



City of Harrisonburg, Virginia

Department of Planning & Community Development

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Building Inspections

Engineering

Planning & Zoning

To: Eric Campbell, City Manager
From: Adam Fletcher, Director – Department of Planning and Community Development and Harrisonburg Planning Commission
Date: July 10, 2018
Re: Rezoning – 915, 917, 919 & 921 North Main Street (Portion of 41-C-41A from R-2 to B-2C)

Summary:

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. The parcel is currently split-zoned and if the request is approved, the entire parcel would remain split-zoned with the front portion zoned B-2, and rear portion zoned B-2C.

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.

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

Key Issues:

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.

Environmental Impact:

N/A

Fiscal Impact:

N/A

Prior Actions:

N/A

Alternatives:

- (a) Recommend approval of the conditional request for rezoning as submitted by the applicant; or
- (b) Recommend denial of the request for rezoning.

Community Engagement:

As required, the request was published in the local newspaper twice advertising for Planning Commission’s public hearing and twice for City Council’s public hearing for the rezoning as shown below:

Rezoning – 915, 917, 919 & 921 North Main Street (Portion of 41-C-41A from R-2 to B-2C)

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 Zoning Ordinance states that the R-2, Residential District is intended for medium-density, single-family and duplex residential development. The residential density ranges for R-2 are single-family, 7,000 sq. ft. minimum and duplex, 5,500 sq. ft/unit. The B-2, General Business District is intended to provide sufficient space in appropriate locations for a wide variety of retail shopping, commercial, automotive, miscellaneous recreational, and service activities. No minimum lot size restrictions exist in the B-2, General Business District. 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 17,600 +/- square feet area makes up the rear half of the property addressed as 915, 917, 919, and 921 North Main Street and identified as tax map parcel 41-C-41A. The parcel is currently split-zoned and if the request is approved, the parcel would remain split-zoned with the front portion zoned B-2 and the rear portion zoned B-2C.

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 (a) to approve the request for the conditional rezoning as submitted by the applicant.

Attachments:

1. Extract (3 pages)
2. Site maps (2 pages)
3. Application, applicant letter, and supporting documents (7 pages)

Review:

Planning Commission recommended (7-0) alternative (a) to approve the request for the conditional rezoning as submitted by the applicant.