

MEMORANDUM

To: Planning Commission

From: Kinsey O'Shea, AICP, Senior Town Planner *KO*

Date: November 10, 2022

Subject: CUP 22-0005- Conditional Use Permit Request for additional height in the Downtown Commercial DC zoning district at 310 Midtown Way (Tax Map No. 257-(A)-217) by Foresight Design Services (applicant) for Midtown Redevelopment Partners, LLC (property owner)

SUMMARY OF REQUEST

Property Location	310 Midtown Way in the Midtown Development
Tax Parcel Numbers	Tax Map No. 257-(A)-217
Parcel(s) Size	1.858 acres
Present Zoning District	DC Downtown Commercial with Conditions
Current Use	Vacant
Adjacent Zoning Districts	Northeast: PR Planned Residential w/ conditions (Midtown)
	Southeast: R-4 Low Density Residential
	Southwest: DC Downtown Commercial w/conditions (Midtown)
	Northwest: DC Downtown Commercial w/conditions (Midtown)
Adjacent Uses	Northeast: Townhomes under construction
	Southeast: Two-family residential; single-family residential
	Southwest: Future Midtown DC #4A and Commons
	Northwest: Future Midtown DC #5
Adopted Future Land Use	Downtown Commercial
Proposed Use	Hotel
Midtown District Standards	
Maximum Height	60'; up to 100' with CUP
Proposed Height	73'
Pattern Book Setbacks	Midtown Way: 0' required; appx. 4' – 20' <i>per scaled drawing</i>
	Church St.: 12' from curb line required; appx. 15' <i>per scaled drawing</i>
	Eheart St.: 15' required; appx. 37' <i>per scaled drawing</i>
	Interior PR: >20' min; appx. 90' <i>per scaled drawing</i>
Maximum lot coverage	100% lot coverage allowed

STAFF REPORT and KEY ELEMENTS

This staff report is divided into topical areas of evaluation. 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.

KEY ELEMENTS

- Impact on pedestrian environment due to increased height of structure
- Impact on surrounding uses due to increased height of structure

EXISTING CONDITIONS AND DEVELOPMENT PROPOSAL

BACKGROUND AND EXISTING CONDITIONS

The proposed Conditional Use Permit is a request for additional height above the maximum 60' in the Midtown conditional Downtown Commercial (DC) Zoning District. A hotel is proposed for the 1.85-acre parcel in the Midtown development known as DC Parcel #6 as identified in the graphic below. The entire 20+ acre Midtown project was rezoned to the Downtown Commercial (DC) and Planned Residential (PR) zoning districts in May of 2019 by Ordinance #1866, and included a companion CUP for a hotel on this parcel. The Midtown development rezone was later amended by Ordinance #1933 in 2020, and contained a number of amendments including an allowance to request additional height in the DC district of Midtown through a CUP.

A graphic illustrating the most current parcel configurations for the development is shown below. The CUP filed is for DC Parcel #6 only. Previous CUPs for additional height were requested in the Midtown development for DC Parcel #1 for the parking garage solar panels, and for DC Parcel #5, for an additional floor of residential units in a mixed-use building with partial podium parking. Both requests were approved.

Construction in the Midtown development is ongoing. The William H. Brown Police Department Building and parking garage were completed in the summer of 2022. Currently, townhomes on PRD Parcels #3 and #4 are under construction. Site plans and associated plats are under administrative review for DC #3 (Old School Commons and Plaza); DC #4A; DC #5; PRD #1 (Central Park), PRD #2, and PRD #5; and the remaining public infrastructure associated with the Eheart Street improvements including the traffic signal and cycle track.



DEVELOPMENT PROPOSAL

Foresight Design Services, on behalf of KM Hotels, seeks a conditional use permit for additional building height up to 73' in the Midtown Conditional Downtown Commercial zoning district for the construction of a hotel. The application indicates that the property is currently owned by Midtown Redevelopment Partners, LLC, with KM Hotels as a contract purchaser for the property. A hotel was approved by CUP for this parcel in the conditional Downtown Commercial Zoning District for the Midtown development. No limitation on the number of rooms was included in the CUP approval. Hotel uses do not have a measure of density in the same way that residential units or bedrooms are counted in Town. However, impacts to public infrastructure such as sanitary sewer demand or traffic impacts are generally measured by projected number of guest rooms, plus any additional services such as restaurants. During the Midtown rezoning request, a hotel was envisioned as a part of the desired mix of commercial uses. The original application, and subsequent updates, included impact assumptions for a 100-room hotel. Infrastructure for the Midtown development was designed and constructed based on these assumptions.

