



CITY OF HARRISONBURG COMMUNITY DEVELOPMENT

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To: Planning Commission
From: Department of Community Development
Date: December 11, 2019 (Regular Meeting)
Re: Special Use Permits – 1043 and 1061 South High Street (To Allow Manufacturing, Processing, and Assembly Operations and To Allow Warehousing and Other Storage Facilities in B-2)

Summary:

Public hearings to consider two requests from The Norton Group, LLC for special use permits within the B-2, General Business District. If approved,

- The first special use permit would allow manufacturing, processing, and assembly operations when employing not more than 15 persons on the premises in a single shift and provided that all storage and activities are conducted within a building per Section 10-3-91(1) of the Zoning Ordinance.
- The second special use permit would allow warehousing and other storage facilities per Section 10-3-91(2) of the Zoning Ordinance.

The +/- 1.5-acre property is addressed as 1043 and 1061 South High Street and is identified as tax map number 19-A-8.

Background:

The Comprehensive Plan designates this site as Limited Commercial. These areas are suitable for commercial and professional office development but in a less intensive approach than the Commercial designation. These areas need careful controls to ensure compatibility with adjacent land uses. The maintenance of functional and aesthetic integrity should be emphasized in review of applications for development and redevelopment and should address such matters as: control of access; landscaping and buffering; parking; setback; signage; and building mass, height, and orientation. It is important that development within Limited Commercial areas does not incrementally increase in intensity to become similar to the Commercial designation. Efforts should be made to maintain the intent as described.

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

Site: Commercial and industrial uses including, a grocery store and carpet and upholstery cleaning service; zoned M-1

North: Offices and retail uses; zoned M-1 and B-2

East: Commercial and industrial uses including a restaurant, a grocery store, an HVAC contractor, and electrical equipment supplier; zoned M-1

South: Office, nonconforming multi-family dwellings, and a nonconforming single-family detached dwelling; zoned M-1

West: House of worship and single-family detached dwellings; zoned R-1

Key Issues:

The applicant is requesting two special use permits (SUPs). The first SUP would allow manufacturing, processing and assembly operations per Section 10-3-91(1) of the Zoning Ordinance (ZO), and the second would allow warehousing and other storage facilities per Section 10-3-91(2). Described in a separate staff report being reviewed concurrently, the applicant is also requesting to rezone five parcels, including the subject parcel, totaling +/- 3.3 acres, from M-1, General Industrial District to B-2C, General Business District Conditional. If the rezoning and SUPs are approved for the subject parcel (TM 19-A-8), the applicant desires to lease space to Staff of Life Bakery and to GoPuff LLC. The parcel contains two buildings addressed as 1043 and 1061 South High Street. This parcel has no public street frontage and is located behind parcels along the western side of South High Street approximately 200 feet north of the intersection with South Avenue.

As described in the applicant's letter, Staff of Life Bakery desires to occupy approximately 4,000 square feet of space in the building addressed as 1061 South High Street. The bakery sells goods to farmers markets and markets and plans to operate between 4am-5pm. The applicant is aware that per Section 10-3-91(1), 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. Although Staff of Life plans to have about three employees working on any given shift, staff is comfortable allowing the applicant the flexibility to have the maximum number permitted by the special use.

GoPuff LLC desires to occupy approximately 4,600 square feet of space in the building addressed as 1043 South High Street. GoPuff is a digital convenience delivery service where customers order items online to have the items delivered 24 hours per day, seven days a week. Customers would not be coming to this location.

While the adjacent property to the west of this site (identified as tax map 20-G-1) is zoned R-1 and is designated Low Density Residential, at this time, staff is not concerned that the proposed uses on the subject site will adversely impact the adjacent property. Other than deliveries to and from the site, the proposed bakery and convenience delivery service operation will be conducted within a building. Additionally, approximately half of the adjacent +/- 2.6-acre parcel is undeveloped, and future development or use of that parcel could accommodate any desired screening or buffering between future uses permitted in the R-1 district and the proposed commercial uses on the subject site.

Staff believes that approval of the SUPs, with conditions, for the proposed bakery and convenience delivery services are 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 special use permits with the following conditions.

Recommended conditions for the SUP per Section 10-3-91(1), “[m]anufacturing, processing, and assembly operations when not employing more than fifteen (15) persons on the premises in a single shift and provided that all storage and activities are conducted within a building.”

1. The special use permit shall only be applicable for a bakery or a substantially similar operation.
2. If in the opinion of Planning Commission or City Council, the use becomes a nuisance, the special use permit can be recalled for further review, which could lead to the need for additional conditions, restrictions, or the revocation of the permit.

Condition #1 limits the SUP to only bakeries or substantially similar operations. If the applicant later wishes to have other manufacturing, processing, and assembly operations, they must return with a new SUP request to be vetted by Planning Commission and City Council. Condition #2 allows PC and CC to recall the SUP for further review if the use becomes a nuisance.

Recommended conditions for the SUP per Section 10-3-91(2), “[w]arehousing and other storage facilities.”

1. All storage and activities are conducted within a building.
2. Self-storage facilities are prohibited.
3. If in the opinion of Planning Commission or City Council, the use becomes a nuisance, the special use permit can be recalled for further review, which could lead to the need for additional conditions, restrictions, or the revocation of the permit.

Condition #1 prohibits storage and warehousing activities from being conducted outside a building. Condition #2 prohibits self-storage facilities, which are buildings that contain separate, individual, and private storage spaces of varying sizes available for lease for varying periods of time. Condition #3 allows PC and CC to recall the SUP for further review if the use becomes a nuisance.

Environmental Impact:

N/A

Fiscal Impact:

N/A

Prior Actions:

N/A

Alternatives:

- (a) Recommend approval of the special use permit requests as submitted;
- (b) Recommend approval of the special use permit requests with suggested conditions;
- (c) Recommend approval of the special use permits with other conditions(s); or
- (d) Recommend denial of one or both special use permits.

Community Engagement:

As required, the requests were published in the local newspaper twice advertising for Planning Commission’s public hearing. The advertisement was published as shown below:

Special Use Permit – 1043 and 1061 South High Street (To Allow Manufacturing, Processing, and Assembly Operations in B-2)

Public hearing to consider a request from The Norton Group, LLC for a special use permit per Section 10-3-91(1) of the Zoning Ordinance to allow manufacturing, processing, and assembly operations when employing not more than 15 persons on the premises in a single shift and provided that all storage and activities are conducted within a building within the B-2, General Business District. The +/- 1.5-acre property is addressed as 1043 and 1061 South High Street and is identified as tax map number 19-A-8.

Special Use Permit – 1043 and 1061 South High Street (To Allow Warehousing and Other Storage Facilities in B-2)

Public hearing to consider a request from The Norton Group, LLC for a special use permit per Section 10-3-91(2) of the Zoning Ordinance to allow warehousing and other storage facilities within the B-2, General Business District. The +/- 1.5-acre property is addressed as 1043 and 1061 South High Street and is identified as tax map number 19-A-8.

In addition, adjoining property owners were notified of the public hearing; the property was posted with signage advertising the request; and a notice was provided on the City's website at <https://www.harrisonburgva.gov/public-hearings>.

Recommendation:

Staff recommends alternative (b) approve the special use permit requests with the suggested conditions.

Attachments:

1. Site maps
2. Application, applicant letter, and supporting documents

Review:

N/A