



**CITY OF HARRISONBURG
COMMUNITY
DEVELOPMENT**

Special Use Permit Application
www.harrisonburgva.gov/zoning

PROPERTY INFORMATION

50 Baxter Drive
Property Address

001 C 10-A
Tax Map

1.25 acres
Total Land Area

acres or sq.ft.
(circle)

Existing Zoning Classification: B2

Special Use being requested: mixed use and/or multifamily

PROPERTY OWNER INFORMATION

Farhad Koyee & Bahar Mikael
Property Owner Name

540-433-4911
Telephone

125 BEDFORD PL
Street Address

farhadkoyee11@yahoo.com
E-Mail

Rockingham VA 22801
City State Zip

OWNER'S REPRESENTATIVE INFORMATION

Owner's Representative

Telephone

Street Address

E-Mail

City State Zip

CERTIFICATION

I certify that the information supplied on this application and on the attachments provided (maps and other information) is accurate and true to the best of my knowledge. In addition, I hereby grant permission to the agents and employees of the City of Harrisonburg to enter the above property for the purposes of processing and reviewing this application. I also understand that, when required, public notice signs will be posted by the City on any property.

[Signature]
PROPERTY OWNER

5-2-24
DATE

REQUIRED ATTACHMENTS

- Site or Property Map
 - Letter explaining proposed use & reasons for seeking a Special Use Permit.
 - Traffic Impact Analysis (TIA) Determination Form OR Traffic Impact Analysis (TIA) Acceptance Letter signed by Public Works Department. Applicant is responsible for coordinating with Public Works prior to submitting this application. For more information, visit www.harrisonburgva.gov/traffic-impact-analysis. This requirement is waived for the following SUPs: major family day homes, reducing required parking areas, reduction in required side yard setback, wireless telecommunication facilities, wall and fences, and short-term rentals. To prevent delays in reviewing your application, please consult with Planning staff to confirm your application does not require a TIA Determination Form or TIA Acceptance Letter.
- Note: If applying for a Wireless Telecommunications Facility allowed only by SUP, then also submit a wireless telecommunications facility application.

TO BE COMPLETED BY PLANNING & ZONING DIVISION

5/3/24
Date Application and Fee Received

Total Fees Due: \$ 455.00
Application Fee: \$425.00 + \$30.00 per acre

[Signature]
Received By

KOYEE FARHAD
125BEDFORD PL
ROCKINGHAM, VA 2280
04/22/2024

City of Harrisonburg

Department of Community Development
409 S Main St,
Harrisonburg, VA 22801

Subject: Subdivision of 50 Baxter Drive parcel and Special Use Permit for a residential apartment

Dears

I am writing to formally request the subdivision of the property located at 50 Baxter Drive in Harrisonburg into two parcels, as per the preliminary plat submitted herewith. And formally request a special permit for the development of an 18-unit apartment on one of the subdivision parcels. The purpose of this subdivision is to facilitate different land uses, with one parcel designated for light industrial use and the other for residential apartments.

After carefully considering the local zoning regulations and the city's development goals, we believe that subdividing the property into two parcels will enable the optimal use of the land while aligning with the city's objectives of promoting mixed-use urban development and providing more residential options.

The proposed subdivision will allow for the following:

1. **Light Industrial Use:** One parcel will be designated for light industrial purposes. This will attract businesses that contribute to Harrisonburg's economic growth, create job opportunities, and enhance the city's industrial sector.
2. **Residential Apartments:** The other parcel will be designated for residential apartments, addressing the city's pressing need for housing options. By providing residential units near industrial areas, we aim to promote a vibrant mixed-use environment where residents can conveniently access employment opportunities.

This subdivision aligns with the city's goal of fostering sustainable and vibrant urban development by promoting mixed-use zoning and creating diverse, walkable neighborhoods. By integrating light industrial and residential uses within the same vicinity.

