

Total Fees Due: \$ 435<sup>00</sup>  
Application Fee: ~~\$550.00~~ plus \$30.00 per acre  
\$375

Date Application & Fee Received: 6-6-18 AB  
Received by: JHD  
resubmitted  
8-29-18

## Application for Change of Zoning District (Rezoning) City of Harrisonburg, Virginia

[www.harrisonburgva.gov/zoning-applications](http://www.harrisonburgva.gov/zoning-applications)

### Section 1: Description of Property

Location (street address): 76-85 W. Gay St, 76 N. Liberty St, 325-381 N Liberty St.  
Tax Map Number: Sheet: see list Block: \_\_\_\_\_ Lot: \_\_\_\_\_ Total Land Area: \_\_\_\_\_ acres or sq. ft.  
Existing Zoning District: M1 Proposed Zoning District: B1 Central  
Existing Comprehensive Plan Designation: mixed use development area

### Section 2: Property Owner's Information

Property Owner's Name: Bismarck, LLC  
Street Address: 420 Neff Ave Suite 215 Email: johnsallah@hotmail.com  
City: Harrisonburg State: VA Zip: 22801  
Telephone: Work: 540.239.7981 Fax: 540.432.3351 Mobile/Home: \_\_\_\_\_

### Section 3: Owner's Representative Information

Owner's Representative: John Sallah  
Street Address: 387 Monticello Ave Email: johnsallah@hotmail.com  
City: Harrisonburg State: VA Zip: 22801  
Telephone: Work: 540.239.7981 Fax: 540.432.3351 Mobile/Home: \_\_\_\_\_

### Section 4: Certification

*I certify that the information supplied on this application and on the attachments provided (maps and other information) is accurate and true to the best of my knowledge. In addition, I hereby grant permission to the agents and employees of the City of Harrisonburg to enter the above property for the purposes of processing and reviewing this application. I also understand that, when required, public notice signs will be posted by the City on any property.*

Signature:   
Property Owner

### Section 5: Required Attachments to be provided by Applicant

- Letter explaining Proposed Use & Reasons for Seeking Change in Zoning
- Statement of Proffers, if applying for conditional rezoning
- Survey of Property or Site Map
- Traffic Impact Analysis (TIA) Determination Form OR Traffic Impact Analysis (TIA) Acceptance Letter signed by Public Works Department - Applicant is responsible for coordinating with Public Works Department prior to submitting Rezoning application. More information at [www.harrisonburgva.gov/traffic-impact-analysis](http://www.harrisonburgva.gov/traffic-impact-analysis).

Bismarck, LLC  
420 Neff Ave Suite 215  
Harrisonburg VA 22801

October 2, 2018

City of Harrisonburg Planning Commission  
409 S Main St  
Harrisonburg VA 22801

To Whom it May Concern:

On August 1, 2018 Bismarck, LLC purchased several parcels previously owned by Carrs Tire Service Inc. These parcels, listed below, are all zoned M1. We would like to begin the application process for rezoning all of these parcels from M1 to B1.

These properties previously housed the operations of Big L Tire, in three separate buildings, as well as several vacant lots used as parking. The following is a brief description of these buildings and lots, their addresses, and the proposed uses:

325 N Liberty St: Five bay metal building of approximately 2800 SF. This building does not qualify for tax credits. We plan to renovate this building into up to two retail or office spaces. Parking for these units will be directly in front of the building. We envision providing at least 7 parking spaces.

76 W Gay St: Two level brick warehouse with basement of approximately 14,000 SF, plus a small single-level garage attached on the west side with 1,600 SF. This building should qualify for State and Federal tax credits. We plan to retain and enhance the exterior features of the building, and renovate the interior to include up to 22 one and two bedroom apartments. The attached garage will be renovated and used as an office and area for the property manager. Parking for this structure will be provided on the adjacent parking lot, tax map 34 D 11. We expect to have at least 13 parking spaces on this lot.

85 W Gay St: Two level brick shop with oddly angled walls of approximately 8000 SF. This building also qualifies for State and Federal Tax credits. We plan to retain and enhance the exterior features of the building and renovate the interior to office or restaurant space. Parking for this building will be provided across N. Liberty St. on tax map 35 L 6. We expect to dedicate at least 17 parking spots to this building on tax map 35 L 6, as well as the potential for several parking spots onsite.

Tax Maps 35 L 5 and 35 L 4: Currently vacant lots. We plan to add as many as five townhouses or townhouse style apartments to this vacant area, with parking in ground level garages with rear entrances. There is also space for overflow parking behind these buildings.

One of our biggest considerations has been to avoid impacting an already perceived shortage of on and off street parking downtown. After surveying all of the lots, we plan to actually have more parking than is shown in exhibit A. We believe that the parking planned for in this project is more than will be necessary, and that this project will have little impact on any street parking issues that may exist in the area. To that end, we are proffering that the development of these properties on this application shall be in strict accordance with the conditions set forth in this submission.



