



City of Harrisonburg, Virginia

Department of Planning & Community Development

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Building Inspections
Engineering
Planning & Zoning

June 5, 2017

TO THE MEMBERS OF CITY COUNCIL CITY OF HARRISONBURG, VIRGINIA

SUBJECT: Public hearing to consider a request from S & B Rentals LLC for a special use permit per Section 10-3-91 (8) to allow for the reduction in required parking spaces within the B-2, General Business District. Areas that would have been used for parking must remain as open space and shall not be used to meet any conflicting requirements of the Zoning Ordinance. The 39,154+/- square feet property is located at 160 & 164 Waterman Drive and is identified as tax map parcel 36-M-11.

EXTRACT FROM MINUTES OF HARRISONBURG PLANNING COMMISSION MEETING HELD ON: May 10, 2017

Chair Way read the request and asked staff to review.

Mrs. Banks said the Comprehensive Plan designates this area as Commercial. This designation states that these areas include uses for retail, office, wholesale, or service functions. These areas are generally found along the City's major travel corridors. The largest concentration of commercial land use is located between East Market Street and Reservoir Street and includes the Valley Mall, a number of shopping centers, and significant office development.

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

- Site:** Mercantile and warehouse building, zoned M-1
- North:** Automotive repair, American Legion, vacant buildings, zoned M-1
- East:** Multi-family dwelling units, zoned R-3
- South:** Assembly hall, car wash, commercial buildings, zoned M-1 and B-2
- West:** Vacant land, zoned M-1

S & B Rentals LLC is requesting to rezone their property at 160 and 164 Waterman Drive from M-1, General Industrial District to B-2, General Business District. Along with the rezoning, the applicant is requesting a special use permit (SUP) to allow for a reduction in the number of parking spaces required for the uses located on the property. The 39,154 +/- square foot site is situated along the eastern side of Waterman Drive, approximately 1,000 feet north of the intersection of Waterman Drive and West Market Street. The property includes an 11,484 square foot building, which currently houses Twin State Beauty & Barber Supplies, Inc. (Twin State Supply) in a portion of the building.

Twin State Supply can operate by-right within an M-1 zoning district as a warehouse with a small mercantile component, or within a B-2 zoning district as a mercantile establishment with a small (less than 20,000 square foot) warehouse facility. Although previous uses of the property, which include Martin's Home Furnishings, Finders Keepers Surplus Furniture, and Martin's Discount City Television

and Appliance Center, were more in accordance with a B-2 retail use, the property was vacant for more than two years; therefore, any possible nonconforming status has lapsed.

Currently, Twin State Supply utilizes approximately 7,800 +/- square feet of the building as a warehouse and associated showroom, and the applicant would like to lease out the remaining 3,600 +/- square feet to a retail use. After conversations with planning staff regarding the proposed retail use, it was determined that it would not be permitted within the M-1, General Industrial District. The applicant decided to pursue rezoning the property to B-2, General Business District.

The Comprehensive Plan's Land Use Guide designates this area along the eastern side of Waterman Drive as Commercial, which is in line with the requested rezoning. This section of the Waterman Drive corridor has several service oriented businesses such as those traditionally found in the B-2 zoning district; as a matter of fact, in 1991 and 1992 respectively, 98 through 110 and 450 Waterman Drive were rezoned from M-1 to B-2. Staff does not have any concerns with the rezoning request; however, existing conditions of this site will dictate what types of B-2 uses can actually occur on the property. Many by-right uses might not be possible unless the property is completely redeveloped. The applicant is aware of this and will work closely with staff when changing uses in the building.

In conjunction with the rezoning request, the applicant has applied for a SUP per Section 10-3-91 (8) to allow for the reduction in required parking spaces within the B-2, General Business District. Required parking for a retail use at this location is calculated at one space for every 250 square feet of gross floor area; the building is 11,484 square feet, thus 46 parking spaces are required. Currently, the property has 20 identified parking spaces and shares easements and right-of-way access with the parcels to the south and north, which is necessary in order to access half of the existing parking. Parking is also available along the northern side of the building; however, spaces are not currently marked.

Behind the existing building there is 16,000 +/- square feet of open, unused area where parking could be installed. A site sketch has been provided indicating that the additional 26 parking spaces and landscaping requirements might be possible in this area. If the SUP is approved, and the applicant chooses to utilize it, a more detailed parking lot layout must be provided to ensure this area could meet all minimum requirements, including landscaping requirements. As well, if approved, areas that would have been used for parking must be recorded in the deed, must remain as open space, and shall not be used to meet any conflicting requirements of the Zoning Ordinance.

Because the existing and proposed retail use of the site has a relatively lower need for off-street parking compared to other traditional B-2 uses, staff recommends that if the request is approved, the SUP be conditioned only for the use proposed within this application. This would require that any change of use would necessitate the applicant to install the required off-street parking or to reapply for a SUP, which would allow staff, Planning Commission, and City Council to review the applicability of a SUP to reduce parking with the future site conditions.

Staff recommends to approve the rezoning request as submitted and special use permit with the following condition:

The SUP allowing a reduction in required parking shall only be applicable the uses proposed in the application.

Chair Way asked if there were any questions for staff. Hearing none, he opened the public hearing and asked if anyone would like to speak in favor of this request.

Sue Gray, 200 Tara Dawn Circle, Broadway, Virginia, owner, said if you have any questions I can try and answer them.

Hearing none, Chair Way asked if anyone would like to speak in favor or against this request. Hearing none, he closed the public hearing and asked Planning Commission for a motion on the request for the purpose of discussion.

Mr. Finks motioned to approve the 160 & 164 Waterman Drive Rezoning (M-1 to B-2) as presented by staff.

Mrs. Fitzgerald seconded the motion.

Chair Way asked if there was any other discussion. Hearing none, he called for a voice vote on the motion.

All voted in favor (6-0) to approve the rezoning (M-1 to B-2) at 160 & 164 Waterman Drive as presented by staff.

Mr. Finks motioned to approve the special use permit (10-3-91 (8) to Allow for Reducing Required Parking) at 160 & 164 Waterman Drive as presented by staff.

Mr. Finnegan seconded the motion.

Chair Way asked if there was any other discussion. Hearing none, he called for a voice vote on the motion.

All voted in favor (6-0) to approve the special use permit (10-3-91 (8) to Allow for Reducing Required Parking) at 160 & 164 Waterman Drive as presented by staff.

Chair Way said this will go forward to City Council on June 13, 2017.

Respectfully Submitted,

Alison Banks

Alison Banks
Senior Planner