Furthermore, the proposed subdivision will enhance the property's overall value and contribute positively to the surrounding area's aesthetic appeal. We are committed to working closely with the city and complying with all relevant regulations and requirements throughout the subdivision process.

As part of this request, I am also seeking a variance for section 10-2-42 of the Harrisonburg Subdivision Ordinance. This section, particularly subsection c, states that "*Frontage. All lots shall front on a public street and no lot shall embrace any portion of a street or alley.*". However, in my case, I am proposing a subdivision where one of the lots will have frontage on Tasha Circle, similar to the other two existing parcels on the same street. I have discussed the possibility of converting Tasha Circle into a public road with the Community Development Department, but until an agreement is reached with the other property owners on the street, I believe that the ordinance section 10-2-42 causes "unnecessary hardship" for my development proposal. Therefore, I am requesting a variance for this section.

In support of our request, we have enclosed the preliminary plat outlining the proposed subdivision and any other documentation deemed necessary for consideration.

Thank you for considering our request. We are eager to collaborate with the city to realize this vision and contribute to Harrisonburg's continued growth and prosperity. Please do not hesitate to contact me for further information or clarification regarding our proposal.

Sincerely,

Farhad Koyee



CITY OF HARRISONBURG
COMMUNITY
DEVELOPMENT

Special Use Permit Application

www.harrisonburgva.gov/zoning

PROPERTY INFORMATION

50 Baxter Drive Property Address 1-C-10-A Tax Map 0.55-acres Total Land Area acres or sq.ft. (circle)

Existing Zoning Classification: B-2

Special Use being requested: 10-3-91 (1) - manufacturing, processing and assembly when not employing more than 15 persons

PROPERTY OWNER INFORMATION

Farhad Koyee Property Owner Name 540-560-0909 Telephone
3248 Hebron Ct farhadkoyee11@yahoo.com
Street Address E-Mail
Harrisonburg VA 22801
City State Zip

OWNER'S REPRESENTATIVE INFORMATION

Owner's Representative Telephone
Street Address E-Mail
City State Zip

CERTIFICATION

I certify that the information supplied on this application and on the attachments provided (maps and other information) is accurate and true to the best of my knowledge. In addition, I hereby grant permission to the agents and employees of the City of Harrisonburg to enter the above property for the purposes of processing and reviewing this application. I also understand that, when required, public notice signs will be posted by the City on any property.

[Signature] DATE 5-13-24

PROPERTY OWNER

REQUIRED ATTACHMENTS

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Note: If applying for a Wireless Telecommunications Facility allowed only by SUP, then also submit a wireless telecommunications facility application.

TO BE COMPLETED BY PLANNING & ZONING DIVISION

5/13/24 Date Application and Fee Received Total Fees Due: \$ 455 paid Application Fee: \$425.00 + \$30.00 per acre

[Signature] Received By

A.K. Koyee
3248 Hebron Court Harrisonburg, VA 22801 afkoyee@gmail.com
(540) 560-0909
05/13/2024

Department of Community Development
409 S. Main Street
Harrisonburg, VA 22801

Subject: Application for Special Use Permit for Dietary
Supplement Manufacturing at 50 Baxter Drive

To Whom It May Concern,

I am writing to formally request a Special Use Permit for the proposed use of 50 Baxter Drive as a dietary supplement manufacturing facility. The purpose of this letter is to outline the details of the proposed project and provide reasons for seeking approval for this special use.

Overview of the Proposed Use:

We intend to establish a dietary supplement manufacturing facility located at 50 Baxter Drive. This facility will primarily serve as a production center for our dietary supplement products, which will be sold both online and through direct sale to brick-and-mortar stores.

Complementary Land Use: The proposed use aligns with the existing commercial zoning of the property, as well as the surrounding area. The manufacturing of dietary supplements is a compatible use for this type of commercial zone, and it will not disrupt or compromise the character of the neighborhood.