Big L Tire operated for decades in this location. Over that time, Harrisonburg's downtown area has changed immensely. The demand for housing as well as the necessary services associated with residential areas has exploded. We would like to repurpose these parcels to serve the growing needs of the local area. In doing so, not only would we provide much needed housing, but hopefully add retail storefronts giving downtown residents easier access to needed services. We have had several meetings already with HDR and other entities to explore opportunities.


The ownership group of Bismarck, LLC has extensive residential and commercial holdings, some of which are in downtown Harrisonburg, and has long been a cheerleader of our City's downtown revitalization. We plan to use Federal and State tax credits to assist in the development of two of these buildings. We have past experience with these tax credits having renovated in 2008 a 48-unit apartment complex in the old Sancar building at 28 W Rock St. Another completed project in 2009 was the purchase and renovation of the block on S Main St. that houses Billy Jack's and Jack Brown's restaurants. If granted the zoning changes, we plan to begin the process of renovating these new properties as soon as the necessary permits are granted.

The lots we are seeking rezoning for are as follows:

034D11 at 76 N Liberty St  
035L2 at 325 N Liberty St  
035L3 at 335 N Liberty St  
035L4 at 357 N Liberty St  
035L5 at 365 N Liberty St  
034D10 at 76 W Gay St  
034H15 at 85 W Gay St  
035L6 at 381 N Liberty St

I have attached an aerial view of the properties with a key to proposed usage, as well as several layouts that are being considered.

Thank you,



John Sallak  
Bismarck, LLC  
President

### Proffers

In connection with the rezoning request for the properties located at 76 and 85 West Gay Street, and 76, 325, 335, 357, 365, 357, 365, and 381 North Liberty Street and identified as tax map parcels 34-D-10 and 11, 34-H-15, and 35-L-2, 3, 4, 5, and 6 the following permitted uses are hereby proffered:

- (1) Retail stores, personal service establishments, restaurants, food and drug stores.
- (2) Governmental, business and professional offices and financial institutions.
- (3) Hotels, motels and buildings used for dwelling unit(s), CBD, as defined under section 10-3-24. Dwelling unit(s), CBD, may be occupied by a family or not more than four (4) persons, except that such occupancy may be superseded by building regulations.
- (4) Theaters, community rooms, museums and galleries and other places of assembly for the purpose of entertainment or education. In addition, customary recreational and leisure-time activities which are compatible with surrounding uses are permitted.
- (5) Religious, educational, charitable and benevolent institutional uses which do not provide housing facilities.
- (6) General service or repair shops, when not employing more than fifteen (15) persons on the premises in a single shift (not including persons whose principal duties are off the premises) and providing that all storage and activities are conducted within a building. Examples: Cleaning and laundry establishments, printing and tailoring shops, appliance repairs, upholstery and furniture repairs.
- (7) Accessory buildings and uses customarily incidental to any permitted uses.
- (8) Small cell facilities, concealed wireless telecommunications facilities, industrial microcells, distributed antenna systems, and macrocells. Telecommunications towers are permitted only by special use permit. Wireless telecommunications facilities are further regulated by Article CC.
- (9) Public libraries.
- (10) Public uses.
- (11) Research and development activities which do not cause any more smoke, dust, odor, noise, vibration or danger of explosion other than uses permitted in this district and which involve no more than 15 percent of the gross floor area in the assembling or processing of products. Any assembling or processing shall only involve products developed on the premises. All services and storage shall be conducted within the principal structure which is to be completely enclosed.
- (12) Home occupations.
- (13) Radio and television stations and studios or recording studios. All antennas and satellites and associated equipment shall be screened.

Special use permits shall be permitted as approved by City Council.

Additionally, we proffer:

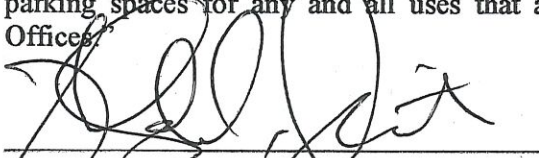
*Please refer to Exhibit A.*

At minimum 22 parking spaces shall be located in the area at the corner of N. Liberty Street and W. Gay Street, currently identified as tax map parcel 35-L-5 and 35-L-6. The minimum 22

parking spaces shall be reserved for the sole purpose of supplying off-street parking spaces for any and all uses that are located on the properties in connection with this rezoning request. If townhouses or townhouse-style apartments are constructed on this site, 1 parking space per proposed townhouse or townhouse-style apartment shall be provided for the exclusive use by owners or tenants of the townhouse or townhouse-style apartment. These parking spaces may be counted to meet the minimum 22 parking spaces.

At minimum 13 parking spaces shall be located on tax map parcel 34-D-11. Such parking spaces shall be reserved for the sole use of supplying off-street parking spaces for any and all uses that are located on the property labeled "Apartments" currently identified as tax map parcel 34-D-10.

At minimum, 7 parking space shall be located in the area currently identified as tax map parcels 35-L-2, 3, 4. Such parking spaces shall be reserved for the sole use of supplying off-street parking spaces for any and all uses that are located on the property labeled "Professional Offices".



