AGENDA

1. Call to order. Pledge of allegiance.

2. Review and approval of minutes of regular meeting held May 21st, 2019.

3. Citizen comment period – limited to 4 minutes per speaker, for issues not listed as an agenda item.

4. Public hearing on a Conditional Use Permit application (CUP 19-348) from KRB Land, LLC to allow Vehicle Sales, Rental, and Leasing in the L-B (Local Business) district at 430 E Main Street, city tax map #46-1-63-7.

5. Discussion and receipt of public input on future neighborhood infrastructure projects for the west Basic City area (Commerce/Charlotte).

6. Other Business/Commissioners’ Correspondence and Communication.

7. Adjournment.
## SUMMARY SHEET

<table>
<thead>
<tr>
<th>Applicant:</th>
<th>KRB Land, LLC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address/Legal Description:</td>
<td>430 East Main Street, Waynesboro, Virginia 22980</td>
</tr>
<tr>
<td>Tax Map Number:</td>
<td>Tax Parcel Map #46-1-63-7</td>
</tr>
<tr>
<td>Area</td>
<td>0.33 Acres</td>
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<tr>
<td>Real Estate Owner of Record:</td>
<td>KRB Land, LLC</td>
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<td></td>
<td>32 East Side Highway</td>
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<td></td>
<td>Waynesboro, VA 22980</td>
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<tr>
<td>Current Zoning:</td>
<td>L-B (Local Business)</td>
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<tr>
<td>Comprehensive Plan Designation:</td>
<td>Downtown extended area</td>
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<tr>
<td>Attachments:</td>
<td>1) Staff report</td>
</tr>
<tr>
<td></td>
<td>2) Application</td>
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<td>3) Staff report from 2012 Conditional Use Permit</td>
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<tr>
<td>Flood Plain:</td>
<td>Yes</td>
</tr>
<tr>
<td>Enterprise Zone:</td>
<td>Yes</td>
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<tr>
<td>Action Requested:</td>
<td>Conditional Use Permit to allow Vehicle Sales, Rental, or Leasing Facilities as well as continuation of Conditional Use Permit allowing Vehicle Services, Limited</td>
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<tr>
<td>Authorizing City Code Section(s):</td>
<td>Section 2.4 (Use Table)</td>
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<tr>
<td>Summary Recommendations:</td>
<td>Staff recommends approval with the following conditions:</td>
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<tr>
<td></td>
<td>1. No outdoor repair or servicing of vehicles shall be allowed on the subject parcels.</td>
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<td></td>
<td>2. No outdoor storage of tires shall be allowed on the subject parcels except for display purposes.</td>
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<td></td>
<td>3. The parking lot shall be reconstructed to include a planted landscaping buffer along the sidewalk at the front of the property. This buffer shall be 36” in width and contain a continuous landscaped hedge or a decorative masonry wall at least 30” in height</td>
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<td></td>
<td>4. A 6’ tall privacy fence shall be installed along the rear property boundary as far as the southeast corner of the building. This fence shall screen the property from existing single-family homes on DuPont Boulevard. A 20’ gap may be left to allow ingress and egress through the alley.</td>
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1. Nature of Request

The property at 430 East Main Street formerly housed All Season Tire, a used tire repair and sales business. All Season Tire was granted a conditional use permit in 2012 to allow Vehicle Services, Limited on the property. The applicant now wishes to open a vehicle sales business in addition to a limited vehicle parts sales business and is requesting a new conditional use permit in addition to amendments to the previous CUP.

2. Background

2012 CUP

The conditional use permit granted in 2012 (CUP 12-065) allowed for Vehicle Services, Limited in the L-B (Local Business) district. The applicant receiving the CUP was All Season Tire, a used tire sales and replacement business. The building has since changed ownership and the current applicants, owners of You Ride Today Auto Sales and Sound, plan to use the property as a used car dealership and as a sales and installation facility for car sound systems.