Minimal Environmental Impact: The manufacturing of dietary supplements typically involves low environmental impact and does not pose any significant risk to the community or natural resources. We will comply with all applicable regulations and standards to ensure the safe handling of materials, waste management, and proper ventilation systems.

Job Creation and Economic Benefits: Our dietary supplement manufacturing facility will contribute to the economic growth and development of the local community. This will provide stable employment and support the livelihoods of local residents. Additionally, our products will generate revenue and contribute to the local tax base.

Conclusion:

In conclusion, we believe that the proposed use of 50 Baxter Drive as a dietary supplement manufacturing facility aligns with the goals and objectives of the city's zoning regulations. We have outlined our reasons for seeking a Special Use Permit, emphasizing the economic benefits, minimal environmental impact, and compatibility with existing land use.

We assure you that we will comply with all applicable regulations, codes, and safety standards to ensure the responsible operation of our facility. We are committed to being a responsible member of the community and contributing to its growth and well-being.

Thank you for considering our application. We look forward to the opportunity to discuss this proposal further and provide any additional information that may be required. Please do not hesitate to contact us if you have any questions or need further clarification.

Sincerely,

AK Koyee

VARIANCES

No variances requested. (Continue to next section.)
Variance requested. If a variance is requested, please provide the following information:

I (we) hereby apply for a variance from:

The Harrisonburg Subdivision Ordinance section(s): 10-2-42

The Harrisonburg Design and Construction Standards Manual section(s):

which requires:

(c)Frontage. All lots shall front on a public street and no lot shall embrace any portion of a street or alley.

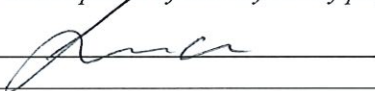
The attached letter shall describe why the applicant believes a variance should be granted based on the following "unnecessary hardship" which is peculiar to the property in question. (See Section 10-2-2 of the Subdivision Ordinance.)

CERTIFICATION

The City of Harrisonburg's preliminary plat and subdivision requirements are in the code of the City of Harrisonburg, Subdivision Ordinance Sections 10-2-1 through 10-2-86. Please read these requirements carefully.

I have read the ordinance requirements. I certify that the information supplied on this application and on the attachments provided (plats and other information) is accurate and true to the best of my knowledge. In addition, I hereby grant permission to the agents and employees of the City of Harrisonburg to enter the above property for the purposes of processing and reviewing this application. I also understand that, when required, public notice signs will be posted by the City on any property.

Farhad Koyee



5-2-24
DATE

PROPERTY OWNER

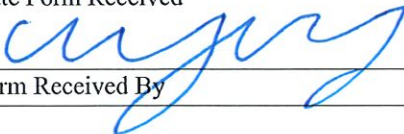
REQUIRED ATTACHMENTS

- Letter explaining proposed use & reasons for seeking Preliminary Subdivision Plat Approval.
- Plat of properties meeting requirement of Subdivision Ordinance Section 10-2-23 – see checklist.
- Traffic Impact Analysis (TIA) Determination Form OR Traffic Impact Analysis (TIA) Acceptance Letter signed by Public Works Department. Applicant is responsible for coordinating with Public Works prior to submitting this application. For more information, visit www.harrisonburgva.gov/traffic-impact-analysis.

TO BE COMPLETED BY PLANNING & ZONING DIVISION

5/3/24

Date Form Received



Form Received By

Total Fees Due: \$ 240.00

Application Fee:

w/o Variance Request \$175.00 plus \$20.00 per lot
with Variance Request \$200.00 plus \$20.00 per lot

**CHECKLIST FOR PLAT OF PROPERTIES MEETING SEC. 10-2-23
PRELIMINARY PLAT – REQUIREMENTS AND CONTENTS**

The preliminary plat, marked as such, shall be presented to the planning commission to scale and meeting the Rockingham County Clerk of Court's Land Recordation Standards (<https://www.rockinghamcountyva.gov/331/Land-Records-Division>) with any supporting data, showing the following:

