



City of Harrisonburg, Virginia

Department of Planning & Community Development

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Building Inspections
Engineering
Planning & Zoning

To: Eric Campbell, City Manager
From: Adam Fletcher, Director – Department of Planning and Community Development and Harrisonburg City Council
Date: October 8, 2019 (Regular Meeting)
Re: Special Use Permit – 85 West Gay Street (10-3-85(1))

Summary:

Public hearing to consider a request from Bismarck LLC for a special use permit per Section 10-3-85(1) to allow manufacturing, processing and assembly operations within the B-1, Central Business District. The +/- 6,300 sq. ft. site is addressed as 85 West Gay Street and is identified as tax map parcels 85-H-15.

Background:

The Comprehensive Plan designates this area 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: Vacant building; zoned B-1C

North: Across West Gay Street, vacant building; zoned B-1C

East: C&W Railroad right-of-way and automotive repair business; zoned M-1

South: C&W Railroad right-of-way, across Noll Drive, properties zoned B-1

West: Vacant building and vacant properties; zoned B-1C

Key Issues:

The applicant’s representative, Kirsten Moore, Magpie LLC, is requesting a special use permit (SUP) per Section 10-3-85 (1) of the Zoning Ordinance, to allow a manufacturing and processing use within the B-1, Central Business District. If approved, a coffee roasting business is proposing to operate within a 401 square foot section of the building located at 85 West Gay Street. Per the requirements of the SUP, 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.

This property along with several other properties across West Gay Street and North Liberty Street from the subject site were rezoned by the property owner, Bismarck LLC, in November 2018, from M-1 to B-1C, to allow for mixed use development of commercial and residential uses. As part of the rezoning, proffers were submitted by the property owner, which included that all special use permits (SUPs) within the B-1 district would be permitted as approved by City Council. Additionally, the property owner proffered 22 parking spaces to be located on the southwest corner of North Liberty Street and West Gay Street, which is across North Liberty Street from the subject site. These 22 parking spaces shall be reserved for the sole purpose of supplying off-street parking spaces for any and all uses that are located on the properties in connection with the November 2018 rezoning request.

The coffee roasting operation would include roasting coffee beans, packaging the coffee, and selling the coffee on-site or shipping the coffee to customers. The operation would not be a coffee shop where a customer could come and purchase a cup of freshly brewed coffee. However, as described in the applicant’s letter, coffee would be served in the diner and coworking space planned within the building.

The applicant states that the operation of coffee roasting does not create any excess noise; but does produce a coffee aroma. Deliveries of green coffee beans would occur approximately once a month via truck. Along with processing and packaging the coffee, the applicant states that there would be the occasional coffee tasting to introduce customers to the process and nuances of each roast.

If approved, the applicant will need to work with the Building Inspections Division regarding Building Code requirements for the coffee roasting operation and obtain all necessary permits.

Staff believes the proposed coffee roasting use 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 than would any use generally permitted within the district. Staff recommends approval of the special use permit.

Environmental Impact:

N/A

Fiscal Impact:

N/A

Prior Actions:

N/A

Alternatives:

- (a) Recommend approval of the special use permit request as submitted;
- (b) Recommend approval of the special use permit with conditions(s); or
- (c) Recommend denial.

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 – 85 West Gay Street (Manufacturing and Processing in B-1)

Public hearing to consider a request from Bismarck LLC for a special use permit per Section 10-3-85(1) to allow manufacturing, processing and assembly operations within the B-1, Central Business District. The +/- 6,300 sq. ft. site is addressed as 85 West Gay Street and is identified as tax map parcels 85-H-15

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 (a) recommend approval of the special use permit request as submitted.

Attachments:

- 1. Planning Commission extract
- 2. Site maps (2 pages)
- 3. Application, applicant letter, and supporting documents (6 pages)

Review:

Planning Commission recommended (5-0) approval of the special use permit request as submitted. (Commissioner Colman recused himself from this item and left the room during the hearing.)