

TOWN OF BLACKSBURG CONDITIONAL USE PERMIT APPLICATION

This application and all accompanying information must be submitted in full before the Conditional Use Permit can be accepted by Town staff. Once the Planning and Building Department accepts the application, it will be referred to the Planning Commission and Town Council for consideration. The application and all accompanying information will become conditions of approval. Any conditions of approval are binding. Other conditions may apply. Please contact the Planning and Building Department at (540) 443-1300 for application deadline or questions, or to schedule the **required** pre-submittal meeting.

The following items **MUST** accompany this application for the Town of Blacksburg to accept this application for processing and review. Any items submitted cannot be larger than 11x17 in size:

- 1) Digital copies (PDF) of all application materials are required at the time of submittal, or within 5 working days of the submittal date.
- 2) Written, signed consent of the property owner. If the applicant is the contract purchaser, the written consent of the property owner is required (§1182)
- 3) Concept plan with surveyed boundaries for the property showing the lot, existing and proposed structures, site improvements, parking areas and spaces, and any other information necessary to determine the ability to meet the Zoning Ordinance site development standards, Use & Design standards, and compatibility with the neighborhood. A stormwater management concept plan with calculations is required. Application should also include projected water and sewer flows to determine impact to Town infrastructure
- 4) Vicinity map showing surrounding uses, zoning districts, buildings and other improvements
- 5) Building elevations for all proposed buildings, or elevations showing any changes to existing buildings
- 6) Sketch depicting any proposed signage including size, location, and materials
- 7) Completed Town of Blacksburg VDOT TIA Supplemental Form, and any other traffic information required by Town Staff as identified in the pre-submittal meeting
- 8) A list of adjacent property owners (including properties across a street) and their addresses. Reimbursement to the Town for Certified First Class Mail will be required upon Town verification of recipients and postage necessary to mail the application to all adjacent property owners.
- 9) Fee of \$500 for Conditional Use Permit or amendments to existing Conditional (special) Use Permits.
- 10) Proof of pre-submittal meeting between Town staff and applicant/agent (email correspondence or calendar appointment is sufficient) (§1182)
- 11) Prior to the initiation of an application for Conditional Use Permit, or prior to the issuance of final approval, the applicant shall produce satisfactory evidence that any delinquent real estate taxes owed, which have been properly assessed against the subject property, have been paid (§1182)
- 12) Any applicant for a Conditional Use Permit shall make complete disclosure of the equitable ownership of the real estate to be affected including, in the case of corporate ownership, the names of stockholders, officers and directors, and in any case the names and addresses of all of the real parties of interest. The requirement of listing names of stockholders shall not apply to a corporation whose stock is traded on a national or local stock exchange, and which corporation has more than 500 shareholders (§1110)

SIGNATURE OF APPLICANT/CONTACT PERSON + PRINTED NAME:

 Jeanne Stosser - Midtown Redevelopment Partners LLC DATE: 3/1/2023

By signing this application, I affirm that this application is complete and all required items are included

SIGNATURE OF PROPERTY OWNER + PRINTED NAME:

 Jeanne Stosser - Midtown Redevelopment Partners LLC DATE: 3/1/2023

By signing this application, I affirm that this application is complete and all required items are included

Location or Address of Property for Conditional Use Permit:

