

MINUTES OF HARRISONBURG PLANNING COMMISSION
FEBRUARY 12, 2014

The Harrisonburg Planning Commission held its regular meeting on Wednesday, February 12, 2014 at 7:00 p.m. in the City Council Chambers, 409 South Main Street.

Members present: Richard Baugh, Gil Colman, MuAwia Da'Mes, Deb Fitzgerald, Jefferson Heatwole, and Henry Way.

Members absent: Judith Dilts

Also present: Stacy Turner, Director of Planning and Community Development; Adam Fletcher, City Planner; Alison Banks, Senior Planner and Secretary.

Chair Fitzgerald called the meeting to order and determined there was a quorum with four of seven members in attendance. She then asked if there were any corrections, comments or a motion regarding the minutes from the January 8, 2014 Planning Commission meeting.

Mr. Heatwole moved to approve the minutes as presented from the January 8, 2014 regular Planning Commission meeting.

Mr. Colman seconded the motion.

All members voted in favor of approving the January 2014 minutes (4-0).

Mr. Way and Mr. Baugh arrived to the Planning Commission meeting at 7:01 p.m.

New Business

Special Use Permit-Ice House Brewery Manufacturing (217 S. Liberty, LLC)

Special Use Permit – Ice House Jewelry Manufacturing (217 S. Liberty, LLC)

Chair Fitzgerald read the requests and said these items will be presented in one presentation; however, we will have a separate public hearing and vote for each. She then asked staff to review.

Mr. Fletcher said the Comprehensive Plan designates this area as Mixed Use Development. This designation includes both existing and proposed new mixed use areas. These areas are intended to combine residential and non-residential uses in planned neighborhoods where the different uses are finely mixed instead of separated. These areas are prime candidates for “live-work” and traditional neighborhood developments. Live-work developments combine residential and office/service uses allowing people to both live and work in the same area, which could be combined in the same building or on the same street. The gross residential density in areas outside downtown should not exceed an average of 15 units per acre, though all types of residential units are permitted: single family detached, single family attached and apartments. Apartments are permitted only if single family detached and/or attached units are also provided and together cover a greater percentage of the project site. Residential densities in downtown may be higher than an average of 15 units per acre, and 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.

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

Site: Former Cassco Ice building (currently undergoing renovations), zoned B-1

North: Business offices including LD&B Insurance Agency Inc., zoned B-1 and across West Bruce Street, business offices (and building renovations for a restaurant), zoned B-1

East: Across South Liberty Street, municipal parking lot, zoned B-1

South: Daily News Record, zoned M-1

West: Across Norfolk South Railroad, property owned by C&W Railroad, zoned M-1

The property owner is requesting two special use permits, both per Section 10-3-85 (1) of the Zoning Ordinance, to allow two separate manufacturing uses within the B-1, Central Business District. If approved, a brewery and a jewelry manufacturing operation would both be located in the Ice House facility, which is currently being renovated to ultimately house a mixture of uses. Per requirements of the requested special use, manufacturing operations cannot employ more than 15 persons on a single shift and all storage and activities must be conducted within a building. The Ice House property, formerly the Cassco Ice industrial facility, has public street frontage along South Liberty Street and West Bruce Street.

In March 2013, at the request of the property owners, the subject parcel was successfully rezoned by removing all of the property's B-1C proffers, which were previously approved in 2006, leaving the property with the ability to utilize all of the permissions of the B-1 zoning district.

Concurrent with the rezoning, but by request of City staff, the Zoning Ordinance was amended by adding manufacturing as a special use within Section 10-3-85 (1) to accompany the already listed processing and assembly uses. This code section was further modified by increasing the maximum number of employees on a single shift from 10 to 15. Staff proposed these changes mainly due to the activity associated with the redevelopment of the Cassco Ice building, and although at that time there were no solidified manufacturing tenants, the space was envisioned to possibly provide an opportunity for small-scale industrial uses. In making these amendments, staff did not believe such changes would cause negative impacts on the B-1 district knowing that, just like any SUP request, if there were concerns with how these small-scale manufacturing operations were to operate, the City had the authority to place conditions on the special use to nullify undesirable impacts.

At present, the property owners have had their engineered comprehensive site plans approved and multiple building permits approved for sections of the building that would contain by-right B-1 uses. They have also recently been granted several temporary certificates of occupancy for the sections of the building that will contain business offices. They are now seeking approval to allow two independent manufacturing operations to obtain building permits for those uses.

With regard to the first special use permit application, the property owners are requesting the ability to operate a beer manufacturing use—a brewery. The brewery would be located on the first floor of the Ice House and would be approximately 8,800 – 8,900 square feet in size. The intended tenant, Tim Brady of Teedum LLC, has noted they will focus on producing and bottling craft beer for sale throughout Virginia and other states. Within this square footage and in concert with manufacturing the beer, they will also operate a retail tasting room on-site as permitted by the Code of Virginia. Shipping, receiving, and export of ingredients will occur on the western side of the building, adjacent to the railroad tracks, where trucks will enter and exit onto West Bruce Street.

As described by the intended tenant, noise levels within the brewery typically do not reach noticeable levels, but there is often an aroma produced from manufacturing the beer. He noted the aroma is similar to commercial bakeries and is generally described as pleasant. As most are aware, there is already an active brewery within the City, operating along North Main Street, and staff does not believe there have been issues raised concerning noise levels or aromas generated from this

facility. Furthermore, Cally's restaurant, which operated downtown for several years and was classified as a restaurant and not a brewery, made beer onsite with no apparent issues with the aroma generated from that business.