Attached to the 2012 permit were five conditions, listed below:

1. The site (Tax Map 46-1-63-7 to 11) shall be used only for the repair, storage and servicing of automobile tires. No other vehicle repairs shall be allowed.
2. No outdoor repair or servicing of vehicles shall be allowed on the subject parcels.
3. No outdoor storage of tires shall be allowed on the subject parcels except for display purpose.
4. The outdoor display shall be limited to the area shown on the sketch plan (Attachment 2). Items on display shall be brought indoors overnight and be displayed in accordance to City Code, Chapter 98, Section 5.7.2.
5. The existing shed shall be removed from the site within thirty (30) days of Council’s action to approve this Conditional Use Permit. And no additional temporary buildings shall be added to the subject parcels.

Staff recommends repeal of these conditions and replacement with the recommended conditions listed.

3. Location and Comprehensive Plan Designation

The subject property is located on the East Main Street corridor near the intersection of Broad and Main Streets. Improving the appearance of properties and increasing activity on this entrance corridor was a focus of the 2018 Comprehensive Plan. Recently, the City was awarded a $2.2 million SMART Scale grant from the State to do a major reconstruction and bike and pedestrian access project on this road, though that money will not be available for another five years. The City is also applying for state Revenue Sharing money to assist with sidewalk and median improvements on the nearby section of Broad Street. Because of these concerns, improving the appearance of any property seeking approvals from the City should be a priority. Improving pedestrian accessibility should also be a priority, which means removing or narrowing curb cuts and entrances.
However, the corridor in this area contains numerous auto-oriented businesses with existing garages. The City does not wish to reduce the value of these properties or see them sit vacant. Conditional use permits have thus been granted at all preexisting auto-oriented buildings in the area, including several in the vicinity of this intersection.

**Surrounding Land Use**
The site is located on Delphine Avenue just south of Interstate 64.

North: East Main Street and Broad Street intersection, Gio’s Salvadoran Restaurant, Fitzgerald’s Tire (existing CUP)
East: DuPont Boulevard, ABC Tire (existing CUP)
West: Jalisco Mexican Grill
South: Single-family homes
Review with Respect to Zoning/Building Requirements

Zoning Requirements
The subject property is zoned L-B (Local Business). This zone allows for a range of neighborhood retail and some residential uses, but does not allow big box retail or auto-oriented uses like H-B (Highway Business).

Entrance Corridor
The subject property is on a major entrance corridor, hence the consideration given to the visual impact. However, no construction will be taking place that will be affected by entrance corridor regulations.

Floodplain
The site is located within a flood plain, however no construction will take place that will be affected by floodplain regulations.

Site Plan Requirements
Because the applicants will be occupying an existing building which was previously occupied by a business in the same use category, no site plan will be required. Other than the conditions recommended with this report, there are no outstanding issues which a site plan would address.

4. Purpose of the Conditional Use Permit
The Conditional Use Permit allows for a case-by-case review of uses which may be, but are not necessarily, compatible with neighboring uses. In order to approve the Conditional Use Permit, Planning Commission and Council must find that the proposed use is consistent with good zoning practice and will have no more adverse effect on the health, safety or comfort of persons living or working in the area and will be no more detrimental, economically or otherwise, to property or improvements in the surrounding area than would any use generally permitted in the district. The City Council may attach conditions to the permit to ensure compatibility.

5. Analysis and Recommendation:
Staff recommends approval with conditions. The property is currently vacant and is set up to be a vehicle service and sales center. Auto uses in the immediate vicinity have been approved with conditional use permits in the past. It is to the advantage of the City and the corridor to have a business operating in this space.

Because of the importance of East Main Street as an entrance corridor, the location of this property at a prominent intersection, and the significant investment the City plans to make in pedestrian improvements along the corridor, staff recommends several conditions to improve the appearance and safety of the area.

Recommended conditions are listed below with explanation:

1. *No outdoor repair or servicing of vehicles shall be allowed on the subject parcels.*
This condition should be retained from the previous conditional use permit to ensure vehicle repair and servicing takes place in a suitable environment and does not result in junk parts or cars accumulating outside.

2. **No outdoor storage of tires shall be allowed on the subject parcels except for display purposes.**

   This condition should be retained from the previous conditional use permit. Although the applicant is not operating a tire business, this conditional use permit will carry forward with the property. In the past, used tires have been piled up on the site and this condition ensures that will not happen in the future.

