CITY OF HARRISONBURG

March 12, 2025 Planning Commission Meeting

Title
Consider Rezoning at 1680 Country Club Road — Meg Rupkey, Community Development

Summary

Project name	Divine Unity Community Church
Address/Location	1680 Country Club Road
Tax Map Parcels	72-A-8
Total Land Area	+/- 7.35 acres
Property Owner	Divine Unity Community Church
Owner's Representative	Gabriel Kreider
Present Zoning	M-1, General Industrial
Proposed Zoning	B-2C, General Business Conditional
Planning Commission	March 12, 2025 (Public Hearing)
City Council	Anticipated April 8, 2025 (First Reading/Public Hearing) Anticipated April 22, 2025 (Second Reading)

Recommendation
Option 1. Recommend approval of the rezoning request.

Fiscal Impact
N/A

Context & Analysis
On April 14, 2009, City Council approved a special use permit to allow for a religious use at 1680 Country Club Road with the following conditions:

1. The special use permit is limited only to Valley Church at this location;

2. The applicant installs a left turn lane from Country Club Road into the site and that no building permits for the church would be released until plans are approved and bonded, if necessary, for the left turn lane or the left turn lane is constructed;

3. The owner dedicates 10-feet of right-of-way along Country Club Road for future road widening; and

4. If seating capacity increased beyond 700, that the request be presented to Planning Commission for further review and a new special use permit.

Today, the applicant is requesting to rezone a +/- 7.35-acre parcel from M-1, General Industrial District to B-2C, General Business District Conditional. The property is owned and operated by Divine Unity Community Church. If approved the applicant plans to operate half of the available building space for worship and community activities, with the remaining area designated for storage and support functions. The church plans for the building to include expanding the children's ministry, increasing capacity for community events, providing additional resources and support for local families, and developing a gym/athletic space.

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

Site: Divine Unity Community Church, zoned M-1

North: Industrial use, zoned M-1 and M-1C

East: Cargill Inc, zoned M-1

South: Across Country Club Road, vacant land, zoned B-2

West: Industrial use, zoned M-1

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

1. The following uses shall be prohibited:

    a. Vehicle, recreation equipment, or trailer sales served by a permanent building facility unless clearly incidental to an existing building. Vehicle excludes over the road tractors, their trailers, heavy equipment, manufactured homes, industrialized buildings, and agricultural equipment. No vehicle salvage, storage of inoperable vehicles, or sale of junk is allowed.

    b. Repair of vehicles, recreation equipment, or trailers with all activities and storage of inoperable vehicles completely enclosed within a permitted structure. Vehicle excludes over the road tractors, their trailers, heavy equipment, manufactured homes, industrialized buildings, and agricultural equipment.

    c. Radio and television stations and studios or recording studios.

    d. Warehousing and other storage facilities with floor area limited to twenty thousand (20,000) square feet, which are contiguous to permitted uses in this district.

e. Funeral homes.

f. Vehicle fuel stations, bus terminals or other facilities designed for vehicular convenience. Vehicle excludes over the road tractors, their trailers, heavy equipment, manufactured homes, industrialized buildings, and agricultural equipment. No vehicle salvage, storage of inoperable vehicles, or sale of junk is allowed.

g. Drive through facilities

2. 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.

3. Prior to issuance of any future building permit, the property owner shall dedicate 15-feet of public street right-of-way along Country Club Road.

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

Mixed Use
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.

Low Density Mixed Residential

These areas have been developed or are planned for residential development containing a mix of large and small-lot single-family detached dwellings, where commercial and service uses might be finely mixed within residential uses or located nearby along collector and arterial streets. Duplexes may be appropriate in certain circumstances. Mixed use buildings containing residential and non-residential uses might be appropriate with residential dwelling units limited to one or two dwelling units per building. Attractive green and open spaces are important for these areas and should be incorporated. Open space development (also known as cluster development) is encouraged, which provides for grouping of residential properties on a development site to use the extra land for open space or recreation. The intent is to have innovative residential building types and allow creative subdivision designs that promote neighborhood cohesiveness, walkability, connected street grids, community green spaces, and the protection of environmental resources or sensitive areas (i.e. trees and floodplains). Residential building types such as zero lot-line development should be considered as well as other new single-family residential forms. The gross density of development in these areas should be around 7 dwelling units per acre and 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.

Transportation and Traffic

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

As noted in Proffer #3, the applicant would dedicate right-of-way along Country Club Road. The reason for the right-of-way dedication is to assist with the improvement plans for Country Club Road, which includes widening the road to three lanes with sidewalk on one side of the street and a shared use path on the other side. Public street right-of-way is still needed along this property's frontage because the 2009-approved SUP condition to dedicate right-of-way was unfortunately not fulfilled by the previous property owner. The applicant is specifically proffering that before any new building permit is issued, they would dedicate 15 feet of right-of-way for future improvements to be made by the City.

Public Water and Sanitary Sewer

Staff does not anticipate issues regarding water or sanitary sewer service availability for the proposed rezoning.

Housing Study

The City's Comprehensive Housing Assessment and Market Study (Housing Study) places the subject property within Market Type D, which notes that "[m]arket type D has lower market activity as well as lower access to amenities. This could be because the areas are stable residential

neighborhoods or because the area is less developed and therefore has fewer sales and fewer amenities. Strategies that would be appropriate in the latter case include concurrent development of the housing and economic opportunities through mixed-use developments to build commerce and housing centers across the City.

Recommendation
Staff recommends approval of the rezoning request.

Options

1. Recommend approval of the rezoning request.
2. Recommend denial of the rezoning request.

Attachments

- Site maps
- Application and supporting documents