



City of Harrisonburg

City Hall
409 South Main Street
Harrisonburg, VA 22801

Master

File Number: ID 20-326

File ID: ID 20-326 Type: PH-Rezoning Status: Agenda Ready

Version: 1 Agenda Section: In Control: City Council

File Created: 11/04/2020

Subject: Rezoning 3440 & 3506 South Main Street and 32 Reedy Circle Final Action:

Title: Consider a request from Morgan Properties Investments LLC to rezone 3506 South Main Street and 32 Reedy Circle

Internal Notes:

Sponsors:

Enactment Date:

Attachments: CC Memorandum RZ (3560 S Main St & 32 Reedy Cr (B-2 to M-1C), Site Maps, Application, applicant letter, and other supporting documents, Conceptual Site Development Layout, PC Memorandum

Enactment Number:

Contact:

Hearing Date:

Drafter: thanh.dang@harrisonburgva.gov

Effective Date:

Related Files:

History of Legislative File

| Ver- sion: | Acting Body: | Date: | Action: | Sent To: | Due Date: | Return Date: | Result: |
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|---|---------------------|------------|--------------------------|--------------|------------|--|------|
| 1 | Planning Commission | 11/11/2020 | recommended for approval | City Council | 12/08/2020 | | Pass |
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Action Text: A motion was made by Whitten, seconded by Byrd, that this PH-Rezoning be recommended for approval to the City Council, due back on 12/8/2020. The motion carried with a recorded roll call vote taken as follows:

Notes: Chair Colman read the request and asked staff to review.

Ms. Banks said that City records indicate that Truck Enterprises, Inc., which operates as an over the road tractor trailer truck sales, maintenance, storage, and office facility, received an approved Engineered Comprehensive Site Plan (ECSP) for their current location at 3440 South Main Street (Tax Map 105-B-1) in September 1984. A building permit to construct a maintenance shop, body repair shop, parts department, and corporate offices for Truck Enterprises, Inc. was approved in August 1985. The property was zoned B-2, General Business District, which, at that time, allowed the office, sales, maintenance, and storage uses by-right. In 2003, the Zoning Ordinance was amended, making over the

road tractor trailer sales and maintenance uses allowable only by special use permit in B-2 and by-right in M-1. Therefore, the sales, maintenance, and storage uses of over the road tractor trailer operations of Truck Enterprises, Inc. became non-conforming uses.

The Comprehensive Plan designates this site 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: Vacant, gravel lots; zoned B-2
North: Truck Enterprises, Inc corporate offices, sales, maintenance, storage facility; zoned B-2
East: Trucking company, plumbing supply company; zoned B-2
South: Across Reedy Circle, Waste Management facility, commercial building; zoned B-2
West: Across South Main Street, vacant land; zoned B-2

The applicant is requesting to rezone two parcels located in the southern portion of the City along South Main Street and Reedy Circle and identified as tax map parcels 108-D-4 and 108-D-7A from B-2, General Business District to M-1C, General Industrial District Conditional and M-1, General Industrial District. As noted below, the submitted proffers are only associated with tax map 108-D-4. Currently, both parcels are vacant, gravel lots, and if approved, Truck Enterprises, Inc. will expand its truck sales display area onto tax map parcel 108-D-4 (3506 South Main Street) and add storage of trailers onto tax map parcel 108-D-7A (32 Reedy Circle).

Within the M-1 zoning district sales and storage of over the road tractor trailers, served by a permanent building facility, unless already incidental to an existing building is allowed as a by right use. In this case, the future sales lot and the storage lot will be served by the existing permanent building facility of Truck Enterprises, Inc, located on the adjacent parcel identified as tax map 105-B-1. Note that tax map parcel 105-B-1 will remain zoned B-2 with nonconforming uses on it. If tax map parcel 105-B-1 was rezoned to M-1, then a special use permit for business and professional offices for the +/- 21,000 square foot corporate headquarters would also be needed.

