



City of Harrisonburg, Virginia

Department of Planning & Community Development

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Building Inspections
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May 6, 2019

TO THE MEMBERS OF CITY COUNCIL CITY OF HARRISONBURG, VIRGINIA

SUBJECT: Public hearing to consider a request from Gardner Investment LLC for a special use permit per Section 10-3-91(6) of the Zoning Ordinance to allow building material sales and storage yards, contractors equipment sales and storage yards and other similar uses, provided they are served by a permanent building facility unless clearly incidental to an existing building. The 4.2 +/- acre property is addressed as 3320 South Main Street and is identified as tax map number 104-C-1.

EXTRACT FROM MINUTES OF HARRISONBURG PLANNING COMMISSION MEETING HELD ON: April 10, 2019

Chair Way read the request and asked staff to review.

Mrs. Banks said the Comprehensive Plan designates this area as Industrial. These areas are composed of land and structures used for light and general manufacturing, wholesaling, warehousing, high-technology, research and development, and related activities. They include the major existing and future employment areas of the City.

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

Site: Commercial glass installation sales and business, zoned B-2

North: Across I-81 entrance/exit ramps, hotels and restaurants, zoned B-2

East: I-81 exit 243 interchange and interstate

South: Non-conforming truck rental and vehicle fuel pumps, zoned B-2

West: Hotel, vehicle sales, and across South Main Street, truck convenience center, zoned B-2

The applicant is requesting a special use permit (SUP) per Section 10-3-91(6) of the Zoning Ordinance (ZO) to allow a building material sales and storage yard within the B-2, General Business District. The 4.2 +/- acre site is located in the southern end of the City and is situated between South Main Street, Interstate 81, and the interstate exit 243 interchange. The property includes a 17,500 +/- square foot showroom, office and warehouse building with an attached 3,080 +/- square foot equipment building and shop. There is also a 9,600 +/- square foot warehouse building, along with areas of open, uncovered storage of materials on the site. If the SUP request is approved, the applicant desires to construct a new 30 feet by 273 feet pole barn structure to be used for the storage of materials.

The applicant states that Glass and Metals, Inc. moved their showroom and business offices to this location in 1993-94. City records show that a building permit was approved for an 8,800 +/- square foot warehouse addition to the existing showroom/office building in 1995. In 1994, showrooms and business

offices were permitted by-right in the B-2 zoning district. Warehousing and other storage facilities with floor areas limited to twenty thousand (20,000) square feet and which are contiguous to permitted uses in this district were also permitted by-right.

In 1996, the City completed a major revision to the ZO, which included the introduction of uses allowed by SUP. At this time, the SUP to allow building material sales and storage yards, contractors equipment sales and storage yards and other similar uses within the B-2, General Business District was added and exists today as Section 10-3-91(6). Glass and Metals, Inc.'s building material sales and showroom with outdoor storage operations is considered a "building material sales and storage yard" and therefore, because the ZO was amended in 1996 after they had begun operations at this location, their use is considered non-conforming.

As previously stated, the applicant desires to construct a new pole barn structure on their site in order to enclose some outdoor storage that they currently have. While seeking to apply for a building permit, the applicant was informed by staff that the construction of the new structure would be considered an enlargement of their use and would not be allowed unless a SUP for a building material sales and storage yard within the B-2, General Business District was approved. This would bring the existing use into conformance with zoning regulations and allow for the construction of the additional building as well as any future additions or other improvements.

The site is located along a busy, north-south corridor of the City and at a primary gateway into the City as indicated on the Gateways and Corridor Enhancement Areas map within the Comprehensive Plan. The quality and character of these routes strongly influence the City's attractiveness and economic vitality and therefore, careful consideration should be given to land use, development and streetscape. Currently, the general public cannot see any of the storage of materials from South Main Street because the view is blocked by the developed sites at 3330 and 3340 South Main Street. It is also difficult to see into the property from the rear due to existing vegetation and because of the site's elevation with respect to the interstate and the exit ramp. However, the site is clearly visible from the intersection of South Main Street and the interstate interchange, Interstate 81, and along the entrance ramp onto the interstate. Similarly, the site is visible from its entrance along South Main Street. Staff has concern with outdoor storage and displays at this location and suggests placing a condition to prohibit storage or display of materials within certain areas of the property as follows:

There shall be no uncovered or unenclosed storage or display of building materials and contractor's equipment in the areas illustrated in Figure 1 (attached herein).

The Comprehensive Plan's Land Use Guide recognizes this area as General Industrial and the requested SUP conforms with the Land Use designation. Staff believes the use of the site is compatible with the other uses within this area of the City and recommends approval of the SUP with the condition as suggested above.

Chair Way asked if there were any questions for staff before we go into public hearing.

Commissioner Whitten said I think it is great that we can celebrate the growth of the business inside the city. I am thrilled that they need more space to store more materials.

Commissioner Finnegan asked, how does the outdoor storage differ from Ace Hardware, for example, that has a pile of mulch and piles of landscaping materials outside? Those are industrial materials stored uncovered.

Mr. Fletcher responded that Ace Hardware is zoned M-1.

Commissioner Colman asked was a rezoning considered to change the zoning to M-1 in this case?

Ms. Banks answered no. We did not speak to the applicant about a rezoning. We only talked about the Special Use Permit.

Commissioner Colman asked if rezoning would have given them more flexibility on the site.

Mr. Fletcher responded that if they wanted to get a rezoning and got approval for a rezoning, sure.

Ms. Banks said that it was not something that we discussed.

Mr. Fletcher added that it would change the operation. Once the business is in an industrial zone, it is more about the industrial operation rather than the retail component. It begins to transition proportions of the business. The SUP is probably the better option. It is entirely up to the applicant.

Commissioner Colman said that the materials that are stored on site in the areas that you recommend that be covered or not stored there, was the option of an opaque fence considered?

Ms. Banks said that we did not discuss the option of a fence. They could build another structure if they desire.

Commissioner Colman asked what is the definition of covered or uncovered? What can you cover it with that will suffice to meet the requirements?

Ms. Banks said this example is a little different, but when we tell people about their inoperable vehicles, we inform them that they have to be enclosed and that does not mean under a tarp. It has to go in a building, a structure with sides and a roof.

Chair Way opened the public hearing and invited the applicant or applicant's representative to speak to the request.

Mr. Todd Gardner said I am president of Glass and Metals and a member of Gardner Investment, LLC, which owns the property. To answer the question regarding the overhang, we had asked to do the overhang to help protect the material from weather as it is being stored. A lot of it is being stored in boxes. We want to give it some shelter before we have the time to go in to cut it and assemble it. I am here this evening to ask for you to approve, so that we can put the three-sided overhang over the material, and to answer any questions that you might have. Thank you for the comment; we are very blessed to have the growth that we have had. I would like to say that we are 100 percent employee owned since 2010.

Councilmember Romero asked how Mr. Gardner felt about the condition proposed by staff.

Mr. Gardner said that he has no problem with it. We have never stored material in those areas. There is no problem, no issue.

Chair Way asked if there were any further comments regarding this request. Hearing none, he closed the public hearing and opened the matter for discussion.

Commissioner Colman moved to recommend approval of the Special Use Permit, with the condition recommended by staff.

Commissioner Finks seconded the motion.

All members voted in favor of recommending approval of the Special Use Permit.

Chair Way said that the recommendation for approval will move forward to City Council on May 14, 2019.

Respectfully Submitted,

Alison Banks

Alison Banks

Senior Planner