



**ORDINANCE NUMBER 2012-88**

**AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT  
TO ALLOW A VEHICLE SERVICE, LIMITED USE TO BE OPERATED  
IN AN L-B (LOCAL BUSINESS) DISTRICT ON A VACANT PARCEL  
(TAX MAP NUMBER 46-6-B),  
WAYNESBORO, VIRGINIA**

WHEREAS, upon application of Ritchie Family Investments LLC (CUP 12-066), public hearings were held, pursuant to notice thereof as required by § 98-577 of the Code of this City and § 15.2-2204 and 15.2-2205 of the Code of Virginia, both as amended; and

WHEREAS, the proposed use is specifically permitted as a conditional use in a L-B (Local Business) District in which subject property is located; and

WHEREAS, the proposed use, if conditioned as below, 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 injurious, economically or otherwise, to property or improvements in the surrounding area than would any use generally permitted in the L-B (Local Business) District.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Waynesboro, Virginia, that the applicant, Ritchie Family Investments LLC, be and hereby is granted a conditional use permit to allow a the Vehicle Service, Limited use to be operated in an L-B (Local Business) District at 500 East Main Street (Tax Map number 46-1-64-1 to 4) in Waynesboro, Virginia, in accordance with the application (#12-066), the staff report dated October 16, 2012, and further subject to the following conditions:

1. The site (Tax Map 46-1-64-1 to 4) shall be used only for the repair, storage and servicing of 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 (as provided within the staff report). Items on display shall be brought indoors overnight and be displayed in accordance to City Code, Chapter 98, Section 5.7.2.
5. Street trees shall be installed along East Main Street and DuPont Boulevard in accordance with City Code, Chapter 98, Section 5.4.6.

INTRODUCED: ON NOVEMBER 26, 2012 BY MR JEFF FREEMAN  
ADOPTED: ON DECEMBER 10, 2012  
EFFECTIVE: DECEMBER 20, 2012

/s/ Julia Bortle

CLERK

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/s/ Bruce Allen

MAYOR



**CITY OF WAYNESBORO, VIRGINIA  
STAFF REPORT  
CONDITIONAL USE  
#12-066  
October 16, 2012**

**SUMMARY SHEET**

<b>Applicant:</b>	Ritchie Family Investments LLC
<b>Address/Legal Description:</b>	500 East Main Street Waynesboro, VA 22980
<b>Tax Map Number:</b>	Tax Parcel Map # 46 1 64- 1 to 4
<b>Area</b>	0.294 Acres
<b>Real Estate Owner of Record:</b>	Ritchie Family Investments LLC 1157 West Main Street Waynesboro, VA 22980
<b>Current Zoning:</b>	L-B Local Business and -CO (Corridor Overlay District )
<b>Comprehensive Plan Designation:</b>	Downtown Area
<b>Attachments:</b>	1) Application 2) Applicant's sketch plan
<b>Flood Plain:</b>	Yes
<b>Enterprise Zone:</b>	Yes
<b>Action Requested:</b>	Conditional Use to allow Vehicle Services, Limited use in the L-B Local Business District
<b>Authorizing City Code Section(s):</b>	Section 2.4 (Use Table)
<b>Summary Recommendations:</b>	<ol style="list-style-type: none"> <li>1. The site (Tax Map 46-1-64-1 to 4) shall be used only for the repair, storage and servicing of automobile tires. No other vehicle repairs shall be allowed.</li> <li>2. No outdoor repair or servicing of vehicles shall be allowed on the subject parcels.</li> <li>3. No outdoor storage of tires shall be allowed on the subject parcels except for display purpose.</li> <li>4. The outdoor display shall be limit 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.</li> <li>5. Street trees shall be installed along East Main Street and Dupont Boulevard in accordance with City Code, Chapter 98, Section 5.4.6.</li> </ol>

**1. Nature of Request**

Ritchie Family Investments LLC has applied for a Conditional Use Permit to allow for Vehicle Services, Limited use in the L-B Local Business District at 500 East Main Street, City Tax Map parcels 46-1-64-1 to 4.

All Season Tires Inc. rents the property across Dupont Boulevard for tire business at 430 East Main Street. The business owner's intent is to rent Mr. Ritchie's property for vehicle services and tire storage while still keeping their business at current location.

The applicant has provided a sketch plan (Attachment 2). The plan shows added street trees, as required by Zoning Ordinance, along East Main Street and Dupont Boulevard and a tire display area in the front of the building along East Main Street.

## 2. Background

The site was used as an auto-service business for years. The applicant recently renovated the building and cleaned up the site. The site is located in the East Main Street entrance corridor. It is also located in the floodplain and in the Enterprise Zone.

### Surrounding Land Use

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

North: Fitzgerald Tires is located across East Main Street in the L-B Local Business District.

East: A single family house is immediately to the east of the site. Beyond this use is RHD Inc/AJ's Cab. They are both located in the L-B Local Business District.

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

West: All Season Tires Inc. is located across Dupont Boulevard in the L-B Local Business District.



*View of the site from East Main Street.*



### **Zoning Requirements**

The subject property is zoned Local Business (L-B). The applicant has not proposed any significant modifications to the site, except for street tree planting. 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).

In the supplemental use regulations in Article 4, there is requirement that garage doors associated with a Vehicle Service, Limited use (Section 4.4.10) face away from streets. However, because no new construction is proposed, this requirement is not applicable.

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 new construction 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 renovated the whole building. The applicant also plans to install street trees along East Main Street and Dupont Boulevard.

Also, the applicant agrees to display tires at a certain 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 at the edge of 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 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 an auto repair service for many years. While the proposed 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. The impacts resulting from the proposed use will be minimal in case all conditions are met.

### **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