- Proposed subdivision name, location, acreage and land use.
- Date, north point and graphic scale.
- Names and addresses of the owners of the property, including the existing mortgagee, the subdivider and the designer of the layout.
- Location and names of adjoining subdivisions or names of the owners of adjoining lands.
- Topography: contours at two-foot intervals unless grade is fifteen (15) percent or more, in which case contours shall be at five-foot intervals.
- Existing and proposed streets, easements and other rights-of-way within and adjoining the subdivision including right-of-way and roadway widths, approximate grades and proposed street names.
- Location of existing and proposed utilities adjacent to the tract to be subdivided, including size and elevation.
- Location of building setback lines and zoning district lines.
- Lot lines, lot and block numbers and approximate dimensions. If proposed subdivision is a residential planned unit development structures and approximate dimensions shall be shown.
- Proposed method of water supply, drainage provisions, sanitary sewer layout or other accepted sanitary plan and methods of flood control where applicable. Connections with existing facilities, sizes of proposed facilities and any accessory structure shall also be shown.
- Draft of homeowners' association agreements or protective covenants, if any, whereby the subdivider proposed to regulate land use in the subdivision and otherwise protect the proposed development.
- The location of existing watercourses and other geographic features.
- Preliminary location of stormwater management best management practice (BMP) boundary areas.
- A vicinity sketch or key map at a scale of two hundred (200) feet to the inch shall be shown on or accompany the preliminary plat. This map shall relate the subdivision to existing landmarks and show how streets, alleys and other significant proposals connect or relate to existing facilities in neighboring subdivisions or undeveloped property to produce the most advantageous development of the entire area.
- The fee for filing a preliminary plat without a variance shall be one hundred seventy-five dollars (\$175.00) plus twenty dollars (\$20.00) per lot, or if filing a preliminary plat with a variance the fee shall be two hundred dollars (\$200.00) plus twenty dollars (\$20.00) per lot, made payable to the city. The fee shall be paid upon the filing of the plat with the city.

In addition, if the preliminary plat requires a traffic impact analysis (TIA) review by the Virginia Department of Transportation (VDOT), then all additional fees for that review shall be made payable to the Virginia Department of Transportation. If the preliminary plat requires a TIA review, only by the city, then one thousand dollars (\$1,000.00) shall be made payable to the city. The preliminary plat application shall not be considered accepted until the TIA has been reviewed.

KOYEE FARHAD
125BEDFORD PL
ROCKINGHAM, VA 2280
04/22/2024

City of Harrisonburg

Department of Community Development
409 S Main St,
Harrisonburg, VA 22801

Subject: Subdivision of 50 Baxter Drive parcel and Special Use Permit for a residential apartment

Dears

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Sincerely,

Farhad Koyee



Spot Design & Engineering
 3248 Hebron Ct.
 Rockingham, VA 22801
 +1 540 246 02 05
 www.sde-engineers.com

Seal:

Project:

PRELIMINARY PLAT
BAXTER CROSSING
 50 BAXTER DR
 Harrisonburg, VA 22801

NOT FOR CONSTRUCTION

Revisions:
 No. Description

Project Number: 2106
 Date: 25 March 2024
 Drawn by: SDE
 Checked by: DK

PRELIMINARY PLAT
 WITH VARIANCE

Sheet No.: **1 OF 1**

SITE INFORMATION

TAX MAP #:001-C-10-A
 DEEDBOOK:5558 PG. 471
 ACREAGE: 1.25AC
 ZONING: B2
 ADDRESS: 50 BAXTER DR
 HARRISONBURG, VA 22801

OWNER: FARHAD KOYEE & BAHAR MIKAEL
 ATT:FARHAD KOYEE
 3248 HERBON CT.
 ROCKINGHAM, VA 22801
 FARHADKOYEE11@YAHOO.COM
 540-433-4911

