



CITY OF HARRISONBURG COMMUNITY DEVELOPMENT

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To: Eric Campbell, City Manager
From: Adam Fletcher, Director – Department of Community Development and Harrisonburg Planning Commission
Date: August 11, 2020 (Regular Meeting)
Re: Rezoning – 231, 251, 261 South Liberty Street (M-1 to B-1) and Special Use Permit – 231, 251, 261 South Liberty Street (To Allow Manufacturing, Processing, and Assembly Operations in B-1)

Summary:

On January 14, 2020, City Council tabled two requests from Rockingham Properties, LLC with representative Matchbox Realty until further review of the Downtown Parking Study. The requests were to rezone a +/- 2.2-acre parcel zoned M-1, General Industrial District to B-1, Central Business District and for a special use permit per Section 10-3-85(1) of the Zoning Ordinance to allow manufacturing, processing, and assembly operations when employing not more than 15 persons on the premises in a single shift and provided that all storage and activities are conducted within a building within the B-1, Central Business District. The property is addressed as 231, 251, and 261 South Liberty Street and is identified as tax map parcel number 25-F-3.

Background:

In December 2019, staff recommended denial of the rezoning and special use permit (SUP) requests while Planning Commission recommended (6-1) to approve the rezoning request as submitted and recommended (7-0) to approve the special use permit with suggested conditions. On January 14, 2020, City Council held a public hearing and tabled the items until further review of the Downtown Parking Study. The Downtown Parking Study was completed and presented to City Council on April 14, 2020.

Staff has been communicating with the applicant since City Council tabled the requests in January and questioned whether the applicant wanted to make any changes to the specifics of their applications. The applicant has chosen to make no changes to their requests, thus the applications remain as presented in January. Know that this memorandum does not cover all details of the rezoning and SUP requests; readers are encouraged to refer to the January 14, 2020 memorandum and associated attachments for additional information.

Key Issues:

The Downtown Parking Study includes information from a parking occupancy count conducted on a Tuesday in April 2019. Utilization rates reflect the ability of a motorist to find convenient and available parking within a particular area. It is a generally accepted principle that a supply of parking operates at optimum efficiency when peak occupancy is at 85% to 95% of capacity.

Within the Downtown Parking Study, specifically in Appendix C – Total Occupancy, the data shows that the midday count period for the Municipal Lot (identified as ID# 44B and described as “Harrisonburg Farmers Market”) has an 80% utilization rate (145 parking spaces occupied out of 181 parking spaces available).

For a mid-term (three to five years) development analysis, the consultants considered occupation of existing vacant spaces and conversion of the Water Street Parking Structure to a potential public/private venture. The consultants assumed that the Water Street Parking Structure would be rebuilt with at least the same number of parking spaces and considered the loss of capacity of the facility and its impact on the parking supply while the parking structure is under construction. The study describes:

“During the Water Street Parking Structure renovation, this will eliminate 324 existing public parking spaces. The redevelopment of the Daily News Record was assumed to introduce up to 100 residential units and 30,000 sq. ft. of new use. The land uses were assumed at 20,000 sq. ft of Office, 5,000 sq. ft of Retail and 5,000 sq. ft of restaurant space. These mid-term developments are projected to introduce more than 64,000 square feet of new commercial and institutional space to downtown Harrisonburg and up to 200 new residential units. The projects will introduce demand for 328 additional parking spaces. Taking into account the absence of the Water Street Parking Structure, there will be a deficit of 653 spaces.

... these mid-term developments will create a massive shortfall in Block 36 that could potentially absorb any available capacity in the blocks surrounding the site.”

Figure 19 (page 51 of 162) within the study illustrates a mid-term (between 3 and 6 years) peak hour of greater than 95% utilization for Block 40, which includes the Daily News-Record site (the subject property for the rezoning and SUP application), and for Block 36, which includes the Water Street Parking deck. It is reasonable to believe that the demand from Blocks 36 and 40 will spill over into the nearby blocks, including the Municipal Lot (Block 44), and will have an impact on the downtown parking environment.