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Signature, Property Owner

10/2/18

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Date





City of Harrisonburg, VA  
Department of Public Works

Determination of Need for a  
Traffic Impact Analysis (TIA)

www.harrisonburgva.gov/traffic-impact-analysis

<b>Contact Information</b>				
Consultant Name:				
Telephone:	N/A			
E-mail:				
Owner Name:	John Sallah, Bismarck, LLC			
Telephone:	540-239-7981			
E-mail:	johnsallah@hotmail.com			
<b>Project Information</b>				
Project Name:	Big L			
Project Address: TM #:	76 N. Liberty St / 34-D-11; 325-381 N. Liberty St / 035-L-2-6; 76/85 W. Gay St / 34-D10 & 34-D-15			
Existing Land Use(s):	Warehouse, 2 production tire shops			
Proposed Land Use(s): (if applicable)	Office, retail, residential			
Submission Type:	Comprehensive Site Plan <input type="radio"/>	Special Use Permit <input type="radio"/>	Rezoning <input checked="" type="radio"/>	Preliminary Plat <input type="radio"/>
Project Description: (Include site plan or preliminary sketch and additional details on land use, acreage, access to site, etc)	Plan to convert warehouse on north side of Gary St. to apartments; operating tire store on east side of N. Liberty St. to office upstairs and restaurant downstairs; convert shop on west side of Liberty St to retail and add townhouses.			
<b>Peak Hour Trip Generation (from row 15 on the second page)</b>				
AM Peak Hour Trips:	57			
PM Peak Hour Trips:	23			

**(reserved for City staff)**

TIA required? Yes \_\_\_\_\_ No

Comments:

Accepted by: Erin Jancey

Date: 9/28/18

Revised Date: May 2017

**Peak Hour Trip Generation by Land Use**

Row	Land Use	ITE Land Use Code	Unit	Quantity	AM Peak Hour of Adjacent Street Traffic	PM Peak Hour of Adjacent Street Traffic
1	Proposed #1	932	1000 sf	4	40	39
2	Proposed #2	710	1000 sf	6.8	33	9
3	Proposed #3	220	DU	21	10	12
4	Proposed #4					
5	Proposed #5					
6	Proposed #6					
7	Total New Trips				83	60
8	Existing #1	942	1000 sf	8	18	25
9	Existing #2	150	1000 sf	14.5	2	3
10	Existing #3	942	1000	2.8	6	9
11	Existing #4					
12	Existing #5					
13	Existing #6					
14	Total Existing Trips				26	37
15	Final Total (Total New – Total Existing)				57	23

