read the request and asked staff to review.

Ms. Dang said 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.

Chair Way asked if there were any questions for staff.

Mrs. Fitzgerald said we have seen very few of what I would call reversions. When a project comes before this body and we think that it could work there; then, for whatever reason it does not and here we are a decade later, kind of just saying well never mind. It feels like this should happen more often where there are a few of these odd properties, where somebody had a good idea and we agreed and for whatever reason it did not happen. Not to say that I am not in support of this, quite the opposite. I have been on this body for a while and I do not see many of these. I think Economic Development will probably be happy to see this property be rezoned back to M-1. We have talked quite a bit about the fact that we do not have a lot of industrial zoned land and this kind of returns that to industrial.

Mr. Baugh said it has been 20 years since this property was rezoned to B-2C and was on its way to going off the tax rolls. I will not speak for Mr. Shull, but I imagine he supports this.

Mrs. Fitzgerald said one less reason to object.

Chair Way asked if there were any more questions for staff. Hearing none, he opened the public hearing and asked the applicant if they would like to speak.

Tim Reamer, representing Lantz Eby Enterprises, said I am here to answer any questions that may exist.

Chair Way asked if there were any questions for Mr. Reamer. Hearing none, he asked if anyone else would like to speak on this request. Hearing none, he closed the public hearing and asked Planning Commission for a motion on the request for discussion.

Mr. Finnegan said it is not specific to this parcel, but when was the Valley Brethren Mennonite Heritage Center that is behind Harrisonburg High School created? Was that after 1998?

Mrs. Whitten said it was before the school.

Mr. Finnegan said that is what I am wondering because this is in here as a place holder for a place like that, or a place that is specifically dedicated for that purpose.

Mrs. Banks said it came after the 1998 rezoning, but before the school opened in 2005.

Mr. Fletcher said then the structure was relocated to the top of the hill.

Mrs. Whitten said yes it was moved. Is there not a church up there also?

Mrs. Banks said there is a chapel.

Mrs. Whitten said but not a restaurant and not a lodging facility.

Mr. Finks motioned to approve the rezoning at 1550 and 1650 North Liberty Street and 451 Acorn Drive (B-2C to M-1C) as presented by staff.

Mr. Colman seconded the motion.

Chair Way said we have a motion and a second for approval, is there any discussion? Hearing none, he called for a voice vote on the motion.

All voted in favor (7-0) to approve the rezoning at 1550 and 1650 North Liberty Street and 451 Acorn Drive (B-2C to M-1C) as presented by staff.

Chair Way said this item will move forward to City Council on July 10, 2018.

Respectfully Submitted,

Alison Banks

Alison Banks

Senior Planner