CERTIFICATION:

THIS "PLAT SHOWING BOUNDARY AND TOPOGRAPHIC SURVEY OF TM# 1-C-10-A" WAS COMPLETED UNDER THE DIRECT AND RESPONSIBLE CHARGE OF DANIEL E. HANSEN, L.S. FROM AN ACTUAL GROUND SURVEY MADE UNDER MY SUPERVISION; THAT THE IMAGERY AND/OR ORIGINAL DATA WAS OBTAINED ON 06/10/2022; AND THAT THIS PLAT, MAP, OR DIGITAL GEOSPATIAL DATA, INCLUDING METADATA MEETS MINIMUM ACCURACY STANDARDS UNLESS OTHERWISE NOTED.

NOTES:

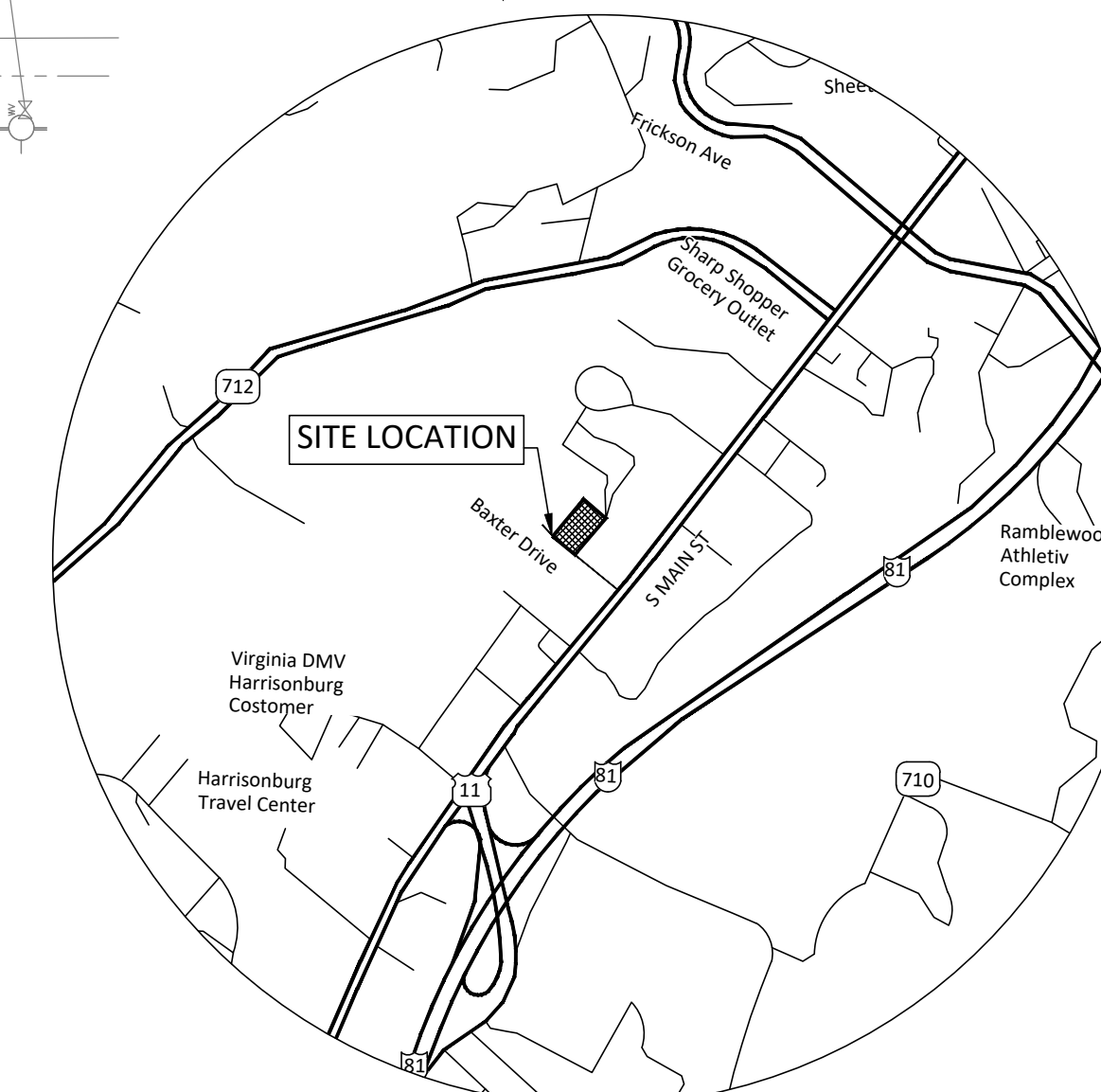
- 1) THIS PLAT REPRESENTS A CURRENT FIELD SURVEY.
- 2) THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT AND IS SUBJECT TO INFORMATION DISCLOSED BY SUCH.
- 3) VERTICAL DATUM IS NAVD 88 UTILIZING RTK GPS. CONTOUR INTERVAL IS ONE (1) FOOT.
- 4) PROPERTY IS LOCATED IN FEMA DEFINED ZONE "X" COMMUNITY PANEL NO.: 51165C0392D EFFECTIVE DATE: FEBRUARY 06, 2007