The Conditional Use Permit application for 73' is an increase of 13' over the allowed height of 60'. The approved Midtown Proffers and Pattern Book indicate that a greater height up to 100' is allowed if approved through a CUP. The applicant estimates the final building height would be 71'-8" as measured per the Zoning Ordinance for a corner lot. Midtown Way is the front of the building. It should be noted that the additional height request is not solely related to the number of guest rooms. A hotel with the same number of guest rooms could be constructed on the parcel, without additional height, but would require different building design and layout. The applicant stated that the desired guest room layout and amenities including conference space and a restaurant are the drivers for the request for additional height above 60'. The request for 73' allows some flexibility in final design and takes into account the variability in final grades that will be used in the height measurement pursuant to the Zoning Ordinance.

The measurement of building height is contained in the definitions section of the Zoning Ordinance as shown below.

HEIGHT, BUILDING—The vertical distance measured from the adjoining grade at the front entrance of the building or structure to the highest point of the structure. For corner lots, the building height shall be the average of the front height defined above and the building side height adjacent to the street. The building side height shall be defined as the vertical distance measured from the lowest adjoining grade on the side adjacent to the street to the highest point of the structure.

DC Parcel #6 is a corner lot with three public street frontages along Midtown Way, Church Street, and Eheart Street. The building main entry is on Midtown Way, as is the entrance to the parking lot. There is a second primary entrance on Church Street, as well as entrances on Eheart Street, and on the building "interior" facing the parking area. Building height will be measured from the Midtown Way and Church Street facades as per the definition above.

ADDITIONAL BUILDING HEIGHT IN DC

In September of 2019, Town Council adopted Ordinance #1900, which approved a Zoning Ordinance text amendment to allow applicants to request additional building height by Conditional Use Permit in the DC district. Building height is restricted to 60' by-right in the DC district. This is also the height limitation in the original Midtown rezone, Ordinance 1866, which was approved in May 2019. Ordinance 1933, which amended the rezoning in August 2020 allowed additional height to be requested on any parcel in the Midtown conditional DC zoning. The amendment to the rezone allows an applicant to request a CUP for up to 100' in height. Each CUP request is reviewed on a case-by-case basis. To date, a total of three prior CUP applications have been filed including two in Midtown; the first was for the North End mixed-use development approved for a maximum

height of 100', which is currently under construction; the second for the Police Department and parking garage solar panels at Midtown approved for a maximum of 76', which has been completed; and the third for an extra story of residential units in the DC #5 mixed-use building in Midtown for a maximum of 70', which is not yet under construction.

Specific criteria for consideration of each CUP request for additional building height were included in the Zoning Ordinance amendment. The applicant has provided justification responding to these criteria in the application. The staff analysis of the application against the evaluation criteria found in Section 3141 of the zoning ordinance is found below.

CRITERIA FOR EVALUATION OF CONDITIONAL USE PERMIT REQUESTS

There are a number of analysis points for the evaluation of a request for a conditional use permit within the 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 CUP request, as found below:

1. *Conformance to the Comprehensive Plan, or to specific elements of the Plan, and to official Town policies adopted in relation thereto, including the purposes of the Zoning Ordinance.*
2. *Adherence to minimum adverse impact on the surrounding neighborhood or community. The proposal as submitted shall not cause adverse impacts as defined by Section 1181 (b) of the Zoning Ordinance. Adverse impacts considered may include, but not be limited to, traffic congestion, noise, lights, dust, drainage, water quality, air quality, odor, fumes, and vibrations. Due regard is given to the timing of the operation, site design, access, screening, or other matters which might be regulated to mitigate adverse impact.*

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

Typically, the proposed uses for Conditional Use Permit requests are evaluated for their conformity to the Comprehensive Plan. In this instance, the hotel use was evaluated as a part of the Midtown rezoning request. The Future Land Use designation is Downtown Commercial, and a hotel is a use that is compatible with this designation.