The submitted conceptual site plan, which is not proffered, demonstrates how Truck Enterprises, Inc. would incorporate each parcel into their current operations on the adjacent facility. This includes: removing existing fencing between the parcels and adding a new fence around the entirety of tax map parcels 108-D-4 and 108-D-7A; blocking the entrance from South Main Street into tax map parcel 108-D-4 with fencing; making adjustments for a grade difference between the parcels; paving tax map parcel 108-D-4;

and providing a gated entrance along Reedy Circle into tax map parcel 108-D-7A.

Along with this rezoning request, the applicant has proffered the following (written verbatim):

1. The existing entrance serving parcel 108-D-4 on S Main St shall not be utilized until the entrance is improved (widened, etc.) to meet City Standards existing at the time of the improvement.
2. In effort to minimize conflicts with future road widening efforts along S Main St, no significant above-ground appurtenances (fencing, pole lighting, monument signage, etc.) shall be constructed along the S Main St frontage of parcel 108-D-4 within a distance of fifty-one feet from existing roadway centerline. Such restriction shall not apply to utility improvements

Proffer #1 addresses a concern staff has regarding the plan to fence off and not completely remove the existing, non-conforming entrance serving tax map parcel 108-D-4. The entrance does not meet current standards for a commercial entrance. By proffering that the entrance will not be utilized until it is improved to meet City Standards, ensures that the existing non-conforming entrance will no longer be used.

Proffer #2 recognizes that there are future plans to widen South Main Street and will ensure that no appurtenances associated with tax map parcel 108-D-4 will be placed in the planned right-of-way area.

As noted above, the Comprehensive Plan designates this area as General 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. The proposed rezoning conforms with the Comprehensive Plan's Land Use Guide.

Staff recommends approving rezoning the two parcels from B-2, General Business District to M-1C, General Industrial District Conditional and M-1, General Industrial District.

Chair Colman asked if there were any questions for staff. Hearing none, he opened the public hearing and invited the applicant or applicant's representative to speak to their request.

James Hartman, Chairman, Truck Enterprises, 3440 South Main Street, called in support of his request. We have been here at this location in this City for 34 years. Our growth in terms of customer work and transportation on this part of town has made it necessary that we add the properties that you are looking at tonight. The front section that will be paved and fenced will be for additional truck sale storage. We have a sincere problem with not having enough storage for customer trailers in the back where we have them now, so that will be moved over to this back section. That will resolve a lot of potential safety issues for

us, for people and equipment. We offered two proffers because we want to be good corporate citizens. We do not believe that there was a necessity for us to have that other entrance there that Pat Manor Homes had used. We will have new lighting on this lot for security purposes. Our engineer, Seth Roderick, will call in if you have any engineering questions.

Commissioner Whitten said that it is certainly nice to have a business to have a problem of growth and needing more space. We are happy about that.

Chair Colman asked if there were any questions for the applicant. Hearing none, he asked for the next caller.

Seth Roderick, Monteverde Engineering and Design Studio, called in support of the request. I am offering my assistance if there are any questions that relate to the engineering or construction of the site. Everything stated by staff is accurate and very descriptive, as well as Mr. Hartman's follow-up.

Chair Colman asked if there were any questions for the applicant's representative. Hearing none, he asked for the next caller. As there were no more callers, he closed the public hearing and opened the matter for discussion.

Commissioner Whitten moved to recommend approval of the rezoning request, as presented.

Commissioner Byrd seconded the motion.

Chair Colman asked staff if they had received any calls, emails or concerns regarding this property.

Ms. Banks answered no.

Chair Colman called for a roll call vote.

Commissioner Orndoff Aye
Commissioner Byrd Aye
Vice Mayor Romero Aye
Commissioner Whitten Aye
Commissioner Fitzgerald Aye
Commissioner Finnegan Aye
Chair Colman Aye

The motion to recommend approval of the rezoning request, as presented passed (7-0).
The recommendation will move forward to City Council on December 8, 2020.

Yes: 7 Colman, Finnegan, Whitten, Romero, Orndoff, Byrd and Fitzgerald