



City of Harrisonburg, Virginia

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

STAFF REPORT

October 8, 2014

SPECIAL USE PERMIT – 120 WEST WOLFE STREET (10-3-85 (1) BREWERY MANUFACTURING)

GENERAL INFORMATION

Applicant: WRockStreet, LLC

Tax Map: 35-O-4 & 5

Acreage: 21,400 +/- square feet

Location: 120 West Wolfe Street

Request: Public hearing to consider a request for a special use permit per Section 10-3-85 (1) of the Zoning Ordinance to allow manufacturing, 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. The proposed use would allow a brewery.

LAND USE, ZONING, AND SITE CHARACTERISTICS

The Comprehensive Plan designates this area as Mixed Use Development. This designation includes both existing and proposed new mixed use areas. These areas are intended to combine residential and non-residential uses in planned neighborhoods where the different uses are finely mixed instead of separated. These areas are prime candidates for “live-work” and traditional neighborhood developments. Live-work developments combine residential and office/service uses allowing people to both live and work in the same area, which could be combined in the same building or on the same street. The gross residential density in areas outside downtown should not exceed an average of 15 units per acre, though all types of residential units are permitted: single family detached, single family attached and apartments. Apartments are permitted only if single family detached and/or attached units are also provided and together cover a greater percentage of the project site. Residential densities in downtown may be higher than an average of 15 units per acre, and 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.

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

Site: Vacant building and food trucks, zoned B-1C

North: Vacant property (owned by the applicants), zoned M-1

East: Across the Norfolk Southern Rail Line, vacant paved lot, zoned B-1

South: Across West Wolfe Street, vacuum repair shop, zoned M-1

West: Non-conforming dwelling unit, zoned M-1

EVALUATION

The applicant is requesting a special use permit per Section 10-3-85 (1) of the Zoning Ordinance, to allow a manufacturing use within the B-1, Central Business District. If approved, Back Bay Brewery is proposing to operate a brewery operation and taproom at 120 West Wolfe Street. Per the requirements of the SUP, no more than 15 employees can be working on a single shift and all storage and activities must be conducted within a building.

Back Bay Brewery currently operates in the Virginia Beach area and desires to establish a remote brewery location where they would brew approximately one barrel of beer a month. Along with selling the beer manufactured on site, the brewery would sell beer brewed at their Virginia Beach locality as well. The brewery is anticipated to have no more than five employees and operate Tuesday through Sunday. A floor plan submitted by the applicant shows the 1,710+/- square foot brewery will consist of brewery equipment, bar, tasting room and seating areas. The applicant has included both parcels with this request, in anticipation of accommodating outdoor patio seating for the brewery on the rear lot in the future.

The subject properties were rezoned in March 2009, from M-1 to B-1C, to allow for a proposed mixed use development of commercial and residential uses. Very specific proffers were submitted by the applicant, which included redevelopment of the entire site. One of the proffers provided dealt with parking for the site; that proffer stated “parking for residential units will be one space per bedroom and parking for commercial space will be one space for each 300 sq. ft.” In October 2011 the applicants revised the rezoning proffers by adding a proffer to allow the owners to utilize the current building and property as described within the earlier rezoning and to allow all B-1 special uses as approved by City Council. (The current regulating proffers are attached with this report.) Concurrently with the revised rezoning, the applicants received a special use permit to operate a vehicle repair shop at the property. Because parking for this location was a concern, and the one proffer dealing with parking only took into consideration by-right commercial uses, a condition was placed on the SUP that “one parking space shall be provided per bay plus one additional space shall be provided associated with the office space of the business. Parking spaces shall be clearly marked and delineated on site.” The automotive repair shop no longer operates from this location. Tax map 35-O-5 is currently home to several food trucks.

In addition to establishing a brewery at this location, the applicant is working with a coffee company to operate from a 450 square foot area of the existing building, and as noted above, there are several food trucks which occupy, and operate from the rear parcel. The remainder of the existing building would be used for storage for the brewery and food trucks. Because of the many uses presently operating from, and proposed for the property, staff has had numerous conversations regarding parking with the applicant. Currently, there are no parking regulations regarding food trucks; therefore, they have simply been allowed to operate in commercially zoned areas, but do not have to provide any parking. The coffee company is considered a permitted commercial use within the conditional B-1 zoning of property and the applicant would have to provide two parking spaces for the use (one space for each 300 sq. ft.). Because the proposed brewery is a SUP request, it does not have a proffered parking requirement that must be met. As well, any future additions to the uses on site may cause additional parking concerns.

The applicant has provided a drawing indicating that eight parking spaces are proposed for the site. As well, the applicant provided an email from an adjoining property owner who is willing to enter into discussions regarding leasing of their vacant property (TM 35-O-1) at the intersection of West Wolfe Street and North Liberty Street in order to ease any parking shortages for the proposed brewery use. There is public parking along portions of North Liberty Street in this vicinity and also a public parking lot (TM 34-P-13 & 14) adjacent to Liberty Park, approximately 400 feet from the subject property.

The applicant has indicated that deliveries to the brewery will occur approximately once every three weeks. Deliveries are made by a 21-foot “box type” delivery truck and would take place in the early morning, before the brewery or food trucks are open. It is anticipated that the parking lot would provide adequate maneuvering area for truck deliveries. No accessory vehicle is proposed to be housed at the site in association with the brewery.

Overall, staff believes the brewery use should have no adverse effect on the health, safety or comfort of those working and living in the area and it is fitting with other uses generally found in the B-1 zoning district. Staff recommends approving this request with the following conditions:

1. The applicants shall provide six parking spaces on-site associated with the proposed brewery use. Parking spaces shall be clearly delineated. Any future additions or enlargement of the brewery use shall require approval of a new SUP.
2. If in the opinion of Planning Commission or City Council, the use becomes a nuisance, the SUP can be recalled for further review, which could lead to the need for additional conditions, restrictions, or the revocation of the permit.