

MEMORANDUM

To: Planning Commission

From: Anne McClung, AICP, Planning & Building Director  
Kali Casper, AICP, Assistant Planning Director

Date: December 10, 2021

Subject: CUP21-0006 Conditional Use Permit Request for Townhomes on the Ground Floor in the GC General Commercial Zoning District on 8.444 acres at 203 Country Club Drive SW (Tax Parcel No. 287-A 41A) by Steve Semones of Balzer and Associates, Inc. (applicant) for Diversified Investors XIII, LLC (property owner).

**SUMMARY OF REQUEST**

<b>Property Location</b>	203 Country Club Drive SW
<b>Tax Parcel Numbers</b>	287-A 41A
<b>Parcel(s) Size</b>	8.444 acres
<b>Zoning District</b>	GC General Commercial
<b>Current Use</b>	Vacant
<b>Adjacent Zoning Districts</b>	<b>North:</b> PC Planned Commercial, R-4 Low Density Residential <b>East:</b> GC General Commercial <b>South:</b> GC General Commercial, R-4 Low Density Residential <b>West:</b> R-4 Low Density Residential
<b>Adjacent Uses</b>	<b>North:</b> Commercial (Offices, Gym), Single-family residential <b>East:</b> Commercial (Day Care, Gables Shopping Center) <b>South:</b> Commercial (First and Main), Single-family residential <b>West:</b> Civic (Margaret Beeks Elementary School)
<b>Adopted Future Land Use</b>	Commercial
<b>Proposed Use</b>	Townhomes
<b>GC District Standards</b>	
<b>Maximum Height</b>	60' to 70' with additional setback; 50' or to an elevation of 2184' within 100' of Country Club Drive
<b>Minimum Setbacks</b>	Front: 25' from Country Club Drive (Ordinance 1688) Side: 0'; or 10' on corner lots on the street frontage Rear: 0'
<b>Maximum lot coverage</b>	85% allowed / 57% proposed
<b>Maximum FAR</b>	None in GC
<b>Maximum Density</b>	400 bedrooms allowed (Ordinance 1688) / 280 bedrooms proposed
<b>Development &amp; Use Standards</b>	
<b>Minimum Parking</b>	1.1 parking spaces per bedroom / 308 spaces required / 298 spaces provided with alternate transportation plan

<b>Minimum Bike Parking</b>	0.25 spaces per bedroom / 70 spaces required / 48 outdoor spaces provided; 294 spaces provided in garages (3 per unit)
<b>Minimum Open Space</b>	20% required / 25% provided

**STRUCTURE OF REPORT AND KEY ELEMENTS**

This staff report is divided into topical areas of evaluation. Many of the overarching principles in the Comprehensive Plan, the Residential Infill Guidelines, and various sections of the Zoning Ordinance overlap into key topical focus areas. To aid in review of the staff report each topic or focus area is covered only once. The analysis is contained in the staff report. The pertinent text sections from the Comprehensive Plan and the Zoning Ordinance have been included as an appendix to this report.

**KEY ELEMENTS FOR DISCUSSION**

- Density, occupancy, and neighborhood compatibility
- Parking in relation to occupancy
- Trail relocation
- Sidewalk connectivity
- Exceptions requested to Use and Design Standards

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**BACKGROUND, EXISTING CONDITIONS, AND DEVELOPMENT PROPOSAL**

**FIRST AND MAIN REZONING**

The rezoning to the General Commercial zoning district for the First and Main development was approved in 2006 by Ordinance #1412 and included approximately 26.5 acres, which comprises the majority of the First and Main development site. The outparcels along South Main Street were not included in the rezoning. An amendment to the original rezoning was approved in 2013 by Ordinance #1688. The amendment was proposed when ownership of First and Main changed and the multi-screen theater was proposed. The current ordinance and associated Proffer Statement are contained in the attachments to the staff report. Each of the applicable Proffers are discussed in the staff analysis.

The parcel commonly referred to as the Rugby Field is part of the First and Main rezoning and referred to as the 14.8 acre “Country Club parcel” in the rezoning. Development to date on the Country Club parcel includes the South Blacksburg KinderCare day care center and the Home2 Suites hotel. Infrastructure construction includes the building of Rugby Lane and a large stormwater management facility. Remaining land includes the 8.44 acre subject parcel and the vacant lot between the hotel and the daycare center.

The proffers included in the First and Main rezoning apply to the subject parcel. A number of proffers are specific to the Country Club parcel. Proffer #2 addresses building setbacks, building height, and additional landscape buffering. Proffer #3 outlines the interface with Margaret Beeks Elementary school covering perimeter fencing, vegetative buffering, and connection to the Kennedy Avenue fence.

The Proffer statement includes proffers regarding traffic circulation. Proffer #6f (2) specifically states that only one access to Country Club Drive is allowed. This access is Rugby Lane. The proffer further states that as part of the access, left turns exiting the site are prohibited.

Proffer #7 covers the allocation of density for the First and Main development. The rezoning establishes a density of 400 bedrooms, to be allocated to the 14.8 acre Country Club parcel. The total density on any parcel resulting from the subdivision of the Country Club parcel cannot exceed 48 bedrooms per acre. Tracking of the

density allocation would occur through the platting process. At present, the full density allocation is dedicated to the 8.44 acre subject parcel.

### **ZONING ORDINANCE AMENDMENT - GROUND FLOOR RESIDENTIAL IN GENERAL COMMERCIAL**

In 2018, the Town adopted Zoning Ordinance Amendment #39/Ordinance #1884, which created the option for a wholly residential project component in the General Commercial zoning district if the proposed project is part of a larger mixed-use development. Residential uses are already allowed in the GC district but are restricted to upper floors and basement units. Residential units are not allowed on the ground floor. The zoning ordinance amendment allows residential units on the ground floor, subject to specific criteria and only through a public hearing process. The Conditional Use Permit (CUP) process for residential on the ground floor allows for a case-by-case evaluation of a proposal to determine if it meets the criteria and is appropriate to the site. The criteria for such a CUP are intended to ensure the residential component in a mixed-use development is not the principal use, the project components are integrated, and the residential component uses the principles of the infill guidelines, and is walkable and street-oriented. The intention is for the residential project component to provide housing that is close to services and employment. A smaller scale example of a residential project component in a mixed-use development would be the Flats residential building in the Uptown development on North Main Street. The overall project is commercial but a free standing residential building is incorporated into the development.

Evaluation of the residential development proposal against each of the CUP criteria in the zoning ordinance is covered in the staff report.

### **EXISTING SITE CONDITIONS**

The subject parcel is located at the southwest corner of Country Club Drive and Rugby Lane. The property consists of one parcel that is approximately 8.44 acres. The property is currently undeveloped with a vegetative buffer along the west property line.

### **DEVELOPMENT PROPOSAL**

The applicant submitted the CUP application on November 1, 2021. Based on conversation with staff, supplemental materials were submitted on December 6, 2021. The applicant proposes the construction of 98 townhome units spread over 20 buildings (numbered on Sheet CUP3) on the 8.44 acre property. The applicant proposes a total of 280 bedrooms. The applicant proposes two vehicular entrances from Rugby Lane (private) into the development. The applicant also proposes relocating the existing trail, new internal sidewalks, and active and passive open space areas.

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### **EVALUATION OF APPLICATION**

There are a number of analysis points for evaluation of a conditional use permit request within Town. The policies and maps in the Comprehensive Plan lend guidance to the Town's vision of growth in the future, while specific codes and requirements in the Zoning Ordinance, Subdivision Ordinance, and the Town Code ensure that the development meets all applicable regulations. Specifically, the Zoning Ordinance §1181 calls out the criteria for evaluation of a conditional use permit request, as found below:

### **CRITERIA FOR EVALUATION**

1. The proposal as submitted or modified shall conform to the Comprehensive Plan of the Town, or to specific elements of the plan, and to official Town policies adopted in relation thereto, including the purposes of the Zoning Ordinance.
2. The proposal as submitted or modified shall have a minimum adverse impact on the surrounding

neighborhood or community. Adverse impacts shall be evaluated with consideration to items such as, but not limited to, traffic congestion, noise, lights, dust, drainage, water quality, air quality, odor, fumes, and vibrations. In considering impacts, due regard shall be given to the timing of the operation, site design, access, screening, or other matters which might be regulated to mitigate adverse impacts.

Section 1183 of the zoning ordinance further states that ***“the Town Council may attach any conditions necessary to ensure that the proposal meets the specific and general standards for the proposed use. Any such conditions shall be related to the design, scale, use, or operation of the proposed conditional use. Where warranted, for the purpose of compliance with the general standards for conditional uses, such conditions may exceed the specific standards for the use found elsewhere in [the zoning] ordinance.”***

## **COMPREHENSIVE PLAN EVALUATION**

### **Comprehensive Plan Map Series**

In evaluating whether the proposed use conforms to the general guidelines and policies contained in the Comprehensive Plan, all applicable sections of the Plan should be included in the review of the application. The Comprehensive Plan offers a wide range of guiding principles for the future of development with Town. The following text identifies the designation of the property on the maps in the Future Land Use map series. ***Other relevant Comprehensive Plan text sections applicable to this request are included in the Staff Appendix.***

### **Map A: Future Land Use Designation**

In evaluating whether the proposed residential development conforms to the general guidelines and policies contained in the Comprehensive Plan, the Future Land Use (FLU) designation of the subject property shall be considered. The future land use designation of the parcel is Commercial, which is defined as:

*“Small or large-scale commercial developments. Uses with higher impacts including but not limited to factors such as lighting, noise, parking, traffic and hours of operation are appropriate along arterial roadways. Examples include larger scale retail, restaurants, and offices, hotels/motels, and auto-service related uses. Uses that are smaller in scale with more limited impacts are appropriate adjacent to residential neighborhoods. Examples include smaller scale professional offices, retail establishments, and restaurants. While complementary residential uses may occur in these areas, the primary use of this designation is commercial.*

*Typical Implementing Zoning Districts: General Commercial (GC), Planned Commercial (PC), Office (O), Research and Development District (R&D), and Mixed Use (MXD).”*

The proposed development lies within Mixed Use Area E, which notes, “transitional residential uses should be located closer to the existing residential neighborhoods to provide a buffer between the commercial-oriented uses on South Main Street.” How residential uses are incorporated in a commercial project is governed by the Zoning District.

### **Map B: Urban Development Areas**

Urban Development Areas and Mixed Use Areas have been established as areas where the Town envisions mixed-use development where there is adequate public infrastructure to support more intense development. A site’s designation within an Urban Development Area does not obligate approval of a conditional use permit request, nor does the lack of such designation preclude the approval of a conditional use permit in an Urban Development Area. The proposed development lies within Urban Development Area E.

### **Map C: Neighborhood, Employment, and Service Areas Map**

The site lies primarily in a Commercial Area, with a small portion in the Urban/Walkable Neighborhood Area. Key elements for these designations are found in the appendix of the staff report.

## **ZONING ORDINANCE EVALUATION OF APPLICATION**

### **District Standards**

#### **Intent of Districts**

There is a statement of purpose for each district in the Zoning Ordinance.

*GC General Commercial District §3150*

*The General Commercial district is designed for a variety of commercial uses, both pedestrian and automobile oriented. The intent of the district is to provide for more intense commercial uses than the Downtown Commercial district, but in a manner which is consistent with the Town's character. Modern "strip" commercial development is not in keeping with the small-town character of Blacksburg, and this district is intended to discourage such development. Instead, a vital and lively streetscape, created by commercial buildings with windows and entrances oriented to the street, is an important goal of this district. While residential uses are allowed in the district under some circumstances, such uses should complement the commercial uses that serve as the primary intent in this district.*

The evaluation of the conditional use permit request should take into consideration whether the proposed use is in keeping with the purposes of the district in which it is proposed. The applicant has provided a justification for the request in the application.

#### **Conditional Use Permit Criteria**

Adopted as part of the previously mentioned zoning ordinance amendment, the following criteria in Section 3151(d) of the Zoning Ordinance must be met to allow residential units on the ground floor in General Commercial zoning as part of a mixed-use development.

*1. The applicant must demonstrate that the residential development is not the principal use in the mixed-use development project. This can include a comparison of the square footage and acreage of the project components;*

The proposed residential development accounts for approximately 8.4 acres of the larger First and Main development, which is approximately 41 acres. The residential acreage is approximately 21% of the overall development.

*2. The residential and non-residential components of the mixed-use project must be integrated and share common infrastructure which can include, but is not limited to, the following: common access to the public right-of-way, shared parking areas, common utility lines, and joint stormwater management facilities;*

The residential and non-residential portions of the mixed-use project shares access to Country Club Drive through Rugby Lane. The Rugby Lane connection provides access to South Main Street via the development access points at Ardmore Street and Marlinton Street. The subject property shares an existing regional stormwater management facility that was designed to address the needs of this parcel (Sheet CUP2). The parcel also shares the multi-use trail with the rest of the First and Main development.

*3. The design of the residential development should incorporate principles from the Residential Infill Guidelines in the Comprehensive Plan to promote a walkable and pedestrian scaled urban environment;*

Analysis of the application with respect to the Residential Infill Guidelines can be found throughout the staff report with evaluation of Zoning Ordinance standards, Development Standards, and Use and Design Standards.

*4. The residential development should be oriented to the public street or to the driveway that may be functioning as a private street for access;*

As proposed, townhomes front on Country Club Drive and on Rugby Lane and townhouses along both contain sidewalk connections to the street or driveway.

*5. Public streets and driveways functioning as a private street must contain sidewalks to connect the residential development to the non-residential portions of the mixed-use development project and must contain street trees; and*

Rugby Lane is a driveway that functions as a private street. Rugby Lane, as constructed, has sidewalks along the interface with the proposed project. Country Club Drive also contains constructed sidewalk along the length of the proposed project. The application proposes street trees along Rugby Lane and Country Club Drive shown on the Open Space Plan (Sheet CUP3).

*6. Parking must be screened from the public street or driveways functioning as a private street. Parking must be located behind the front building line of the principal building. Town Council may grant a special exception to this requirement as authorized by Section 1112.*

Proposed parking is located behind the front building line of the principal building, which is Building 15 facing Country Club Drive. Parking is also located behind individual units facing Rugby Lane. *The applicant should ensure that the two larger interior parking areas, the alternate transportation plan parking area, and parking for units in Building 5 are adequately screened from Rugby Lane.*

**General Commercial District Standards**

District standards provide regulations for the physical development of any use on a site. Applications for conditional use permits must show that all the district standards can be met for the development. Compliance with the various standards is discussed below.

The following table illustrates the GC General Commercial Zoning District standards that regulate the proposed development including the additional restrictions from the 2006 rezoning:

**GENERAL COMMERCIAL ZONING DISTRICT STANDARDS**

<b>MAXIMUM HEIGHT</b>	60’ to 70’ with additional setback; 50’ or to an elevation of 2184’ within 100’ of Country Club Drive
<b>MINIMUM SETBACKS</b>	Front: 25’ from Country Club Drive (Ordinance 1688) Side: 0’; 10’ on corner Rear: 0’
<b>MAXIMUM LOT COVERAGE</b>	85% impervious allowed; 57% proposed
<b>MAXIMUM FAR</b>	None in GC
<b>MAXIMUM DENSITY</b>	400 bedrooms allowed (Ordinance 1688) / 280 bedrooms proposed

Permitted Uses

The property is zoned General Commercial (GC). Typical permitted uses in this District are retail establishments, restaurants, offices, hotels, and personal services. The District allows for residential units on the upper stories or in basement units. The applicant is proposing a wholly residential townhouse project as opposed to other commercial uses or multi-family apartment buildings.

### Building Height

The maximum allowed building height in the GC district is 60', but it may be increased to 70' if an additional foot of setback is added all around for each additional foot of height above 60'. According to the First and Main rezoning (Ordinance 1688), the maximum height within 100' of Country Club Drive is 50' or to an elevation of 2184' (whichever is lower). The proposed buildings range from 2 to 3.5 stories with the townhouses stepping down in height along the trail area adjacent to Margaret Beeks Elementary school and along Country Club Drive. Based on the elevations submitted, buildings vary in height to a maximum of approximately 46' 6", which complies with the standard. *Given the specificity of height measurements as contained in the rezoning, it would be helpful if the applicant would verify that Building 15, Unit 406 in Building 4, and Unit 2004 in Building 20 are at a maximum elevation below 2184'.*

### Setbacks

Setbacks or required yards provide areas on a property that are to remain free from structures. This allows for both landscaping and open space around buildings for light and air circulation, but it also generally provides areas where public utilities may be installed. In many cases, public utility easements are established around the interior of lot lines, within the setbacks to allow for both Town public utilities, but also for private utilities such as telecommunications, gas, and power. Consistent setbacks in a neighborhood can help maintain a sense of regular rhythm and uniformity while also allowing for landscaping and open space. The proposed layout meets the required setbacks for the GC zoning district and as proffered with Ordinance 1688.

