



City of Harrisonburg, Virginia

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

STAFF REPORT November 11, 2015

REZONING – 707 NORTH MAIN STREET (R-2 TO M-1)

GENERAL INFORMATION

Applicant: Edwin Joya

Tax Map: 40-T-9

Acreage: 7,461 +/- square feet

Location: 707 North Main Street

Request: Public hearing to consider a request to rezone a parcel containing 7,461 +/- square feet from the R-2, Residential District to the M-1, General Industrial District.

LAND USE, ZONING, AND SITE CHARACTERISTICS

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 and in the Central Business District of the City.

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

Site: Non-conforming residential dwelling, zoned M-1

North: Rooming/Boarding house, commercial uses, and non-conforming residential dwellings, zoned M-1

East: Across North Main Street, commercial uses and non-conforming residential dwellings, zoned M-1

South: Vehicle sales lot, zoned M-1

West: Non-conforming residential dwellings, zoned M-1

EVAULATION

The applicant is requesting to rezone a 7,461 +/- square foot parcel from R-2, Residential District to M-1, General Industrial District. If approved, the applicant desires to expand his existing vehicle sales use, which is located on the adjacent property to the south at 705 North Main Street, by constructing an automotive repair garage and office on a portion of the rezoned parcel. The non-conforming dwelling that is currently on the property would remain; however, it would no longer be occupied residentially and would be used as storage for the vehicle sales/repair use.

The parcel is located along the western side of North Main Street, approximately 60-feet north of the intersection of Washington and North Main Streets. Interestingly, the parcel was once zoned M-1. In April 2002, the subject property, along with the adjacent parcel to the north at 715 North Main Street were rezoned from M-1 to R-2, in order to alleviate non-conforming issues and allow the existing single-family homes to be renovated. Staff and Planning Commission recommended against the 2002

rezoning, citing possible conflicts with the existing adjacent commercial uses and the fact that it was not supported by the Comprehensive Plan. City Council unanimously approved the rezoning request.

Subsequently, the adjacent parcel (715 North Main Street) was purchased by Harrisonburg Redevelopment and Housing Authority and rezoned back to M-1 with proffers, so as to apply for special use permits to allow religious, educational, charitable, and benevolent institutional uses, a rooming/boarding house, and a reduction in parking. Staff and Planning Commission supported this request citing the rezoning was more in-line with the future plans for this section of North Main Street.

The parcel under review is a small, narrow lot, approximately 30' X 250' and lies completely within the flood plain, with a portion of it in the floodway; thus placing constraints on the redevelopment of the site. If successfully rezoned, the applicant plans to vacate the property line between the subject parcel and his adjacent property at 705 North Main Street, in order to construct a two or three bay automotive repair garage with associated offices.

At the time of subdivision, to meet the requirements of the Subdivision Ordinance, the property owner would need to dedicate right-of-way (ROW) along the frontage of both the subject parcel requested for rezoning, as well as along the adjacent parcel to the south. As identified within the Master Transportation Plan, North Main Street, from Noll Drive to Charles Street, is planned to be improved by removing on-street parking, creating a center turn lane, and providing better pedestrian and bicycle improvements. The applicant has been informed he would need to hire a surveyor to work with City staff in order to establish the exact amount of required property dedication to provide the needed street improvements as stated above. The ROW dedication can be shown on the same subdivision plat that illustrates the property line vacation. It should be further understood that once the dedication of ROW occurs, the existing structure on the subject parcel could become non-conforming to front yard setback requirements.

The Comprehensive Plan designates this property as Commercial. This designation means that the property is planned for uses such as retail, office, wholesale, or service functions. These areas are generally found along the City's major travel corridors and in the Central Business District. The applicant's intended use of automotive sales and repair is a use that is permitted within both, the B-2, General Business and the M-1, General Industrial Districts; however, in the B-2 district, all vehicle repair and storage must be located within a permitted structure, whereas the M-1 district allows vehicle repair and storage to be located outside of buildings, but shall be within a designated area and screened. The applicant's existing automotive sales lot is directly adjacent to the subject parcel and is already zoned M-1, as well, all the surrounding properties along North Main Street are zoned M-1; thus the logical request for the applicant was to rezone back to the M-1 zoning.

In addition, the subject parcel lies within one of the Comprehensive Plan's designated Corridor Enhancement Areas; therefore, items such as land use; vehicle, pedestrian, and bicycle circulation; access management; development, redevelopment, and reuse opportunities; conservation of special features; and signage should be considered. Staff has discussed with the applicant the need to be mindful of items such as signage, street access, and storage of materials for the subject property as well as his larger operation.

As previously noted the parcel lies completely within the floodplain. City staff has had numerous conversations with the applicant regarding the requirements of constructing within the floodplain and the applicant is aware that all floodplain regulations must be complied with.

Although staff would much rather the area along this portion of North Main Street be rezoned to the B-2 district, we understand the constraints of rezoning this one narrow parcel to fit with the existing uses. Staff believes returning the property to the M-1 zoning district is better than maintaining the existing R-2 residential zoning for the long term goals of this section of the City. Staff recommends in favor of the requested rezoning.