Conditional Use Permit Criteria §3141

Building height combined with building length and width dictate the building's mass and scale and can significantly impact the user experience from the street level. This is a corner lot, and height is measured as an average of the building front and side heights. Evaluation criteria to determine the appropriateness of the height increase requested are found below with staff analysis:

- (1) Whether the parcel has frontage on a Major Arterial roadway;
The parcel itself does not have frontage on an arterial roadway. The parcel will have frontage on Midtown Way and the new portion of Church Street in the Midtown Development, as well as Eheart

Street. The Midtown development as a whole does have frontage on South Main Street, which is an arterial roadway.

- (2) The parcel is not located within two hundred fifty (250) feet of any parcel zoned R-4, R-5 or OTR; *The parcel is across Eheart Street from residentially-zoned properties. The parcel also abuts the Midtown PR district to the northeast. Eheart Street has a variable-width right-of-way, but in this location, is approximately 50' wide. Thus, the parcel is closer than 250' from residentially-zoned properties (R-4, R-5, and OTR). The R-4 zoned properties located across Eheart St. contain a two-family dwelling and an oversized side yard for a single-family dwelling. The two-family dwelling is close to the street and the face of the dwelling is approximately 90' from the hotel parcel property line on Eheart Street.*
- (3) Relationship of building to the street;
The proposed building is oriented such that its primary façades are Midtown Way and Church Street. The building will have an entrance and a narrow side adjacent to Eheart Street as well. The architectural elevations show that there will be entrances along each frontage. The plan and renderings indicate that there will be a brick retaining wall around the Church Street-to-Eheart Street corner, extending along the Eheart Street frontage, and partially wrapping the parking lot adjacent to the PR parcel to the northeast. It should be noted that there is no direct access from Church Street to the southernmost building entrance on Eheart Street due to the retaining wall. Access to this entrance is only from Eheart Street, or the interior of the site. Direct access to the Midtown Way and Church Street sidewalks are provided at the main entrances. The ground floor of the hotel is not proposed to have guest suites, but will house conference space, a restaurant, and hotel support services according to the provided floor plans. Outdoor seating areas are included adjacent to building entries along Midtown Way, and near the corner of Church Street and Eheart Street.
- (4) Building mass, scale, architectural features, which should include expression lines or other horizontal building articulation, and step backs for stories above 60' in height;
The elevations submitted with the Conditional Use Permit do not show any building step backs above 60' in height. Overall, the building articulation is achieved primarily through materials change and horizontal (forward/backward) building articulation, as well as varying roof line heights. There are a variety of building materials proposed including three colors of brick, stone masonry and cast stone masonry, and storefront/break metal (trim) details. The ground floor has a larger footprint than the upper floors in some areas as depicted on page 40 of the application by the differentiation between blue ground floor and red upper floor outline. The ceiling level of the ground floor is punctuated by a horizontal decorative cornice and trim details between the first and second floor. Building elevations and renderings are included in the CUP application.

The architectural renderings for DC Parcel #6 were submitted with this application and are under review by staff. The Development Agreement requires that architectural elevations including materials will be reviewed and approved by Town Council. No review or action is required by Planning Commission, however, staff wants to ensure that the CUP elevations are consistent with any architectural changes required by Town Council, and will need to be reflected in a revised CUP application.

- (5) Building setbacks;
The Pattern Book describes building setbacks:
 - *Midtown Way: 0' from property line*
 - *Church Street: 12' from back of curb*

- *Eheart Street: 15' from property line*

*The application does not show precise dimensions for the building setback from the property lines, but does show that it is within the allowable building envelope established by the setback lines. Measuring the scaled drawing in the application, the Midtown Way setback varies from approximately 3' – 20'; the Church Street setback varies from 15' – 20' (measured from the property line; 12' + 3' from the back of curb); and the Eheart Street setback is approximately 37' minimum. The building is required to be a minimum of 20' from the property line adjacent to the PR district to the northeast. The building is approximately 90' from this property line. **The applicant should provide a drawing with clear minimum dimensions from the building to the property line and/or curb as required.***

- (6) Width of sidewalk;