TBD SOUTH MAIN STREET

Tax Parcel Number(s): 257-A 94CAcreage 1.013Present Zoning District: DC - DOWNTOWN COMMERCIAL (with conditions)Present Use of Property: VACANTProposed Use for the Property HOTEL & COMMERCIAL/RETAIL/RESTAURANT/OFFICEConditional Use Requested: Hotel in DC district and increased height to 75' Code Section 3141(b) & 3141(c)Is this request for an amendment to an existing Conditional (Special) Use Permit? NOPrevious Conditional (Special) Use Permit Number/Resolution Number N/A**APPLICANT/CONTACT PERSON (Contract Purchaser if applicable)**NAME: MIDTOWN REDEVELOPMENT PARTNERS LLCADDRESS: PO BOX 10397BLACKSBURG, VA 24062PHONE: 540-443-2860EMAIL: jcowan@cowanperry.com**PROPERTY OWNER(s)** (If property is held in an LLC or other corporation, names of all partners must be disclosed.
Signatures may be obtained and submitted on a separate sheet if needed)NAME: MIDTOWN REDEVELOPMENT PARTNERS LLCADDRESS: PO BOX 10397BLACKSBURG, VA 24062PHONE: 540-443-2860EMAIL: jcowan@cowanperry.com**ENGINEER/ARCHITECT (optional)**NAME: BALZER AND ASSOCIATES, INCADDRESS: 80 COLLEGE STREET SUITE HCHRISTIANSBURG, VA 24073PHONE: 540-381-4290EMAIL: ssemones@balzer.cc

Please provide the following information - attach separate pages if necessary:

Description of the proposed use including any site modification

SEE ATTACHED

Please demonstrate how the proposed use, when complemented with additional measures, if any, will be in harmony with the purposes of the specific district in which it will be placed.

SEE ATTACHED

Please demonstrate how there will be no undue adverse impacts on the surrounding neighborhood in terms of public health, safety, or general welfare, and show the mitigation of impacts to achieve the goals.

SEE ATTACHED

Any modifications or exceptions to Use and Design Standards or Development Standards must also be requested at the time of CUP evaluation. Identify and provide a justification for modification/exception

SEE ATTACHED

If the application is an amendment to an existing approved S/CUP, provide an identification of any proposed changes requested below and on a plan, and a strike-through and italic edit of any conditions proposed to be changed

SEE ATTACHED

CONDITIONAL USE PERMIT APPLICATION

FOR

**AC HOTEL
MIDTOWN DC-2**

**TBD South Main Street
Blacksburg, Virginia**

**TAX PARCEL
257-A 94C**

March 1, 2023

**PREPARED FOR:
MIDTOWN REDEVELOPMENT PARTNERS, LLC
PO Box 10397
Blacksburg, VA 24062**

**PREPARED BY:
BALZER & ASSOCIATES, INC.
80 College Street, Suite H
Christiansburg, VA 24073**

Description of Proposed Use:

The site is located on a 1.013 acre portion of the property which fronts South Main Street within the Midtown Project and is owned by Midtown Redevelopment Partners, LLC. This portion of property has been designated Downtown Commercial Parcel #2 (DC-2) in the approved rezoning for the Old Blacksburg Middle School property designated as Ordinance Number 1866 and as amended in Ordinance 1933 and 1968. DC-2 will be located along South Main Street and will also be accessible from the loop road of Old School Common. The proposed use of this DC-2 parcel as provided within the approved rezoning application and Pattern Book is a mixed-use building that may include commercial, office, retail, and residential uses. However, no residential use is proposed but a new use for a hotel is proposed. In order to provide the square footage needed for each proposed use, additional building height above the currently allowed 60 feet will be required for DC-2.

The Pattern Book approved for the Midtown Development allowed for a maximum height of 60 feet in the proposed Downtown Commercial district. The underlying height requirement in the Downtown Commercial district is also 60 feet. The Town zoning ordinance defines building height as “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.” However, the approved Pattern Book states that building height for DC-2 shall be measured from The Commons side of the building and not from South Main Street. This was done knowing that there would a grade drop between the Commons and South Main Street and that the South Main level of the building would be built into the grade creating a lower level walkout like condition.

The current building design for DC-2 is an “L” shaped mixed use building with a total gross enclosed area of approximately 143,905 square feet. The long leg of the building that runs parallel to South Main Street would be a maximum of seven stories and the short leg of the building running perpendicular to South Main Street would be three stories. Uses would include approximately 20,905 square feet for allowable commercial uses such as, but not limited to, retail, restaurant, and the hotel lobby on the ground floor that is accessed from South Main Street. The second floor which is accessed from The Commons, would be Hotel use including check in, hotel amenity areas and 11 hotel rooms. The third floor would have 21 hotel rooms and 13,275 square feet of office space. Floors four, five and six are all programed as hotel rooms with 41 rooms per floor. The seventh floor would provide an enclosed rooftop lounge and 5,000 square feet of meeting room and a large outdoor patio area. As design was finalized on the building, it was determined that the maximum building height as measured from Old Town Common would be approximately 75 feet, thus 15 feet taller than currently allowed. The request of this Conditional Use Permit is for a 155 room Hotel Use in the DC district and a maximum building height of 75 feet for DC parcel 2.

