



City of Harrisonburg

City Hall
409 South Main Street
Harrisonburg, VA 22801

Master

File Number: ID 20-206

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Type: PH-Special Use Permit

Status: Agenda Ready

Version: 1

**Agenda
Section:**

In Control: City Council

File Created: 08/03/2020

Subject:

Final Action:

Title: Consider a request from GC LLC for a special use permit to allow business and professional offices at 110 West Grace Street

Internal Notes:

Sponsors:

Enactment Date:

Attachments: CC Memorandum SUP (110 West Grace Street -
Offices in M-1), Site Maps, Application, Applicant
Letter and Supporting Documents, PC Memorandum

Enactment Number:

Contact:

Hearing Date:

Drafter: thanh.dang@harrisonburgva.gov

Effective Date:

Related Files:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Commission	08/12/2020	recommended to full council	City Council	09/08/2020		Pass
Action Text: This PH-Special Use Permit was recommended to full council.to the City Council due back on 9/8/2020							
Notes: Vice Chair Finnegan read the request and asked staff to review.							

Ms. Banks said that the Comprehensive Plan designates this site 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 M-1

North: Classroom facility and parking areas leased by JMU; zoned M-1

East: Parking lot leased by JMU; zoned M-1

South: Across West Grace Street, JMU parking garage, classroom facilities leased by JMU; zoned M-1, and commercial coffee shop; zoned B-2

West: Facilities owned by JMU; zoned B-2

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. The property is located along the northern side of West Grace Street, between Chesapeake Avenue and South High Street. A majority of the +/-3,603 square foot parcel is comprised by a +/-1,515 square foot building, leaving limited area for walkways and no parking on the site.

If approved, the applicant desires to lease the space to James Madison University (JMU) to be used as support offices for teachers associated with the Arts and Art History College, which is located directly adjacent to the subject property on tax map parcel 25-H-1B, and is also owned by the applicant. A SUP for religious, educational, charitable or benevolent institutional uses, which do not provide housing facilities in M-1 was approved in February 2002 for the Arts and Art History College to utilize tax map parcel 25-H-1B as educational/classroom space. At that time, the subject property was under a different ownership and was not part of the 2002 SUP.

It should be understood that if the requested SUP is approved, only offices would be allowed at 110 West Grace Street. The educational/classroom use permitted by the 2002 SUP for tax map parcel 25-H-1B, does not extend to the subject parcel and would be considered a violation of the Zoning Ordinance should it expand into 110 West Grace Street.

The subject property lies within the floodway boundary of the City's Floodplain District. The applicant's engineer is currently working with staff to ensure compliance with Zoning and Building Code regulations for renovating a structure within the floodway.

Parking for the office use would be calculated at one parking space for every 300 square feet of gross floor area; therefore, six off-street parking spaces are required. As previously noted, there is no area on the subject property to accommodate off-street parking. In the past, all parking for the subject property has occurred on the adjacent property, tax map parcel 25-H-1B, which currently has 63 marked parking spaces. The applicant, as owner of both parcels, has informed staff that they will provide a shared parking agreement between the two parcels. The uses on tax map parcel 25-H-1B requires 56 parking spaces and the proposed office use requires six spaces, for a total of 62 required parking spaces. The shared parking agreement will need to be in place prior to the issuance of a certificate of occupancy for the use.

The applicant is aware that if the SUP is approved, the requested use must be established, or any construction authorized must be commenced and diligently pursued within twelve months of the approval date or the SUP becomes void.

The area surrounding the subject property primarily consists of parcels owned or leased by JMU for use by the university. The requested office use SUP is congruent with the area and is an effective reuse of an otherwise vacant building. Staff believes that the proposed SUP 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.

Staff recommends approving the special use permit.

Vice Chair Finnegan asked if there were any questions for staff.

Vice Mayor Romero asked how long the space has been vacant.

Ms. Banks said that might be a question for the applicant. I think it might have been vacant for two years because they lost their non-conformance to have an office there.

Vice Chair Finnegan said that JMU recently built a parking deck on Grace Street. Does that factor into the parking requirements? Was this a consideration for staff?

Ms. Banks answered no.

Vice Chair Finnegan asked if there were any further questions for staff. Hearing none, he opened the public hearing and invited the applicant or applicant's representative to call in.

Jim Monger, 265 Chesapeake Avenue, called in to speak in support of the request. I would like to thank Ms. Banks for a wonderful presentation. I would like to answer your question as to when the premises were vacant. They were in business up to March of this year. Because of COVID-19, they told us they could not stay there anymore. JMU heard it and approached us requesting to use it as offices. It was used until this spring.

Vice Chair Finnegan asked if there were any questions for the applicant. Hearing none, he asked for the next caller. As there were no more callers, he closed the public hearing and opened the matter for discussion.

Commissioner Whitten made a motion to recommend approval of the SUP request.

Commissioner Fitzgerald seconded the motion.

All members voted in favor of recommending approval of the SUP request (6-0). The recommendation will move forward to City Council on September 8, 2020.