*The required sidewalk widths are governed by the approved Pattern Book and are greater than typical DC zoning requirements. Typically, 8' wide sidewalks are required along side streets in the DC district. However, for this parcel, the Pattern Book dictates a minimum 8' sidewalk along the Eheart Street frontage; a 10' sidewalk along Midtown Way; and a 12' sidewalk along Church Street. The required sidewalk along Midtown Way and Church Street has been installed with the Midtown Phase I Infrastructure development, though the Eheart Street sidewalk is still under review in the Phase II Infrastructure plan. Construction of sidewalk along Eheart Street would have to be completed prior to the issuance of a certificate of occupancy for this parcel. Connections from the building to the public sidewalk are provided as shown in the application. The rezone master plan showed that an internal through-connection from Midtown Way to Eheart Street is provided through the parcel. The proposed plan shows a nearly-continuous sidewalk provided to make this connection, though it is not direct. A portion of the route is not connected adjacent to the building and parking area on the northeast side of the building. **The applicant will have to revise the plan to complete this connection.** No additional sidewalk width along the public street frontages is proposed.*

- (7) Impact on pedestrian environment;

The pedestrian environment comprises more than just the sidewalk minimum width. This zone includes streetscape furniture, building entries and fenestration, building articulation, and landscaping. The Midtown development included a cohesive plan for streetscape for all streets within and adjacent to the development. The pedestrian area will also feature urban street trees, downtown benches and planters, and other downtown street furniture for this parcel and the others in the DC-zoned parcels in Midtown. In addition, there will be on-street parking on Church St. and Midtown Way. Bikes lanes are included on both sides of Church St.

*Combined with wider sidewalks, the design of these features can help improve the pedestrian environment, even with very tall buildings. Architectural methods such as building step-backs (which allow more light to reach the street); regular cadence of doors and windows at the street level; awnings and recessed entries; and other features can help make the space feel more inviting. The application shows that there are several areas where there is to be outdoor patio areas adjacent to the building, but apart from the pedestrian connections to the public sidewalk, has not created a more inviting streetscape to mitigate the impact of the height. **Staff recommends a condition requiring additional urban-style landscaping, hardscaping, benches, and other street furniture to bridge the space between the public sidewalk and the building face.** These improvements can be made without changing the site layout or building design and footprint:*

1. *In order to mitigate the impact of the additional building height on the pedestrian environment and neighboring uses, the developer shall provide the following enhanced streetscape measures:*
 - a. *Wider sidewalk between the proposed building and the existing back of sidewalk along Church Street and Midtown Way;*
 - b. *Planters/boxes/urban landscape features along the streetscape at a rate of one per every 50' of frontage along Church Street and Midtown Way;*
 - c. *Additional street furnishings such as trash cans, benches, bike racks, tables, etc. within the enhanced streetscape zone along Church Street and Midtown Way;*
 - d. *One additional street tree in the green space south of the building along Eheart Street near the proposed hardscape area;*
 - e. *Additional landscaping to screen the parking from view of Midtown Way at the entrance, provided that no landscaping obstructs sight distance at the entrance or interferes with underground utility infrastructure; and*
 - f. *Additional landscaping to screen the parking and building from view of the adjacent PR parcel. Landscaping in this area should consist of small-to-medium evergreen and deciduous shrubs, and herbaceous perennials. No trees shall be planted in this area due to underground utility infrastructure.*

(8) Impact on adjacent land uses

The building height on DC Parcel #6 will have visual impacts on surrounding uses. The tallest building mass will be experienced at the corner of Midtown Way and Church St. interior to the site, where the building entrance sits at the street corner grade. The building will be taller than the neighboring 4-story townhomes on the PR parcel to the northeast, and taller than the other buildings on the DC parcels around it. The building elevations on pages 42-47 show comparative heights of the proposed building with other building heights in the Midtown development.