| LINE # | LENGTH | DIRECTION |
|--------|---------|---------------|
| L1 | 167.50' | N50° 01' 15"W |
| L2 | 32.50' | S62° 35' 57"W |
| L3 | 108.64' | S39° 58' 45"W |
| L4 | 164.00' | S39° 58' 45"W |
| L5 | 173.07' | S50° 01' 15"E |
| L6 | 164.00' | N39° 58' 45"E |
| L7 | 138.64' | N39° 58' 45"E |
| L8 | 180.00' | N50° 01' 15"W |

- PROPOSED SWM EASEMENT
- PROPOSED PUBLIC WATER EASEMENT
- PROPOSED PRIVATE ACCESS EASEMENT

VICINITY MAP

SCALE: 1" = 2,000'



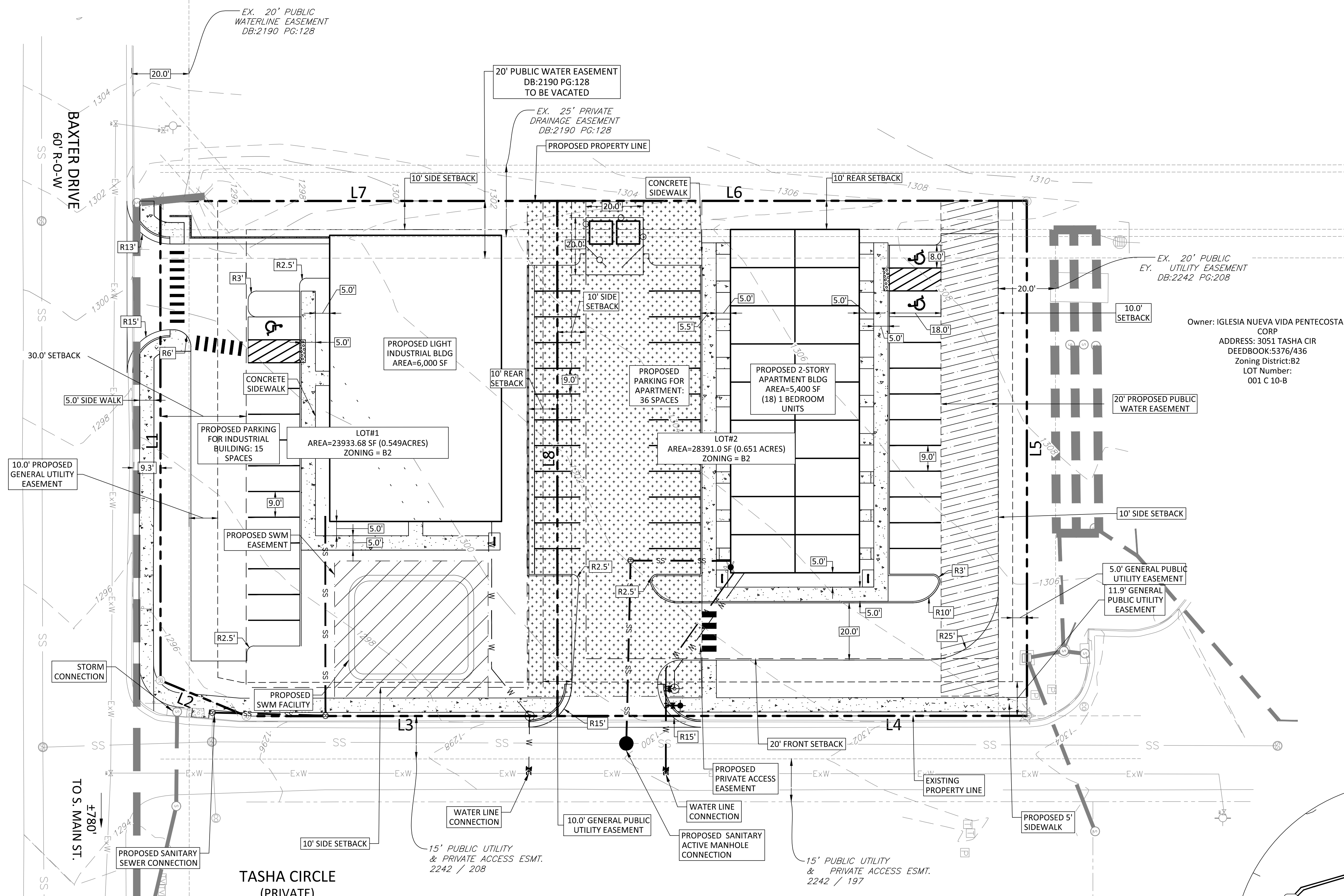
Owner: A BIRD IN HAND LAND LLC
 ADDRESS: 70 BAXTER DR
 DEEDBOOK:2747/43
 Zoning District:B2
 LOT Number:001-C-11

Owner: HARRISONBURG FORD PROPERTY LC
 ADDRESS: 55 BAXTER DR
 DEEDBOOK:4509/473
 Zoning District:B2
 LOT Number:104 E 2