### Floor to Area Ratio (FAR)

The floor to area ratio (FAR) is a ratio of gross floor area of all floors of all structures to the total parcel size. There is no maximum FAR in the GC zoning district.

### Lot Coverage

Lot coverage is the percentage of land on a parcel that can be covered by impervious surfaces. In the GC zoning district, the maximum lot coverage for any development is 85%. The application shows that the proposed lot coverage for this parcel is 57%, meeting this standard.

### Density

This CUP request is for townhouses on the ground floor and is not an increase in density over that allowed through the approved rezoning. For comparison, the maximum residential density in the GC General Commercial zoning district is 48 bedrooms per acre. However, in the General Commercial district, the units would be required to be located on upper stories or at basement level. If calculating the density based on the 8.44 acre parcel alone in the GC district, up to 405 bedrooms would be allowed. However, as noted previously, Ordinance 1688 restricts the total bedroom count for the entire Country Club parcel (approximately 14.8 acres originally) to 400 bedrooms overall.

The application states that 280 bedrooms are proposed and shows the number of bedrooms by unit. In reviewing the floor plans, some units, such as in Units A3 and A4, include attic space that is designated for a bedroom. There are units that have space not identified as a bedroom but that could conceivably be converted to bedroom spaces. For example, the attic space for Unit A1 has a doorway separating it from the stairway and roof terrace access and includes windows, making it a possible bedroom space.

*Staff recommends the following condition to ensure that flex areas within the units are not converted to bedrooms:*

- The maximum number of bedrooms shall not exceed 280. Unit types A1, A2, and C2 are limited to a maximum of 2 bedrooms per unit. Unit types A3, A4, B1, B2, and C1 are limited to a maximum of 3

bedrooms per unit. Any areas shown as attics, office/flex space, or similar shall not be used as bedrooms.

### **Zoning Ordinance Development Standards**

#### Landscaping: Street trees; Canopy Coverage; Buffering/Screening

The Zoning Ordinance provides a number of requirements for landscaping for developments in Town. There are requirements for street trees, parking lot landscaping, overall canopy coverage, and in some cases buffer yards and screening. All landscaping for the development will have to comply with the Zoning Ordinance regulations and Ordinance 1688. The applicant has provided an Open Space Plan (revised December 6, 2021) as Sheet CUP3 of the application. Street trees are provided at a rate of at least 1 tree for every 30' of road frontage along Country Club Drive and Rugby Lane, meeting the Town standard. Parking lot landscaping of at least 1 tree per every 10 spaces and tree canopy coverage of at least 5% of the surface area of the parking lot is required. Tree locations and specific calculations are provided on CUP3, meeting the Town standard. An overall canopy coverage of at least 10% is required and the applicant has provided a note on CUP3 indicating this standard will be met. The applicant has revised the application to include a note ensuring that the required screening for HVAC equipment will meet Town standards.

Ordinance 1688 includes the following provisions related to landscaping buffers and fencing:

- The perimeter fencing between Margaret Beeks Elementary School and the subject parcel be continued and maintained.
- The fencing must connect to the Kennedy Avenue perimeter fencing.
- The existing vegetative buffer must be preserved for at least 50' or a new Type C architectural buffer must be created adjacent to Margaret Beeks Elementary School.
- The existing vegetative buffer must be preserved or a Type C architectural buffer must be created in a 100' radius measured from the northwest corner of the parcel.

In addition to these requirements, Section 5305 of the Zoning Ordinance notes that a buffer yard shall not be required on the front of the higher intensity use where it abuts a public right-of-way. For this proposal, this standard indicates that no buffer yard is required along Country Club Drive.

The application shows the existing Margaret Beeks Elementary School fence remaining and connecting to the Kennedy Avenue fencing, as required. The application identifies the 100' radius buffer along the northwest corner of the parcel and proposes additional tree plantings in this area. The application also identifies the existing 50' vegetative buffer and shows a proposed 25' Type C buffer yard between the trail and the property line. *The applicant may wish to clarify the relationship between the existing fencing, proposed fencing, existing trees and proposed trees in the area between the trail and the property line.* The trail is heavily used and there is a desire to understand the changes in buffering, trail location, and fencing.

#### Vehicle Parking

Parking for vehicles is required to be provided for townhouse developments at a rate of 1.1 spaces per bedroom. The 1.1 space standard was designed because much of the multi-family development in the Town consists of purpose-built student housing, where units are occupied by unrelated individuals and it is anticipated that most, if not all, occupants will have a vehicle. Some zoning districts allow an applicant to propose an alternative parking ratio that better reflects actual parking needs. The general commercial district does not allow proposal of an alternate standard and the applicant has shown 1.1 space per bedroom (with an Alternate Transportation Plan).



The number of bedrooms and the overall occupancy for each unit have an impact on the number of cars and the transportation and parking impacts associated with those vehicles. Staff is proposing a condition to address the number of bedrooms. Staff is also proposing a condition regarding occupancy.

The General Commercial zoning district allows a family plus two unrelated individuals or up to four unrelated individuals. *To ensure that the parking ratio is adequate for the development, staff is recommending a condition to limit occupancy to a family plus two unrelated individuals or up to three unrelated individuals.* For comparison, the R-4 Zoning District allows a family plus two unrelated individuals or up to three unrelated individuals, while multi-family zoning districts allow up to four unrelated individuals.

The plan for this development shows 298 parking spaces provided in individual unit garages, individual unit driveways, and several parking lots along the interior of the loop road. The applicant is also proposing an Alternate Transportation Plan, reserving an area for 11 future parking spaces to be constructed with grass paver or other permeable surface, if needed. Alternate Transportation Plans can be considered as part of a conditional use permit process.

Section 5211 of the Zoning Ordinance includes the requirements for mass or alternate transportation plans. One of the requirements for an Alternate Transportation Plan is that the developer shall post a letter of credit or other security for a period of two (2) years in an amount sufficient to cover the costs of construction of the parking spaces not required. *The applicant should remove the reserved parking area from the open space calculation since this area must be reserved for future parking, if needed.*

As proposed, approximately 51% of the parking includes spaces interior to the 1- and 2- car garages for individual units. It should also be noted that approximately 64% of the provided parking spaces are tandem spaces, with either two or three spaces stacked in the driveway and garage of an individual unit. Due to the nature of tandem spaces, particularly users of the 3-car tandem spaces may seek a more convenient alternative in nearby parking lot areas. *Due to the amount of 3-car tandem parking, staff recommends the applicant construct the additional parking rather than use an Alternate Transportation Plan as proposed.*

Several buildings have garages that are accessed by a rear alley shared with another building (buildings 9, 10, 11, and 12). The plan does not specify whether these alleys are intended to serve one-way or two-way traffic. As proposed, the alleys appear to be 18' wide, which does not meet the Town standard for a drive aisle with perpendicular parking. The Town standard requires a 20' drive aisle for one-way traffic or a 24' drive aisle for two-way traffic. *The applicant should clarify the direction of travel for the alleys and provide the minimum drive aisle width to ensure that future residents can access these garages.*

#### Bicycle Parking

Parking for bicycles is required for townhouses at a rate of one space per every four bedrooms. The plan states that 70 spaces are required, and that the 48 exterior bike parking spaces will be provided in four areas throughout the development. The exterior bike parking areas are well distributed around the site. *The area between buildings 2 and 3 should be revised to provide sidewalk access to the parking.* The plan also proposes three bike parking spaces interior to each garage, totaling 294 interior spaces. The total bicycle parking ratio would be approximately 1.2 parking spaces per bedroom. This is a significant commitment to create a bicycle friendly development, well above the minimum requirement.

Typically, the Town has not allowed in-unit bike parking to be counted toward the minimum requirement, because it is not often possible to confirm, after issuance of a Certificate of Occupancy (CO), if the bike storage area is still being provided or utilized as such. However, the applicant has designated bike parking areas in

individual unit garages for each unit type, provided an array of bike storage options, and indicated that bike racks will be installed prior to COs being issued. *Staff recommends that the following condition to ensure that adequate bike parking is provided:*

- Bicycle racks in individual unit garages shall be a type specifically approved by the Town, shall be affixed to either the wall or the ceiling, and shall be installed prior to issuance of a Certificate of Occupancy.

### Signage

Signage for a development may be proposed in conformance with the Town's regulations in the zoning ordinance. The First and Main development has a special signage district that governs its signage but the Country Club parcel is not part of this district and is governed by the GC district standards. For the GC zoning district, a maximum of three signs plus three directional signs are permitted per lot including a maximum of one freestanding monument sign for lots with a minimum of 75 feet of street frontage. Overall, a maximum of 50 square feet of identification signage is permitted. The Master Plan, Sheet CUP2, shows the proposed location for a monument sign along the entrance to Rugby Lane. *The applicant will need to provide general information on the size, style, color and materials for any proposed signage for the development as part of the CUP process.*

### **Zoning Ordinance Use & Design Standards**

The Use & Design Standards in the ordinance provide regulations for a particular use in any zoning district. These standards provide additional parameters for development above district standards (such as lot size and setbacks), and development standards (such as parking ratio and landscaping requirements) that are specific to a particular use. Some of the regulations are subjective in nature, and thus are considerations in the evaluation of a conditional use permit request. All standards are found in the staff appendix. Where standards have not been met, or are useful in the consideration of the neighborhood compatibility of the proposed use for the CUP, analysis is provided.

*§4231(b)(1) – Except in the DC District a maximum of eight (8) dwelling units may be constructed in a contiguous series of townhouses. **No more than two (2) contiguous series shall be constructed adjacent to each other.***

The applicant has requested an exception to the bolded portion of this standard. While the application includes a maximum of 6 units in a contiguous series, several areas include more than two contiguous series adjacent to each other. In particular, a series of three buildings (16, 17, and 18) front Rugby Lane and a series of four buildings (1, 2, 3, and 4) are adjacent to Margaret Beeks Elementary School. Both of these series of buildings are internal to the development and do not front on a public street.

*§4231(b)(2) – Proposals for facades and **treatment of external materials** shall be submitted as a condition of site plan approval. Townhouse design, scale, and building materials shall be single-family residential in appearance.*

The application includes elevations and perspectives for the proposed buildings. The applicant has also provided revised concept elevations that include details regarding exterior materials. Exterior building materials include shingle roofing, accent metal roofing, fiber cement panels, board and batten, and lap siding, hollow metal doors, metal railing, vinyl or aluminum windows, brick veneer, and aluminum garage doors. No vinyl siding is proposed.

Townhomes typically contain vertical articulations that serve to set each unit apart from its neighbor. These articulations include steps back or forward in the façade, change in materials and/or color, variations in rooflines and gables, and other elements that help to provide individuality to each unit. Without these features, townhomes may not look like individual units, but rather more like a multifamily apartment building. The proposed individual units step forward and back to create

differentiation and contain some variation through changes in color and exterior materials within one building.

The applicant could provide additional changes in rooflines and gables to break up the massing of the structures and highlight the individual units. Building type #6 (buildings 9 through 12) have the most variation in rooflines and gables, presenting as distinct units.

*§4231(b)(3) – Except in the DC District, the minimum separation between any contiguous series of townhouse units shall be twenty (20) feet from any other contiguous series of townhouse units. The minimum separation between any contiguous series of townhouse units shall be forty (40) feet from any other adjacent principle structure. Zoning district setback requirements do not apply to individual townhouse lots. Setback requirements do apply to the lot or parcel from which the individual townhouse lots are subdivided.*

The applicant has requested an exception to allow for less than 20 feet between contiguous series of townhouse units. The applicant proposes a minimum of 13' between series of townhouse units. If the exception is granted, the proposal must still meet minimum building code standards for separation. *If the trail connections are widened to 10' as recommended by staff and the Corridor Committee, the proposed reduced 13' separation may make the space between buildings 1 & 2 and between buildings 3 & 4 feel very tight.*

*§4231(b)(4) – Sidewalks shall connect each townhouse to the parking area serving that townhouse, to other buildings within the site, and to other buildings or uses on adjacent lots.*

The applicant has requested an exception to this standard for Buildings 1 through 6 in the proposed layout.

However, in Proffer #6a of Ordinance 1688, there is wording similar to the standard in 4231(b)(4) stating that all buildings in the development shall be connected to others in the development via the multi-use path and/or sidewalks. Because this is a wholly residential project, it somewhat changes how sidewalks should be provided. This is more complex with the given townhouse layout than an apartment style layout with larger multi-family buildings. *While the applicant has made some improvements to increase pedestrian connectivity, staff would like the applicant to consider if additional connectivity can be achieved.*

*§4231(b)(5) – The principal orientation of all townhouses shall be the street or parking area on which the lot has frontage. There shall be at least one (1) entrance facing the street, and the principal windows of the townhouse shall also face this street.*

All of the proposed units have principal windows facing both the front and rear of the structures, meeting this standard. The majority of the proposed buildings also have at least one entrance facing the street or front. The front of buildings 5 and 6 (Building Type #1 and Building Type #2) have the garage facing the street and include an entrance on the front façade that does not face the street. Buildings 10 and 11 (Building Type #6) are oriented with entrances facing the internal open space rather than a street or parking area. *The applicant will need to request an exception to this standard for buildings 5, 6, 10, and 11 with the layout as proposed.*

*§4231(b)(6) Shared driveways are permitted, with the recordation of perpetual easements to provide for the use and maintenance of the shared driveway. Courtyard style parking is permitted. **Only one (1) yard, either the***

***front yard or the rear yard, or in the case of an end unit, the side yard, shall be improved with a driveway or parking spaces. All parking spaces shall be located behind the front building line. Town Council may grant a special exception to this requirement as authorized by §1112.***

The applicant is requesting an exception to the standard in bold text, above. The code is not clear on the intent of this standard, but exceptions to this standard are commonly requested for end units in townhouse developments. With this application, 15 end units found in buildings 6, 7, 8, 10, 11, 13, 14, 18, and 19 do not meet this standard. In addition, none of the units in buildings 9 and 12 meet this standard. Interior units are directly adjacent to the alley with garages at rear and have approximately 8-12' setbacks from parking area walkways. End units also have the loop road located approximately 10' away.

*§4231(b)(7) Entrances to the townhouse development shall be minimized and designed in such a way as to maximize safety, maximize efficient traffic circulation, and minimize the impact on any adjacent residential neighborhood.*

The proposed layout uses the existing access to Rugby Lane from Country Club Drive. This access is restricted to right-out only towards South Main Street. Country Club Drive has both a dedicated left turn lane and a dedicated right turn lane to access Rugby Lane. This meets the provisions of Ordinance 1866.

There are two entrances proposed to the development along Rugby Lane, which is considered a private driveway although it functions as a street. The entrances are well-spaced and lead to a two-way looped private drive that provides access to individual unit driveways, several parking areas, and two alleys with individual unit garages.

*Staff and the Corridor Committee recommend the applicant consider a lower speed limit (such as 15mph) for the loop road due to the number of conflict points with individual unit driveways, parking areas served directly from the road, and pedestrian walkways. The applicant may also wish to consider restricting the direction of travel on the loop road to one-way to provide additional yard space for interior units and accommodate sidewalks. The proposed layout allows for several travel ways across the loop road to maintain easy access to all of the units.*

*§4231(b)(11) Except in the MXD and DC Districts, for any development of five (5) or more townhouses a minimum of twenty (20) percent of the gross land area shall be reserved as open space for community recreation use. A specific recreational activity area or areas shall be developed and maintained for the residents of the development as part of this open space, as follows:*

- a. The size, location, shape, slope, and condition of the land shall be suitable for a specific recreational activity.*
- b. The amount of land devoted to recreation shall be a function of the population to be served. Consideration shall be given to the size of the development, number and characteristics of expected residents, proximity to other available recreational facilities, topography, and natural features on the site.*
- c. Safety buffers shall be provided for users of recreational facilities and equipment using recognized engineering and recreation standards.*
- d. Indoor recreational area may be used as a specific recreational activity area. The indoor recreational area shall count as a part of lot coverage, as regulated by the district standards.*

The Open Space Plan, Sheet CUP3, shows 25% total open space, exceeding the required 20%. The plan shows approximately 16,350 square feet of recreational open space including three lawn areas with covered pavilions and the multi-use trail. Other large blocks of open space include the stormwater management area, entrance to the development, and reserved parking area for the alternate transportation plan. *As previously mentioned, the applicant should remove the reserved parking area from the open space calculation since this area must be reserved for future parking, if needed.* The layout also includes “additional greenspace”, primarily surrounding the townhome units, and is not included in the required 20%.