*The parcel abuts other Midtown parcels on all sides except the Eheart Street frontage where Midtown abuts the existing neighborhood. The site will be graded in such a way that the entire ground floor and parking area will be below the street and public sidewalk level of Eheart Street. There will be a low retaining wall that shields the parking and the Eheart side of the building. The application does not specify the height of the wall, but the renderings appear to indicate that it is pedestrian scale. **The applicant should include the minimum and maximum heights proposed for the wall. Additionally, the applicant should confirm that the location of the wall does not encroach into any public utility easements.** The wall takes up the grade along this frontage as Eheart Street rises from west to east. Though the building will sit lower than the street elevation of Eheart Street, it will be taller than the neighboring buildings, and taller than what the neighboring zoning allows. The building is set back from Eheart Street approximately 37', and appears to contain lawn and landscaping in the space between the building/parking, and the retaining wall and street. Landscaping is shown above the wall at the Eheart Street grade to further screen the parking from view of the street, per the proffered elements in the Pattern Book, but no details regarding type or spacing has been provided. **The applicant should provide more specificity regarding the landscaping proposed for this area.** This landscape area directly impacts the pedestrian environment on both sides of the retaining wall along Eheart Street and helps soften the view from Eheart Street.*

EVALUATION OF IMPACTS

The Town Engineering staff have reviewed the application and finds that the additional height request does not have adverse impact on Town public infrastructure. The original rezoning request evaluated the impact of the proposed uses for the entire Midtown development, and required improvements to mitigate impacts were approved.

NEIGHBORHOOD MEETING

A neighborhood meeting was held on November 3, 2022. Notes and the sign-in sheets from this meeting included as an attachment. There were several attendees.

SUMMARY

The Planning Commission and Town Council are asked to evaluate the request for a Conditional Use Permit for Additional Height in the Downtown Commercial zoning district in accordance with sections 1181 and 3141 of the zoning ordinance. The evaluation should consider the conformity to the comprehensive plan, the zoning ordinance, and the mitigation of adverse impacts.




STAFF RECOMMENDED CONDITIONS

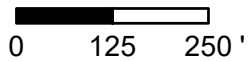
2. The site shall be developed in substantial conformance with the application dated October 3, 2022
3. The maximum height of the structure shall be limited to 73'.
4. In order to mitigate the impact of the additional building height on the pedestrian environment and neighboring uses, the developer shall provide the following enhanced streetscape measures:
 - a. Wider sidewalk between the proposed building and the existing back of sidewalk along Church Street and Midtown Way;
 - b. Planters/boxes/urban landscape features along the streetscape at a rate of one per every 50' of frontage along Church Street and Midtown Way;
 - c. Additional street furnishings such as trash cans, benches, bike racks, tables, etc. within the enhanced streetscape zone along Church Street and Midtown Way;
 - d. One additional street tree in the green space south of the building along Eheart Street near the proposed hardscape area;
 - e. Additional landscaping to screen the parking from view of Midtown Way at the entrance, provided that no landscaping obstructs sight distance at the entrance or interferes with underground utility infrastructure; and
 - f. Additional landscaping to screen the parking and building from view of the adjacent PR parcel. Landscaping in this area should consist of small-to-medium evergreen and deciduous shrubs, and herbaceous perennials. No trees shall be planted in this area due to underground utility infrastructure.

