



CITY OF HARRISONBURG COMMUNITY DEVELOPMENT

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October 2, 2023

**TO THE MEMBERS OF CITY COUNCIL
CITY OF HARRISONBURG, VIRGINIA**

SUBJECT: *Consider a request from Highest Roofing LLC for a special use permit to allow building material sales and storage yards, contractors equipment sales and storage yards and other similar uses at 4030 South Main Street*

**EXTRACT FROM MINUTES OF HARRISONBURG PLANNING COMMISSION
MEETING HELD ON: September 13, 2023**

Chair Finnegan read the request and asked staff to review.

Ms. Rupkey said the applicant is requesting a special use permit (SUP) per Section 10-3-91 (6) to allow building material sales and storage yards, contractors, equipment sales and storage yards and other similar uses at a property addressed as 4030 South Main Street. The applicant owns a roofing contracting company and would like to build their office on a portion of this site. The building will primarily be used for offices and indoor storage of the work vehicles. The applicant is planning to have outdoor storage of materials that will be screened.

The applicant is not planning to develop the norther portion of the lot at this time and will be leaving it as an open gravel area. The applicant is aware that even though this area was once graveled, the site is being redeveloped and parking lot landscaping requirements, such as, but not limited to, landscaping borders and street trees, are required. Therefore, if and when this vacant area is developed in the future for parking, then parking lot landscaping regulations must be complied with at that time, even if an engineered comprehensive site plan is not required.

Land Use

The Comprehensive Plan designates this area as Industrial and states:

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 proposed SUP is consistent with the Comprehensive Plan's Land Use Guide and with surrounding uses as they are primarily industrial in nature.

Transportation and Traffic

A traffic impact analysis (TIA) was not required for the SUP request.

Public Water and Sanitary Sewer

Staff has no concerns regarding water and sanitary sewer service availability for the proposed development.

Recommendation

Staff recommends approval of the request with the following suggested conditions:

1. Uncovered or unenclosed storage and display of building materials and contractors' equipment shall be located behind the proposed office building and shall be screened from view with a fence, decorative wall or other physical or structural enclosures that is opaque to obstruct the view of storage materials, with the finished face facing outside, and shall be at least six (6) feet in height. Reference Exhibit A.
2. If in the opinion of the Planning Commission or City Council, the use becomes a nuisance, the special use permit can be recalled for further review, which could lead to the need for additional conditions, restrictions, or the revocation of the permit.

The site is located along a busy, north-south corridor and at a primary gateway into the City as indicated on the Gateways and Corridor Enhancement Areas map within the Comprehensive Plan. The quality and character of these routes strongly influence the City's attractiveness and economic vitality and therefore, careful consideration should be given to land use, development and streetscape. Condition #1 is intended to keep storage of materials out of view of the general public. Exhibit A illustrates the area in which storage and display of building materials and contractors' equipment would be permitted given the proposed building's footprint on the property. Note, however, that at this time, the applicant only has plans to store materials within a fenced area in the southeast portion of the property.

Chair Finnegan asked if there were any questions for staff. Hearing none, he opened the public hearing.

Fernando Sagastume, applicant's representative for Highest Roofing LLC, came forward regarding the request. He said I am open for questions, if any, that you may have.

Chair Finnegan said I did have a question about the storage of the material. Maybe this is a question more for staff, you had said there is a vegetative border or buffer, that would just be grass?

Ms. Rupkey said the vegetative buffer around the portion, that is not counted towards the screening that is a part of the requirements. You have to have either a fence, at least three feet tall, or the 10 foot buffer around the property.

Chair Finnegan said a 10 foot buffer could be mowed grass? It could be anything?

Ms. Rupkey said yes.

Chair Finnegan said I guess my question for the applicant is, are you planning on screening, in any way, the storage yard.

Mr. Sagastume said yes, the storage yard will be fenced in. We are thinking about vinyl just because it looks more attractive to the public. The gates are going to be closed when not in business hours and so it is going to be screened in so nothing can be seen through into it. On the inside, it is fairly going to be maintained and clean. It is going to be fenced. There is going to be a garage inside of the fenced area and so, that is where we are going to be storing the company vehicles. Outside of that we are going to have carports or sheds so we can store material inside, so it is also not visible.

Ms. Dang said may I make a point of clarification or maybe I misunderstood what your question was. I am pretty sure the applicant explained their intention to fence the area in and that would be...I guess I just want to point out that one of the conditions that Ms. Rupkey had described, the first one, is staff's recommended condition that storage area be screened. So, if you are concerned about screening, if you recommend the conditions and they get approved that way that would be it.

Chair Finnegan said I think I was just confused about the 10 foot vegetative buffer. That buffer can be mowed grass?

Ms. Dang said yes. The 10 foot vegetative buffer area is the parking lot landscaping requirement and yes it can be mowed grass around the rear and sides of the property. The Zoning Ordinance requires parking lots have a minimum 10 foot buffer or, as Ms. Rupkey explained, a three foot tall fence could be in lieu of that side and rear yard buffer.

Mr. Fletcher said the vegetation is up to the property owner. It does not have to be grass. It can be trees, shrubs, bushes, flowers, it could be any of those things.

Vice Chair Byrd said like I asked on the visit, there is currently some vegetation around the borders of the property anyway, if that was within the 10 foot buffer, that would be able to stay?

Mr. Fletcher said no. Did you say mistake?

Vice Chair Byrd clarified no, would that be able to stay.

Mr. Fletcher said yes.

Chair Finnegan asked if there were any questions for the applicant's representative. Hearing none, he asked if there was anyone in the room or on the phone wishing to speak to the request. Hearing none, he closed the public hearing and opened the matter for discussion.

Chair Finnegan said I will just say, I think this is consistent with the Land Use Guide. This is mostly industrial down in this area. I would generally be in favor of this.

Vice Chair Byrd said Chair, I move to recommend approval of the special use permit with the suggested conditions.

Vice Mayor Dent seconded the motion.

Commissioner Armstrong	Aye
Commissioner Baugh	Aye
Vice Chair Byrd	Aye
Vice Mayor Dent	Aye
Commissioner Alsindi	Aye
Commissioner Washington	Aye
Chair Finnegan	Aye

The motion to recommend approval of the special use permit passed (7-0). The recommendation will move forward to City Council on October 10, 2023.