Owner: REALTY INCOME PROPERTIES 17 LLC
 ADDRESS: 45 BAXTER DR
 DEEDBOOK:5703/734
 Zoning District:B2
 LOT Number:104 E 1

Owner: SYNERGY OF ROCKINGHAM LLC
 ADDRESS: 40 BAXTER DR
 DEEDBOOK:3975/63
 Zoning District:B2
 LOT Number:001 C 9-B

SCALE: 1" = 20'-0"
 0 20 40 Feet



EX. 20' PUBLIC WATERLINE EASEMENT DB:2190 PG:128

20' PUBLIC WATER EASEMENT DB:2190 PG:128 TO BE VACATED

EX. 25' PRIVATE DRAINAGE EASEMENT DB:2190 PG:128

EX. 20' PUBLIC UTILITY EASEMENT DB:2242 PG:208

Owner: IGLESIA NUEVA VIDA PENTECOSTAL CORP
 ADDRESS: 3051 TASHA CIR
 DEEDBOOK:5376/436
 Zoning District:B2
 LOT Number: 001 C 10-B

15' PUBLIC UTILITY & PRIVATE ACCESS ESMT. 2242 / 208

15' PUBLIC UTILITY & PRIVATE ACCESS ESMT. 2242 / 197

TASHA CIRCLE (PRIVATE)

TO S. MAIN ST.
 ±780'