ATTACHMENTS

Staff GIS Maps
Neighborhood Meeting notes and sign-in sheets

310 Midtown Way CUP22-0005

-  Bus Stops
-  Subject Area
-  Parcels



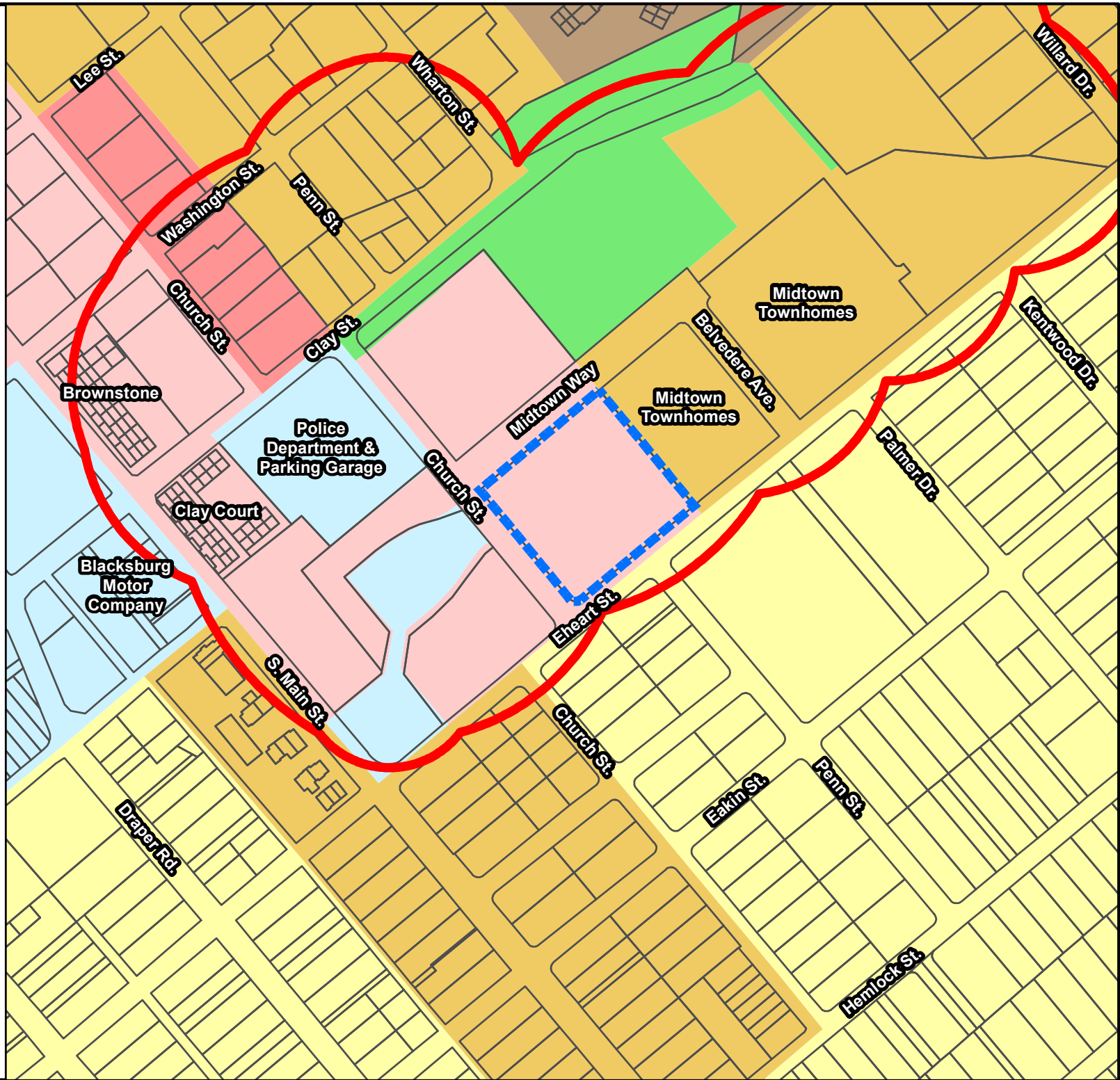
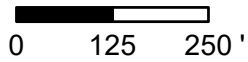
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**310 Midtown Way
CUP22-0005**










