



City of Harrisonburg, Virginia

Department of Planning & Community Development
409 South Main Street
Harrisonburg, Virginia 22801
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To: Kurt Hodgen, City Manager
From: Planning Commission and
Adam Fletcher, Director of Planning and Community Development
Date: November 15, 2016
Re: Special Use Permit – 2655 South Main Street – Section 10-3-91 (9) To Allow a Reduction in the
Required Side Yard Setback

Summary:

Public hearing to consider a request from 2655 South Main Street LC with representative Balzer and Associates for a special use permit per Section 10-3-91 (9) to allow the reduction in the required side yard setback to zero feet along the lot line of an adjoining lot or parcel zoned B-2. The 1.655 +/- acre property is zoned B-2, General Business District, is located at 2655 South Main Street, and is identified as tax map parcel 1-F-1.

Background:

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 and in the Central Business District of the City.

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

- Site:** Vacant retail store, parking area, and undeveloped land, zoned B-2
North: Undeveloped land, automotive dealership, and commercial businesses, zoned B-2
East: Across South Main Street, Trucking industry, zoned M-1
South: Automotive dealerships, zoned B-2
West: Undeveloped land, zoned R-3C

Key Issues:

The applicant is requesting a special use permit (SUP) per Section 10-3-91 (9) of the Zoning Ordinance to allow for a reduction in the required side yard setback to zero feet along the lot line of an adjoining lot or parcel zoned B-2. The property is located along the western side of South Main Street between West Mosby Road and Pointe Drive. The site is improved with a 5,960 +/- square foot building, which is currently vacant, and its associated parking lot. If approved, the applicant desires to construct a 6,040 +/- square foot addition to the existing structure.

The existing building was constructed in 1987 and is situated approximately 4.4-feet from the southern property line. The proposed addition would be constructed along the western side of the existing building and the applicants would like to apply the established, 4 +/- foot setback along the southern property line adjacent to the addition. There are specific Building Code regulations regarding fire rating for exterior walls located within five-feet of a property line; as well, no openings are permitted if the exterior wall is

less than three-feet from the property line. The applicant has been made aware of these issues and will need to work closely with the Building Inspections Division when designing the proposed new addition.

The layout for the proposed addition, along with a new parking area, is currently going through the City's Comprehensive Site Plan (CSP) review process. (The site plan layout is included within this packet.) The proposed project is located not only on the 2655 South Main Street site, but also on the adjacent parcel to the north. As part of the CSP review, staff has made the applicant aware that a shared parking agreement is required to have parking on an adjoining property to the lot where the building is located; or the property will need to be subdivided creating one parcel and meeting all requirements of the City's subdivision regulations. A parking agreement or a minor subdivision must be approved and recorded prior to the release of the CSP for construction and prior to approval of the building permit.

Staff recognizes the applicants desire to construct the new addition using the same setback as the existing structure in order to keep the exterior southern wall uniform. Staff has no concerns with the requested SUP; however, suggests a condition that the SUP be applicable to the existing and planned addition, and be substantially similar to the submitted layout. This means any future buildings or additions must comply with required setbacks.

Environmental Impact:

N/A

Fiscal Impact:

N/A

Prior Actions:

N/A

Alternatives:

If the SUP is denied, the proposed addition would need to be redesigned to meet the required ten-foot side yard setback in the B-2, General Business District; or the project would need to be relocated to a different site.

Community Engagement:

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

Special Use Permit – 2655 South Main Street (Section 10-3-91(9) to Allow Reduction in Required Side Yard Setback to Zero Feet)

Public hearing to consider a request from 2655 South Main Street LC with representative Balzer and Associates for a special use permit per Section 10-3-91(9) to allow the reduction in the required side yard setback to zero feet along the lot line of an adjoining lot or parcel zoned B-2. The 1.655 +/- acre property is zoned B-2, General Business District, is located at 2655 South Main Street, and is identified as tax map parcel 1-F-1.

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 supports the request for a SUP per Section 10-3-91 (9) of the Zoning Ordinance to allow for the reduction in the required side yard setback to zero feet along the lot line of an adjoining lot or parcel zoned B-2, on property located at 2655 South Main Street with the suggested condition.

Attachments:

1. Site maps (2 pages)

2. Application and site layout (2 pages)

Review:

Planning Commission recommended approval (7-0) for the SUP per Section 10-3-91 (9) of the Zoning Ordinance to allow for the reduction in the required side yard setback to zero feet with the condition that the SUP be applicable to the existing building and the planned addition and be substantially similar to the submitted layout.