



CITY OF HARRISONBURG COMMUNITY DEVELOPMENT

409 SOUTH MAIN STREET, HARRISONBURG, VA 22801
OFFICE (540) 432-7700 • FAX (540) 432-7777

To: Planning Commission
From: Department of Community Development
Date: December 11, 2019 (Regular Meeting)
Re: Special Use Permit – 3055 South Main Street (To Allow Facilities Designed for Repair or Storage of Over The Road Tractors, Their Trailers, Heavy Equipment, Industrialized Buildings, or Agricultural Equipment in B-2)

Summary:

Public hearing to consider a request from Soran, LLC for a special use permit per Section 10-3-91(3) of the Zoning Ordinance to allow facilities designed for the repair or storage of over the road tractors, their trailers, heavy equipment, manufactured homes, industrialized buildings, or agricultural equipment served by a permanent building facility provided that outside storage of repair shall be located within a designated area and screened. The +/- 37,000 sq. ft. property is addressed as 3055 South Main Street and is identified as tax map number 1-C-2.

Background:

The Comprehensive Plan designates this site as Commercial. Commercial uses include retail, office, professional service functions, restaurants, and lodging uses. Commercial areas should offer connecting streets, biking and walking facilities, and public transit services. Interparcel access and connections are essential to maintaining traffic safety and flow along arterials. Parking should be located to the sides or rear of buildings.

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

- Site:** Illegal truck and trailer repair service, zoned B-2
North: Retail uses and non-conforming residential uses, zoned B-2
East: Retail uses and vehicle sales, zoned B-2
South: Offices and retail uses, zoned B-2
West: Retail uses and vacant properties, zoned B-2

Key Issues:

The applicant is requesting a special use permit (SUP) per Section 10-3-91(3) of the Zoning Ordinance (ZO) to allow facilities designed for repair or storage of over the road tractors and their trailers in the B-2, General Business District to bring their illegal use into conformance with the Zoning Ordinance. The property is located in the southern section of the City at 3055 South Main Street.

The SUP process began as a result of a zoning enforcement inspection due to an anonymous complaint. Upon inspection and further investigation of the property, the issue arose that the operation of repair and storage of over the road tractors and their trailers is not a use permitted by right on the property due to its B-2 zoning. Staff then verbally notified the tenant informing them that the repair or storage of over the road tractors and their trailers is not permitted by right.

The property owners are working to rectify the situation by applying for the SUP to allow repair and storage of over the road tractors and their trailers. The SUP in which they are applying is per Section 10-3-91(3) of the ZO, which states:

“Facilities designed for the repair or storage of over the road tractors, their trailers, heavy equipment, manufactured homes, industrialized buildings, or agricultural equipment served by a permanent building facility unless already incidental to an existing building. In addition, any outside storage or repair shall be located within a designated area and screened.”

Within the definition of “screening” as stated within Section 10-3-24 of the Zoning Ordinance, it states, among other things, that “[f]ences, decorative walls or other physical or structural enclosures used for screening shall be opaque to obstruct view of storage materials, with the finished face facing outside, and shall be at least six (6) feet in height with a maximum of eight (8) feet in height. If plant materials are used for screening purposes, they shall be three (3) to four (4) feet in height at planting time and shall meet the same intent as stated for fencing, etc. with the exception of height described herein.” The applicant plans to store over the road tractors and their trailers in the rear of the property and understands that screening shall be installed. The applicant is aware that screening around the designated area shall be installed within thirty days of SUP approval, unless alternative arrangements have been approved by the Zoning Administrator.

The business currently operating on this property is named Mid Atlantic Truck Service and the business’ website describes the following available services for over the road tractors and their trailers: oil change, tire change, battery replacement, inspections, trailer maintenance, and repairs associated with over the road tractors and their trailers.

Given the size of the current business operation, the size of the property, and the property’s location along South Main Street, where there are other automotive repair and automobile-related businesses, staff believes that facilities designed for repair and storage of over the road tractors and their trailers that operate substantially similar to current operations at this location would have no more adverse effect on the health, safety, or comfort of persons living or working in the surrounding area. Staff recommends approval of this request with the following conditions:

1. The special use permit shall be limited only for the repair and storage of over the road tractors and their trailers.
2. Outside storage or repair of over the road tractors and their trailers shall be restricted to the rear of the property behind the principal building.
3. If in the opinion of Planning Commission or City Council, the use becomes a nuisance, the special use permit can be recalled for further review, which could lead to the need for additional conditions, restrictions, or the revocation of the permit.

Approval of the SUP request with condition #1 means that the storage and repair of additional things listed in Section 10-3-91(3) of the Zoning Ordinance, specifically heavy equipment, industrial buildings, or agricultural equipment is prohibited. Only repair and storage of over the road tractors and their trailers would be permitted. Condition #2 restricts outdoor storage and repair of over the road tractors and their trailers to the rear of the property behind the principal building. Exhibit A illustrates the area in which outdoor storage and repair would be restricted given the current principal building's footprint on the property. As previously described, this area must be screened as required by the ZO. Condition #3 allows PC and CC to recall the SUP for further review if the use becomes a nuisance.

Environmental Impact:

N/A

Fiscal Impact:

N/A

Prior Actions:

N/A

Alternatives:

- (a) Recommend approval of the special use permit request as submitted;
- (b) Recommend approval of the special use permit request with suggested conditions;
- (c) Recommend approval of the special use permit with other conditions(s); or
- (d) Recommend denial.

Community Engagement:

As required, the request was published in the local newspaper twice advertising for Planning Commission's public hearing. The advertisement was published as shown below:

Special Use Permit – 3055 South Main Street (To Allow Facilities Designed for Repair or Storage of Over The Road Tractors, Their Trailers, Heavy Equipment, Industrialized Buildings, or Agricultural Equipment in B-2)

Public hearing to consider a request from Soran, LLC for a special use permit per Section 10-3-91 (3) to allow facilities designed for the repair or storage of over the road tractors, their trailers, heavy equipment, manufactured homes, industrialized buildings, or agricultural equipment served by a permanent building facility provided that outside storage of repair shall be located within a designated area and screened. The +/- 37,000 sq. ft. property is addressed as 3055 South Main Street and is identified as tax map number 1-C-2.

In addition, adjoining property owners were notified of the public hearing; the property was posted with signage advertising the request; and a notice was provided on the City's website at <https://www.harrisonburgva.gov/public-hearings>.

Recommendation:

Staff recommends alternative (b) approval of the special use permit request with suggested conditions.

Attachments:

1. Site maps

2. Application, applicant letter, and supporting documents
3. Exhibit A. Illustration of special use permit condition #2

Review:

N/A