Future Land Use

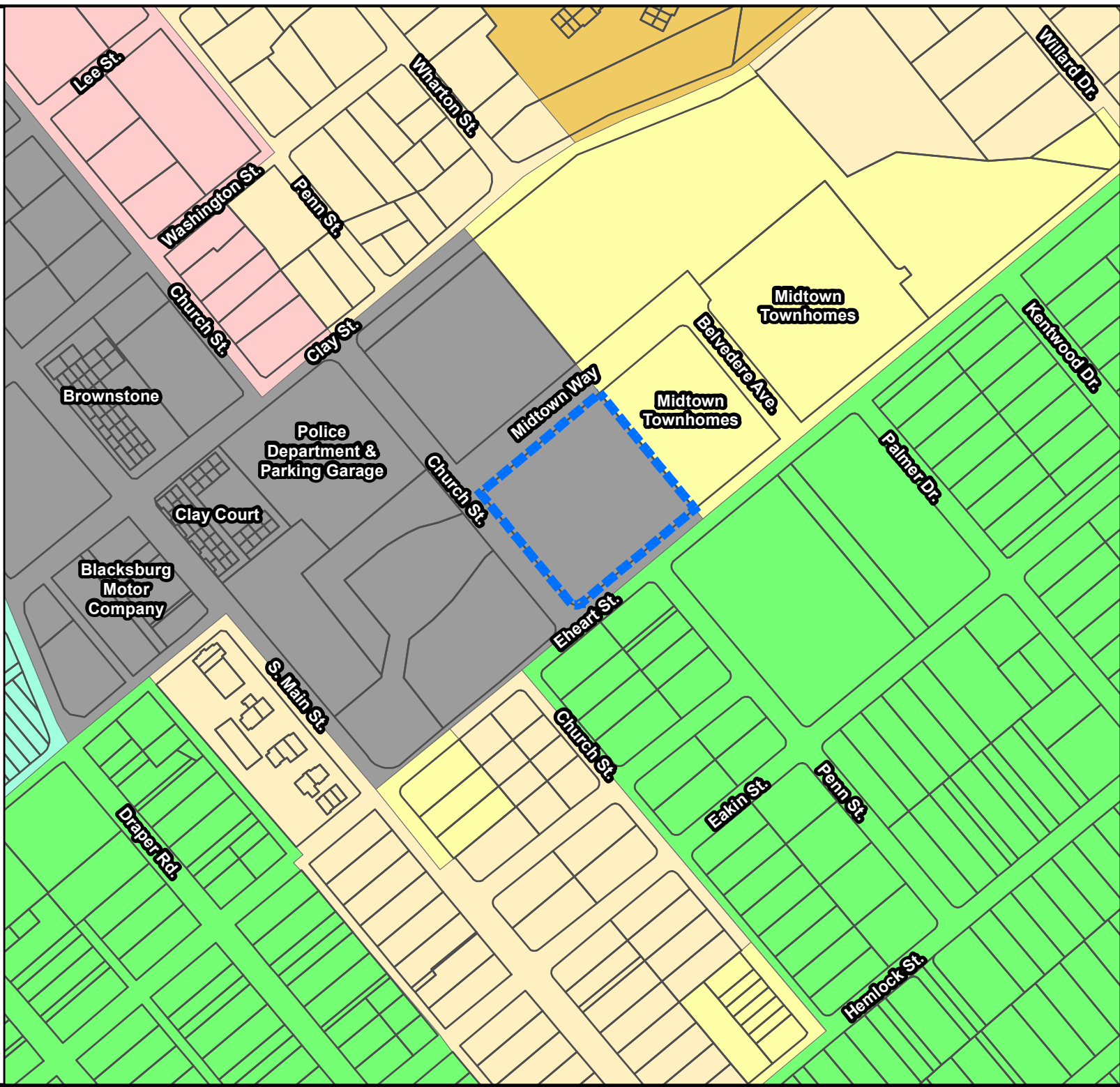
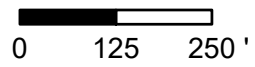
-  Subject Area
-  Mixed Use
-  Parcels
-  Low Density Residential
-  Medium Density Residential
-  High Density Residential
-  Park Land / Open Space / Resource Protection
-  Civic
-  Commercial
-  Downtown Commercial



**310 Midtown Way
CUP22-0005**

Current Zoning

-  Subject Area
-  Parcels
-  OTR Old Town Residential
-  R-4 Low Density Residential
-  R-5 Transitional Residential
-  RM-27 Low Density Multiunit Residential
-  O Office
-  DC Downtown Commercial
-  PR Planned Residential



MEMORANDUM

To: Planning Commission
From: Kinsey O'Shea, AICP, Senior Planner *KO*
Date: November 10, 2022
Subject: Neighborhood Meeting Notes for:
CUP22-0005—Conditional Use Permit Request for additional height in the Downtown Commercial (DC) zoning district at 310 Midtown Way (Tax Map No. 257-(A)-217) by Foresight Design Services (applicant) for Midtown Redevelopment Partners, LLC (property owner)

A neighborhood meeting was held to discuss a conditional use permit request for increased height above 60 feet in the Midtown Development at 310 Midtown Way.

Thursday November 3, 2022; 7:00 PM
Roger E. Hedgepeth Chambers, 2nd Floor Municipal Building
300 South Main Street, Blacksburg

Town staff present were Kinsey O'Shea and Kasey Thomsen.