3. **The parking lot shall be reconstructed to include a planted landscaping buffer along the sidewalk at the front of the property. This buffer shall be 36” in width and contain a continuous landscaped hedge or a decorative masonry wall at least 30” in height**

   This condition addresses both appearance and pedestrian safety. Currently, the parking lot asphalt extends to the edge of the sidewalk with no curb strip between them. Current site development standards would require a planted buffer between them to create a better visual boundary for the street as well as preventing cars in the parking lot from encroaching on pedestrian space or jumping the sidewalk. If Planning Commission does not wish to recommend this landscape buffer, the applicant should at least be required to install concrete wheel stops along the sidewalk edge for safety.

4. **A 6’ tall privacy fence shall be installed along the rear property boundary as far as the southeast corner of the building. This fence shall screen the property from existing single-family homes on DuPont Boulevard. A 20’ gap may be left to allow ingress and egress through the alley.**

   The parking lot pavement connects directly to the alley behind it, which runs along the side of a single-family home on DuPont Boulevard. In a site development situation, the applicant would be required to construct a landscaped buffer against the rear of the property. However, because this is a redevelopment site that was not constructed to current site standards, staff recommends requiring only a 6-foot privacy fence to provide some buffer against the single-family homes on DuPont Blvd.

   The following diagram shows the location of the recommended fence and landscape buffer:
Staff recommends approval of the application with the attached conditions.

cc: Laura Martin, Zoning Administrator  
Tony Smith, Infrastructure Engineer  
George Fitzgerald, Deputy Fire Marshal
A.) SITE INFORMATION:

Project Name: You Ride Today Auto Sales and Service, LLC

Property Address: 430 E. Main St. Waynesboro, VA

Tax Map No./Legal Description: 46-1-63-7

Present Zoning: L-B

Comprehensive Plan Designation: Downtown Extended

Is Property Located in Flood Hazard Area According to Local FEMA Map? □ YES □ NO

Is Property Located within the Enterprise Zone? □ YES □ NO

Project Description (use a separate sheet as necessary): YRT Auto Sales and Service will be selling quality used cars and installing car audio and accessories with sales of audio equipment.

B.) APPLICANT INFORMATION:

Property Owner of Record: KRB Land, LLC

Address: 32 Eastside Hwy WAYNESBORO, VA 22980

Email Address: 

Phone #: 

*Applicant Name: William D. Anderson & Erick J. Brooks

Address: 

Email Address: 

Phone #: 

* If applicant is not property owner of record, the Power of Attorney Form is Required (Form A-2).
## SUMMARY SHEET

<table>
<thead>
<tr>
<th><strong>Applicant:</strong></th>
<th>Amy B. Campbell</th>
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</table>
| **Address/Legal Description:** | 430 East Main Street  
 Waynesboro, VA 22980 |
| **Tax Map Number:** | Tax Parcel Map # 46-1-63-7 to 11 |
| **Area:** | 0.313 Acres |
| **Real Estate Owner of Record:** | Free Bridge Auto Sales Inc.  
 Attn: Charles F M Fadeley II  
 1400 Richmond Road  
 Charlottesville, VA 22911 |
| **Current Zoning:** | L-B Local Business and –CO (Corridor Overlay District) |
| **Comprehensive Plan Designation:** | Downtown Area |
| **Attachments:** | 1) Application  
 2) Applicant’s sketch plan |
| **Flood Plain:** | Yes |
| **Enterprise Zone:** | Yes |
| **Action Requested:** | Conditional Use to allow Vehicle Services, Limited use in the L-B Local Business District. |
| **Authorizing City Code Section(s):** | Section 2.4 (Use Table) |

**Summary Recommendations:**

1. The site (Tax Map 46-1-63-7 to 11) shall be used only for the repair, storage and servicing of automobile tires. No other vehicle repairs shall be allowed.

2. No outdoor repair or servicing of vehicles shall be allowed on the subject parcels.

3. No outdoor storage of tires shall be allowed on the subject parcels except for display purpose.

4. The outdoor display shall be limited to the area shown on the sketch plan (Attachment 2). Items on display shall be brought indoors overnight and be displayed in accordance to City Code, Chapter 98, Section 5.7.2.