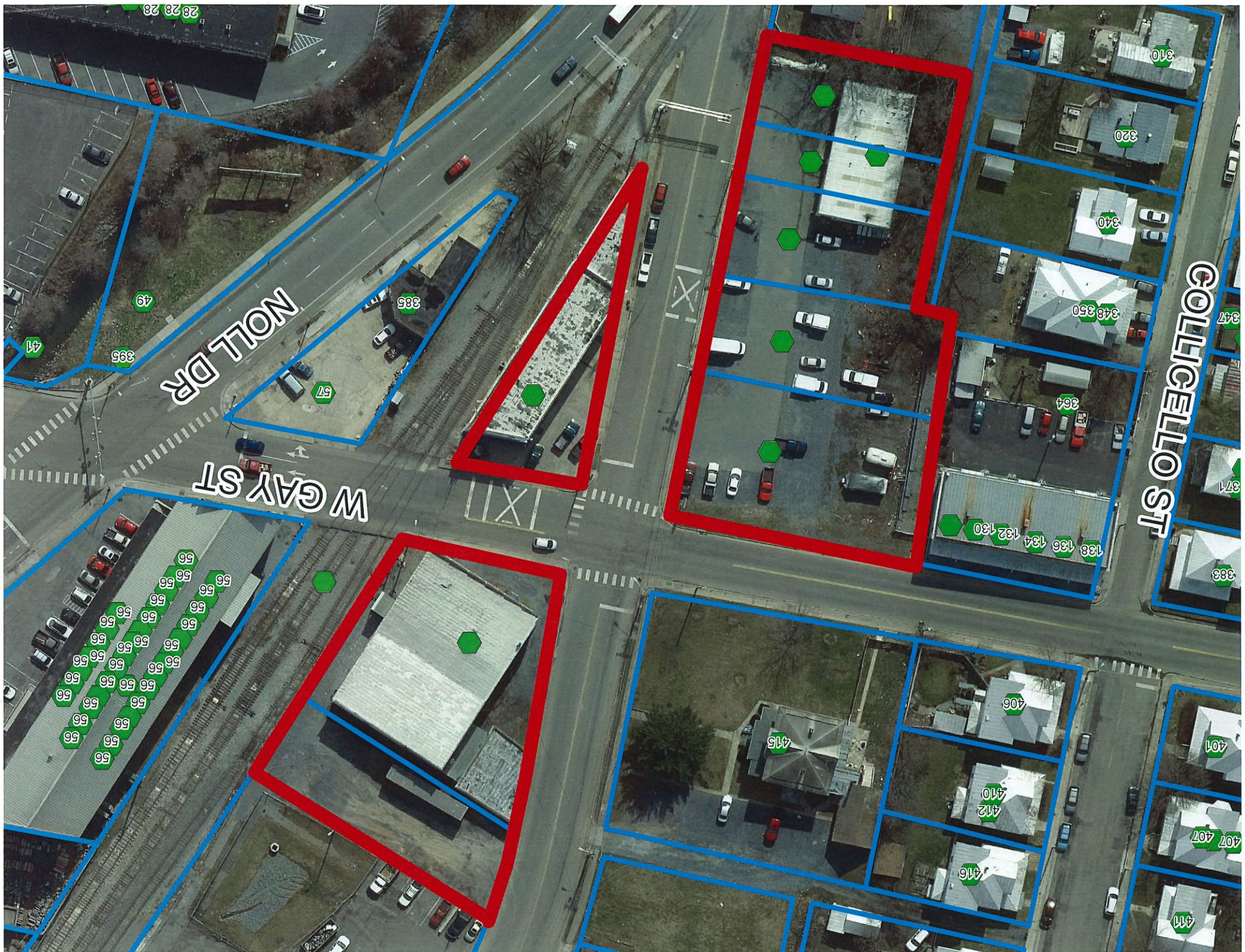
**Instructions**

Determination of trip generation rates shall be in conformance with ITE guidelines.

1. Based on the intended use(s), calculate the AM Peak and PM Peak trip generation using the AM and PM Peak Hour of Adjacent Street Traffic rates from the most current version of the ITE Trip Generation Manual (rows 1-6). Attach additional sheets as necessary for more uses.
2. Sum up all of the trips generated for the new uses in the Total New Trips row (row 7).
3. If the development has any existing uses, calculate the AM Peak and PM Peak trip generations using the AM and PM Peak Hour of Adjacent Street Traffic rates from the most current version of the ITE Trip Generation Manual (rows 8-13). Attach additional sheets as necessary for more uses.
4. Sum up all of the trips generated for the existing uses in the Total Existing Trips row (row 14).
5. Subtract the total existing trips from the total new trips to get the final total number of trips generated by the development (row 15). Enter these numbers on the first page.