John Neel of Foresight Design Services attended as the engineering firm for the applicant.

Kinsey O'Shea gave an overview of the conditional use permit request, purpose of the neighborhood meeting and overall meeting timeline in the public hearing schedule. O'Shea directed everyone in attendance to the Town of Blacksburg website where the current application, meeting schedule and any and all future documents and additions to the application can be found.

- An attendee asked when the code change was made to the Zoning Ordinance to allow for increased height.

John Neel of Foresight Design Services gave a presentation regarding the conditional use request. The request is for increased height above 60 feet to a maximum of 73 feet for a proposed hotel use in the Midtown Development on DC Parcel 6. The applicant stated the desire for the increased height is to accommodate first floor amenities such as a fitness room, pool and conference rooms and still allow for desired hotel rooms and suites. The proposed hotel will be built below grade so it will rise to a height of about 67 feet.

- An attendee asked if parking will be behind the building and adjacent to Eheart Street. The attendee asked if the applicant was planning to ask for a parking exception from the Town.
- An attendee asked if grading had already been done and how much dirt has been removed.
- An attendee named Rick Johnson asked how much bigger this building will be than the conceptual drawings that were shown when Midtown was first being developed. Johnson

stated that it looks much taller and has one more additional story than the conceptual drawing. Johnson commented that this will just add more density and more traffic and these are areas of concern for the citizens of Blacksburg. Johnson commented that more buildings are being built against zoning regulations and variances seem to be automatically granted for these properties.

- An attendee asked if the additional height request were not approved, would the developer then reduce the number of rooms.
- Rick Johnson stated that the Midtown developer was granted more density for retail and apartments and Johnson is concerned about all the density in totality.
- An attendee was concerned about the existing stormwater infrastructure and site stability with so much proposed grading and digging. The attendee asked if the grading and digging was accounted for in the original conceptual drawings. The attendee asked how the applicant would handle onsite erosion control and the storage, removal or placement of dirt on the site with so many other buildings built or in progress.
- An attendee commented that the applicant could accommodate the desired amount of rooms within the regulated height and asked if the purpose for the additional height was to provide the proposed conference and restaurant areas in addition to the proposed number of rooms.
- Rick Johnson asked Town staff if the Midtown developer was granted more space for apartments and less space for retail. Johnson stated that he feels the Town calculated traffic load incorrectly and asked how the Town accounts for future traffic when conducting traffic analyses.
- An attendee stated that next to the proposed hotel is a 4-story townhouse development. The attendee asked how much taller would the hotel be compared to the neighborhood townhomes. The attendee then inquired about hotel parking at the parking deck. The attendee noted that the parking deck will be constantly full with parking for apartment residents, office and retail workers, business customers, and overflow parking for the Police Department. If the parking deck was intended for people visiting Downtown Blacksburg, there will not be any room for those visitors.
- An attendee asked if the hotel parking will be on ground level. The attendee asked how close the parking lot will be to Eheart Street and if there will be an earth berm or buffer and/or a retaining wall. The attendee asked if headlights would shine over the retaining wall.
- An attendee who will be occupying a unit in the proposed townhome development adjacent asked if there was just one entrance and exit for the hotel and if the fire department was aware of and had approved the design. The attendee then asked how close the hotel parking lot will be to the townhome development.
- An attendee asked if there was customer demand enough to justify needing the extra floor and extra height.
- An attendee asked if the applicant consulted Town staff about traffic. The attendee asked if the Planning Department referred the applicant to the Engineering Department for a review.
- An attendee asked if the rooftop lounge would be enclosed because they are concerned about noise. The attendee stated that they lived at Clay Court.
- An attendee asked Town staff about the rules and criteria for an additional height conditional use permit request.
- An attendee asked if there would be a dumpster area.
- An attendee asked if the request would go to the Town Council for a decision.

3 – CUP22-0005 Additional Height at Midtown DC#6
310 Midtown Way
10 NOV 2022 KJO

- Rich Johnson asked the applicant if they had presented the request for additional height to the Town Council already.
- An attendee asked if there would be a barrier installed so people do not fall from the wall on Eheart Street into the parking lot.

Meeting was adjourned at 8:08 pm.