*§4231(b)(14) Front yard setbacks for adjacent units shall vary a minimum of three (3) feet and a maximum of eight (8) feet.*

The application meets this standard with the individual units varying in front setback by 3’.

### **Sustainability**

Typically, for residential rezoning and conditional use permit requests, any proposed sustainability measures are included in the application. While specific sustainability measures are not required, this is considered a continuing community value. The application does not include any information regarding sustainable building practices.

### **Occupancy and Lifestyle Conflicts**

Not only does the physical development of the property affect the neighborhood compatibility, but also the lifestyle of the target market for the project. There are a number of Town policies and goals that encourage the provision of housing for a variety of different lifestyle needs. Blacksburg has been identified as both a great place to retire, as well as a good place to raise a family. In recent years, the University has actively grown undergraduate enrollment, which is impacting the Town’s housing market. Over the last several years, Town Council has approved a significant amount of new purpose-built student housing that has student-oriented amenities.

The application indicates that this is a for-sale product and is not intended as student housing. The proposal consists of a variety of unit types with two or three bedrooms and at least 2.5 bathrooms in each unit. The development does not contain the types of amenities that are typically seen in purpose-built student housing. It is possible, however, that these units may be purchased as investment properties and rented to students, given their location and the adjacent bus route. Other townhouse developments a similar distance from campus including Pheasant Run, Pheasant Run Crossing, Clover Valley, and Rutherford Townhomes have become student rental properties. The property may also be desirable for those looking for a convenient game day condominium location. The application does not include any commitments that would prevent rental to students.

The Town has a homestay program that regulates short-term rental of residential units, which is restricted to owner occupied units only. Given the location of the proposed development, each owner should be made aware that investment properties and game day condominiums are not allowed for short-term rental. *Staff recommends a condition to address this through the Homeowners Association (HOA) documents.* As previously noted, staff recommends a condition to ensure flex areas are not converted to bedrooms and a condition to restrict occupancy to ensure an adequate parking ratio is maintained.

## **IMPACTS TO PUBLIC INFRASTRUCTURE AND SERVICES**

In evaluating the potential effect on public services and facilities that this conditional use permit would have, the Town Engineering department has reviewed the Master Plan and application and the following comments are provided. Staff engineering memos are attached.

### **Bicycle and Pedestrian Improvements**

Many individual policies and regulations address streetscape, bicycle, and pedestrian improvements as being a high priority to encouraging walkability and contributing to a high quality of life in Town. Providing enhanced pedestrian and bicycle facilities will encourage alternate-transportation behavior and lead to less dependency on personal vehicle trips. These facilities may include wider sidewalks, separation between the street and the sidewalk with a vegetated buffer strip, on or off-street bicycle facilities, covered bicycle parking, and other elements to provide a pleasant and safe streetscape experience.

The Comprehensive Plan Paths to the Future map shows that there is an existing bike lane along Country Club Drive and existing trail through the site connecting to First and Main. The applicant proposes to move the existing trail approximately 28' to 35' towards the Margaret Beeks Elementary School site. The applicant has prepared a Trail Relocation Exhibit showing the proposed alignment. The conditional use permit process allows for the conceptual approval of the proposed relocation. *Staff recommends a condition to ensure that if the CUP is approved, the existing trail easement must be vacated and a new trail easement must be dedicated prior to site plan approval in accordance with the Trail Relocation Exhibit.* As proposed, the trail will continue to connect to the Country Club Drive trail, the First and Main trail, and the Margaret Beeks Elementary School trail and will be paved and 10' in width, meeting Town standards. *Staff also recommends the two connections from the trail to the development be widened from 4' to the Town standard of 10'.*

Staff analysis of sidewalks, walkways, and bike parking have been previously addressed in other sections of the staff report.

### Corridor Committee Review

The Corridor Committee reviewed this application and provided the following comments:

- For the units located at the top of the plan sheet near the trail, the two trail connections that are shown should be 10' wide to match the 10' wide trail.
- Add a trail or sidewalk connection from the sidewalk along Country Club Road to the interior of the development between buildings 4 and 15 in the northwest corner of the site.
- There is a sidewalk connection shown near Building 5 to the Gables shopping center. A trail or sidewalk connection should also be provided in this area directly to First and Main.
- Since no on-street bicycle facilities are provided, consider traffic calming measures or low speed limits for the internal streets.
- No sidewalk is shown for the houses on the top of the plan sheet near the trail, and the houses on the left side of the sheet. It is the Committee's preference that sidewalks are added in these locations. If no sidewalk is provided in these areas, residents may need to walk in the street to get to the nearest sidewalk. This underscores the need for traffic calming and low speed limits to accommodate pedestrians walking in the street.
- Consider raised crosswalks, instead of just paint, to encourage safe pedestrian access throughout the development.

### **Traffic & Transportation**

Staff and the applicant met prior to the submittal of the application to determine the methodology for the transportation and traffic information for the project. The applicant has provided trip generation data as part of the application for staff to evaluate the request's impact on the Town's transportation network. The material submitted utilized the "Low-rise Multifamily Housing" and "Mid-Rise Multifamily House" trip generation codes to determine overall trip generation impacts. After reviewing this data and the overall layout, Town engineering staff noted that the proposed use trip generation is significantly lower than what was utilized in the 2018 Traffic Impact Analysis (TIA) update (completed as part of the Rugby Field subdivision). Recommended transportation improvements from the 2018 TIA (and in accordance with Ordinance 1688) have been constructed and accepted by the Town. Access to the project was previously discussed in staff report sections for CUP criteria, Use & Design Standards, and Vehicular Parking.

### **Transit**

The proposed development is served by Blacksburg Transit with the existing South Main – Airport Road route. There are 8 bus stops within ¼ mile of the proposed development. The nearest bus stop is located directly across Country Club Drive accessed by existing sidewalk and crosswalk connections and nearby bus stops are shown on the aerial map. Blacksburg Transit staff recommended that the nearest bus stop (Country Club/Draper Wbnd #1653) be indicated on the application documents.

### **Sanitary Sewer**

Developers must also provide information to the Town for evaluation of sanitary sewer service capacity. There are identified downstream capacity inadequacies in this sewershed. The Town has a funded Capital Improvement Program (CIP) project to upgrade the sanitary sewer system in the South Main Street sewer corridor to the Cedar Run pump station to address existing downstream capacity inadequacies.

Town staff estimated the approximate linear footage of new public sanitary sewer line needed for the project. Staff noted that the proposed 280 bedrooms has significantly less impact on the downstream sewer system than the 400 bedroom allowance. With the addition of the projected flows from the proposed development, it has been determined that there is adequate capacity in the funded CIP as designed to accommodate the development. However, as there is not capacity at this time, the Town will prepare a Sanitary Sewer Acknowledgement Agreement letter for the applicant. Similar to other developments where an upcoming Town project increases capacity, the agreement letter ensures that the development cannot move forward ahead of the needed improvements. The letter identifies the deficiencies in the system and the scope of the improvements needed. The letter further states that no certificates of occupancy will be issued until the necessary improvements are completed, either by the Town, or by the developer at their own cost if the Town construction of the sanitary improvements does not align with the development construction timeline. The Town has utilized this type of letter for a number of other developments where there were downstream sewer inadequacies.

### **Potable Water**

The Town engineering staff has reviewed the request with respect to potable water services. At this time, there are no negative impacts anticipated from the proposed development. The applicant will have to provide additional information in order to meet the Town's standards and design specifications at the site plan stage.

### **Stormwater Management**

The Town engineering staff have reviewed the application with regard to the development's stormwater management plan. The applicant is proposing to use an existing regional stormwater facility that was designed to address the needs of this parcel. The concept plan is approved at this time.

### **Waste Management and Recycling Services**

The Master Plan, Sheet CUP2, notes that solid waste and recycling collection will be by curbside pickup. The applicant will have to ensure that the recycling needs of the development for 12 gallons of recycling per bedroom per week are met. *The applicant has indicated verbally that this will be provided by a private collector and should clarify this in the application. The applicant should also clarify where trash and recycling carts will be stored as there is limited space around the individual units and in garages. The applicant should verify that collection is feasible for Units 101, 501, and 502.*

### **NEIGHBORHOOD MEETING**

A neighborhood meeting was held on Tuesday, November 30, 2021, at 6:00 pm. Notes and the sign-in sheets from the meeting are attached.

### **SUMMARY**

The application shall be evaluated on compatibility with the Comprehensive Plan and to official Town policies, including the purposes and development requirements of the Zoning Ordinance. Per section 1183, the Commission shall base its recommendation upon the review of the submitted application materials, the specific and general criteria for the Conditional Use, public comment received at the hearing, and the information, and evaluation provided by the staff. The CUP application being reviewed is a discretionary decision. In making a recommendation to the Town Council, the Commission may recommend any conditions necessary to ensure that the proposal meets the specific and general standards for the proposed use. Any such conditions shall be related to the design, scale, use, or operation of the proposed Conditional Use. Where warranted, for the purpose of compliance with the general standards for Conditional Uses, such conditions may exceed the specific standards for the use found elsewhere in the Zoning Ordinance. In addition, the Conditional Use Permit application is evaluated on minimum adverse impact on the surrounding neighborhood or community.

As noted above, for a conditional use permit, the locality may apply conditions. The applicant can accept the conditions or, if not in agreement with the conditions, may opt to withdraw the application. The conditions that the local government applies must be related to the specific impacts of the proposal. For example, Zoning Ordinance Section 1181 speaks to adverse impacts, such as traffic congestion, noise, lights, dust, drainage, water quality, air quality, odor, fumes and vibrations, being addressed with conditions. There may be issues noted in the staff report that cannot be addressed in conditions.

### **STAFF RECOMMENDED CONDITIONS**

1. The property shall be developed in substantial conformance with the application dated November 1, 2021 and revised December 6, 2021.
2. The maximum number of bedrooms shall not exceed 280. Unit types A1, A2, and C2 are limited to a maximum of 2 bedrooms per unit. Unit types A3, A4, B1, B2, and C1 are limited to a maximum of 3 bedrooms per unit. Any areas shown as attics, office/flex space, or similar shall not be used as bedrooms.
3. The maximum occupancy shall be limited to a family plus two unrelated individuals or up to three unrelated individuals per unit.
4. Bicycle racks in individual unit garages shall be a type specifically approved by the Town, shall be affixed to either the wall or the ceiling, and shall be installed prior to issuance of a Certificate of Occupancy.
5. The existing trail easement must be vacated and a new trail easement must be dedicated in the location shown on the Trail Relocation Exhibit (Sheet CUP4) prior to site plan approval.






6. The Homeowners Association (HOA) documents must include a provision requiring the HOA to provide notice to owners regarding the Town's homestay regulations with any change in ownership for an individual unit.

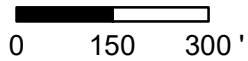
**Note:** Further conditions may be recommended based on any revisions to the application.

***ATTACHMENTS***

- Staff GIS maps
- Staff Appendix including applicable Comprehensive Plan & Zoning Ordinance sections
- Town Staff Engineering Transportation memo dated November 16, 2021
- Town Staff Engineering Sanitary Sewer memo dated November 17, 2021
- Town Staff Engineering Water memo dated November 29, 2021
- Town Staff Stormwater approval letter dated November 29, 2021
- Ordinance 1688 from First and Main rezoning with Proffers and Proffer Plan
- Neighborhood meeting notes & sign-in sheets
- Correspondence received through December 9, 2021

# Rugby Field Townhomes CUP 21-0006

-  Bus Stops
-  Subject Area
-  Parcels



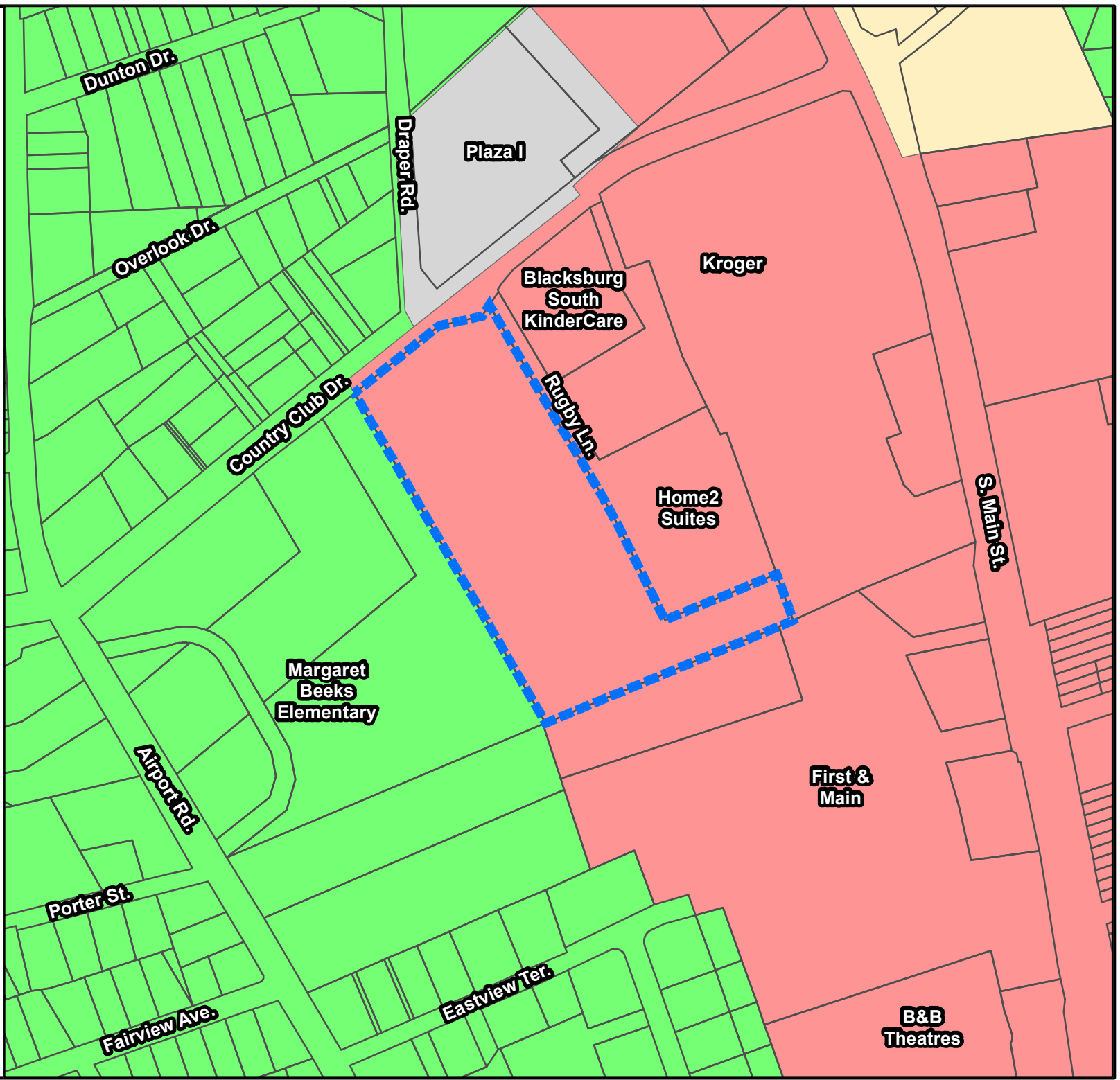
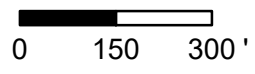
**Blacksburg** TOWN OF  
VIRGINIA



# Rugby Field Townhomes CUP 21-0006









## Current Zoning

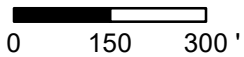
- Subject Area
- Parcels
- R-4 Low Density Residential
- R-5 Transitional Residential
- GC General Commercial
- PC Planned Commercial