Long-term developments (between 6 and 10 years) are estimated to introduce more than 30,000 square feet of new commercial or institutional space to downtown Harrisonburg and introduce demand for 67 additional parking spaces with primary pressure to blocks surrounding Court Square and the core of downtown Harrisonburg. Figure 21 within the study continues to illustrate a peak hour demand with greater than 95% utilization for Blocks 36 and 40.

Given that the parking demand in the Municipal Lot will become worse in the mid- and long-term compared to current demands and that prior to the Covid-19 pandemic concerns continued to be received about parking in this area of downtown, staff continues to believe that rezoning the site to B-1 without known plans for accommodating the necessary parking demand for the B-1 uses that could operate on this site, including potential residential units, is not in the best interest for this section of the downtown. Staff continues to recommend denial of the rezoning request.

While staff has recommended denial of the rezoning request, if the rezoning request is approved, staff believes that the proposed newspaper production operations are known to this area as it has been

operating for many years and at this location 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, and would therefore recommend approval of the SUP with the following conditions:

1. The special use permit shall only be applicable for a newspaper production facility or a substantially similar operation.
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 the revocation of the permit.

Environmental Impact:

N/A

Fiscal Impact:

N/A

Prior Actions:

N/A

Alternatives:

- (a) Approval of the rezoning and special use permit request as submitted;
- (b) Approval of the rezoning and special use permit with conditions;
- (c) Approval of the rezoning and recommend denial of the special use permit;
- (d) Denial of both the rezoning and special use permit.

Community Engagement:

As required, the requests were published in the local newspaper twice advertising for Planning Commission’s December 2019 public hearing and twice advertising for City Council’s January 2020 public hearing. The advertisements were published as shown below:

Rezoning – 231, 251, 261 South Liberty Street (M-1 to B-1)

Public hearing to consider a request from Rockingham Properties, LLC with representative Matchbox Realty to rezone a +/- 2.2-acre parcel zoned M-1, General Industrial District to B-1, Central Business District. The M-1, General Industrial District is intended primarily for manufacturing, processing, storage, and distribution activities, which are not properly associated with, nor compatible with, residential and institutional development. The B-1, Central Business District is intended as an urban and regional center for the conduct of commercial, financial, professional and governmental activities to which the public requires direct and frequent access. No minimum lot size or setback restrictions exist in the B-1, Central Business District. The Comprehensive Plan designates this site as Mixed Use. Mixed Use areas are intended to combine residential and non-residential uses in neighborhoods, where the different uses are finely mixed instead of separated. 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. The property is addressed as 231, 251, and 261 South Liberty Street and is identified as tax map parcel number 25-F-3.

Special Use Permit – 231, 251, 261 South Liberty Street (To Allow Manufacturing, Processing, and Assembly Operations in B-1)

Public hearing to consider a request from Rockingham Properties, LLC with representative Matchbox Realty for a special use permit per Section 10-3-85(1) of the Zoning Ordinance to allow manufacturing, processing, and assembly operations when employing not more than 15 persons on the premises in a single shift and provided that all storage and activities are conducted within a building within the B-1, Central Business District. The +/- 2.2-acre property is addressed as 231, 251, and 261 South Liberty Street and is identified as tax map parcel number 25-F-3.

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 continues to recommend denial of the rezoning request, but if the rezoning is approved, staff recommends approval of the special use permit with conditions.

Attachments:

1. Downtown Parking Study, April 2020, <https://www.harrisonburgva.gov/downtown-parking-study-2019>
2. Figure 8: Facility-by-Facility Utilization (4/16/2019) from Downtown Parking Study
3. Planning Commission and City Council Meeting Extracts

Review:

Staff continues to recommend denial of the rezoning but, as indicated above, recommends approval of the special use permit request with the suggested conditions. Planning Commission recommended (6-1) to approve the rezoning request as submitted and recommended (7-0) to approve the special use permit with suggested conditions.