Revised Date: May 2017





NOLL DR

W GAY ST

COLICELLO ST

28 28 28

49

41

395

57

385

310

320

340

348 350

364

371

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PROFESSIONAL OFFICES

TOWNHOUSES

34 H 15  
RESTAURANT/  
OFFICES

APARTMENT  
MANAGEMENT  
OFFICE

34 D 10  
APARTMENTS

PRELIMINARY  
FOR REVIEW

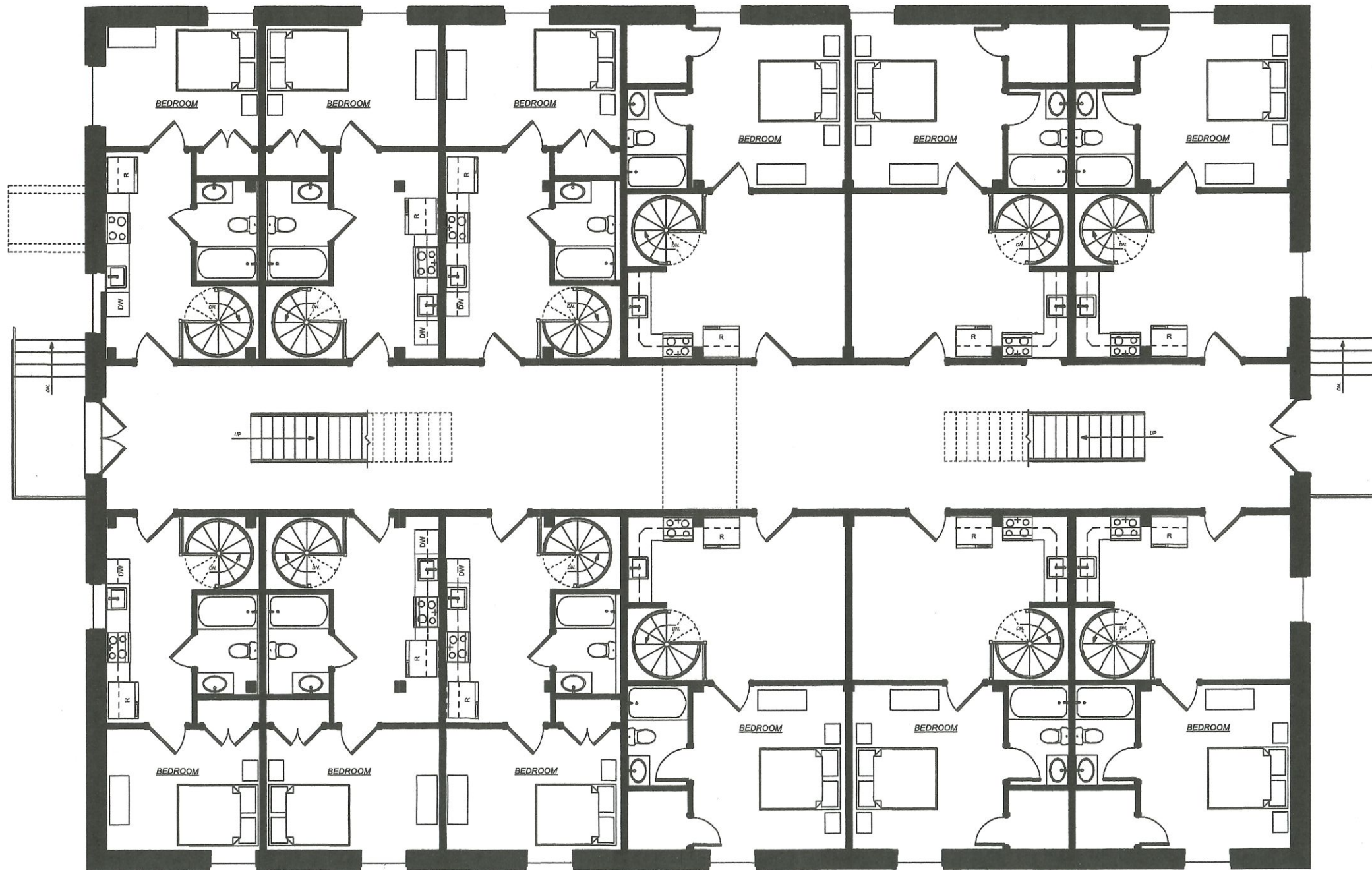
PROPOSED  
SITE

DATE: 9-28-18

1

EXHIBIT A





LIBERTY STREET

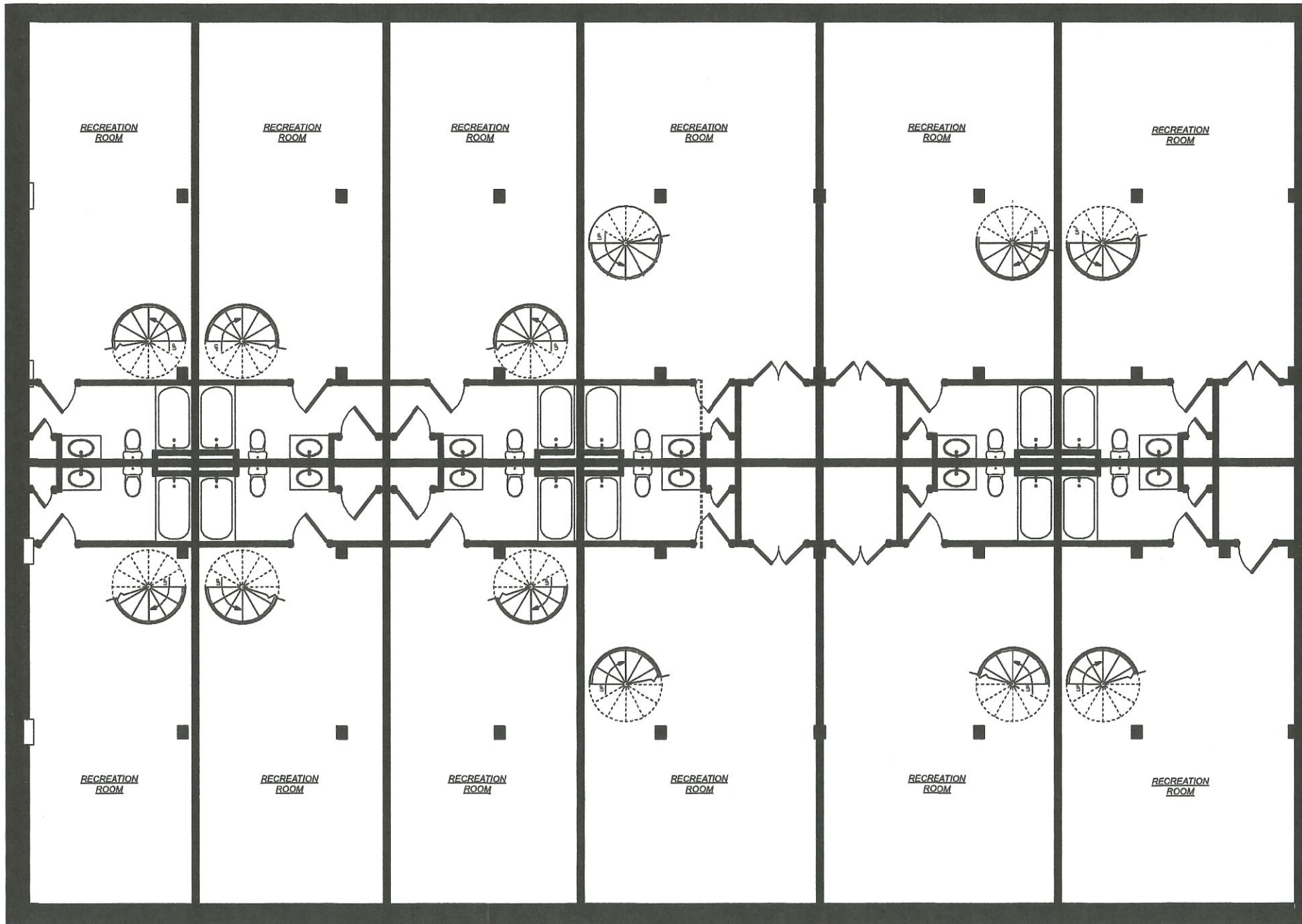
PRELIMINARY  
FOR REVIEW

MAIN FLOOR  
PLAN

DATE: 9-28-18

1  
2 **MAIN FLOOR PLAN**  
SCALE: 1/8" = 1'-0"