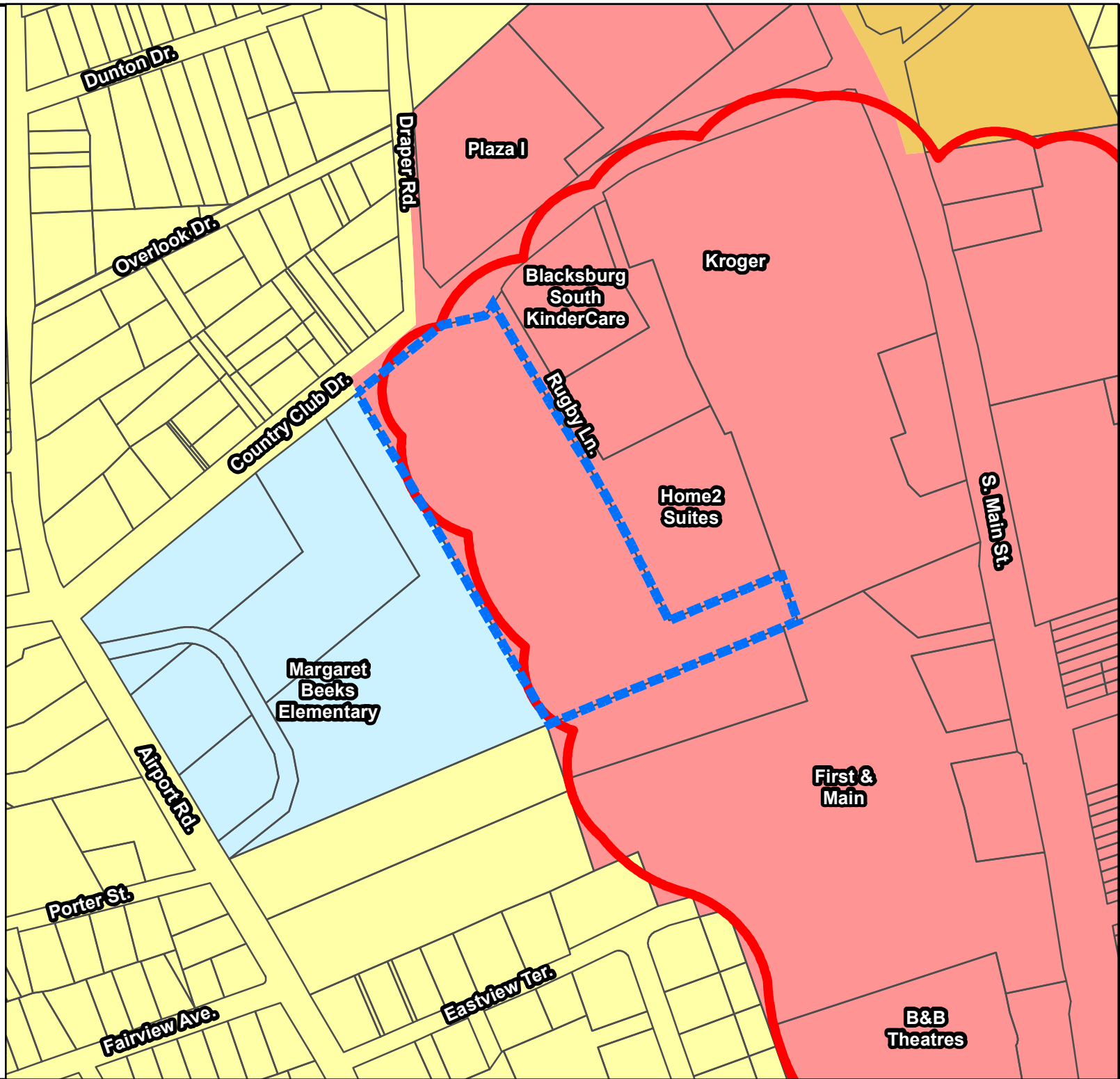
# Rugby Field Townhomes CUP 21-0006

## Future Land Use

-  Subject Area
-  Mixed Use
-  Parcels
-  Low Density Residential
-  Medium Density Residential
-  High Density Residential
-  Civic
-  Commercial



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VIRGINIA



## **CUP21-0006 Rugby Field Townhomes**

### **Staff Appendix**

This appendix is provided to give additional supporting information from the Comprehensive Plan, the Residential Infill Guidelines, and the Zoning Ordinance in order to allow the staff report to focus on the analysis of the application.

### **Physical Site Development**

#### Building Orientation, Scale, Massing, Height

- Comprehensive Plan Land Use Objective & Policy LU.5. Consider the compatibility of development with surrounding uses. Utilize strategies such as landscaping or other buffering techniques along with modification of site design to minimize impacts and facilitate compatibility
- Residential Infill Guidelines Best Practice #1: Respect neighborhood context and enhance community character
- Residential Infill Guidelines Best Practice #2: Provide...transitions...of building scale, building design, form and color...Complementary architectural design, materials, scale, massing and the use of landscape, screening, and open space are strategies to achieve compatibility within the neighborhood and the Town.
- Residential Infill Guidelines Site Design & Parking:
  - Buildings oriented toward streets are a key characteristic of Blacksburg's residential neighborhoods.
  - Locate the primary entrance towards the street.
  - Clearly define the primary entrance of the structure by using a front porch or stoop, and other architectural details.
  - Retain space in front of the structure to relate to the street or sidewalk without intervening elements such as parking.
  - Entry porches and porticoes in two-story homes should be one story to minimize the appearance of bulk.
  - The scale and style of porch and portico elements should be consistent with the scale and style of the home, and should strive to respect the scale and style of porch and portico elements in the other homes on the block.
- Residential Infill Guidelines Building Design
  - The mass and scale of new infill residential buildings should appear to be similar to the buildings seen traditionally in the neighborhood.
  - The width of a building face of an infill project should not exceed the width of a typical residential structure on adjacent lots.
  - Building roof forms that are similar to those seen traditionally in the neighborhood, such as gabled and hip roofs, should be used.
  - Buildings should be designed to fit within the context of the surrounding structures and provide visual interest to pedestrians.

#### Setbacks, Lot Coverage, Buffer Yards & Landscaping

- Comprehensive Plan CCP.16: Responsible site design and development practices should be used to minimize environmental impacts within the Town. Development or redevelopment should meet and preferably exceed federal, state, and local regulations to minimize the impacts of soil

erosion, stormwater runoff, and non-point source pollution. Site design and development practices should preserve existing tree canopy and specimen trees, replace lost urban forest areas, and expand overall tree canopy.

- Comprehensive Plan Environment Objective & Policy E.34 As a part of the development review process, the Town will evaluate a proposed development’s impact and proposed mitigation measures for the following:
  - Open Space
  - Urban forest canopy
  - Viewsheds
  - Mineral Resources
  - Cultural Resources
  - Threatened and endangered species
  - Watershed
- Residential Infill Guidelines Best Practice #2: Provide transitions
- Residential Infill Guidelines Site Design and Parking:
  - Streets [that] feature consistent front building setbacks...help define neighborhood character.
  - Provide a front yard consistent with those found on the block facing the street.
  - Front porches are encouraged and may extend into the required front yard setback.
  - In residential neighborhoods, multi-family housing should adopt the predominant setback, but should also vary the building façade to relieve the appearance of mass.
  - Setbacks should be proportional to the height and mass of a building.
  - The “green edge [landscaped setbacks between the...buildings and sidewalks]” provides residential streets with a clearly identifiable character; [landscaping] and fences are often used for transition between public and private space; provision of open space is critical for multifamily developments...
  - Natural features and existing trees should be retained.
  - Parking lots should be generously landscaped to provide shade, reduce glare, and provide visual interest.
  - All site areas not covered by structures, walkways, driveways, or parking spaces should be landscaped.
  - Street trees and planting strips also help buffer pedestrians from vehicle traffic.
- Comprehensive Plan Environment Objective & Policy E.35. Promote, protect and enhance the Town’s urban forests through Town initiatives and in the development review process.
  - Minimize site disturbance to protect existing tree canopy, native vegetation, native biodiversity, and wildlife habitats, and pervious surfaces.

### **Streetscape, Bicycle, and Pedestrian Improvements**

- Comprehensive Plan CCP.1. Well-designed pedestrian and bicycle friendly routes and facilities are essential to the Town’s identity as a walkable and bikeable community. This infrastructure should be a primary consideration in the design process for development.
- CCP.14. Transit connections and bus stop amenities encourage ridership and are important components of the transit system. These elements should be part of the design of new developments and be coordinated with Blacksburg Transit regarding service availability.
- Comprehensive Plan Land Use Objective & Policy LU.6. Through the development review and decision-making process, ensure that new development and redevelopment enhances

the transportation network with improvements to the street grid, addition of pedestrian and bicycle infrastructure, and incorporation of transit stops and amenities.

- Comprehensive Plan Transportation Objective & Policy T.7. Complete the construction of a connected sidewalk system.
- T.9.: Maintain and improve the aesthetic quality of the pedestrian environment by planting street trees and other landscaping, and installing street furniture where appropriate.
- T.51. During the development review process, ensure that transit service and access to/from the transit stop and the development are provided.
- Residential Infill Guidelines Best Practice #3: Create a pedestrian friendly streetscape
- Residential Infill Guidelines Site Design & Parking:
  - The design of the space between the edge of the curb and the front of a building is essential for encouraging pedestrian activity and promoting safety and security.
  - [Sidewalks] contribute to the character of the neighborhoods by providing safe places for people to travel and interact with one another.
  - Walkways should connect public sidewalks and parking areas to all main entrances on the site. For townhouses...fronting on the street, the sidewalk may be used to meet this standard.
- Residential Infill Guidelines Streetscape:
  - Neighborhood streets should include an interconnected system of sidewalks.
  - Neighborhood streets should include a sidewalk design that reflects the existing pattern in the neighborhood.
  - Primary streets should have planting strips and streetscape to separate sidewalks from the street's edge.
  - While Blacksburg has an extensive sidewalk system on many neighborhood streets, gaps remain in some locations. Infill projects can help to fill these gaps.

### **Parking and Circulation**

- Comprehensive Plan Transportation Objective & Policy T.33. During the development process, ensure:
  - Surface parking facilities are landscaped and appropriately lighted
  - Consideration is given to pervious parking surface materials with lower environmental impacts
  - New parking lots minimize impacts on stormwater
  - Surface and structured parking provide an adequate number of electric vehicle charging stations and provide the infrastructure for additional stations
- Residential Infill Guidelines Best Practice #4: Minimize visual impacts of parking
- Residential Infill Guidelines Site Design & Parking:
  - Parking should not obstruct the building frontage; rather, it should be located behind, to the rear or side of the principle structure
  - Deep front setbacks can compromise the ability to provide backyard space and/or rear parking, particularly at higher densities.
  - Parking spaces should not dominate the street scene. Instead, parking should be located to the rear of the lot or building or screened from the public way with landscaping, low fencing, or garage orientation.
  - Parking should not disrupt the quality of common spaces or pedestrian environments of multi-family development

- Alley access parking is preferred in areas where it is available

### **Density, Occupancy, and Lifestyle Conflicts**

- Comprehensive Plan CCP.2. Lifestyle conflicts are inherent in a college town, where neighborhoods may have a mix of students and non-students.
- Comprehensive Plan Land Use Objective & Policy LU.9. Encourage developers to work with surrounding property owners and tenants to resolve community concerns prior to formalizing development plans.
- Comprehensive Plan Housing Objective & Policy H.2. Through the development review and decision-making processes, ensure a wide range of housing choices that are integrated and balanced across the Town.
  - Encourage mixed-use and mixed-income housing developments throughout the Town's neighborhoods.
  - Promote redevelopment and infill development that supports bicycle and pedestrian-oriented infrastructure and robust public transportation to better connect residents to jobs and commercial activity.

### **Open Space**

- Residential Infill Guidelines Best Practice #5: Create usable outdoor spaces
- Residential Infill Guidelines Site Design and Parking:
  - New developments should use open space and community facilities to provide social and design focal points.
  - Multi-family development must provide...common open space for each unit.
  - Common spaces and amenities should enhance the sense of community in multi-family projects.
  - Play spaces for children are strongly encouraged and should be both secure and observable.
  - Provision of open space is critical for multi-family developments.

### **Comprehensive Plan Mixed Use Areas**

Proposed Mixed Use Areas are designated within the Town where a mix of residential and non-residential development and redevelopment is encouraged. These areas are located on major roads, served by public utilities and transit.

The Mixed Use Area boundaries are intended as a general guide of where mixed use developments are desired. If a property is bisected by a Mixed Use Area boundary line, features such as ownership, topography, transportation network, and site design shall guide if it is appropriate to include the properties or adjacent properties in the Mixed Use Area. Individual development requests when a property is bisected by a Mixed Use Area will be reviewed on a case-by-case basis.

Regardless of zoning classification, all properties within a Mixed Use Area should be cohesive with adjacent properties by providing thoughtfully integrated pedestrian, bicycle, and vehicular connections, and complementary architecture and site design features. There is no single accepted ratio of uses that makes for the most successful mixed use area. Consideration should be given to the context and economics of each area.



Key features of any Mixed Use Area include the following:

- a. Vertically mixed use buildings typically with ground floor retail and restaurant space and upper story residential and office uses. Where feasible, a mix of uses should be incorporated horizontally throughout the entire site as well as within each building.
- b. Access to transit stops with shelters located on the perimeter of the development and, where feasible, internal to the development to serve the area.
- c. Internal pedestrian and bicycle infrastructure that connects to public transit stops and to the external bicycle and pedestrian network. Pedestrian and bicycle features such as a loop trail and covered bicycle parking are best practices.
- d. Limited entrances to arterial roadways to reduce bicycle and pedestrian conflicts, to help prevent additional traffic congestion, and to help prevent the appearance of strip commercial shopping centers. On-site vehicular parking should be accommodated without dominating the streetscape or landscape.
- e. Site design and site layouts that are coordinated with, connected to, and complemented by other developments in and adjacent to the area. While mixed-use developments may be designed independently of each other, they must function with surrounding developments.
- f. Arrangement and configuration of buildings, building setbacks, and streets that create public gathering spaces and contribute to community vibrancy. The result should be a welcoming and attractive built environment that encourages and accommodates people living, working, shopping, and visiting these mixed use areas.
- g. Outdoor activities such as outdoor dining are encouraged to promote commercial and pedestrian vitality. Complementary uses, such as daycare and preschool facilities, are supported within the Mixed Use Areas.
- h. Sustainable development techniques such as EarthCraft and LEED certifications, the preservation of existing mature trees, and the use of landscaping buffers within each development.
- i. Adequate protection for historical and environmentally sensitive sites. Where appropriate, these should be incorporated into the site design.
- j. Design styles and features, such as universal design, that accommodate a wide range of people.
- k. Pedestrian-scale block lengths. Typical block lengths range from 300 to 400 feet in length. Blocks exceeding this length should be divided into smaller lengths.

The designation of a Mixed Use Area on the Future Land Use Map does not affect existing zoning or the evaluation of rezoning requests based on the underlying of the Future Land Use designation. The designation of a Mixed Use Area on the Future Land Use Map does not obligate the Town to approve a rezoning for a mixed use development. The designation does not mandate a specific type or style of development on a property.

**Mixed Use Area E:** Transitional residential uses should be located closer to the existing residential neighborhoods to provide a buffer between the commercial-oriented uses on South Main Street.

CCP 8. With limited availability of commercial land, efficient use of the land is critical to provide services to a growing population. To serve the needs of the community, support opportunities for commercial development and redevelopment in appropriate locations. As the Town grows, so does the need for services, creating an opportunity for commercial development at multiple scales. Redevelopment of

aging commercial centers is the most significant opportunity to meet this need. Residential development should not encroach in these areas unless incorporated as part of a well-designed mixed use project.

#### **Comprehensive Plan Commercial and Employment Area Issues and Opportunities for the Future**

- Large employment areas can spur both commercial and residential development nearby. These uses should be complementary and designs will need to fit into the context of the area.
- It is important to provide different types of employment areas to meet different employer needs. These can include larger campus style developments as well as smaller employment facilities located closer to or within commercial areas.
- The activity in these areas generates traffic and congestion. Transit, bicycle and pedestrian infrastructure and other creative options, such as staggered working hours and telecommuting, can mitigate some of these negative vehicular impacts.
- Connectivity between the non-residential uses in these areas provides options for employees and customers alike to move between the uses without having to go out into the main road network. Connections should be safe for pedestrians, bicyclists and vehicles, particularly in areas with greater delivery traffic.
- Site design elements such as street orientation, universal design and accessibility, preservation of historic landmarks, adequate open space, and effective and efficient use of land are important to these areas and can address the Town's goal of economic, environmental, and social sustainability.

