

A Smart Growth Solution to “The Traffic Problem” Caused by the GSC Proposal

Abbreviations and Definitions of Terms

VATC: The Village at Toms Creek, and GSC: Glade Springs Crossing

TIA Report: The traffic impact analysis report done by Kemp Ramey in April, 2022 for the developers of GSC. It projects 867 vehicles per day (vpd) exiting and 867 vpd entering via three ways: Redbud and Honeysuckle off of Toms Creek into VATC, and the new Street A from Glade Road into GSC.

<https://www.blacksburg.gov/home/showpublisheddocument/11206/638055048007730000>

The Exit: A decades-old right-of-way between VATC and GSC that would allow these 867 vpd to enter and exit directly onto the CENTER of Village Way South in the middle of a neighborhood. That old right-of-way was designed and located for the then-existing low-density zoning, and placed to serve 14 new homes with 28 vehicles in the north part of the 41 acres that were planned but never built. Now, the new GSC plan is to allow the 867 vpd for a passage through the CENTER of an existing, thriving neighborhood on Village Way South, which has no sidewalks and no street lights.

The Ratio: Our general assumption that most homes own two cars; thus “The Ratio” refers to this 2:1 ratio of cars to homes, or the assumption that each new home will own two cars.

Neighboring: A smart growth concept that promotes more connectivity within neighborhoods and between neighborhoods by the use of walking and biking paths.

Smart Growth: The term used in The Smart Growth Manual by Duany, Speck and Lydon (2010) to highlight the importance of protecting neighborhoods and neighboring from debilitating and destructive traffic. See Section below entitled “The Importance of the Neighborhood”.

Dumb Growth: The term used in The Smart Growth Manual to define a “half century of dumb growth” that has destroyed sustainable neighborhoods by favoring “the prosthetic device of the automobile.” (pp. xv-xvi)

The Traffic Problem: The massive traffic problems created by GSC’s proposal that we believe leads to a “dumb growth” result. It proposes to use The Exit to allow exiting and entering of 348 vehicles owned by the 174 homes in the higher density plan of GSC. These 348 vehicles can exit and enter through VATC, an established, thriving, livable, and walkable neighborhood. See Section below entitled “The Traffic Problem”. The TIA suggests 867 vehicles per day (vpd) from all three exits and entrances when it factors in the new developments rising around VATC and GSC.

Connectivity: A dumb growth concept if it gives highest priority to connectivity for cars between neighborhoods rather than connectivity for neighbors within neighborhoods. Smart growth gives priority to connectivity for “neighboring”. Connectivity for neighboring occurs only by reducing traffic, adding walking/paths, and constructing porches with less setback to encourage neighborly interactions. The VATC was marketed as a “front porch community” that gives priority to neighboring.

The “Smart Growth” Solution: The many reasons supporting this solution are stated in the sections below and in the last section entitled “The Smart Growth Solution.”

The Traffic Problem

First, we must understand the magnitude of the problem created by the GSC proposal.

Over the long term, the traffic created by the GCS development, if built as proposed, will seriously damage, or even destroy, the many unique benefits and advantages of living in the Village at Toms Creek (VATC) and Glade Springs Crossing (GSC). Here are some of the ways that the present proposal will lead to these damages and destructions:

- 1) GSC proposes to utilize a decades-old, misplaced right-of-way that is outdated, inefficient, and placed there when the zoning and development proposals showed only 14 homes on the north of the wetland in GSC with a total of 28 cars using The Exit. There was no planned bridge across the wetland at the time the right-of-way was placed in its present location in the center of Village Way South.

The GSC proposal has tripled the homes to 42 homes on the north side of the wetland. These homes alone can lead to 84 cars exiting in the morning and 84 entering at night onto Village Way South---solely from the north side of GSC.

- 2) In addition, when they placed this right-of-way (“The Exit”), they did not foresee a bridge across the wetland and the increase from 14 homes to 174 homes. Nor did they foresee all the new developments and increased traffic projected by the TIA Report of 867 vpd daily exiting and entering.