LIBERTY STREET

PRELIMINARY  
FOR REVIEW

BASEMENT  
FLOOR PLAN

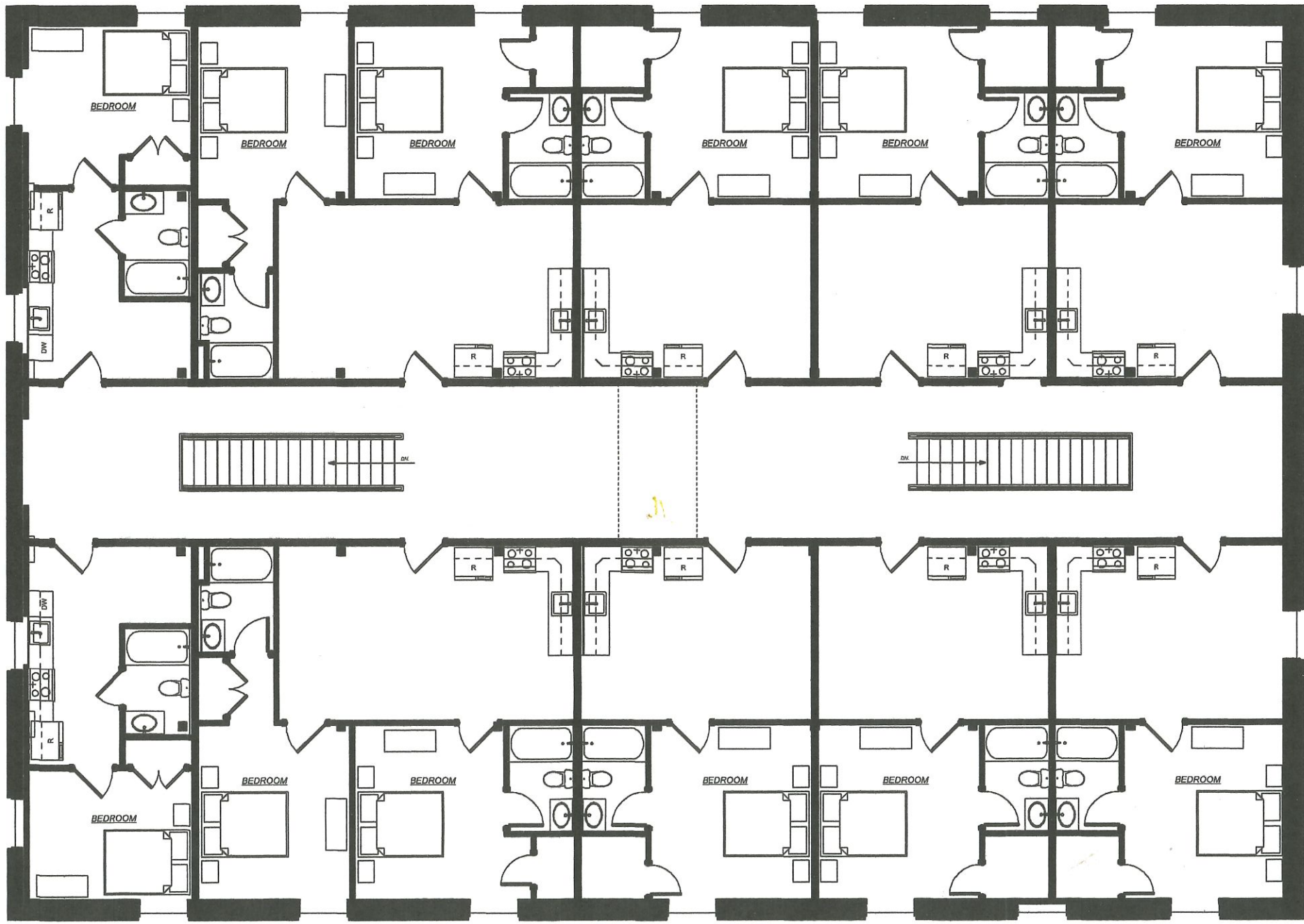
DATE: 9-28-18

3

1  
3

**BASEMENT FLOOR PLAN**

SCALE: 1/8" = 1'-0"



LIBERTY STREET

PRELIMINARY  
FOR REVIEW

UPPER  
FLOOR PLAN

DATE: 9-28-18

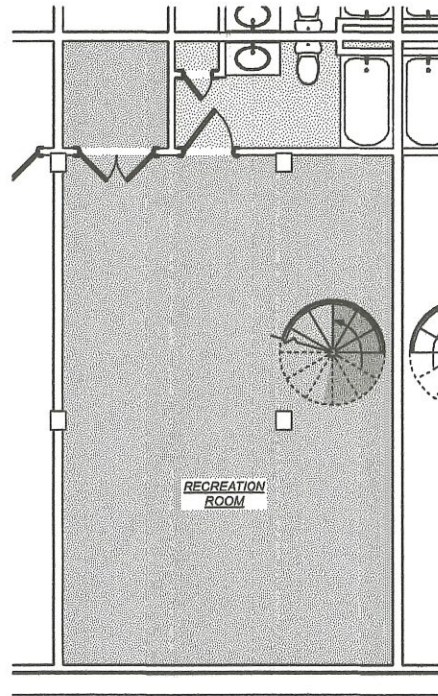
1  
4

UPPER FLOOR PLAN

SCALE: 1/8" = 1'-0"