#### **Comprehensive Plan Urban/Walkable Neighborhood Issues and Opportunities for the Future**

- These neighborhoods are predominately made up of single-family detached homes. Other uses and forms may be compatible with these neighborhoods with thoughtful design.
- Due to the proximity to campus, lifestyle conflicts may occur in these neighborhoods, especially with undergraduate students renting property in these areas. Property management, education, and code enforcement can mitigate some of these conflicts.
- These areas are close to schools, the University, and businesses. Additional pedestrian and bicycle infrastructure in these areas can reduce car dependency.
- There is a limited inventory of homes within walking distance of the University and Downtown. In addition, these homes are often beyond the financial reach of many young families, young professionals, or employees of the University or Downtown businesses who would like to live in this area. Creative strategies are needed to encourage more homeownership in these neighborhoods (refer to the Housing chapter).
- With the access to Downtown services and amenities, there is an opportunity to provide for more aging in place in these neighborhoods.

#### **Use and Design Standards for Townhomes – Section 4231(b)**

(1) Except in the DC District a maximum of eight (8) dwelling units may be constructed in a contiguous series of townhouses. No more than two (2) contiguous series shall be constructed adjacent to each other.

(2) Proposals for facades and treatment of external materials shall be submitted as a condition of site plan approval. Townhouse design, scale, and building materials shall be single-family residential in appearance.

(3) Except in the DC District, the minimum separation between any contiguous series of townhouse units shall be twenty (20) feet from any other contiguous series of townhouse units. The minimum separation between any contiguous series of townhouse units shall be forty (40) feet from any other adjacent principle structure. Zoning district setback requirements do not apply to individual townhouse lots. Setback requirements do apply to the lot or parcel from which the individual townhouse lots are subdivided.

(4) Sidewalks shall connect each townhouse to the parking area serving that townhouse, to other buildings within the site, and to other buildings or uses on adjacent lots.

(5) The principal orientation of all townhouses shall be the street or parking area on which the lot has frontage. There shall be at least one (1) entrance facing the street, and the principal windows of the townhouse shall also face this street.

(6) Shared driveways are permitted, with the recordation of perpetual easements to provide for the use and maintenance of the shared driveway. Courtyard style parking is permitted. Only one (1) yard, either the front yard or the rear yard, or in the case of an end unit, the side yard, shall be improved with a driveway or parking spaces. All parking spaces shall be located behind the front building line. Town Council may grant a special exception to this requirement as authorized by § 1112.

(7) Entrances to the townhouse development shall be minimized and designed in such a way as to maximize safety, maximize efficient traffic circulation, and minimize the impact on any adjacent residential neighborhood.

(8) All accessory structures must be located behind the rear building line of the townhouse.

(9) A subdivision plat shall be submitted with the site development plan or with the conditional use permit application, where individual attached units are to be constructed on individual lots. The subdivision plat shall meet the standards of the Subdivision Ordinance, except the dedication of park land shall not be required where twenty (20) percent open space is provided per subsection (11), below.

(10) The final subdivision plat shall not be submitted for review until the foundation has been constructed.

(11) Except in the MXD and DC Districts, for any development of five (5) or more townhouses a minimum of twenty (20) percent of the gross land area shall be reserved as open space for community recreation use. A specific recreational activity area or areas shall be developed and maintained for the residents of the development as part of this open space, as follows:

a. The size, location, shape, slope, and condition of the land shall be suitable for a specific recreational activity.

b. The amount of land devoted to recreation shall be a function of the population to be served. Consideration shall be given to the size of the development, number and characteristics of expected residents, proximity to other available recreational facilities, topography, and natural features on the site.

c. Safety buffers shall be provided for users of recreational facilities and equipment using recognized engineering and recreation standards.

d. Indoor recreational area may be used as a specific recreational activity area. The indoor recreational area shall count as a part of lot coverage, as regulated by the district standards.

(12) The site development plan or the conditional use permit application shall contain a floor plan of the proposed townhouses, showing the location, size, and type of rooms proposed.

(13) The floor to area ratio shall be computed as the gross floor area of all dwelling units to the parent parcel.

(14) Front yard setbacks for adjacent units shall vary a minimum of three (3) feet and a maximum of eight (8) feet.

(15) Public street frontage shall not be required for any lot of record platted for townhouse development.

**Use and Design Standards for Open Space – Section 4328(a)**

(1) Composition of open space. Open space shall include the most sensitive resource areas of the site. All primary conservation areas located within the development shall be designated open space. In addition, the open space area should include locally significant features of the property. To the greatest extent practicable, all secondary conservation areas, up to at least the minimum required percentage of the remainder of the site, shall be designated open space. In addition, open space shall include areas of the site adjacent to designated open space on adjoining lots.

(2) Configuration of Open Space. To the greatest extent practicable, open space land should be designated as a single block with logical straightforward boundaries. Fragmentation of open space land shall be minimized so that it is not divided into numerous small parcels located in various parts of the district. Long, thin strips of open space shall be avoided, unless necessary to connect other significant areas, or when they are designed to protect linear resources such as streams or trails.

(3) Recreational Use of Open Space. Open space intended for use as community or public recreation shall be integrated into the residential community in such a way as to maximize its accessibility to residents. It should have appropriate physical characteristics for recreational use.

(4) Maintenance of Open Space by an Owner's Association. In the event open space is owned by a Condominium or Homeowner's Association, the following requirements apply:

- a. Membership must be automatic for all purchasers of house lots or homes;
- b. By-laws must authorize the Association to place liens on members properties for non-payment of dues;
- c. The membership of the Association must be of sufficient size to maintain the open space amenities at a reasonable cost to members.
- d. By-laws must require the Association to maintain insurance coverage to meet possible court judgments arising from the operation of the open space.
- e. The Charter or covenants relating to maintenance of the open space shall be recorded prior to the issuance of a certificate of zoning compliance.

(5) Open space shall not include required yards, except for single-family detached.

**From:** [Joshua Middleton](#)  
**To:** [Anne McClung](#)  
**Cc:** [Kasey Thomsen](#)  
**Subject:** CUP REQUEST:RUGBY FIELD TOWNHOMES-TOWNHOMES ON GROUND FLOOR IN GC-STAFF REVIEW -  
Transportation Review  
**Date:** Tuesday, November 16, 2021 8:21:54 AM

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Anne,

I will not have any comment pertaining to the transportation review. The proposed use trip generation is significantly lower than what was utilized in the 2018 TIA update. The current road infrastructure is adequate to support the proposed use.

If you have any questions please do not hesitate to let me know.

Thanks,

**Joshua P. Middleton**

Town Engineer

400 South Main Street

Blacksburg, VA 24060

540-443-1353

[JMiddleton@blacksburg.gov](mailto:JMiddleton@blacksburg.gov)

## Kali Casper

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**From:** Margaret Dean  
**Sent:** Wednesday, November 17, 2021 9:08 AM  
**To:** Anne McClung  
**Cc:** Kali Casper  
**Subject:** CUP 21-0006 RUGBY FIELD TOWNHOMES - Sewer Comments

Anne,

Here are my comments on the CUP request for Rugby Field Townhomes. Please let me know if you have any questions!

1. The proposed linear footage of new public sanitary sewer line was not included to facilitate a downstream capacity study. However, an addition of approximately 1,900 linear feet was estimated based off the included Master Plan, sheet CUP2. Ninety eight (98) new townhouses and 1,900 linear feet of new sewer has significantly less impact on the downstream sewer system than the previously proposed 400 bedrooms.
2. There are some proposed sewer line locations, particularly on the south east side of the development, where the sewer line appears to be located rather close to townhouse buildings and driveways. Depending on the depths of these proposed lines, excavation of the sewer line could undermine building foundations or driveways. During the site plan review phase, sketches may be required in order to show a reasonable trench layback (1.5:1 slope) will not negatively impact nearby buildings.

Margaret Dean  
Town Engineer  
Town of Blacksburg  
400 South Main Street  
O: 540-443-1352  
C: 540-686-5250

**DATE:** November 29, 2021  
**TO:** Anne McClung  
**FROM:** Lori Lester, Water Resources Manager  
**TITLE:** Water Comments for CUP21-0006, Rugby Field Townhomes

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**Water Comments:**

- Town water is available for the proposed development at 203 Country Club Drive, SW. The Town can provide the minimum required pressure (20psi) at the meter, based on information provided.
- The proposed waterline alignment connects to existing water mains located in Rugby Lane and Country Club Dr., SW. These connections utilize the Towns low-pressure water system with storage at the Highland Park water tanks.
- Additional water infrastructure may be required to meet Town of Blacksburg Water Standards and Specifications, fire hydrant spacing, Building and Fire Code, etc.

November 29, 2021

Balzer and Associates  
Attn: Steve Semones  
30 College St, Suite H  
Blacksburg, VA 24060

RE: **CUP21-0006 Rugby Field Townhomes - Stormwater Concept Plan Approval Letter**

Dear Mr. Semones:

The Engineering Department has completed the review of the Rugby Field Townhomes conditional Use application, submitted on 11/1/2021. The Concept Plan is **approved** at this time. This current site, owned by Diversified Investors XIII LLC, consists of one parcel totaling 8.444 acres in size. Currently the area is zoned as General Commercial use and this conditional use application is to allow the use of Townhomes on the ground floor in this location.

*Stormwater Management Approach*

The plan for this site is to utilize an existing stormwater regional facility that was designed to address the future needs of this vacant parcel. The assumptions of the stormwater masterplan was for a maximum of 4.83 acres of impervious surface, 3.46 acres of managed turf and 0.17 acres of forest/open space. This stormwater facility as revised on May 7, 2019, was designed and constructed as part of the infrastructure installation of the Rugby Field Subdivision. This facility was completed and accepted in August of 2021. The submitted CUP letter and documentation confirms that the proposed development has a total of 4.83 acres of impervious, which is consistent with the design of the constructed stormwater management system. This will be confirmed during the site plan phase.

**Note:** The Town of Blacksburg Town has implemented a stormwater utility fee based on total impervious lot coverage. This proposed development area would generate a stormwater fee of **\$363.64** dollars per month for this site.

Please contact Kafi Howard with the Engineering Department at (540) 443-1354 or via email [khoward@blacksburg.gov](mailto:khoward@blacksburg.gov), if you have questions or concern regarding this review.

Sincerely,

Town Engineer – Stormwater  
400 S Main St., Blacksburg VA 24060  
[khoward@blacksburg.gov](mailto:khoward@blacksburg.gov)  
(540) 443-1354



*Amended Ordinance 1688*

AN ORDINANCE AMENDING ORDINANCE 1412 TO ACCEPT A REVISED PROFFER STATEMENT FOR THE FIRST AND MAIN DEVELOPMENT

WHEREAS, Ordinance 1412, adopted May 9, 2006, conditionally rezoned 26.53 acres of land, a portion of the First and Main development, at 1614 South Main Street ("Property") from R-4 Low Density Residential and Office to General Commercial (CG);

WHEREAS, the conditions governing this rezoning were set forth in a proffer statement dated May 3, 2006 ("Proffer Statement");

WHEREAS, the owners of the Property, Blacksburg Partners APF, LLC have requested an amendment to the Proffer Statement ("Revised Proffer Statement");

WHEREAS, the changes in the Revised Proffer Statement modify (i) the allowable building height in relation to the property line with lots on Kennedy Avenue, and (ii) the location of drive aisles and parking in relation to building height and the property line with lots on Kennedy Avenue *and (iii) attempt to mitigate the impacts of the proposed development;*

WHEREAS, the changes in the Revised Proffer Statement also eliminate introductory wording from the original rezoning proffer statement that is not part of the description of the proffers; and

WHEREAS, all the requested changes in the Revised Proffer Statement are shown in the "AMENDMENT TO THE REVISED PROFFER STATEMENT TO THE ORIGINAL APPLICATION TO REZONE TAX PARCEL NUMBERS 287-1-471A, 287-1-27A, 287-A-28, and 287-A-28A FROM R-4 LOW DENSITY RESIDENTIAL AND OFFICE TO GENERAL COMMERCIAL PURSUANT TO ORDINANCE #1412 BY BLACKSBURG APF PARTNERS, LLC DATED MAY 3, 2006 AND AMENDED JUNE 11, 2013," which is attached

to rezone application #13-0002, dated March 28, 2013, received by the Planning and Building Department on April 1, 2013, and revised as of June 11, 2013.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Town of Blacksburg:

1. That Ordinance 1412, adopted May 9, 2006, is hereby amended by accepting the Revised Proffer Statement, originally dated March 28, 2013 and now dated June 11, 2013 to reflect additional changes, attached hereto and made a part hereof.
2. That all other provisions of Ordinance 1412 shall remain in full force and effect.
3. That this Ordinance shall be effective upon its adoption.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
Town Clerk

1<sup>st</sup> Reading:

May 14, 2013

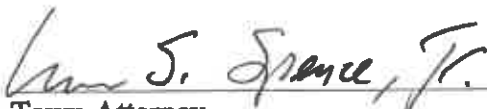
2<sup>nd</sup> Reading & Adoption:

June 11, 2013

APPROVED AS TO CONTENT:

  
\_\_\_\_\_  
Planning and Building

APPROVED AS TO LEGAL SUFFICIENCY:

  
\_\_\_\_\_  
Town Attorney

**AMENDMENT TO THE REVISED PROFFER STATEMENT TO THE ORIGINAL  
APPLICATION TO REZONE TAX PARCEL NUMBERS 287-A-41A, 287-A-27A, 287-A-  
28, 287-A-28A, 317-A-7 FROM R-4 LOW DENSITY RESIDENTIAL AND OFFICE TO  
GENERAL COMMERCIAL PURSUANT TO ORDINANCE #1412  
BY BLACKSBURG APF PARTNERS, LLC**

**MAY 3, 2006  
AMENDED JUNE 11, 2013**

Pursuant to Section 15.2-2298 of the Code of Virginia (1950), as amended, and Section 1160 of the Town of Blacksburg Zoning Ordinance, Town Code Appendix A, BLACKSBURG APF PARTNERS, LLC, Applicant or "Developer", hereby voluntarily proffers that the property which is the subject of this Rezoning Application will be developed in accordance with the following conditions, if and only if approval of Ordinance # 1688 is granted, and the property originally rezoned General Commercial with conditions by the approval of Ordinance #1412 adopted May 9, 2006 is rezoned to General Commercial with amended conditions and will be developed in accordance with the original rezoning as amended by the following conditions. The Applicant, the owners, their successors and assigns, voluntarily proffer for the property as follows:

1. **Kennedy Avenue.** The Developer proffers the following conditions along the rear lot line between the subject property and the Kennedy Avenue Properties (specifically delineated on the subject Property Plat as 934.84' @ N 19°22'49" W, the properties commonly known as 1601, 1605, 1607, 1609, 1611, 1613, 1615, 1617, 1619 Kennedy Avenue and the vacant lot with Parcel ID # 009022, Map # 287-8A (the "Vacant Lot")) (*the attached Amended Proffer Plan (the "Proffer Plan") is hereby incorporated by reference and made part of these the Proffers*):

- a. **A Perimeter Fence.** Developer shall provide a continuous opaque perimeter fence to be maintained by the Developer behind the adjacent residential lots, the Kennedy Avenue Properties; the Developer will issue various options on style and color that shall be approved by the Town engineer after input from the adjacent homeowners. The Developer shall proffer various options, based upon input from the adjacent homeowners, for the exact location of the fence within the buffer yard, which shall be approved by the Town engineer. This fence shall be constructed no later than 60 days after grading of the landscaped buffer area along the fence-line is completed and the grade stabilized.