For inclusion in an application for Planning Commission review (for Special Use Permit, Rezoning or Preliminary Plat), this form must be submitted to the Public Works Department at least 5 business days prior to the Planning Commission application deadline.

| Contact Information | | | |
|--|---|--|--|
| Consultant Name: | Spot Design & Engineering | | |
| Telephone: | 5402460205 | | |
| E-mail: | dkhaleel@sde-engineers.com | | |
| Owner Name: | Farhad Koyee | | |
| Telephone: | 5404334911 | | |
| E-mail: | farhadkoyee11@yahoo.com | | |
| Project Information | | | |
| Project Name: | Baxter Crossing | | |
| Project Address: | 50 Baxter Drive | | |
| TM #: | 001 C 10-A | | |
| Existing Land Use(s): | Vacant | | |
| Proposed Land Use(s): (if applicable) | Residential and light industrial | | |
| Submission Type: | Comprehensive Site Plan <input type="radio"/> | Special Use Permit <input type="radio"/> | Rezoning <input type="radio"/> Preliminary Plat <input checked="" type="radio"/> |
| Project Description: (Include site plan or preliminary sketch and additional details on land use, acreage, access to site, etc) | The project is to subdivide the existing 1.25 AC lot into two parcels with different uses. Lot #1 0.57AC; proposed use is light industrial with building size of 6,000 sq.ft Lot #2 0.68AC; proposed use is 18 one-bedroom apartments | | |
| Peak Hour Trip Generation (from row 15 on the second page) | | | |
| AM Peak Hour Trips: | 11 | | |
| PM Peak Hour Trips: | 13 | | |

(reserved for City staff)

TIA required? Yes _____ No JM

Comments:

Accepted by: Zeneth Mason

Date: 4/23/2024

Peak Hour Trip Generation by Land Use

| Row | ITE Land Use | | ITE Land Use Code | Unit | Quantity | AM Peak Hour of Adjacent Street Traffic | PM Peak Hour of Adjacent Street Traffic |
|-----|--|--------------------------------|-------------------|------------|----------|---|---|
| 1 | Proposed #1 | Multifamily Housing (Low-Rise) | 220 | DW-Unit | 18 | 7 | 9 |
| 2 | Proposed #2 | General Light Industrial | 110 | 1000 sq.ft | 6 | 4 | 4 |
| 3 | Proposed #3 | | | | | | |
| 4 | Proposed #4 | | | | | | |
| 5 | Proposed #5 | | | | | | |
| 6 | Proposed #6 | | | | | | |
| 7 | Total New Trips | | | | | 11 | 13 |
| 8 | Existing #1 | Vacant | | | | 0 | 0 |
| 9 | Existing #2 | | | | | | |
| 10 | Existing #3 | | | | | | |
| 11 | Existing #4 | | | | | | |
| 12 | Existing #5 | | | | | | |
| 13 | Existing #6 | | | | | | |
| 14 | Total Existing Trips | | | | | 0 | 0 |
| 15 | Final Total (Total New – Total Existing) | | | | | 11 | 13 |

Instructions

Determination of trip generation rates shall be in conformance with ITE guidelines.

1. Based on the intended use(s), calculate the AM Peak and PM Peak trip generation using the AM and PM Peak Hour of Adjacent Street Traffic rates from the most current version of the ITE Trip Generation Manual (rows 1-6). Attach additional sheets as necessary for more uses.
2. Sum up all of the trips generated for the new uses in the Total New Trips row (row 7).
3. If the development has any existing uses, calculate the AM Peak and PM Peak trip generations using the AM and PM Peak Hour of Adjacent Street Traffic rates from the most current version of the ITE Trip Generation Manual (rows 8-13). Attach additional sheets as necessary for more uses.
4. Sum up all of the trips generated for the existing uses in the Total Existing Trips row (row 14).
5. Subtract the total existing trips from the total new trips to get the final total number of trips generated by the development (row 15). Enter these numbers on the first page.