



City of Harrisonburg, Virginia

Department of Planning & Community Development

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Building Inspections
Engineering
Planning & Zoning

To: Kurt Hodgen, City Manager
From: Adam Fletcher, Director of Planning & Community Development and
Planning Commission
Date: June 13, 2017
Re: 160 & 164 Waterman Drive Rezoning – M-1, General Industrial District to B-2, General
Business District and Special Use Permit – Reduction in Required Parking

Summary:

Public hearings to consider a request from S & B Rentals LLC to rezone a parcel containing 39,154 +/- square feet from M-1, General Industrial District to B-2, General Business District, and for a special use permit per Section 10-3-91 (8) to allow for the reduction in required parking spaces within the B-2, General Business District. Areas that would have been used for parking must remain as open space and shall not be used to meet any conflicting requirements of the Zoning Ordinance. The 39,154 +/- square feet property is located at 160 and 164 Waterman Drive and is identified as tax map parcel 36-M-11.

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 largest concentration of commercial land use is located between East Market Street and Reservoir Street and includes the Valley Mall, a number of shopping centers, and significant office development.

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

Site: Mercantile and warehouse building, zoned M-1
North: Automotive repair, American Legion, vacant buildings, zoned M-1
East: Multi-family dwelling units, zoned R-3
South: Assembly hall, car wash, commercial buildings, zoned M-1 and B-2
West: Vacant land, zoned M-1

Key Issues:

S & B Rentals LLC is requesting to rezone their property at 160 and 164 Waterman Drive from M-1, General Industrial District to B-2, General Business District. Along with the rezoning, the applicant is requesting a special use permit (SUP) to allow for a reduction in the number of parking spaces required for the uses located on the property. The 39,154 +/- square foot site is situated along the eastern side of Waterman Drive, approximately 1,000 feet north of the intersection of Waterman Drive and West Market Street. The property includes an 11,484 square foot building, which currently houses Twin State Beauty & Barber Supplies, Inc. (Twin State Supply) in a portion of the building.

Twin State Supply can operate by-right within an M-1 zoning district as a warehouse with a small mercantile component, or within a B-2 zoning district as a mercantile establishment with a small (less than 20,000 square foot) warehouse facility. Although previous uses of the property, which include Martin's Home Furnishings, Finders Keepers Surplus Furniture, and Martin's Discount City Television and Appliance Center, were more in accordance with a B-2 retail use, the property was vacant for more than two years; therefore, any possible nonconforming status has lapsed.

Currently, Twin State Supply utilizes approximately 7,800 +/- square feet of the building as a warehouse and associated showroom, and the applicant would like to lease out the remaining 3,600 +/- square feet to a retail use. After conversations with planning staff regarding the proposed retail use, it was determined that it would not be permitted within the M-1, General Industrial District. The applicant decided to pursue rezoning the property to B-2, General Business District.

The Comprehensive Plan's Land Use Guide designates this area along the eastern side of Waterman Drive as Commercial, which is in line with the requested rezoning. This section of the Waterman Drive corridor has several service oriented businesses such as those traditionally found in the B-2 zoning district; as a matter of fact, in 1991 and 1992 respectively, 98 through 110 and 450 Waterman Drive were rezoned from M-1 to B-2. Staff does not have any concerns with the rezoning request; however, existing conditions of this site will dictate what types of B-2 uses can actually occur on the property. Many by-right uses might not be possible unless the property is completely redeveloped. The applicant is aware of this and will work closely with staff when changing uses in the building.

In conjunction with the rezoning request, the applicant has applied for a SUP per Section 10-3-91 (8) to allow for the reduction in required parking spaces within the B-2, General Business District. Required parking for a retail use at this location is calculated at one space for every 250 square feet of gross floor area; the building is 11,484 square feet, thus 46 parking spaces are required. Currently, the property has 20 identified parking spaces and shares easements and right-of-way access with the parcels to the south and north, which is necessary in order to access half of the existing parking. Parking is also available along the northern side of the building; however, spaces are not currently marked.

Behind the existing building there is 16,000 +/- square feet of open, unused area where parking could be installed. A site sketch has been provided indicating that the additional 26 parking spaces and landscaping requirements might be possible in this area. If the SUP is approved, and the applicant chooses to utilize it, a more detailed parking lot layout must be provided to ensure this area could meet all minimum requirements, including landscaping requirements. As well, if approved, areas that would have been used for parking must be recorded in the deed, must remain as open space, and shall not be used to meet any conflicting requirements of the Zoning Ordinance.

Because the existing and proposed retail use of the site has a relatively lower need for off-street parking compared to other traditional B-2 uses, staff recommends that if the request is approved, the SUP be conditioned only for the use proposed within this application. This would require that any change of use would necessitate the applicant to install the required off-street parking or to reapply for a SUP, which would allow staff, Planning Commission, and City Council to review the applicability of a SUP to reduce parking with the future site conditions.

Environmental Impact:

N/A

Fiscal Impact:

N/A

Prior Actions:

N/A

Alternatives:

- (a) Approve the rezoning request and special use permit as submitted by the applicant;
- (b) Approve the rezoning request as submitted and special use permit with staff's suggested condition;
- (c) Approve the rezoning request as submitted and special use permit with other conditions;
- (d) Approve the rezoning request as submitted and deny the special use permit;
- (e) Deny both the rezoning and special use permit requests as submitted by the applicant.

Community Engagement:

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

Rezoning – 160 & 164 Waterman Drive (M-1 to B-2)

Public hearing to consider a request from S & B Rentals LLC to rezone a parcel containing 39,154+/- square feet from M-1, General Industrial District to B-2, General Business District. The Zoning Ordinance states that the M-1, General Industrial District is intended primarily for manufacturing, processing, storage, and distribution activities, which are not properly associated with, nor compatible with, residential and institutional development. No minimum lot size restrictions exist in the M-1, General Industrial District. 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 largest concentration of commercial land use is located between E. Market Street and Reservoir Street and includes the Valley Mall, a number of shopping centers, and significant office development. The property is located at 160 & 164 Waterman Drive and is identified as tax map parcel 36-M-11.

Special Use Permit - 160 & 164 Waterman Drive (Section 10-3-91(8) to Allow for Reducing Required Parking)

Public hearing to consider a request from S & B Rentals LLC for a special use permit per Section 10-3-91 (8) to allow for the reduction in required parking spaces within the B-2, General Business District. Areas that would have been used for parking must remain as open space and shall not be used to meet any conflicting requirements of the Zoning Ordinance. The 39,154+/- square feet property is located at 160 & 164 Waterman Drive and is identified as tax map parcel 36-M-11.

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) to approve the rezoning request as submitted and special use permit with the following condition:

The reduction in required parking permission shall only be applicable for retail uses.

Attachments:

1. Memorandum (4 pages)
2. Site maps (2 pages)
3. Applications, applicant letter, and supporting documents (13 pages)

Review:

Planning Commission recommended (6-0) alternative (b) to approve the rezoning request as submitted and special use permit with the following condition:

The reduction in required parking permission shall only be applicable for retail uses.