- b. **A Landscaped Buffer Area.** Developer shall provide a 50' buffer yard vegetated in accordance with Type C Architectural buffer requirements along the property line with the Kennedy Avenue Properties and the Vacant Lot. The 50' buffer width shall be maintained, at a minimum, past the end-line of the last house on Kennedy Avenue, 1619 Kennedy Avenue, on the corner with Hubbard Street, and may thereafter be tapered in width if necessary to allow the connection to King/Hubbard as depicted on the *Proffer Plan*. The grading of the buffer shall not come within ten (10) feet of the Kennedy Avenue Properties' rear lot line. The average grade of the slope within the buffer yard shall not exceed two feet of run for each foot of drop, as depicted in the *Proffer Plan*. The Developer will request approval from the Town to include deciduous canopy trees and under story flowering trees in the vegetative buffer with input from the adjacent homeowners. This landscaped buffer area, and the restrictions on grading referenced above, will also continue along the property line with the Vacant Lot.
- c. **A Multi-Use Path.** Developer will place the 15' multi-use path corridor beyond the initial 50' buffer referenced in b. along the property line of the Kennedy Avenue Properties and the Vacant Lot, as depicted on the *Proffer Plan*.
- d. **Vehicular Traffic Restriction Behind Buildings. Limitations on Pickups and Deliveries.**
- (1) Following adoption of Ordinance # 1688 and prior to the receipt of any occupancy permit for any building located adjacent to the Kennedy Avenue Properties, the Developer shall construct and maintain a one-way limited access (the "Limited Access Aisle" as set forth in this paragraph).
  - (2) Developer shall not develop or allow any vehicular parking or driveways between the exterior wall of the first building or buildings facing the Kennedy Avenue Properties' rear lot line and the buffer yard referenced in b., above, except for the Limited Access Aisle, the use of

which shall be limited to delivery, fire and emergency access (as depicted in the *Proffer Plan*). This access alleyway shall also be accessible for tenant move-in and move-out.

- (3) The Limited Access Aisle shall contain traffic deterrent measures (including speed bumps or speed tables as approved by the Town Engineer and consistent with the guidance of the Federal Highway Administration Institute of Transportation Engineers) intended to restrict use of the Limited Access Aisle by motorized vehicles for regular or routine traffic and when fully completed (as further buildings are completed) shall be located in the area substantially aligned with the alley way depicted on the Proffer Plan for the area adjacent to the building marked "THEATER."
- (4) The one-way alley shall be "exit only" at the King Street end of the Limited Access Aisle.
- (5) The entrance to the walled service courtyard by motorized vehicles shall be located past the northern end of the Kennedy Avenue Properties, and motorized vehicle access to the entrance shall be limited to the access road or alley coming from the north, and not via the portion of the access alley way behind the Kennedy Avenue Properties.
- (6) Developer shall require all tenant leases and contracts with refuse removal services to prohibit commercial deliveries and pick-ups from the service courtyard behind the Kennedy Avenue Properties, including trash pick-up, before eight (8) a.m. and after nine (9) p.m. (except for tenant move-in and move-outs); provided, however, the Developer will work with Tenants who have leases in existence to adjust such requirements as possible and, if not readily possible, when such leases become available for renewal or renegotiation.

- e. **Traffic Restriction along Property Line.** Developer shall not create any continuous cross streets connecting Country Club Drive to Hubbard Street, or any public access roads, between the first building beyond the rear lot line of the Kennedy Avenue Properties and the landscaped buffer area.
- f. **Additional Building Setbacks.** Developer shall construct no buildings within the first 100' behind the Kennedy Avenue Properties, but two masonry walled service courtyards may extend beyond the building line no more than thirty feet (30'), as depicted on the *Proffer Plan*. All trash rooms will be interior to the buildings which are located behind the Kennedy Avenue Properties.
- g. **Limitation on Building Height.** Developer shall limit all buildings in the next 100' behind the Kennedy Avenue Properties to a maximum building height that does not exceed either: (1) an elevation of 2148'; or (2) twenty feet (20') above the existing grade at the property line along the Kennedy Avenue Properties, as depicted on the *Proffer Plan*; provided, however, in the area designated as "THEATER" on the Proffer Plan, the Developer may construct buildings to sixty (60) feet.
- h. **Additional Protection around Vacant Lot.** Developer shall construct masonry walls around any refuse dumpsters within 100 feet of the property line between the Vacant Lot and Parcel 13. Developer shall require all tenant leases and contracts with refuse removal services to prohibit commercial deliveries and pick-ups in this area, including trash pick-up, before eight (8) a.m. and after nine (9) p.m. (except for tenant or owners move-in and move-outs). Developer shall not locate any streets connecting Country Club Drive to Hubbard Street in the area separating the property line between the Vacant Lot and Parcel 13 from the closer of: (1) the first building beyond the said property line; or (2) a distance of 150' from said property line. Developer may locate parking within this area, beyond the landscaped buffer area and multi-use path corridor referenced in b. and c., above, but shall take reasonable steps to limit through traffic in any parking located in this area, such as limiting parking in this area to employees or

residents, constructing speed bumps, landscaped lot dividers, and/or such other access restrictions as may be approved by the Town Engineer to discourage such through traffic.

- i. **HVAC Noise Control Measures.** Prior to the issuance of a Certificate of Occupancy for the building constructed on the area designated "THEATER" and during the use of such building, Developer will implement noise control measures, (such as noise reduction, noise dampening, or sound proofing techniques including sound fencing or other recognized HVAC sound control measures) with the construction of any HVAC units servicing the "THEATER" building.
- j. **Lighting on Theater Building.** Prior to the issuance of a Certificate of Occupancy for the theater building and during the use of such building, the side of any building that faces the Kennedy Avenue Properties shall only have such lighting as required to meet the laws, regulations and codes of the Town of Blacksburg, the Commonwealth of Virginia or the United States of America, as the case may be.
- k. **Periodic Kennedy Avenue Neighborhood Meetings.** Developer shall hold informational neighborhood meetings, if requested by the owners of the Kennedy Avenue Properties, on the following schedule: (a) quarterly on the first Wednesday of each calendar quarter during 2013, 2014, and 2015, beginning July 2013, and (b) semi-annually 2016-2018 on a date announced in advance. After 2018 until 2020, Developer shall meet with the owners of the Kennedy Avenue Properties at least once a year unless such meeting is waived by the owners of the Kennedy Avenue Properties. Following 2020, Developer shall meet with the Kennedy Avenue Properties as requested by the Kennedy Avenue Properties.
- l. **Theatre Construction.** The Developer will construct a building including a cinema substantially aligned with the placement of the structure in the area marked "Theater" on the *Proffer Plan*.

- m. **Noise Abatement/Line of Sight.** To alleviate potential noise and line of sight issues resulting from the construction and operation of the "THEATER" building, the Developer will conduct the following process:
- (1) Six (6) months following the issuance of the permanent Certificate of Occupancy for the THEATER building ("CO Date"), the Developer will survey the owners of the Kennedy Avenue Properties and assess the majority opinion regarding the extent of the noise and line of sight concerns existing following construction and operation of the THEATER building.
  - (2) The Developer and the Kennedy Avenue Properties owners shall meet ("Meeting One") during the first week of the seventh (7<sup>th</sup>) month following the CO Date to discuss and review noise abatement and line of sight concerns. If at such meeting a majority of the Kennedy Avenue Properties owners determine that noise and line of sight concerns exist, the Developer will attempt to work with the owners of the Kennedy Avenue Properties to determine a solution mutually acceptable to a (a) majority of the owners of the Kennedy Avenue Properties and (b) the Developer.
  - (3) If either (a) no mutually agreeable solution can be determined during Meeting One, or (b) the cost of the option selected by a majority of the owners of Kennedy Avenue Properties during Meeting One is unknown, then, Meeting One will adjourn and the first week of the eighth (8<sup>th</sup>) month following the CO Date the Developer and the owners of the Kennedy Avenue Properties will meet ("Meeting Two") and the Developer will either (a) propose an alternative solution or (b) present a cost estimate for the selected solution. The Developer will contribute up to Forty Thousand Dollars (\$40,000.00) to the solution agreed upon by (a) the owners of the Kennedy Avenue Properties and (b) the Developer.



- (4) If requested by a majority of the owners of the Kennedy Avenue Properties, the Developer will hold additional meetings to attempt to determine a mutually agreeable solution; provided, however, if, by the first week of the tenth (10<sup>th</sup>) month following the CO Date no agreement has been reached between (a) a majority of the owners of the Kennedy Avenue Properties and (b) the Developer, then, subsection (m)(5) will control.
  
- (5) If, at the conclusion of Meeting Two (or at the conclusion of any additional meetings requested by a majority of the owners of the Kennedy Avenue Properties), the Developer and the owners of the Kennedy Avenue Properties cannot agree upon a solution, then the Developer will contribute up to Forty Thousand Dollars (\$40,000.00) to the addition of an acceptable fabric or other agreed upon noise abatement layer, such as Acoustifence,<sup>®</sup> to the existing fence. The owners of the Kennedy Avenue Properties and the Developer will consult with the Town of Blacksburg Director of Planning and Building regarding the final selection of the fence, if a fence is the option agreed to by the owners of the Kennedy Avenue Properties and the Developer.

In no event shall the funds provided by the Developer be a direct cash payment.

Nothing in the subsection (m) is intended to transfer the responsibility for the construction and maintenance of the noise abatement fence, which is described above, or the development and construction of other acceptable mutually agreed upon alternatives from the Developer to the owners of the Kennedy Avenue Properties. The Developer will have the responsibility for the construction of any agreed upon solution, including the fence attachment in subsection (m)(5), by that date that is eighteen (18) months following the CO Date, unless the Director of Planning and Building extends that date no more than five (5) months as a result of the impact of weather or season on the agreed upon solution. The

Developer shall have the responsibility of maintaining any agreed upon solution.

- n. **Perimeter Fence Extension.** Within sixty (60) days of the adoption of Ordinance #1688, the Developer shall investigate options and construct an addition to the north end of the perimeter fence to attempt to close off the use of the area adjacent to the perimeter fence identified in 1(a) to prevent the use of the termination point of the perimeter fence as an access point to the Kennedy Avenue Properties.
  - o. **Removal of the Carports.** Notwithstanding Proffer 1(d)(2), upon fulfillment of the conditions set forth in 1(d) (with respect to the "THEATER" building) and (m), the Developer may remove the existing carport structures, and, the Developer may retain the existing parking spaces currently covered by the carport structure.
2. **Country Club Drive.** The Developer proffers the following conditions along the side lot line between the subject property and Country Club Drive (see attached *Proffer Plan*).
- a. **Additional Building Setback.** Developer shall expand the 10' zoning setback currently established along the Country Club Drive frontage to create a total of 25' zoning setback.
  - b. **Limitation on Building Height.** Developer shall limit all buildings within 100' feet of Country Club Drive to a maximum building height of fifty feet (50'), or to an elevation of 2184', whichever is lower, as depicted on the *Proffer Plan*.
  - c. **Additional Landscaped Buffer.** Developer shall preserve the existing vegetative buffer, or create a buffer in accordance with Type C Architectural buffer requirements where the existing vegetated buffer does not meet the requirements of the Code in a 100' radius measured from the Northwest corner of the Parcel identified as Tax Map 287-A-41-A (the "Country Club Parcel"), as depicted on the *Proffer Plan*. As depicted, the Multi-Use Path may be located within this buffer. This area shall have no buildings and no parking.

3. **Margaret Beeks Elementary School.** The Developer proffers the following conditions along the rear lot line between the subject property and the Margaret Beeks Elementary School (see attached *Proffer Plan*).
  - a. **A Perimeter Fence.** Developer shall continue and connect to the existing perimeter fence, with the permission of the Montgomery County School Board, between the subject property and the Margaret Beeks Elementary property and repair or replace any missing or damaged sections with like materials. The continued fence shall extend northward to connect to the existing fence along Country Club Drive, and it shall continue southward to the southern boundary of the school property.
  - b. **A Vegetative Buffer.** Developer shall preserve no less than 50' of the existing vegetative buffer or create a buffer in accordance with Type C Architectural buffer requirements where the existing buffer does not meet the requirements of the Code.
  - c. **A Connection to the Kennedy Avenue Perimeter Fence.** The Developer shall connect this fence to the fence behind the Kennedy Avenue Properties.
4. **Multi-use Path Connection to Huckleberry Trail.** Developer proffers to provide a continuous multi-use path from Hubbard Street to Country Club Drive so as to provide pedestrian and bikeway interconnectivity throughout the neighborhood and access from the development to the Huckleberry Trail via the existing bike lane along Country Club Drive (see attached *Proffer Plan*). The Developer will not connect the multi-use path to Kennedy Avenue or Eastview Terrace, or request that Kennedy Avenue or Eastview Terrace be extended to connect to the development.
5. **Restricted Uses.** Developer proffers that the following uses and structures shall not be permitted: Adult Entertainment Establishments; Adult Stores; Automobile Repair Services; Car Washes; Gasoline Stations; Funeral Homes; Commercial Kennels; Pawn Shops.
6. **Traditional Neighborhood Design.** The Developer proffers that all site plans shall conform with the following principal elements of "Traditional Neighborhood" design:
  - a. All buildings in the development shall be connected to others in the development via the multi-use path and/or sidewalks.

- b. Retail and commercial structures will have their frontage on any Street changed in one or more of the following elements not more than every sixty (60) feet:
  - (1) setback from street or sidewalk; and/or
  - (2) facing materials (which shall be defined as the surface material covering a majority of the frontage area, typically brick, block stucco or siding); and/or
  - (3) the color of the material that is covering the majority of the frontage area; and/or
  - (4) either the dominant roof line, height or pitch, or the use of different dormer window shapes on the roof.
  
- c. The development will have a discernable center. This will be either:
  - (1) a plaza; or
  - (2) a landscaped square, green, or promenade with public seating areas; or
  - (3) a landscaped traffic circle; or
  - (4) a street corner with outdoor restaurant and other public seating areas.
  
- d. Streets within the development will form a connected network incorporating traffic calming elements as required by the Town Engineer.
  
- e. Parking areas (other than parking in a row directly adjacent to buildings or along access drives), will be broken up into four or more landscaped sub-lots.
  
- f. Entrances and exits to the rezoned parcels from existing public roads will be limited to the following:
  - (1) one entrance and exit on King Street/Hubbard Street; and
  - (2) one entrance and exit on Country Club Drive. Any new exit onto Country Club Drive from the rezoned parcels shall be designated as right turn only and left turns exiting onto Country Club Drive shall be prohibited.
  
- 7. **Residential Density.** Developer will limit total residential density on Parcels, 10, 11, 12 and 13 to no more than 27 bedrooms per acre. Developer will limit the total residential density on the Parcel identified as Tax Map 287-A-41-A which is 14.8 acres in size more or less (the "Country Club Parcel") to no more than four hundred (400) bedrooms. Total residential density shall not exceed 48 bedrooms per acre on any parcel resulting from a subdivision of the Country Club Parcel. The subdivision plat and any related agreements for any such subdivision

shall allocate the division of the four hundred (400) bedrooms between the resulting lots and Town staff shall review this allocation as part of the plat review. The resulting bedroom allocation shall also be recorded on the plat for each parcel.

**8. No Cellular Antennas or Towers.** Developer proffers that on Parcels, 10, 11, 12 and 13 there will be no rooftop, building mounted, or freestanding cellular communication antennas or towers.

**9. Final Traffic Study.**

a. Developer proffers that at the time of submission of each site plan application, Developer will perform and submit a final traffic study subject to Town approval to evaluate the level of service along South Main Street and to determine any necessary improvements resulting from the rezoning of the subject property. The study shall include level of service impacts to the following intersections of South Main Street:

(1) Country Club Drive; (2) the traffic lighted entrance to the Kroger shopping center; (3) Ardmore Street; (4) Landsdowne Street; (5) Marlinton Street; (6) Hubbard Street; and (7) King Street. Developer will make the improvements that are indicated in the traffic study as necessary to mitigate any reduction in level of service at the time of development. However, if the resultant level of service is C or better, no improvements shall be required.

