



City of Harrisonburg

City Hall
409 South Main Street
Harrisonburg, VA 22801

Master

File Number: ID 19-269

File ID: ID 19-269 Type: PH-Special Use Permit Status: Approval Review

Version: 1 Agenda Section: In Control: City Council

File Created: 09/03/2019

Subject: Final Action:

Title: Consider a request from Bismarck LLC for a special use permit to allow manufacturing, processing, and assembly operations at 85 West Gay Street.

Internal Notes:

Sponsors:

Enactment Date:

Attachments: Memorandum SUP (85 West Gay Street), Site Maps, Application, applicant letter and supporting documents

Enactment Number:

Contact:

Hearing Date:

Drafter: thanh.dang@harrisonburgva.gov

Effective Date:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Commission	09/11/2019	recommended to full council	City Council	10/08/2019		Pass

Action Text: A motion was made by Whitten, seconded by Finks, that this PH-Special Use Permit be recommended to full council to the City Council, due back by 10/8/2019. The motion carried by a voice vote.

Notes: Commissioner Colman recused himself from deliberation on this agenda item due to a conflict of interest and left the room.

Chair Way read the request and asked staff to review.

Ms. Banks said that the Comprehensive Plan designates this area as Mixed Use. The Mixed Use designation includes both existing and proposed areas for mixed use. Mixed Use areas shown on the Land Use Guide map are intended to combine residential and non-residential uses in neighborhoods, where the different uses are finely mixed instead of separated. Mixed Use can take the form of a single building, a single parcel, a city block, or entire neighborhoods. Quality architectural design features and strategic placement of green spaces for large scale developments will ensure development compatibility of a mixed-use neighborhood with the surrounding area. These areas are prime candidates for “live-work” and traditional neighborhood developments (TND). Live-work developments combine

residential and commercial uses allowing people to both live and work in the same area. The scale and massing of buildings is an important consideration when developing in Mixed Use areas. Commercial uses would be expected to have an intensity equivalent to a Floor Area Ratio of at least 0.4, although the City does not measure commercial intensity in that way.

Downtown is an existing area that exhibits and is planned to continue to contain a mix of land uses. The downtown Mixed-Use area often has no maximum residential density; however, development should take into consideration the services and resources that are available (such as off-street parking) and plan accordingly. Residential density in Mixed Use areas outside of downtown should be around 24 dwelling units per acre, and all types of residential units are permitted: single-family detached, single-family attached (duplexes and townhomes), and multi-family buildings. Large scale developments, which include multi-family buildings are encouraged to include single-family detached and/or attached dwellings.

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

Site: Vacant building; zoned B-1C

North: Across West Gay Street, vacant building; zoned B-1C

East: C&W Railroad right-of-way and automotive repair business; zoned M-1

South: C&W Railroad right-of-way, across Noll Drive, properties zoned B-1

West: Vacant building and vacant properties; zoned B-1C

The applicant's representative, Kirsten Moore, Magpie LLC, is requesting a special use permit (SUP) per Section 10-3-85 (1) of the Zoning Ordinance, to allow a manufacturing and processing use within the B-1, Central Business District. If approved, a coffee roasting business is proposing to operate within a 401 square foot section of the building located at 85 West Gay Street. Per the requirements of the SUP, no more than 15 employees can work on a single shift and all storage and activities associated with the manufacturing use must be conducted within a building.

This property along with several other properties across West Gay Street and North Liberty Street from the subject site were rezoned by the property owner, Bismarck LLC, in November 2018, from M-1 to B-1C, to allow for mixed use development of commercial and residential uses. As part of the rezoning, proffers were submitted by the property owner, which included that all special use permits (SUPs) within the B-1 district would be permitted as approved by City Council. Additionally, the property owner proffered 22 parking spaces to be located on the southwest corner of North Liberty Street and West Gay Street, which is across North Liberty Street from the subject site. These 22 parking

spaces shall be reserved for the sole purpose of supplying off-street parking spaces for any and all uses that are located on the properties in connection with the November 2018 rezoning request.

The coffee roasting operation would include roasting coffee beans, packaging the coffee, and selling the coffee on-site or shipping the coffee to customers. The operation would not be a coffee shop where a customer could come and purchase a cup of freshly brewed coffee. However, as described in the applicant's letter, coffee would be served in the diner and coworking space planned within the building.

The applicant states that the operation of coffee roasting does not create any excess noise; but does produce a coffee aroma. Deliveries of green coffee beans would occur approximately once a month via truck. Along with processing and packaging the coffee, the applicant states that there would be the occasional coffee tasting to introduce customers to the process and nuances of each roast.

If approved, the applicant will need to work with the Building Inspections Division regarding Building Code requirements for the coffee roasting operation and obtain all necessary permits.

Staff believes the proposed coffee roasting use is consistent with good zoning practice and will have no more adverse effect on the health, safety or comfort of persons living and 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 within the district. Staff recommends approval of the special use permit.

Chair Way asked if there were any questions for staff. Hearing none, he opened the public hearing and invited the applicant or applicant's representative to speak to the request.

Kirsten Moore, 231 West Grace Street, came forward in support of her request.

Commissioner Finnegan inquired about how the smoke will be vented.

Ms. Moore said that she is assuming the lease for the entire 9,000 square feet building at 85 West Gay Street. We are doing a co-working space upstairs, diner and bakery downstairs, along with Chestnut Ridge Coffee Roasters, for whom we are getting the SUP. They are already operating within the City. With the buildout, we are doing all of the venting to code.

David Fraser, Chestnut Ridge Coffee Roasters, came forward in support of the request. There is a turbine that collects and consolidates the smoke.

Commissioner Finnegan asked if he is operating on Old South High Street.

Mr. Fraser said yes, in the old Howard Spangler Paper Building.

Commissioner Finnegan said that there is a residential neighborhood past the Spangler Building. As far as I know, there have not been any complaints about the smell.

Ms. Moore said that the venting will go up and out the roof. We do not have any egress in the back because of the railroad tracks.

Chair Way asked if there was anyone else wishing to speak to the request. Hearing none, he closed the public hearing and opened the matter for discussion.

Commissioner Finnegan said that, as someone who lives north of Gay Street, there are other smells depending on which way the wind blows. Across the street there is going to be a cidery.

Chair Way said that this is a wonderful example of the adaptive reuse, one that I have not seen before. It is a nice reuse of a building. I think that it helps reenergize that complicated area of town. This is an interesting project.

Commissioner Whitten moved to recommend approval of the SUP, as presented.

Commissioner Finks seconded the motion.

All members voted in favor of recommending approval of the SUP, as presented (5-0). The recommendation will move forward City Council on October 8, 2019.

Upon conclusion of the vote on this agenda item, Commissioner Colman returned to the Planning Commission meeting.