When evaluating an additional height increase in the Downtown Commercial zoning district, the following criteria are reviewed:

(1) Whether the parcel has frontage on a Major Arterial roadway

- DC Parcel 2 does have frontage on South Main Street which is considered a Major Arterial.

(2) The parcel is not located within two hundred fifty (250) feet of any parcel zoned R-4, R-5 or OTR

- As shown on the attached drawing labeled CUP 1, the property is located within 250 feet from R-5 zoned property. These R-5 properties are located across South Main Street from the Midtown Development. These properties however are primarily commercial offices along with one Fraternity house at the corner of South Main and Eheart Street. There are also R-5 properties on Eheart Street but they will be buffered from this building by the structure proposed on Parcel DC-4.

(3) Relationship of building to the street

- The building proposed addresses South Main Street as it's main frontage and it also addresses the internal access road that loops around The Commons. The lowest floor which fronts South Main Street is proposed as entirely commercial use which could be retail, restaurant or office as allowed within the Pattern Book. As such, there will be multiple doors and potential usable outdoor in front of these spaces to allow for outdoor retail display, outdoor dining, etc. as allowed by Town Code and the Pattern Book. While the Hotel will have a small entry/lobby area on the ground floor, the main check-in area and support services will be on the second floor and accessed from the internal loop road of The Commons. The proposed building has varying setbacks from the back of curb of the South Main Street from 28 feet – 39 feet due to the building articulation. Based on these factors, the additional 15 feet of proposed building height will not negatively impact the building to street relationship.

(4) Building mass, scale, architectural features, which should include expression lines or other horizontal building articulation, and step backs for stories above sixty (60) feet in height.

- The majority of the building mass is located along South Main Street. The Pattern Book and previous concept plans have always envisioned a signature building paralleling South Main frontage that addresses the street with significant commercial space on the ground floor. Only one half of the building reaches the requested 75 foot height and is on the right end of the building as viewed from South Main Street. The left end of the building is stepped down at a height of approximately 62 feet. There is also an additional step back in the building façade on the left wing of the building. This 8' additional setback and the architectural detailing in the center of the building façade creates the appearance of two distinct buildings versus one large building face. The building also has several different materials proposed that break up the façade of the building both horizontally and vertically, particularly on the 75 foot portion of the building as shown in the attached drawings. The scale and height of the building itself is in keeping with the other multi-use building, hotel and public safety building proposed within Midtown in both architectural character and materiality as well as height.

(5) Building setbacks

- The building setbacks were determined and specified as part of the rezoning application and accompanying Pattern Book. The minimum required building setback from South Main Street for DC zoned parcels is 20 feet. This allows for the downtown standard sidewalk section as well as keeping additional area for potential outdoor seating and dining opportunities for uses within the DC-2 building. There are no side or rear setback requirements for this parcel. The proposed building is setback 20-30 feet from the South Main Street right of way line, between 15-17 feet from the property adjacent to Clay Court, between 8-10 feet from the property line adjacent to the Plaza, 4 ½ feet to the property line adjacent to the Town Public Safety Building and between 25-34 feet to the property line adjacent to the Common's loop road parking area.

(6) Width of sidewalk

- The sidewalk along the South Main Street frontage of DC-2 is very wide based on the approved Pattern Book and the actual placement and design of the building itself. A minimum sidewalk width of 20 feet from the right of way line was proposed along South Main Street in the Pattern Book. The proposal shows a minimum of 20 feet to the building at the closest point and then widens to over 30 feet. When you include the additional 8 feet of sidewalk from the right of way line to the back of curb, the actual usable sidewalk ranges from 28 feet to 39 feet wide. To the south of the building is the Plaza at the corner of Eheart Street and South Main Street where there is pedestrian access to The Commons and the rest of the Midtown development. There will also be sidewalks which are internal to the site, and private, ranging between 5 feet and 8 feet in width.