With regard to the second special use permit application, the property owners are requesting the ability to operate a jewelry manufacturing use. This use would also be located on the first floor of the Ice House and would be approximately 6,000 square feet in size. At this time, the intended tenant does not plan to utilize all of their square footage for manufacturing purposes but would also allocate some of this space for retail sales and showroom areas and space devoted to a museum for displaying items pertaining to the jewelry industry. The retail and museum spaces are uses permitted by-right in the B-1 district.

Information submitted by the intended tenant describes that the jewelry manufacturing utilizes several pieces of equipment, including hydraulic presses and drop hammers, which can be loud. It was also noted that the floors must be able to withstand "concussive pounding." They have indicated they will be installing noise suppression/baffles wherever possible and that numerous shelving on perimeter walls should also help diffuse noise. When further questioned about the noise levels, the applicants noted that noises from the jewelry manufacturing use should not be heard outside of the building nor should they be to the disturbance of adjacent tenants.

Although neither of the proposed manufacturing tenants believes they will employ 15 individuals on a maximum shift, they want to allow themselves the flexibility to have the maximum number permitted by the special use, and therefore, are not proposing voluntary limitations.

Since the property is zoned B-1, these uses are not required to supply on-site parking. As noted during the rezoning stage, these uses, and the other uses within the Ice House, will be able to utilize the 148-space parking lot, currently under construction, on the parcel diagonally located to the northwest across West Bruce Street and the railroad tracks from the Ice House. The first phase of the parking lot is almost complete and will contain 88 spaces. The second and final phase of the parking lot, which would add the remaining 60 spaces, requires the demolition of a few existing dwellings along West Water Street. The property owner hopes to have this complete by the end of this summer. As was noted during the rezoning process in March 2013, Downtown Parking Services, while concerned with increasing the need for parking downtown, believed the rezoning was in the best interest of the City's downtown revitalization efforts and had no negative comments regarding the rezoning to the B-1 district.

At this time, neither business has immediate plans to purchase and store on-site (or on the parking lot serving the Ice House) trucks, vans, or other vehicles for shipment of their goods. The brewery tenant intends to contract a private company for delivery and shipment of its products; however, at some point in the future they hope to be able to purchase a commercial van, styled with their branding, to use and to help promote their business. The jewelry tenant plans to utilize delivery methods mainly through FedEx, UPS, USPS, and others.

All in all, and with the ways in which the brewery and jewelry manufacturing uses intend to operate, staff believes neither use should have any more adverse effect on the health, safety or comfort of persons living or working in the area and should not be any more injurious, economically or otherwise, to property or improvements in the surrounding area than would any use generally permitted in the B-1 district.

Staff recommends approving both special use permit requests to allow a brewery and a jewelry manufacturing operation at the Ice House facility.

Chair Fitzgerald asked if there were any questions for staff. Hearing none, she opened the public hearing for the brewery manufacturing and asked the applicant or their representative if they would like to speak. Hearing none, she asked if there was anyone wishing to speak in favor or opposed to the special use request. Hearing none, she closed the public hearing and asked if there was a motion.

Mr. Way moved to recommend approval of the brewery manufacturing special use permit request.

Mr. Colman seconded the motion.

All voted in favor of the motion to recommend approval (6-0).

Chair Fitzgerald asked if there were any questions for staff regarding the jewelry manufacturing special use request. Hearing none, she opened the public hearing for the jewelry manufacturing request and asked the applicant or their representative if they would like to speak. Hearing none, she asked if there was anyone wishing to speak in favor or opposed to the special use request. Hearing none, she closed the public hearing and asked if there was a motion.

Mr. Baugh said he is abstaining from the vote on the jewelry manufacturing special use request.

Mr. Heatwole moved to recommend approval of the jewelry manufacturing special use permit.

Mr. Colman seconded the motion.

Mr. Way said generally these are good things to be going into a somewhat mixed use environment and reuse of a former industrial building. This seems like a great way to be using the space.

All voted in favor of the motion to recommend approval (5-0).

Chair Fitzgerald said these items will move forward to City Council with a favorable recommendation on March 11, 2014.

Unfinished Business

None.

Public Input

None.

Report of secretary and committees

Mrs. Banks said for proactive zoning this month inspectors went to the Reherd Acres area where they found ten violations consisting of discarded materials and inoperable vehicles. Next month our inspectors will be in the Route 33 West area of Harrisonburg.

Mr. Baugh said at City Council last night we took up the Chicago Avenue R-7 rezoning and master plan, it was approved unanimously. The CIP had a fair amount of discussion regarding improvements to the Country Club Road corridor; we did not amend the CIP regarding this. We did adopt the plan as presented by Planning Commission with two minor changes; these changes were in relation to the general description of the jail and the Water Street parking deck. Lastly, the child day care center was approved unanimously, with my abstaining, and one additional condition capping the total number of children at 170 enrolled at any one time. Should they desire to increase their enrollment beyond the 170, they would need to come back before the City Council.

Mr. Fletcher said next month we have another special use permit for a brewery at Urban Exchange and a street right-of-way closing for the parking lot at the corner of West Bruce Street and Old South High Street.

Chair Fitzgerald asked if the Streetscape Plan may come back in March.

Mr. Fletcher replied it is possible; but I am thinking April or even May.

Other Matters

None.

Adjournment

Planning Commission adjourned at 7:16 p.m.

Chair Deb Fitzgerald

Secretary, Alison Banks