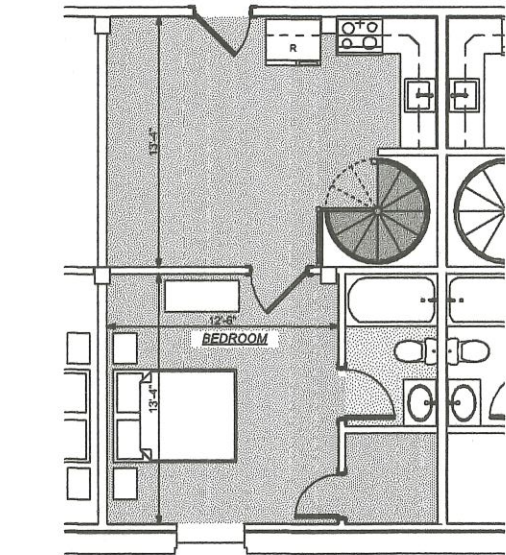
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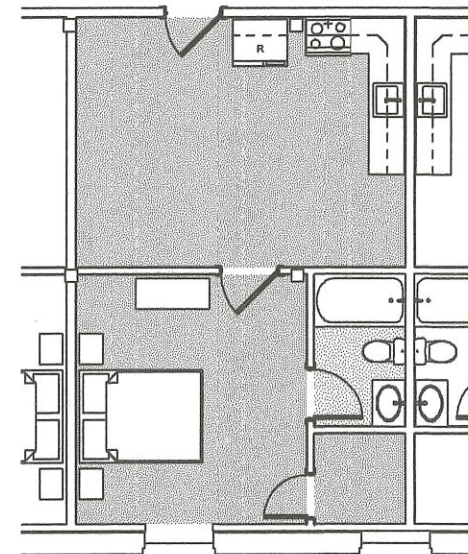
**1** **BASEMENT FLOOR PLAN**

SCALE: 1/8" = 1'-0"



**2** **MAIN FLOOR PLAN**

SCALE: 1/8" = 1'-0"



**3** **UPPER FLOOR PLAN**

SCALE: 1/8" = 1'-0"