(7) Impact on pedestrian environment

- As described in #6, there is a very wide sidewalk along South Main Street in front of this building to provide ample space for pedestrians. The building articulation and varying setbacks also aid in not creating a "tunnel" affect as you travel this section of sidewalk. The additional height requested with this CUP does not negatively impact the pedestrian environment of South Main Street or of the Midtown Development.

(8) Impact on adjacent land uses.

- The Midtown Development is a mixed use development that has commercial, residential, hotel, restaurant and public use buildings and uses proposed for the site. All uses onsite in the DC district were originally proposed for a 60' height. However, three buildings have requested and been granted a CUP for additional height. These buildings were the DC-1 Parcel Town Public Safety Building and Parking Garage (76'), DC-5 Parcel mixed use building (70'), and the DC-6 Parcel Hotel (73'). The adjacent use of Clay Court is a three story building with a sloped roof and an approximate total height of 50' from South Main Street. Any new building constructed to the DC district maximum of 60' or above would have the same impact on that existing building so the additional requested height will have no negative impact on Clay Court. The section of the building that is proposed at 75' is also on the opposite side of the building as Clay Court. The side closest to Clay Court is only approximately 62' in height at its tallest and a portion of this building adjacent to Clay Court is only a two story height (28') from the Commons. As per the Pattern Book, DC-2 height is measured from the Commons and not South Main Street. With these minimal heights over the allowable 60' and the setbacks proposed, no negative impact on adjacent land uses are anticipated with this request.

Please demonstrate how the proposed use, when complemented with additional measures, if any, will be in harmony with the purposes of the specific district in which it will be placed:

Mixed use development is a guiding feature of Midtown and this DC-2 building addresses those goals by providing the opportunity for a mix of retail, restaurant, office, hospitality, community meeting space and outdoor enjoyment. The additional request for a Hotel use will provide another option for visitors to Blacksburg to stay in the heart of Town and provide additional revenue support to the downtown local business and restaurants. The hotelier has embraced the ground floor commercial concept and also included over 13,000 square feet of office space which was also envisioned for this particular location in Midtown. The outdoor terrace area and the meeting room space on the upper level will provide opportunities for building users and the community to experience Midtown and the views of Town. The hotel use or the additional 15-foot height increase that is being requested does not in any way detract from or alter the overall development patterns or design intent of Midtown or the Downtown Commercial District.

Please demonstrate how there will be no undue adverse impacts on the surrounding neighborhood in terms of public health, safety, or general welfare, and show the measures to be taken to achieve such goal:

As stated above, no adverse impact to the surrounding neighborhood is anticipated with the Hotel Use or with the additional 15 feet of height proposed on DC-2. Wide, pedestrian friendly sidewalks are planned along the South Main Street frontage and the majority of the non-commercial uses above the ground floor such as the Hotel will be primarily using the Commons side entry. Traffic impacts, stormwater management, utility infrastructure capacity has been planned for and determined adequate as part of the overall Midtown Rezoning process. All vehicular traffic will be directed internally to the Midtown development and no curb cuts are proposed along South Main Street. The proposed use and height requested with this CUP will not adversely impact those items. Site standards for parking, landscaping, access, etc. will be in accordance with the guiding documents of the Midtown rezoning.

Any modifications or exceptions to Use and Design Standards or Development Standards must also be requested at the time of CUP evaluation. Identify and provide a justification for modification/exception.:

As the property is zoned DC-Downtown Commercial with the Midtown development, there are no modifications or exceptions to the Use and Design Standards or the Development Standards with this CUP application. The only Use and Design Standards for Hotel/Motel are listed below. The proposed project does meet these two standards.

Sec. 4528.2 - Hotel/motel.