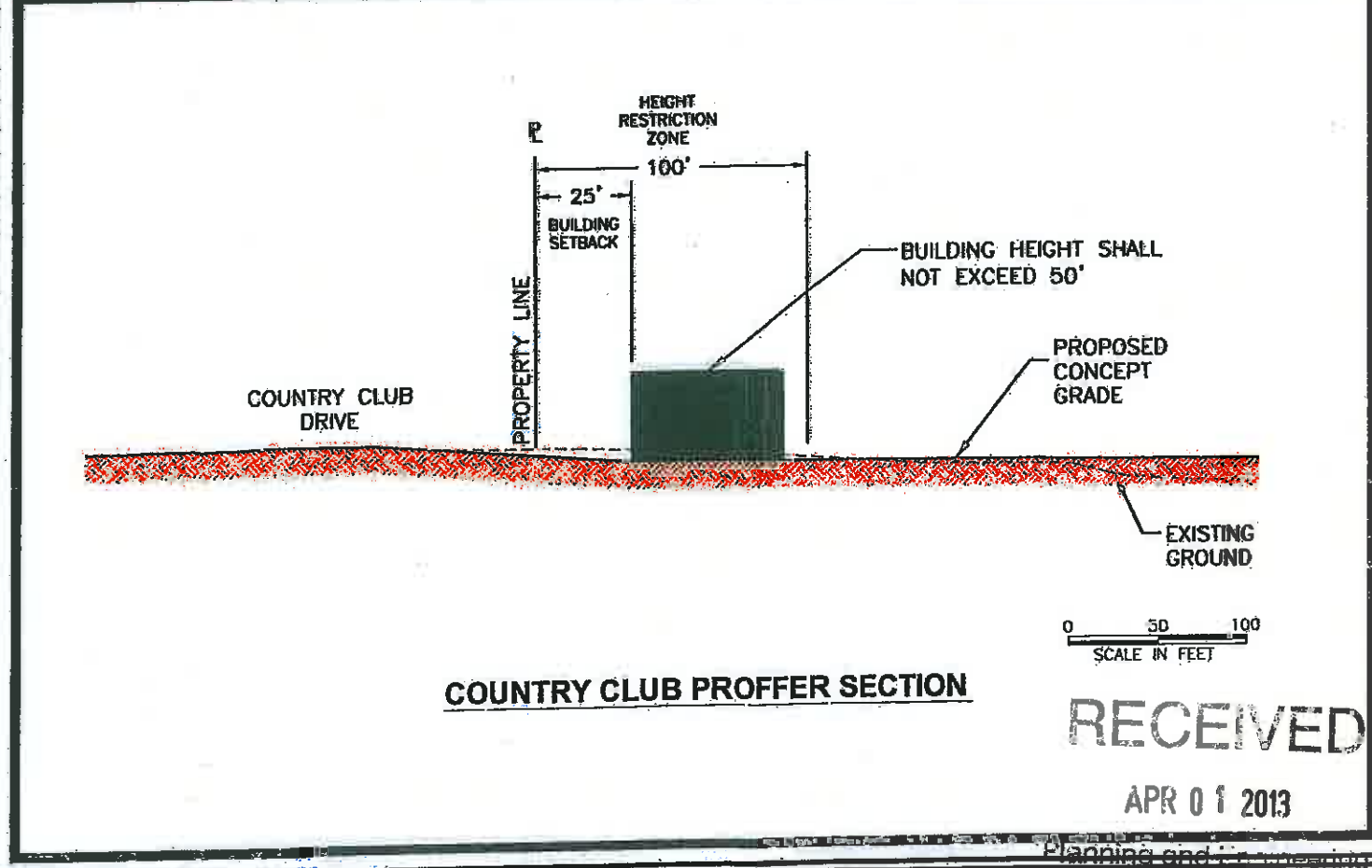
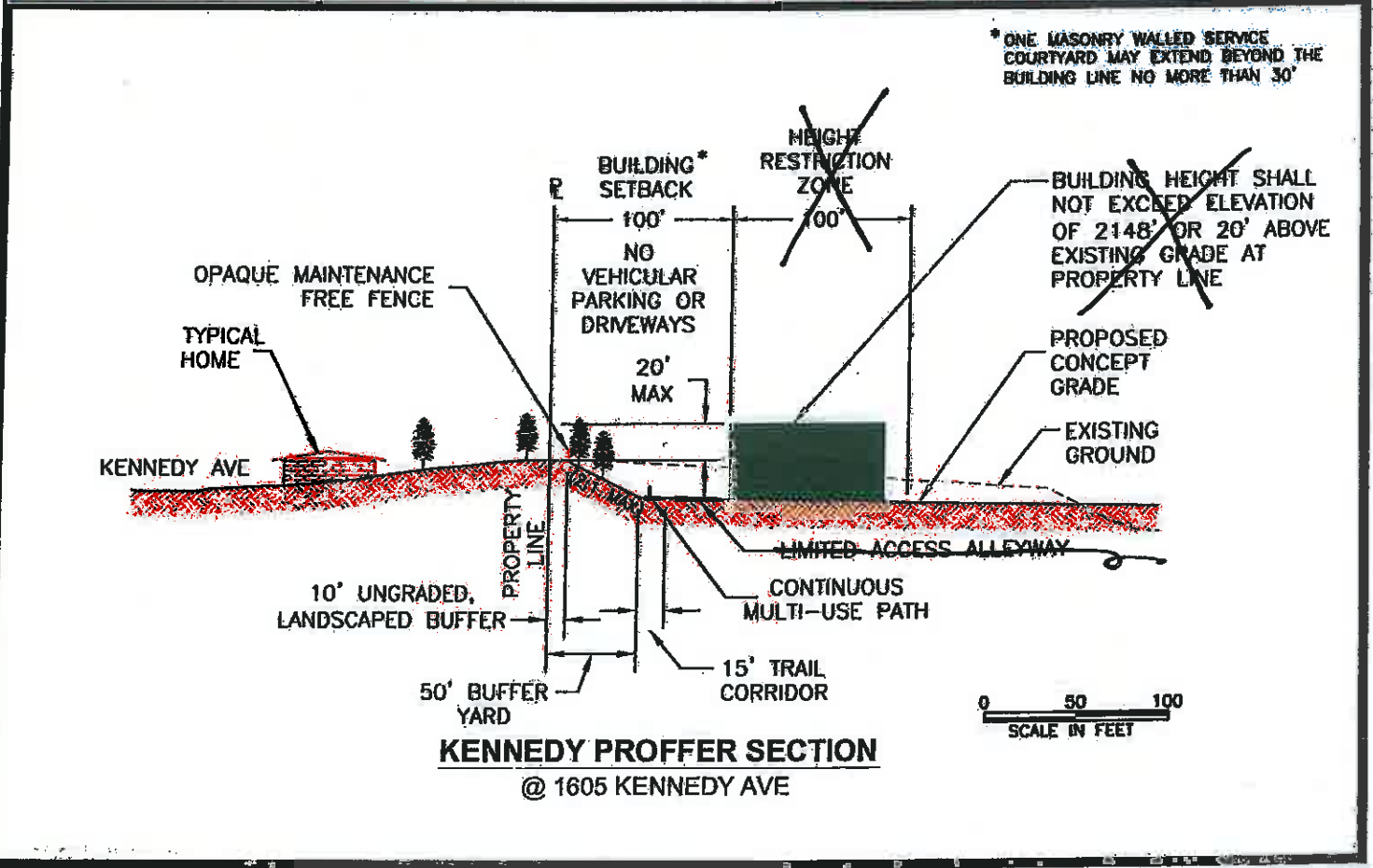
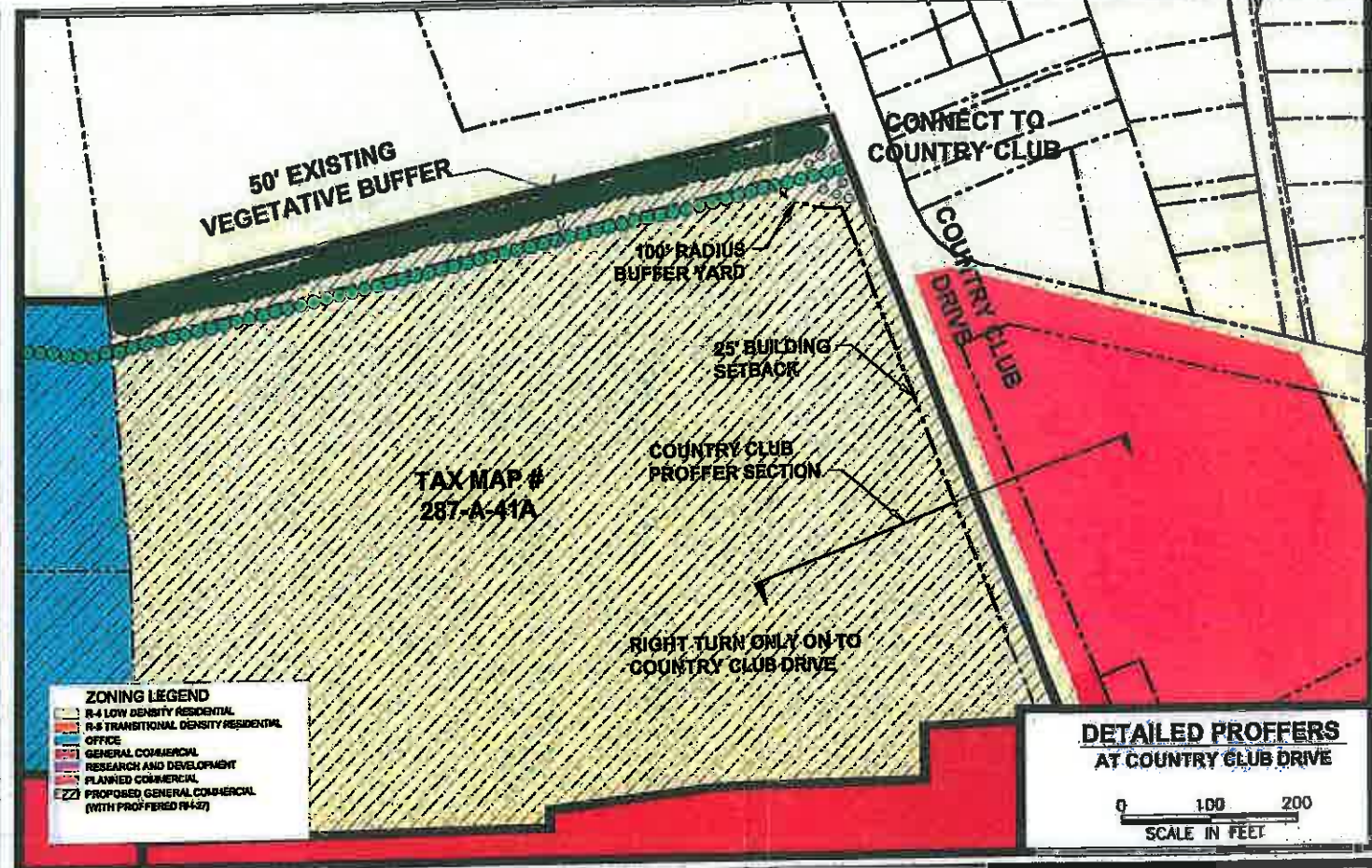
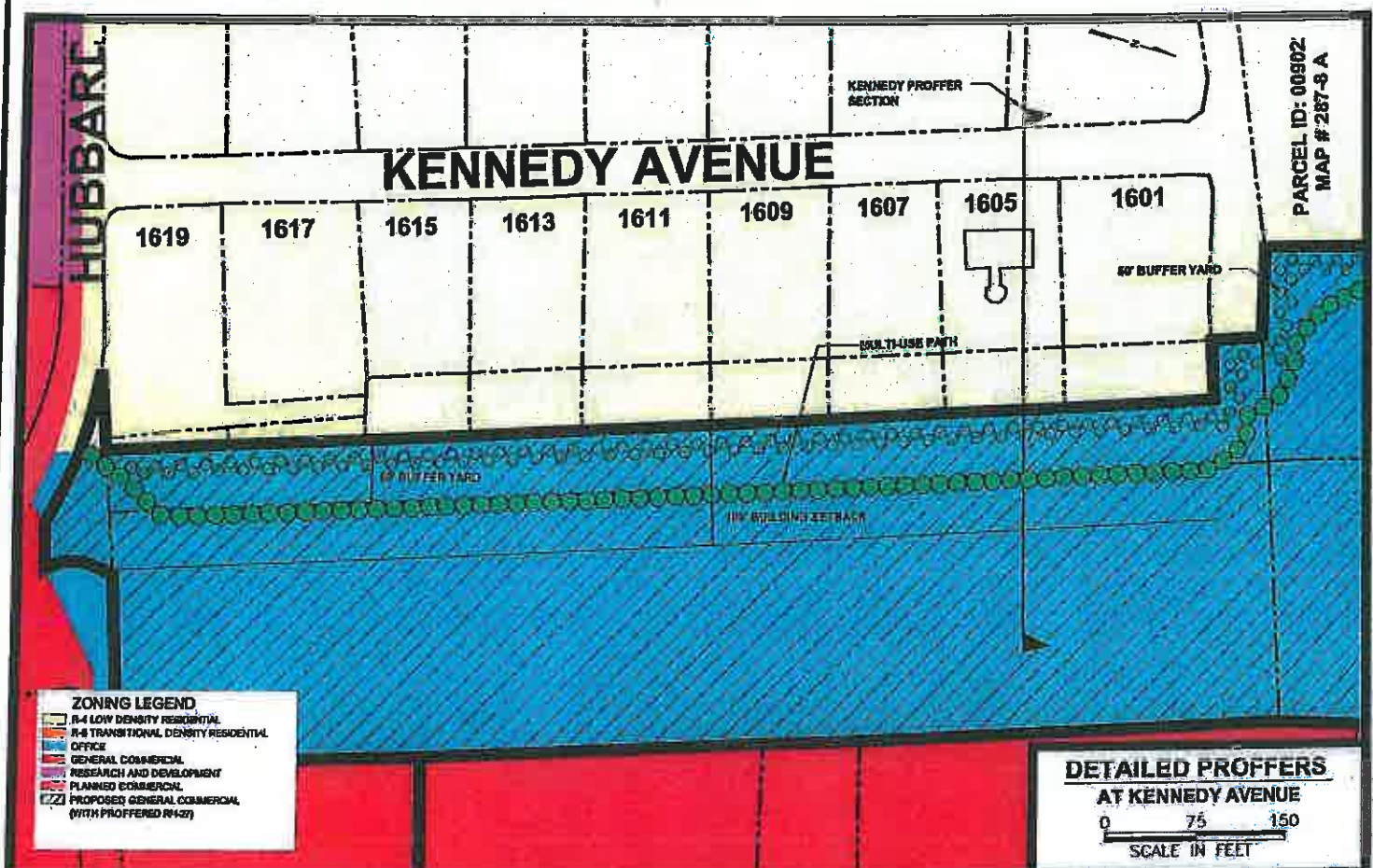
Developer will contribute to the Town of Blacksburg \$25,000.00 toward the cost of any improvements to the intersection of Country Club Drive and Airport Road that are approved by the Town following consultation with the surrounding neighborhood to provide a roundabout or other traffic calming measures or other intersection improvements to improve traffic flow at this location. This cash payment shall be made to the Town prior to approval of the first site plan.

**10. Periodic Community Neighborhood Meetings.** Developer shall hold informational neighborhood meetings, from time to time, and no less than semi-annually during 2013, 2014, and 2015 for the residents of the extended neighborhoods around the property including Eastview Terrace, Airport Acres and Country Club Drive.

*[The remainder of this page intentionally left blank.]*

**BLACKSBURG APF PARTNERS, LLC**

By:   
David A. Street, Managing Member



**RECEIVED**  
APR 01 2013

Baker, Robbie / 4/27/2006 12:29 PM / s:\22\22559\22559.dwg\permits\zoning\22559\_proffer\_plan.dwg

## **Neighborhood Meeting Notes for CUP 21-0006**

Rugby Field Townhomes at 203 Country Club Drive SW

Tuesday, November 30, 2021

6:00 PM

A neighborhood meeting was held to discuss a conditional use permit request for Townhome Use on the Ground Floor in the GC General Commercial at 203 Country Club Drive SW. The property is also known as the "Rugby Field" property.

Staff present at the meeting were Anne McClung, Planning and Building Director, Kali Casper, Assistant Planning Director and Kasey Thomsen, Planning Technician.

Steve Semones of Balzer and Associates and Ian Friend of SAS Construction attended as representatives of the applicant/owner.

Anne McClung gave a brief overview of the project request, its connection to the First and Main rezoning of 2006, purpose of the Neighborhood meeting and the overall meeting timeline in the public hearing schedule. McClung directed everyone in attendance to the Town of Blacksburg website where the current application, meeting schedule and any and all future document and additions to the application could be found.

Steve Semones of Balzer and Associates gave a presentation on the applicant's request for the Conditional Use Permit request.

At the conclusion of this presentation, the floor was opened for comments and questions.

