



CITY OF HARRISONBURG COMMUNITY DEVELOPMENT

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May 4, 2026

**TO THE MEMBERS OF CITY COUNCIL
CITY OF HARRISONBURG, VIRGINIA**

SUBJECT: *Consider a request from Mick or Mack LC for a special use permit at 140 East Wolfe Street*

**EXTRACT FROM THE DRAFT MINUTES OF HARRISONBURG PLANNING
COMMISSION MEETING HELD ON: April 08, 2026**

Chair Baugh read the request and asked staff to review.

Ms. Soffel said the applicant is requesting a special use permit (SUP) per Section 10-3-85(1) to allow manufacturing, processing, and assembly operations, provided the use does not employ more than fifteen (15) persons on the premises in a single shift and that all storage and activities are conducted within a building in the B-1, Central Business District. The +/- 16,600-square-foot property is addressed as 140 East Wolfe Street and is identified as tax map parcel 34-N-7.

On August 8, 2025, the applicant submitted a building alteration permit request for interior modifications and a change of use from retail (formally Gamer Oasis) to a tavern and arcade at 140 East Wolfe Street. The applicant describes in their letter that “[t]he primary use of the premises will be a tavern and arcade-style entertaining venue offering food and beverage service along with recreational activities such as classic arcade games and community events.” The applicant plans to serve beer produced from their brewery location at 120 West Wolfe Street (Restless Moons Brewing) at this site. If the SUP request is approved, the applicant plans to operate a canning line to package beer produced at 120 West Wolfe Street. Beer brewed at 120 West Wolfe Street would be kegged, and then the kegged beer brought to 140 East Wolfe Street to be canned and packaged. Some of the canned beer would be served and sold on-site, and some would be returned to 120 West Wolfe Street for sale at that location. The canning and packaging line would operate in the rear portion of the building, as shown on their concept plan.

Land Use

The Comprehensive Plan designates this site as Mixed Use and states:

The Mixed Use category 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 subject site is surrounded by a variety of established commercial, institutional, and residential uses, consistent with the Comprehensive Plan’s Mixed Use designation.

The applicant does not intend for the canning and packaging operations to be a large-scale industrial operation, and the special use permit limits the use to no more than 15 persons per shift. However, if the SUP is approved, the scale of operations could change over time or the property could be sold and other manufacturing, processing, and assembly operations could operate at this location. This could result in a more intensive industrial use and may increase truck traffic in the area that was not evaluated with this request. If the SUP is approved, staff recommends the following condition:

1. The canning, bottling, and packaging operations shall be limited to the “canning line” area as depicted on the concept plan.

While the applicant has explained that they do not plan to bottle beer at this location, staff suggests the SUP conditions allow both canning and bottling.

Transportation and Traffic

A traffic impact analysis (TIA) was not required for the SUP request.

Public Water and Sanitary Sewer

Staff has no concerns with the requested SUP regarding water and sewer matters.

Conclusion

The special use permit request is consistent with the Comprehensive Plan's Mixed Use designation and, with the recommended conditions, is not expected to have adverse effects on adjacent properties.

Staff recommends approval of the SUP with the following condition:

1. The canning, bottling, and packaging operations shall be limited to the "canning line" area as depicted on the concept plan.

Ms. Soffel asked if there were any questions for staff.

Commissioner Seitz said this probably is not our purview but how does this work with the ABC licenses? Does the ABC license that they have for the original Wolfe Street location extend to this? Is it a new license for the tavern?

Ms. Soffel said that would be a good question for the applicant.

Chair Baugh asked if there were any more questions for staff. Hearing none, he invited the applicant or applicant's representative to speak to their request.

Jeffery Moon, the applicant and business owner of Restless Moon Brewery, came forward to speak to the request. He said I am perfectly fine with that condition. To answer your question [to Commission Seitz], we would technically be considered a brewery in the eyes of the ABC. One of the reasons we have the canning line is to meet the requirements of the ABC. Twenty percent of what we sell on site has to be manufactured on site. By putting a canning line there, we meet that requirement, and it helps some of our other business goals.