Additional standards in the MXD, DC and GC zoning districts:

- (1) Parking will be located behind the front line of the principal building. Town Council may grant a special exception to this requirement as authorized by Section 1112.

(2) A hotel/motel cannot consist of a single ground floor of hotel/motel use with all other floors used for multi-family development. At least fifty (50) percent of the building's total square footage must be a hotel/motel use.

If the application is an amendment to an existing approved S/CUP, provide an identification of any proposed changes requested below and on a plan, and strike-through and italic edit of any conditions proposed to be changed:

This application is not amending an existing approved S/CUP.

Other design elements of DC-2 as shown on the submitted Masterplan Sheet CUP 3:

- Trash and recycling shall be stored inside the building thus completely screened from the public view. Pickup will occur from the The Commons loop road.
- All HVAC units shall be located on the roof of the proposed building and screened as necessary.
- The sidewalk along South Main Street shall meet all Downtown sidewalk design standards including street trees, street furniture, street lights, brick pattern, etc. as noted in the Pattern Book.
- The original loop road parking layout adjacent to this parcel has been adjusted to account for the Hotel's porte-cochere. A total of 12 parking spaces were removed.
- Total Parking Allocation for DC-C = 225 spaces
 - Garage Parking Spaces Remaining for DC-2 = 165
 - The Commons Loop Road Parking Spaces for DC-2 = 60

**AC HOTEL – MIDTOWN DC-2
CONDITIONAL USE PERMIT**

Adjacent Property Owners

Tax Parcel(s)	Owner	Address
257-A218 257-3SEC 1A, F	TOWN OF BLACKSBURG	300 SOUTH MAIN STREET BLACKSBURG, VA 24060
257-A 94D 257-A94A	MIDTOWN REDEVELOPMENT PARTNERS, LLC	PO BOX 10397 BLACKSBURG, VA 24062
257-B 1 C	SOUTH MAIN 500 OWNERS ASSOCIATION	NONE PROVIDED ON GIS
257-B 1 6, 7, 8	506 SOUTH MAIN LLC	506 SOUTH MAIN ST BLACKSBURG, VA 24060
257-B 1 3, 4, 5	BOXWOOD DEVELOPMENT LLC	1506 BOXWOOD DRIVE BLACKSBURG, VA 24060
257-B 1 1, 2, A	SNYDER LAND TRUST	2220 WOODLAND HILLS DR BLACKSBURG, VA 24060
257-C 1A	HILL COMPANIES LLC	401 SOUTH MAIN STREET BLACKSBURG, VA 24060
257-C 1C	CLAY COURT CONDO ASSOCIATION	401 SOUTH MAIN STREET BLACKSBURG, VA 24060
257-C 1106	FMS COMBINE LLC	907 HORSESHOE LANE BLACKSBURG, VA 24060
257-C 1214	JOYFULL LLC	21548 LAKE POINT LANE CORNELIUS, NC 28031

257-C 1314	CLAY COURT 314 ASSOCIATES LLC	5501 MERCHANTS VIEW SQUARE 729 HAYMARKET, VA 20169
257-C 1216	TODD AND KERRY DOFFLEMYER	14312 CHARTER WALK LANE MIDLOTHIAN, VA 23114
257-C 1218	MELANIE SONTHEIMER	401 SOUTH MAIN STREET UNIT 218 BLACKSBURG, VA 24060
257-C 1220	STEVEN AND WENDELIN HUYBRECHTS	401 SOUTH MAIN STREET UNIT 220 BLACKSBURG, VA 24060
257-C 1222	CHARSKY ENTERPRISES LP	8628 CHARLES WACK STREET MANASSAS, VA 20112

January 1, 2012

OFFICE USE ONLY	
Date Received:	_____
RZN#	_____
CUP#	_____

**TOWN OF BLACKSBURG
VDOT TRAFFIC IMPACT ANALYSIS (TIA) SUPPLEMENTAL APPLICATION**

This application, appropriate fee, and accompanying documentation must be submitted in conjunction with the corresponding rezoning, conditional use permit, or comprehensive plan amendment before any application can be reviewed by staff. If you have any questions, please contact the Planning and Building Department.