5. The existing shed shall be removed from the site within thirty (30) days of Council’s action to approve this Conditional Use Permit. And no additional temporary buildings shall be added to the subject parcels.
1. Nature of Request
Amy B. Campbell, the owner of All Season Tire Inc., has applied for a Conditional Use Permit to allow for storage of tires and tire installation on vehicles. All Season Tire Inc. is renting to own the property from Free Bridge Auto Sales. The property is located at 430 East Main Street at the intersection of East Main Street and DuPont Boulevard.

The business owner’s intent is to maintain the same business at 430 East Main Street and use the building primarily as storage, while renting Mr. Ritchie’s property across DuPont Boulevard for vehicle services and tire storage. They also plan to remove the shed besides the building and keep all tires inside except for a small display area in front of the building along East Main Street (Attachment 2). Finally, there is a small garage bay in the rear of the building that may be used for tire repairs.

2. Background
The existing use is grandfathered under the current zoning ordinance. Since the business owner proposes for business expansion, it triggers the need for a Conditional Use Permit to allow the expansion of the use to be continued on the site.

The site is located within the East Main Street entrance corridor. It is also located in the floodplain and in the Enterprise Zone.

In the past a few months, the applicant has made great efforts in cleaning up the site. All tires were moved indoor and a few temporary structures were removed from the site.

Surrounding Land Use
The site is located in the L-B Local Business District.

North: Fitzgerald Tires and Tastee Freeze are located across East Main Street in the L-B Local Business District.

East: Mr. Ritchie’s property is located across DuPont Boulevard in the L-B Local Business District.

South: Single family houses are located across the alley in the RG-5 General Residential District.

West: Mi Rancho Restaurant is immediately to the west of the site in the L-B Local Business District.

Zoning Requirements
The subject property is zoned Local Business (L-B). The applicant has not proposed any significant modifications to the site, except for removing the existing shed from the site. As a result of these minimal improvements – a major site plan will not be required for the use as
proposed. Therefore, the proposed development is not required to meet the Site Development Standards of the Ordinance (Article 5).

The property is in the East Main Street Entrance Overlay Corridor District (Section 3.3). The Corridor Overlay District requires buildings to be within 95 feet of the parcel’s street frontage and for buildings over 60,000 square feet to meet certain massing and building articulation requirements. Again because no building is proposed, these requirements are not applicable. With that said, it is important to consider visual impacts to the Entrance Corridor. The applicant has cleaned up the site and stored all the tires inside the building. The applicant also plans to remove the shed besides the building. The site has four street trees planted along DuPont Boulevard.

Also, the applicant agrees to display tires only in the location (Attachment 2) in the front of the building fronting on East Main Street. The tires for display will stay outside only during daytime and will be brought indoors overnight (Section 5.7).

The building is located in the floodplain (Section 3.3.5). However, as the applicant stated that the building had never been flooded. And as mentioned above, no new building is proposed in this

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Staff Report - #12-065
case, thus according to Floodplain Administrator, flood protection is not required for this application.

3. **Review with Respect to the Comprehensive Plan.**
The City’s 2008 Comprehensive Plan Land Use Plan identifies the lot as Downtown Area. The Plan emphasizes on mixed-use development and also calls for attracting destination uses, such as restaurants, art galleries and other entertainment uses. In addition to the land use designations, the Comprehensive Plan establishes the area around the East Main/ Broad Street intersection as an Entrance Corridor “Gateways.” The goal within the Gateway areas is to improve the aesthetics within the area in an effort to promote tourism as an economic development mechanism.

The subject lot has been used as a tire sale and repair service for many years. While the existing use is not consistent with the land use designation, the surrounding area already has a series of auto-related uses. The use is consistent with these surrounding uses. If the proposed conditions are met, the impacts resulting from the proposed use will be minimal.

4. **Analysis:**
The Conditional Use Permit allows for a case-by-case review of uses which may be, but are not always, compatible with neighboring uses. In order to approve the Conditional Use Permit the Council must find that the proposed use is consistent with good zoning practice and will have no more adverse effect on the health, safety or comfort of persons living or working in the area and will be no more detrimental, economically or otherwise, to property or improvements in the surrounding area than would any use generally permitted in the district. The City Council may attach conditions to the permit to ensure compatibility.