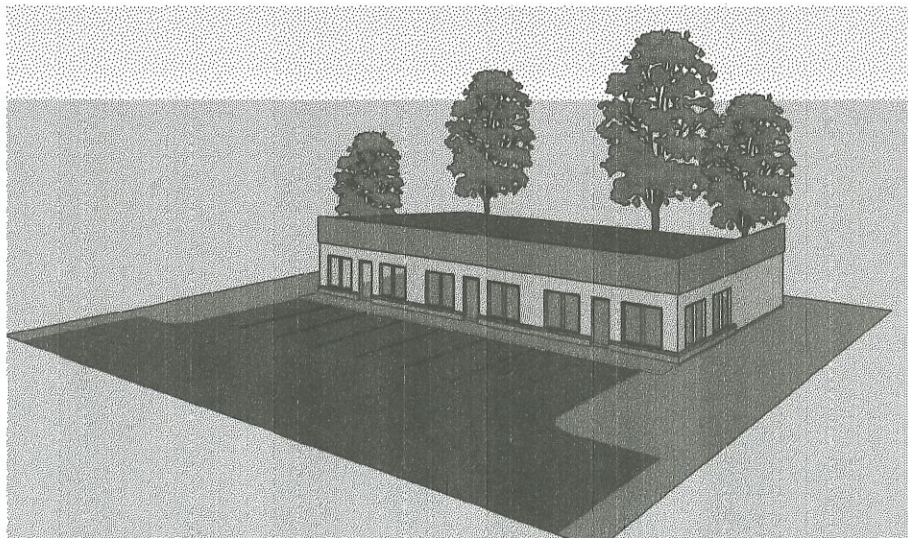
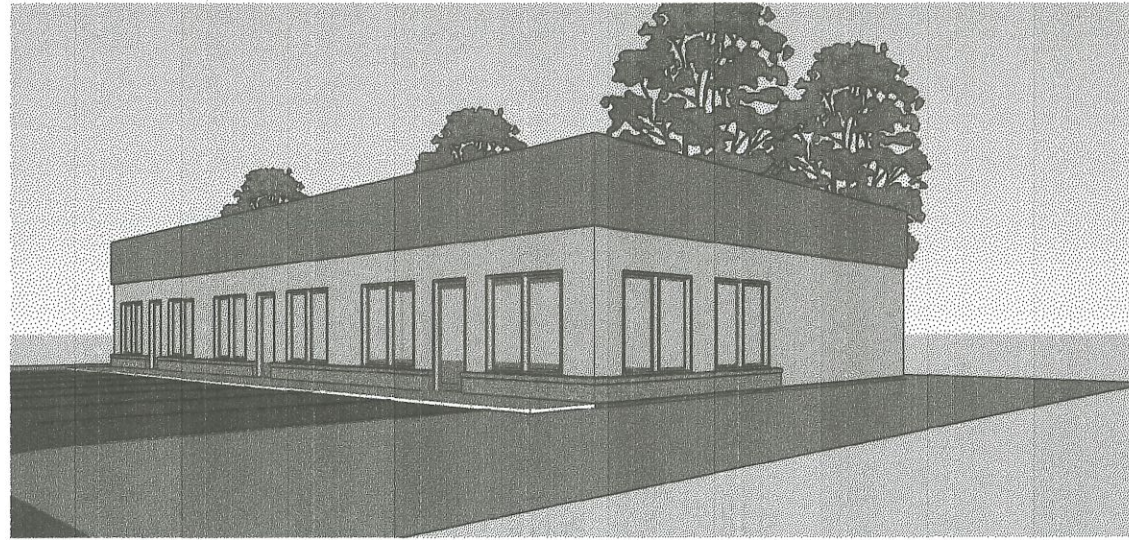
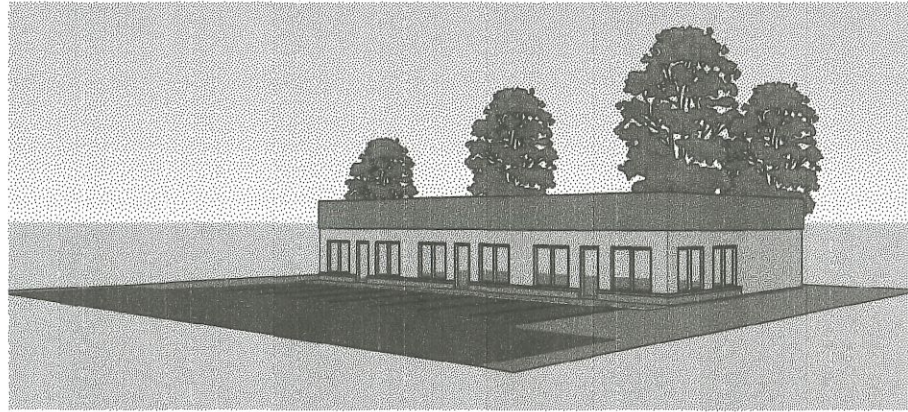
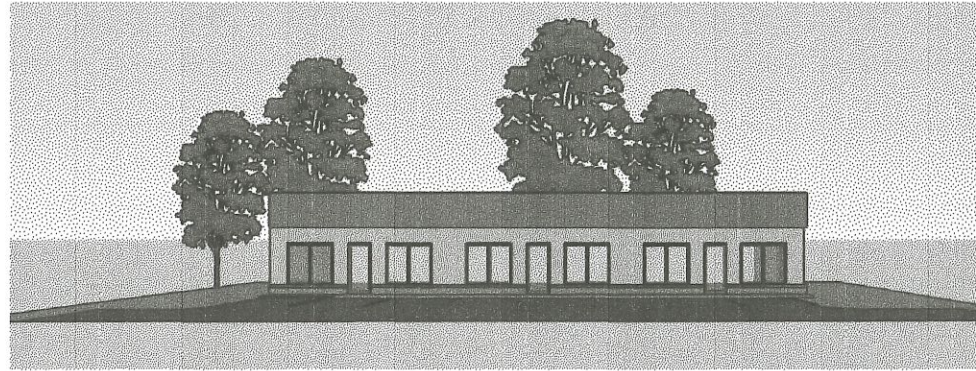
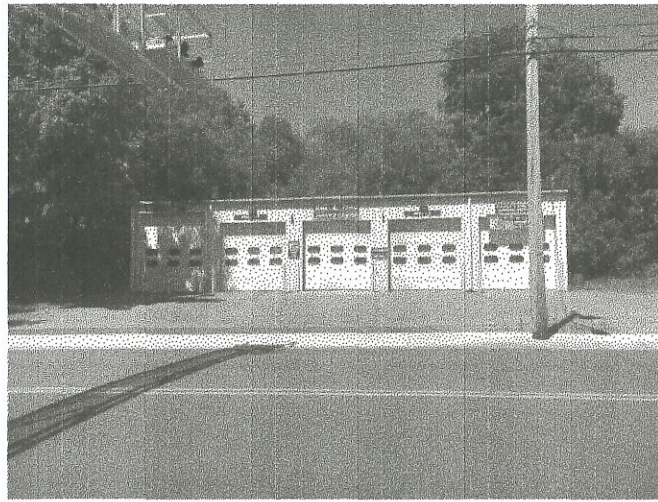
LIBERTY STREET

PRELIMINARY  
FOR REVIEW

FLOOR PLANS

DATE: 9-28-18





LIBERTY STREET

PRELIMINARY  
FOR REVIEW

EXTERIOR  
CONCEPTUAL  
IMAGES

DATE: 9-28-18