Name of Development: AC HOTEL - MISTOWN DC-2
 Address/Location: SOUTH MAIN STREET
 Tax Map Parcel: 257-A 94C
 Size of Site: 1.013
 Proposed Use: MIXED USE - COMMERCIAL, OFFICE, HOTEL
 Current Zoning District: DC
 Existing Future Land Use Classification: DOWNTOWN COMMERCIAL

This application is submitted in conjunction with a

- Rezoning Application. Proposed Zoning District: _____
- Conditional Use Permit Application. Proposed Conditional Use: HOTEL + 75' BUDGET HEIGHT
- Comprehensive Plan Amendment. Proposed Future Land Use: _____

This is the first, second, third or subsequent submission of the TIA for review by VDOT.

A traffic impact analysis is is not required for the proposed project:

- Yes or No, the site is located +5300 feet along the vehicle path of traffic which is less than 3,000 feet from VDOT maintained roadways, or is within 3,000 feet of a non-limited access state controlled highway, or is within 3,000 feet of a connection to a state limited access highway.
- If the answer to question #1 is Yes, complete the following:
 - Yes or No, the proposed development generates 1,609 vpd which is greater than the VDOT requirement of 5,000 vehicles per day.
- Yes or No, the proposed comprehensive plan amendment results in substantial impact of 5,000 additional vehicle trips per day or results in substantial changes to the existing transportation network and infrastructure of state controlled highways.
- No, a new TIA study is not required because a previously submitted TIA is still applicable for the project site. (Note: the appropriate documentation must be attached to this application)
- Yes or No, a VDOT Scope of work meeting has been held.

If a TIA is required, please provide the following information:

Name of Property Owner(s): _____
 Address: N/A
 Phone: _____ Fax: _____
 Email address: _____

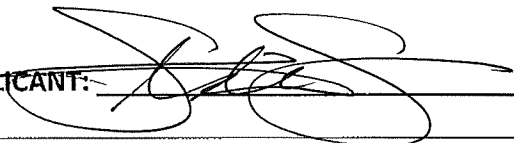
Applicant to whom review comments will be sent: N/A
Address: _____
Phone: _____ Fax: _____
Email address: _____

Project Engineer who prepared TIA (if different from applicant): N/A
Address: _____
Phone: _____ Fax: _____
Email address: _____

Please check all applicable boxes of information submitted with this application:

1. **Review Fee Check made payable to VDOT for**
First, Second or Third review by VDOT
 - Rezoning or Conditional Use Permit request
 - Low volume road submission 24VAC30-155-40 A 3: \$250
 - All other submissions: \$1000
 - Comprehensive Plan Amendments: \$1000
2. **For the Town of Blacksburg, please provide a *digital submission of the following:***
 - a. **One signed copy** of the Town's VDOT Supplemental TIA application.
 - b. **One complete copy** of the TIA submitted to VDOT including a completed checklist of information and signed scope of work meeting agreement.
 - c. **One copy** of the VDOT review fee check.
 - d. **One copy** of letter and supporting information documenting why a new or updated TIA is not required for this project.
3. **For VDOT, three paper copies** of the complete Traffic Impact Analysis. Forms and additional information can be found at <http://www.virginiadot.org/projects/chapter527/default.asp>

By signing below, I acknowledge that all information on this application and included in the supporting documentation is correct and accurate, and has been prepared by an appropriate licensed professional.

SIGNATURE OF APPLICANT:  Date: 3/1/23

For Staff Use Only:

First Submission Second Submission Third or Subsequent Submission

Reviewed and Accepted as complete by _____ Date _____

TIA forwarded to VDOT by _____ Date _____

Rejected by _____ Date _____

Reason for rejection: _____

Town of Blacksburg, Planning & Building Department
300 South Main Street • PO Box 90003, Blacksburg, VA 24060-9003
Phone: (540) 951-1126 • Fax: (540) 951-0672 • www.blacksburg.gov