Councilmember Dent said I am curious about the "Install sign: No dancing is permitted in this building"?

Mr. Moon said we would prefer not to have to install a fire suppression system just because we do not own the building. It is going to be six figures to do that. In order to meet the requirements, we need to not be classified as a nightclub, which is not the intent. In order to avoid the appearance of being a nightclub, we need to have something that would prohibit dancing, effectively. The other alternative would be to never host live music. We would like to be able to host live music, and so in terms of meeting some other concerns from the City, we are just going to post a sign that says you are not allowed to dance there. I am doing what I am being asked to.

Vice Chair Porter said I had one question just because the fact that the back of the building with deliveries coming to and from the City, what kind of truck traffic would this generate in terms of how often you feel like you are going to be transporting and bringing stuff back and forth? What kind of traffic impact might that have in the back of the building?

Mr. Moon said realistically in terms of beer coming in and out, it is really going to be me and my Toyota Tundra. Depending on how much we are producing, if I max out my capacity at my current

facility, I might need to make four trips a week in my truck back and forth. That would be the maximum that we would need to. We are going to have a retail operation on site, so we are going to have some trucks coming in to deliver cards, board games, and things of that nature. I do not know exactly how many that would be, but the retail portion is going to be pretty minimal compared to the rest of the operation. I imagine that is one or two trucks a week, something like that.

Vice Chair Porter said no big forty-footers coming in none of that kind of stuff.

Mr. Moon said no.

Chair Baugh asked if there were any more questions for the applicant. Hearing none, he opened the public hearing and invited anyone in the room or on the phone wishing to speak to the request. Hearing none, he closed the public hearing and opened the matter for discussion.

Councilmember Dent said might the Friendly City Food Co-Op at some point want this space? From my connections with it, not any time soon. If and when that might happen, they might have a negotiation, but they do not have any plans to expand at this point.

Vice Chair Porter said I would only state that I am grateful to see a great local business expanding and prospering. I think that it is wonderful that we are going to have something like this in this particular space. I think it would be a good addition to that area.

Commissioner Kettler said as someone who frequented Gamer Oasis and walks by Restless Moons every day, I agree with the assessment.

Councilmember Dent asked I also wondered about, what he said was they do not want to have to put in fire suppression and what the threshold might be for that if it is a club?

Mr. Fletcher said it has to do with the Fire Code and the Building Code and what is considered a dancehall and how an assembly space has to be protected. I actually did not pay particular attention to that specific detail that was on the plan, but I am not surprised because our folks are quite detail oriented. They want to make sure that this is not going to be classified as that space because it would kick in many other criteria as I presume Mr. Seitz could probably attest to.

Commissioner Seitz said like my colleagues at LDDBlueline, I do not have the building code memorized, but it all has to do with how you classify the space and density thereof. A nightclub is a more dense classification, and it would put it over a threshold of the number of people for which you would have to have fire suppression.

Councilmember Dent said that is not required for the tables, seating and the arcade, I guess?

Commissioner Seitz said I assume that Mr. Moon has hired people who, in combination with the City, have made sure that all of those Ts are crossed.

Mr. Fletcher said I was going to answer the question very similarly that this would go through our typical review, and our plans reviewers would speak to those issues.

Vice Chair Porter said I would like to make a motion to recommend approval of the special use permit with the suggested condition by staff.

Commissioner Kettler seconded the motion.

Chair Baugh called for a roll call vote.

Commissioner Seitz	Aye
Councilmember Dent	Aye
Commissioner Kettler	Aye
Vice Chair Porter	Aye
Chair Baugh	Aye

The motion to recommend approval of the special use permit with suggested conditions passed (5-0). The recommendation will move forward to City Council on May 12, 2026.