*Impacts to Adjacent Properties*
There is an adjacent residential use across the alley from the site. However, this residential use has always been surrounded by a series of commercial and auto-related uses. The existing landscaping buffer on the residential property should help offset the visual impacts associated the business. The current lot has been used as a tire service for years. No impacts are anticipated to the other adjacent, non-residential uses.

*Infrastructure Issues*
No impacts are anticipated to the City’s infrastructure.

5. **Conclusion and Recommendation**
Staff has concluded that, while the proposed use is not in line with the Land Use Plan’s goals for this area, the proposed tire storage site is reasonable in light of the applicant’s demonstrated willingness to work with the City to improve the site’s aesthetics. Therefore, city staff recommends *approval* of this application based on the following conditions:

1. The site (Tax Map 46-1-63-7 to 11) shall be used only for the repair, storage and servicing of automobile tires. No other vehicle repairs shall be allowed.
2. No outdoor repair or servicing of vehicles shall be allowed on the subject parcels.
3. No outdoor storage of tires shall be allowed on the subject parcels except for display purpose.

4. The outdoor display shall be limited to the area shown on the sketch plan (Attachment 2). Items on display shall be brought indoors overnight and be displayed in accordance to City Code, Chapter 98, Section 5.7.2.

5. The existing shed shall be removed from the site within thirty (30) days of Council’s action to approve this Conditional Use Permit. And no additional temporary buildings shall be added to the subject parcels.

cc: Amy B. Campbell
     James Shaw, Deputy City Manager
     Todd Wood, City Engineer
     Joe Honbarrier, Zoning Administrator
A.) SITE INFORMATION:

Project Name: *All Season Tire Inc.*

Property Address: 430 Z. Main St.

Tax Map No./Legal Description: 46-1-63-7 to 10

Present Zoning: L-B

Comprehensive Plan Designation: Downtown Area

Lot Size (Acreage or Square Footage): 0.313 Acres

Present Use: Tire Store

Is Property Located in Flood Hazard Area According to Local FEMA Map? ☑ YES ☐ NO

Is Property Located within the Enterprise Zone? ☐ YES ☑ NO

Project Description (use a separate sheet as necessary): Full tires on vehicles

B.) APPLICANT INFORMATION:

Property Owner of Record: Amy B. Campbell

Address: 430 E. Main St. WAYNESBORO, VA 22980

Email Address: TrailBlazer470@Comcast.net Phone #: 932-7633

*Applicant Name: Amy B. Campbell

Address: 28 Kemper Lane WAYNESBORO, VA 22980

Email Address: TrailBlazer470@Comcast.net Phone #:

* If applicant is not property owner of record, the Power of Attorney Form is Required (Form A-2).

FOR OFFICE USE ONLY:

Date Rec'd: 09/05/2012 Fee Paid $ MS Receipt # Application # L-065 Approval Date ☐ Not approved
C.) (Optional) LICENSED PROFESSIONAL [Architect, Engineer, Surveyor, Landscape Architect]:

Firm Name: ____________________________ Contact Name: __________________________
(Printed) (Printed)

Address: __________________________________________
(Street Address) (City, State, Zip)

Phone #: ____________________________ Fax Number: ____________________________

Email Address: ____________________________ Professional License #: ______________

E.) SELECT PRIMARY CONTACT PERSON FOR STAFF:  □ Owner  □ Applicant  □ Licensed Professional

D.) SIGNATURES:
If applicant is not property owner of record, the Power of Attorney Form is Required (Form A-2).

AFFIDAVIT: The undersigned □ property owner, or □ duly authorized agent/representative thereof [check one] certifies that the foregoing Information is true and correct to the best of my knowledge and belief; WITH THE UNDERSTANDING THAT ANY INCORRECT INFORMATION SUBMITTED MAY RESULT IN THE DELAY OR RESCHEDULING OF APPROVAL. I hereby authorize the City of Waynesboro to review this request, visit the site, and contact any appropriate design professional in relation to questions generated as a result of the review.

Amy B. Campbell
Print Name

Amy Campbell
Signature of Owner, Contract Purchaser, Agent

540-908-3147
Daytime phone number of contact

9-4-12
Date