



CITY OF HARRISONBURG COMMUNITY DEVELOPMENT

409 SOUTH MAIN STREET, HARRISONBURG, VA 22801
OFFICE (540) 432-7700 • FAX (540) 432-7777

To: Ande Banks, City Manager
From: Adam Fletcher, Director, Department of Community Development and Harrisonburg Planning Commission
Date: April 25, 2023 (Regular Meeting)
Re: Special Use Permit – 909 & 919 Virginia Avenue (To Allow Business and Professional Offices)

Summary:

| | |
|------------------------------------|--|
| Project name | Renovations for The Senger Building |
| Address/Location | 909 & 919 Virginia Avenue |
| Tax Map Parcels | 39-L-1 & 2 |
| Total Land Area | +/- 15,005 square feet |
| Property Owner(s) | Way Way Back LLC |
| Owner's Representative | N/A |
| Present Zoning | M-1, General Industrial District |
| Special Use Permit Request | Section 10-3-97 (3) to allow business and professional offices |
| Staff Recommendation | Approval |
| Planning Commission Recommendation | March 8, 2023 (Public Hearing) Approval (6-0) |
| City Council | April 25, 2023 (Public Hearing) |

Background:

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

Site: Building under renovation for manufacturing operation, zoned M-1

North: Commercial use, zoned M-1

East: Across Virginia Avenue, single-family detached dwellings, zoned R-2

South: Across 5th Street, single-family detached dwelling, zoned R-2

West: Across undeveloped alley, single-family detached dwellings, zoned R-1

Key Issues:

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 at a site addressed as 909 and 919 Virginia Avenue. If approved, Huber Architects intends to locate their office to the site. The building on the property is currently undergoing renovations for Red Root & Company, a small-

scale herbal goods manufacturer, which is allowed to operate by right within the M-1 district. The intent is for both businesses to occupy the property.

The applicant has submitted a site layout illustrating how they can accommodate minimum off-street parking requirements. The applicant is aware that if the business and professional office use expands on the property, then more off-street parking spaces would be required by the Zoning Ordinance.

The applicant has been informed that if the SUP is approved, that a change of use for the structure shall be obtained from the Building Inspections Division.

Land Use

The Comprehensive Plan designates this site as Neighborhood Residential and states:

“These areas are typically older residential neighborhoods, which contain a mixture of densities and a mixture of housing types, but should have more single-family detached homes than other types of housing. This type of land use highlights those neighborhoods in which existing conditions dictate the need for careful consideration of the types and densities of future residential development. Infill development and redevelopment must be designed so as to be compatible with the desired character of the neighborhood.”

With the Neighborhood Residential designation, one could contend that approval of the SUP to allow business and professional offices would promote uses on the property that do not conform with the LUG’s recommendation. However, given the circumstances, where at least one by right use of the M-1 district would operate on the property, staff believes allowing certain business and professional offices should not have any more adverse impact on the surrounding neighborhood.

Recommendation

Staff recommends approval of the special use permit with the following conditions:

1. Medical offices are prohibited.
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 revocation of the permit.

Approval of a special use permit per Section 10-3-97 (3) would allow business and professional offices. Staff recommends condition #1 to prohibit medical offices due to the higher volume of clients and vehicular traffic typically experienced with medical offices in the City compared to other types of business and professional offices.

Environmental Impact:

N/A

Fiscal Impact:

N/A

Prior Actions:

N/A

Alternatives:

- (a) Approve the special use permit request as submitted by the applicant;
- (b) Approve the special use permit request with conditions; or
- (c) Deny the special use permit.

Community Engagement:

As required, the request was published in the local newspaper twice advertising for Planning Commission's public hearing and twice advertising for City Council's public hearing. The advertisement was published as shown below:

Special Use Permit – 909 & 919 Virginia Avenue (To Allow Business and Professional Offices)

Public hearing to consider a request from Way Way Back LLC for a special use permit per Section 10-3-97 (3) to allow business and professional offices within the M-1, General Industrial District. The +/- 15,005-square foot property is addressed as 909 and 919 Virginia Avenue and is identified as tax map parcels 39-L-1 and 2.

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) approval of the special use permit request with conditions.

Attachments:

- 1. Extract from Planning Commission
- 2. Site maps
- 3. Application and supporting documents

Review:

Planning Commission recommended approval (6-0) of the special use permit with conditions. Commissioner Baugh abstained.