



City of Harrisonburg

City Hall
409 South Main Street
Harrisonburg, VA 22801

Master

File Number: ID 19-352

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Type: PH-Special Use Permit

Status: Draft

Version: 1

Agenda Section:

In Control: City Council

File Created: 11/27/2019

Subject:

Final Action:

Title: Consider a request from CFP Partners, LLC for a special use permit to allow businesses and professional offices at 1592 CF Pours Drive

Internal Notes:

Sponsors:

Enactment Date:

Attachments: Surrounding property owners notice, Public Hearing Notice, PC Memorandum, PC Site maps, PC Application, applicant letter, and supporting documents, PC Site Layout Map

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	12/11/2019	recommended to full council	City Council	01/14/2020		Pass
Action Text: A motion was made by Finks, seconded by Ford-Byrd, that this PH-Special Use Permit be recommended to full council to the City Council, due back by 1/14/2020. The motion carried by a voice vote.							
Notes: Commissioner Colman recused himself from the request for 1592 CF Pours Drive 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 site as Industrial. 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 following land uses are located on and adjacent to the property:

Site: Vacant structure, zoned M-1

- North: Dog training/kennel facility and construction companies, zoned M-1
- East: Manufacturing, processing and warehousing facilities, zoned M-1
- South: Construction company, zoned M-1
- West: Construction companies, zoned M-1

The applicants are requesting a special use permit (SUP) per Section 10-3-97(3) of the Zoning Ordinance to allow business and professional offices in the M-1, General Industrial District. The property is located along the southern side of Acorn Drive, at its intersection with CF Pours Drive (a private street). Situated on the +/- 1.1-acre site is a vacant +/- 5,170 square foot frame building and a gravel parking area.

If approved, MEI Engineering, Inc. desires to locate its offices within the existing building. The applicant describes its business as engineering consulting services, which design HVAC, plumbing, and electrical systems for permits and "bid" drawings. The applicant's letter states that most of the client interaction occurs over email and through conference calls; however, they occasionally have client meetings at their current office.

This portion of the Acorn Drive corridor between North Liberty Street and Red Oak Street, along with the entirety of CF Pours Drive, where the subject parcel is located, is zoned M-1, General Industrial District. There are a mix of M-1 permitted uses in this area that include: vehicle sales/service; small furniture manufacturing; a dog kennel/training facility; contractor offices/material storage; State Police Headquarters; warehousing; and larger scale manufacturing (American Tire Distributors and Ariake). As well, three previous SUPs for business and professional offices, approved in 1997, 2001, and 2015 respectively, are located less than one-half mile from this site.

As noted with previous SUP applications for business and professional offices in the M-1 zoning district, the applicants should be aware that because the property is surrounded by properties zoned M-1, General Industrial District and identified in the City's Land Use Guide for General Industrial uses, intense industrial operations could locate adjacent to or near the site and could create noise, odor, traffic, or other byproducts of industrial operations that may be seen as unpleasant or distracting for the office use, and which they may deem as undesirable neighbors.

Business and professional offices provide services to the general public of either a business nature (i.e. consultants, web designers, tele-marketing, a corporate headquarters, and others) or a professional nature (i.e. lawyers, accountants, architects, doctors, dentists, engineers, insurance agents and others). Therefore, any business or professional office operation would be permitted to locate at this site-it would not only be an

engineering/construction-related business office. At this location, staff has concerns with business and professional offices associated with the health and medical field, such as healthcare facilities and doctor's offices. The Institute of Traffic Engineer's (ITE) Trip Generation Manual (a tool used nationally by transportation engineers) estimates that a medical-dental office occupying the existing 5,170 square foot building would generate 19 vehicles per hour during the morning peak hour, compared to 9 vehicles for a single-tenant office building such as engineering consulting services. While this is not an overwhelming amount of traffic during one hour of the day, staff is concerned that additional vehicles in this area from customers throughout the day who may be unfamiliar could be disruptive to trucks and other traffic associated with the surrounding industrial operations. Additionally, a healthcare facility or doctor's office use at this location may discourage future industrial uses from locating within close proximity. Therefore, staff believes such uses should be excluded from the SUP ability.

Given the existing conditions and the varying intensity of the mixture of industrial operations along this corridor, except for healthcare related businesses as suggested to be prohibited in the condition below, staff believes that the proposed SUP 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. Staff recommends approval of the SUP request with the following condition:

- Business and professional offices associated with medical and healthcare facilities and offices (i.e. doctor, dentist, and others) shall be prohibited.

Chair Way asked if there were any questions for staff.

Commissioner Finnegan said that two lots over is a veterinary clinic.

Commissioner Whitten said that it is training and boarding.

Commissioner Finnegan said that he is referring to the corner of Acorn Drive and Liberty Street.

Commissioner Romero said that it is Harrisonburg Veterinary Hospital.

Commissioner Finnegan asked if it is considered medical.

Ms. Banks said that the Zoning Ordinance defines it differently. The Zoning Ordinance states that veterinarians are allowed by right in the M-1. It would not be considered the same.

Commissioner Whitten said that they talked about this at the site visit. Does it make sense to keep doing SUPs in our industrial area for a use that is clearly not industrial. How does the Department of Economic Development feel about taking away the industrial space? I think that is something that should be on our radar to discuss further, at another time. We have seen a good number of these in the past few months. I think it bears looking at. Sometimes you get lost when you do these bit by bit. Then all of a sudden, the puzzle starts to fill in. We may be surprised when we realize all our industrial land is now business.

Ms. Banks said it is stated in the staff report that, in previous years starting in 1997, 2001 and 2015, other SUPs for the same business and professional type special use have been approved along this section of Acorn Drive between the railroad tracks and North Liberty Street. Only one of them is still operating. One has converted to an M-1 permitted use. One building is empty at this time.

Commissioner Whitten asked are we encouraging business that need a business use to go into some of the already built out shopping centers that are empty. Maybe there is an economic advantage to go into this area, but it is something to think about.

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

Wesley Siever and Mike Irwin, Owners of MEI Engineering, also representing CFP Partners, LLC, came forward to speak to their request.

Mr. Siever said that they are under contract to purchase the property from CFP Partners, contingent on the approval of the SUP. We would like to move our firm there. Thank you for your consideration tonight. Our firm is in the City of Harrisonburg. We have been within City limits, in multiple locations, since 1989. We are trying to maintain that history and still move into a space that would be appropriate for our operations.

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 Finks moved to approve the permit with the recommended conditions.

Commissioner Ford-Byrd seconded the motion.

Chair Way said that he would like to echo what we were talking about before in terms of being careful about M-1 zoning. This is not a rezoning, but if it were a rezoning, we want to be thoughtful about those things here. I do not have too

many problems with this.

All members voted in favor of recommending approval (6-0) of the SUP with conditions, as presented. The recommendation will move forward to City Council on January 14, 2020.

Commissioner Colman returned to the meeting room at the conclusion of this agenda item.
