



# City of Harrisonburg

City Hall  
409 South Main Street  
Harrisonburg, VA 22801

## Master

**File Number: ID 20-148**

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**Type:** PH-Special Use Permit

**Status:** Draft

**Version:** 1

**Agenda  
Section:**

**In Control:** City Council

**File Created:** 05/30/2020

**Subject:**

**Final Action:**

**Title:** Consider a request from Bell Investments LLC for a special use permit to allow business and professional offices at 794 North Main Street

### Internal Notes:

**Sponsors:**

**Enactment Date:**

**Attachments:** CC Memorandum SUP (794 N Main St - Professional office in M-1), CC Site Maps, CC Application, applicant letter and supporting documents, PC Memorandum, PC Site Maps, PC Application, applicant letter and supporting documents

**Enactment Number:**

**Contact:**

**Hearing Date:**

**Drafter:** thanh.dang@harrisonburgva.gov

**Effective Date:**

**Related Files:**

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Commission	06/10/2020	recommended to full council	City Council	07/14/2020		Pass

**Action Text:** This PH-Special Use Permit was recommended to full council.to the City Council due back on 7/14/2020

**Notes:** Chair Colman read the request and asked staff to review.

Ms. Banks said that the Comprehensive Plan designates this site 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: Brewery manufacturing operation and printing company operation, zoned M-1
- North: Manufacturing operation, zoned M-1
- East: Manufacturing operation, zoned M-1
- South: Non-conforming single-family detached dwellings, zoned M-1
- West: Across North Main Street, non-conforming business office and non-conforming single-family detached dwellings, zoned M-1

The applicant is 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 eastern side of North Main Street, approximately 350-feet from the intersection of Washington Street. Situated on the subject parcel is a +/-24,586 square foot building, which currently contains +/-19,326 square feet of manufacturing uses including a beer brewing company and the production area for a printing company.

If approved, the applicant desires to use the remaining +/-5,260 square feet of the building for professional and/or business office space. The applicant describes that 3,660 square feet would be used by the existing printing company as office space; 1,000 square feet would be leased by a professional engineering firm; and the remaining 600 square feet would be occupied by a future tenant. It should be understood that the use of space as office facilities accessory to and supportive of uses permitted within the M-1 zoning district is a use permitted by right; therefore, the printing company operation is allowed to have associated offices without obtaining a SUP. However, it is the applicant's desire to obtain the business and professional office SUP for the entire +/- 5,260 square foot area should the printing operation ever leave and there is interest in office facilities that are not accessory to and supportive of uses permitted in the M-1 district.

Conversion of the +/-5,260 square foot area into offices will require a change of use permit to ensure all Building Code regulations are met. Also, the applicant should be aware that if the SUP is approved, the office use must be established within twelve months of approval date.

Parking for the office use would be calculated at one parking space for every 300 square feet of gross floor area. The manufacturing uses require one parking space for every two employees working on a maximum shift and one space for each vehicle associated with the manufacturing use. If approved, staff would work with the applicant to determine the minimum number of off-street parking spaces needed for all uses. Meeting the minimum parking requirements for the intended uses should not be a problem as there is a large parking area, which already exists; however, the entrances into the parking area from North Main Street are only suitable for one-way use. There is also a separate, two-way entrance from East Washington Street onto the site. Staff suggests the applicant establish a regular traffic pattern on the site to provide for safe vehicular circulation; safe entry/exit; and adequate access to parking spaces. This could be accomplished by making the North Main Street entrances one-way in only, exiting onto East Washington Street, and utilizing angled or parallel parking in the parking area along the southern side of the building.

The entire frontage of the North Main Street corridor, with the exception of one Industrial designation and a handful of Governmental/Quasi-Governmental designations, is designated as Mixed Use within the Comprehensive Plan's Land Use Guide. In the general area surrounding the subject property, there is a mix of residential uses, professional offices, automotive sales and services, and light industrial uses. 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 approving the special use permit.

Chair Colman asked if there were any questions for staff.

Commissioner Whitten asked what would constitute "establishing the use?" I understand that this space is being divided. Would all of the spaces that are intended to be used for offices have to be built out as office use space or just part of it?

Ms. Banks said that the approval of the building permit would establish their intent to utilize this for business and professional offices.

Commissioner Whitten asked even if they have part that is not rented that still is covered by the SUP.

Ms. Banks said yes. If they do not have a tenant for the additional 600 square feet, and their building permit shows that this was going to be for business and professional offices, it

is still covered. They do not need to put a tenant in there immediately.

Chair Colman said that if they apply the SUP to the whole building, if they envision that they will utilize that space for professional offices, we sometimes get that pushback when we are looking at converting an M-1 property to anything else. The useful thing to go along with this request is that it does not seem injurious to the M-1 zoning. Staff does not seem to have anything against it. On the contrary, they are supportive of it.

Ms. Banks said that, to clarify, the entire building is 24,500 square feet. The SUP for the business and professional offices is only for 5,260 square feet. The M-1 permitted uses with the brewery manufacturing and the printing operation would be continuing.

Commissioner Finnegan said that he has been to the brewery. It appears that the entire lane has been shut off. Is that temporary? It is something that I have seen before. Does the brewery have the permission to close that section off or does that need to remain open?

Ms. Banks said that the section is marked as a fire lane. Ideally, it should be left open. I am sure that there are times when the fire department would police the area.

Chair Colman asked what driveway they were referring to.

Commissioner Finnegan said it was the driveway to the left of the brewery.

Chair Colman asked if there were any further questions for staff. Hearing none, he opened the public meeting and invited the applicant to call and speak to his request.

Connor Bell, 794 North Main Street, called to speak to his request. Brothers Brewery can close the entrance and lane that Commissioner Finnegan questioned, whenever they want. When we built the patio cover, we worked with the Fire Department to come up with fire lanes. The fire lane main entrance is the one off of East Washington Street. The other entrance they can use is the first entrance as you are going north on Main Street. The second entrance as you go north on Main Street is now not designated as an entrance for the Fire Department, but the Fire Department does have partial access from the parking lot. It is also marked with the red fire lane paint in that space.

Chair Colman asked if there were any further callers. Hearing none, he closed the public hearing and opened the matter for discussion.

Commissioner Finks said that in light of the Comprehensive Plan recommendations for this area the SUP makes sense. It is the best of both worlds where the space will be mixed use with the SUP and the parcel remains as M-1 if there is an industrial use that makes sense in the future. I will move to recommend approval of the SUP request, as presented by staff.

Commissioner Ford-Byrd seconded the motion.

All members voted in favor of recommending approval of the SUP, as presented (7-0).  
The recommendation will move forward to City Council on July 14, 2020.

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