- An attendee asked if Rugby Lane will remain right turn only onto Country Club Drive.
- An attendee asked to be oriented on the map display as to the existing roads and buildings.
- A community member asked Anne McClung how long a traffic study has value before the numbers become outdated.
- A community member asked if the units will be restricted to single-family occupancy and if the applicant could or would restrict occupancy to single-family only. The same community member asked about the permitted occupancy in that zoning district (GC) and stated that this property would turn into student housing.
- An attendee asked if this will be a private community with a Homeowners Association (HOA) and further asked who would formulate the HOA agreement.
- An attendee noted that there would be 2-story units and 3-story units. They asked if someone were to purchase a townhome, would the owner have use of the entire townhome from top to bottom.
- A community member asked how the existing trail on the property will be changed.
- A community member asked how close the existing trail would be moved to the property line. Additionally, the community member asked if the elevation of the trail will change.
- A community member asked if the trail will be moved closer to Margaret Beeks Elementary School.
- An attendee asked if there will be trees near the property line that will be removed and asked the applicant to confirm if that area was a wetland.
- An attendee asked what agency permitted the wetlands to be removed.



- An attendee asked if the applicant will need to seek new permission to remove the wetlands for this proposed project.
- A community member asked if the building colors shown on the renderings will be the actual colors used for the buildings. The community member then asked what kind of siding will be used for the buildings and whether there will be gas fireplaces in the units.
- A community member asked if gas will be provided in the units.
- An attendee asked if the applicant is required to provide units for disabled tenants. The attendee stated that it would make sense to outfit some units for this tenant need.
- An attendee asked about the price range for these units.
- A community member stated that this is prime area for commercial use, not residential. The member asked how town staff and Town Council members can justify this loss of commercial land. The community member stated that the proposed project location is one of the few places available for commercial expansion and town staff and Town Council are not looking far enough into the future.
- An attendee asked what the acreage of land between the daycare and the proposed development is. The attendee asked if the applicant could develop the other vacant parcel into residential.
- An attendee asked Anne McClung, which was more binding, proffers or CUP conditions? The attendee asked how much review the town planning department has done so far with this request.
- An attendee asked if there were any plans for additional entrances or exits to and from the property.
- An attendee asked to be shown the open space items on the renderings. The attendee stated that there didn't appear to be a lot of room for trees to grow nor is there a lot of room for families to enjoy.
- An attendee asked about the open space percentage on the proposed property. The attendee asked if this open space requirement is different from single-family residential requirements.
- A community member asked if the trail was within the boundary of this property.
- A community member asked to confirm if the trail would be moving 20 feet toward Margaret Beeks and if it will remain the same width. Additionally, the community member asked what kinds of trees would be planted on the Margaret Beeks buffer line.
- A community member asked for confirmation that the by-right use of the property would allow the applicant to build an apartment complex with 400 bedrooms but the applicant is only proposing 280 bedrooms. The community member also asked about the price range for the units.
- An attendee asked if the same zoning rules limiting occupancy will still apply after the units are built.
- An attendee asked if the applicant could make a condition that limited occupancy.
- An attendee further wanted it clarified if occupancy could be made a condition for occupying the units.
- An attendee asked if the proffers from the 2006 First and Main ordinance would still apply.
- A neighbor stated that people traveling to VT campus will cause traffic backups at Kroger and Country Club Drive and push traffic further into the neighborhoods.

- An attendee asked if anything the applicant wants to do with the land needs to be agreed upon with the owners of First and Main. The attendee asked if the First and Main land area shares the same rezoning and proffers as the proposed project area.
- An attendee asked the applicant to share again what exceptions they are asking for under the Use and Design Standards in the Town of Blacksburg Zoning Ordinance.
- An attendee stated that one of the exceptions would not be needed if the applicant built fewer units.
- A community member asked that it be clarified if the Homeowners Association would handle snow removal and private trash pickup (no dumpsters.)
- A community member asked if there were any existing examples of the density proposed that the public could visit. The community member asked if there were any renderings done by the applicant of probable height and viewshed.
- An attendee stated that anyone who wanted to age in place would require an elevator. The attendee asked how many units had this option or were conducive to adding this option. The attendee asked if there were or if there could be any single level floor plans.
- A community member asked Anne McClung if this project would be reviewed by the Comprehensive Plan committee for how it fits under the guidance of the Comprehensive Plan.
- A community member asked that it be clarified if this project fit the Comprehensive Plan for this area.
- An attendee asked if this was a sustainably planned project.
- An attendee asked why commercial on the first floor and residential on upper floors was considered a good idea in 2006 but is not desirable now for the applicant.
- An attendee stated that with a change in design, commercial could be on the first floor.
- A neighbor asked who will be monitoring the Homeowners Association to make sure they are doing their job and enforcing the rules put in place.
- An attendee asked if the traffic analysis takes into account Draper Road Extended.
- An attendee asked if bicycle and pedestrian traffic was included in the traffic analysis. The attendee is particularly concerned about the children who walk and ride their bikes to and from the daycare center and the elementary school. Lastly, the attendee asked what is to stop someone from buying a “party” house.
- A community member asked if the traffic analysis was completed before or after the Blacksburg Transit bus stop was added to the corner of Draper Road and Country Club Drive because this stop has led to an increase in foot traffic.
- An attendee asked when and how the applicant will pass on information about other existing similar townhomes projects that people can visit.

Meeting was adjourned at 7:45 pm.

Neighborhood Meeting

CUP 21-0006 Rugby Field Townhomes

Townhome Use on Ground Floor in General Commercial

Tuesday, November 30, 2021 6:00 PM

at 203 Country Club Drive SW

Name	Address	Email
PAUL DECK	419 DUNTON DR	
Susan Leaford	110 Master Circle	SusanLeaford09@gmail.com
Kristine Lowry	1015 Allendale Ct	kalowry@bellsouth.net
Niki McMaster	1300 Grissom Ln	nikimc33@gmail.com
Doug McMaster	1300 Grissom Ln	mcmaster@vt.edu
Javad Forabinejad		JForabinejad@yahoo.com

Please Print Legibly

Neighborhood Meeting

CUP 21-0006 Rugby Field Townhomes

Townhome Use on Ground Floor in General Commercial

Tuesday, November 30, 2021 6:00 PM

at 203 Country Club Drive SW

Name	Address	Email
Mike Lamboss	1210 Draper RDW	MLamboss@DAACOM
Sharon Diller	309 Overlook Dr	SDiller@gmail
Jan Friend	369 Commerce St	jfriend@subbuilders.com
Steve Sauer	80 Coopers Cir	SSauer@telus.net
JOEL HERBEIN	515 FARMINGDALE LN	JHERBEIN@TELUS.COM

Please Print Legibly

Neighborhood Meeting

CUP 21-0006 Rugby Field Townhomes  
 Tuesday, November 30, 2021 6:00 PM

Townhome Use on Ground Floor in General Commercial  
 at 203 Country Club Drive SW

Name	Address	Email
Joel NAETHLAS	412 Dunton Drive	naethlas@vt.edu
Roy Dodson	1206 Sanders Street	
TODD JONES	1607 Kennedy Ave	Todd.Jones@VAFB.com
Jeff Kirwan	107 Airport Dr.	
Lucinda Jennings	402 Eastview	Lucinda.j51@yahoo.com
Judy Kirwan	107 Airport Rd	judykirwan@yahoo.com
Margaret Marsille	509 Monte Vista Dr	mmarsille@gmail.com
Susan Anderson	700 Preston Ave.	

Please Print Legibly

**Kali Casper**

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**From:** Steven Brinlee <sgbrinlee@gmail.com>  
**Sent:** Wednesday, November 24, 2021 10:23 AM  
**To:** Kali Casper  
**Subject:** Note Regarding Rugby Field Townhomes

### External Message Warning

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Happy Thanksgiving, just sharing thoughts on the proposed **Rugby Field Townhomes**.

This seems to be a solid proposal for a variety of reasons:

1. Adds new-built residential within town boundaries vs. sprawling in adjacent areas.
2. Supports town goal of more housing adjacent to BT Routes, Bike and walking trail adjacencies.
3. Each residence appears to have it's own parking space within the structure meaning little to no street or surface parking.
4. Puts residents literally within walking distance to Kroger and First and Main shopping district.
5. Housing density is adjacent to almost exclusively commercial areas — North, East, and South site boundary; Western boundary creates a strong residential buffer for Margaret Beeks Elementary, which has been a concern with previous development ideas. Additionally, Beeks sits at an elevation of about 20-feet above grade for the proposed housing, and has a mature tree buffer.
6. Multiple resident traffic access points on the North at Country Club and on the South at the First and Main / Kroger access roads.
7. A diversity of housing sizes and appears to lean into more professional / adult ownership rather than undergraduate ownership.

As a side note: The Legacy

The proposed **Country Club Legacy apartment building** while a different animal, again achieves what I think many business owners on South Main desire, as well as what the long-standing town master plan identifies as preferable, which is strategically placing residential directly within the Main Street corridor, thus putting direct access to BT, walking and biking; as well as direct access to grocery, retail, and services that exist within easy walking distance.

Overall, both projects support the town's goals of in-fill residential development vs. sites that exist outside the town boundaries or would be otherwise developed in currently native land in the Tom's Creek basin, Prices Fork corridor or Harding Avenue corridor overlooking Ellett Valley.

Thank you for your time, consideration and hard work.

Best,  
Steven

**Kali Casper**

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**From:** David Tod <david@carter-tod.com>  
**Sent:** Wednesday, December 1, 2021 2:39 PM  
**To:** Kali Casper; Anne McClung  
**Subject:** Country Club Drive Rezonings

**External Message Warning**

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This is in reference to CUP 21-0006 and RZN 21-0005. I live just outside town limits, so my opinion may be worth very little, but it seems to me that any increase in density is a good thing and makes living in Blacksburg more affordable.

I would hope that ease, comfort and desirability of walking/biking to both campus and the local shops (e.g. Kroger, First & Main) should be facilitated as part of this development.

Thank you

David Tod

## Kali Casper

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**From:** Anne McClung  
**Sent:** Wednesday, December 8, 2021 10:15 AM  
**To:** Kali Casper  
**Subject:** Fw: CUP for Rugby Ln 21-0006  
**Attachments:** right turn lane.jpg

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**From:** Ginny Peeples <ginnypeeples@gmail.com>  
**Sent:** Wednesday, December 8, 2021 9:57 AM  
**To:** Anne McClung  
**Subject:** CUP for Rugby Ln 21-0006

### External Message Warning

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Anne,

I wanted to reach out to you to send a comment to planning commission. They have a meeting on the 16th but I will be unable to attend.

My child attends Kindercare so I am very familiar with this area. My concern is traffic impact. Exiting Ruddy Lane, the future residents may leave through the First and Main shopping center or by a right hand turn only onto County Club Drive. First, I am curious if a traffic study has been conducted to better identify the impact by the applicant. Second, I would like to suggest two scenarios:

- option 1 - extend the right hand only turn obstructions (concrete barrier or permanent yellow stakes) further down the road so someone could not safely turn left. At this time, it barely directs you to the right so is quite easy to turn left with full visibility.
- option 2 - propose a round-a-bout

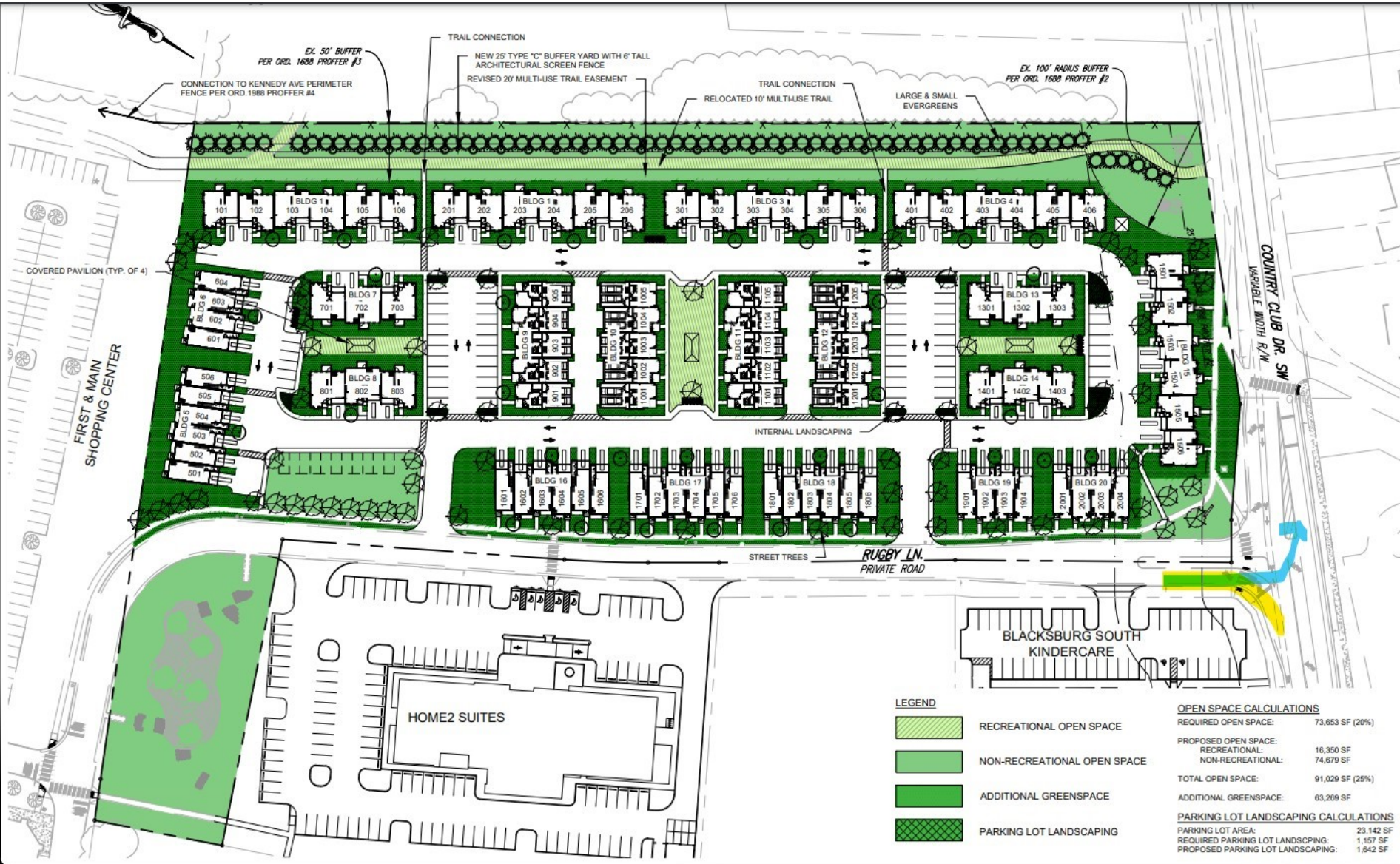
The desire to turn left from this location will only increase with residences here.  
The frequency of illegal left hand turns is already a daily occurrence.

Please reply to confirm receipt of this information.

Thank you for sharing.

Regards,  
Ginny Peeples  
Citizen - 6108 Albemarle Ln, Blacksburg, VA 24060





**RUGBY FIELD TOWNHOMES**  
 CONDITIONAL USE PERMIT  
 OPEN SPACE PLAN

TOWN OF BLACKSBURG  
 MONTGOMERY COUNTY, VIRGINIA

DATE 11/1/2021  
 SCALE 1" = 80'  
 REVISIONS

**LEGEND**

-  RECREATIONAL OPEN SPACE
-  NON-RECREATIONAL OPEN SPACE
-  ADDITIONAL GREENSPACE
-  PARKING LOT LANDSCAPING

**OPEN SPACE CALCULATIONS**

REQUIRED OPEN SPACE: 73,653 SF (20%)  
 PROPOSED OPEN SPACE:  
 RECREATIONAL: 16,350 SF  
 NON-RECREATIONAL: 74,679 SF  
 TOTAL OPEN SPACE: 91,029 SF (25%)  
 ADDITIONAL GREENSPACE: 63,269 SF

**PARKING LOT LANDSCAPING CALCULATIONS**

PARKING LOT AREA: 23,142 SF  
 REQUIRED PARKING LOT LANDSCAPING: 1,157 SF  
 PROPOSED PARKING LOT LANDSCAPING: 1,642 SF

**CUP3**

PROJECT NO 24210115.00