



# City of Harrisonburg, Virginia

## Department of Planning & Community Development

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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 C. Glenn Loucks, with representative Matthew W. Brackens, to rezone a 17,600 +/- square feet portion of a 1.0 +/- acre parcel from R-2, Residential District to B-2C, General Business District Conditional. The 17,600 +/- square feet area makes up the rear portion of the property addressed as 915, 917, 919, and 921 North Main Street and identified as tax map parcel 41-C-41A.

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

- Site: Rear portion of parcel identified as tax map 41-C-41A, zoned R-2
- North: Across undeveloped public alley, single-family detached dwellings, zoned R-2 and B-2
- East: Front portion of subject parcel containing a single building with vacant commercial space and three nonconforming multi-family dwellings, zoned B-2; across North Main Street, commercial car wash and convenience store, zoned B-2
- South: Automotive repair and undeveloped property, zoned B-2C and B-2
- West: Undeveloped property, zoned R-2

The applicant is requesting to rezone a 17,600 +/- square feet portion of a 1.0 +/- acre parcel from R-2, Residential District to B-2C, General Business District Conditional. The split zoned parcel is located along the western side of North Main Street between the intersections of Ashby Avenue and Clinton Street. The front portion of the parcel is zoned B-2, General Business District and contains a single building with vacant commercial space on the first floor and three nonconforming multi-family dwellings on the second floor. If the rezoning request is approved, the applicant plans to keep the three nonconforming multi-family dwellings and to operate a vehicle sales business. It should be acknowledged that vehicle sales is a use permitted by right in the B-2 district and could presently operate on the front portion of the parcel, so long as all other zoning regulations are met.

As noted above, the Comprehensive Plan's Land Use Guide identifies the subject parcel as Commercial, a land use designation that is generally supported by a B-2 zoning designation. The B-2 district is intended

to provide sufficient space in appropriate locations for a wide variety of retail shopping, commercial, automotive, and miscellaneous recreational and service activities.

The applicant has submitted the following proffer (written verbatim) to delineate the boundary between his commercial business and future residential development on the undeveloped parcel to the northwest (TM 41-C-41) and the existing residential home to the northeast (TM 41-F-3):

Construction of a 6' solid, opaque fence for the entire portion of the northwest boundary line (rear of property) and 50' along the northeast boundary (right side of property while facing) measured starting from the rear of the property.

The applicant has expressed interest in extending the fence further than 50 feet along the northeast boundary towards North Main Street. Staff recommended that the applicant not proffer extending the fence further towards North Main Street because a fence may not be appropriate in the future should the B-2 zoned parcels to the northeast, fronting along North Main Street, develop as commercial businesses.

The applicant has been made aware that off-street parking requirements, including parking lot landscaping requirements, must be met or bonded before his business can occupy the parcel.

The rezoning request conforms with the Land Use Guide. Additionally, staff believes that applicant has adequately addressed concerns regarding separation between the commercially zoned property and surrounding residential properties. Therefore, staff recommends approving the rezoning request to B-2C, General Business District Conditional as requested by the applicant.

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

Matthew Brackens, the applicant, said I am here to answer any questions you might have.

Chair Way asked if there are any questions for Mr. Brackens.

Mr. Finks asked if he could clarify what type of business he was planning to operate at this location.

Mr. Brackens said vehicle sales.

Mr. Finks asked whether that was also going to include servicing vehicles in the back area of the property or will it just be strictly for vehicle sales.

Mr. Brackens said no, just for vehicle sales.

Mr. Colman said regarding the fence, especially where it runs along the alley, those alley corners should be identified to make sure that you are not encroaching into the alley. We do not know how many people are using that alley, but the neighbors do seem to be using that as a driveway.

Mr. Brackens said yes, I noticed that as well. Are you suggesting delineating the corners?

Mr. Colman said yes, to make sure, perhaps even doing a survey of the property to find out where those corners are and to make sure the fence is on your property.

Mr. Brackens said okay.

Chair Way 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. Finks motioned to approve the rezoning at 915, 917, 919, & 921 North Main Street (Portion of 41-C-41A from R-2 to B-2C) as presented by staff.

Mrs. Fitzgerald 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 915, 917, 919, & 921 North Main Street (Portion of 41-C-41A from R-2 to B-2C) as presented by staff.

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

Respectfully Submitted,

*Alison Banks*

Alison Banks  
Senior Planner