Just looking at the increase from 14 to 174 homes, and using the The Ratio (stated above) of two cars per household, we can assume there will be 348 cars owned by residents of GSC. These 348 cars can leave in the morning and 348 return in the evening for a total of 696 car passings via The Exit onto Village Way South. The TIA Report does not project exact usages of the three entrances.

The TIA Report projects more vpd from the new developments of Berewick (west of Toms Creek), The Union, and the Farm. Also, users from Glade Road and Toms Creek will disperse 867 vpd in all directions, including both directions on Village Way South, Village Way North, Redbud, and Honeysuckle throughout the peak hours and many daytime hours.

With the increased density and traffic from new developments, the TIA projects 867 vpd that enter and exit. Given these facts and a reasonable alternative, no city planner would allow 867 vpd into the middle of a thriving, livable neighborhood with multiple families, dozens of children, no street lights, and no sidewalks.

- 3) In addition to sheer volume, many more outsiders who make deliveries will be entering and exiting. Incentivized by speed and payment by number of deliveries, and unaware of the regular usage of the street by children seeking a public playground with a hard surface, the dangers multiply many-fold.
- 4) Creating this “connectivity” between Tom’s Creek and Glade Road by using The Outdated Exit will create, over the decades, a thoroughfare similar to the University City Boulevard (UCB) on the other side of 460 for drivers who wish to shortcut through VATC and GSC. There can be no doubt that massive pressure will develop to make this connector more “efficient” by making it more similar to UCB.

- 5) Within the near future traffic engineers will eliminate the STOP SIGN at Redbud and Village Way North (likely moving it to stop minor traffic on Village Way North), decrease the sharpness of the corners at Village Way North and the Circle, and round the corners of The Exit on Village Way South to allow the many vpd to access Street A without slowing down.
- 6) Over time, this thoroughfare will begin to look and move like UCB on the other side of Highway 460. It will be faster, and more motorists will start demanding rounded curves and no STOP signs. Ironically, none of the reasons that support UCB (Krogers, the mall, businesses on both sides of it, many apartment complexes, and, most importantly, traffic with its noise and pollution that is next to 460 and on the outskirts of the nearby neighborhoods) would exist to justify this thoroughfare through two neighborhoods. Worse still, rather than move traffic next to 460 as UB does, The Exit channels traffic directly through the very center of neighborhood. Its result is even more dangerous, polluting, and unjustified.

Also over time, new town managers and city council members will forget or be unaware of any assurances made to VATC and GSC residents in the present.

How the Traffic Problem Will Destroy VATC and GSC Neighborhoods.

Smart growth requires that commuter traffic be directed to the outside of neighborhoods, and traffic internal to neighborhoods be directed outward to these connecting thoroughfares. As applied here, it is clear that VATC is a neighborhood, and GSC will become a neighborhood. Each should be burdened only with its own internal traffic, and that traffic that originates inside the neighborhood should be directed outward to the closest “thoroughfare” or connector, which would be Toms Creek for VATC, and Glade Road for GSC.

This smart growth design for VATC has worked well for over two decades, and it will work well for GSC. However, there is another type of connectivity that is key to smart growth.

There are two types of “connectivity”. Connectivity for cars, and connectivity for neighbors to form true neighborhoods. If done poorly under dumb growth, connectivity for cars will destroy connectivity for neighbors. The history of the past half-century shows that in the minds of decisionmakers with power, the cult of the car far exceeds the culture of neighborliness. As a result, the cult of the car has destroyed many neighborhoods with strong neighborly traditions.

The Smart Growth Manual not only demonstrates this dangerous and destructive trend, but also clearly articulates the city planners’ duty: “City planners who strive to make driving and parking more convenient inevitably degrade the urban environment as a result. . . . It is the planner’s *role not to incentivize driving* . . . [A]ccommodating the automobile unconditionally is a no-win game. Sec 3:11 “Taming the Automobile: Do Not Allow Traffic to Trump Livability” (emphasis added)

The Importance of Neighborhoods

The authors of The Smart Growth Manual adamantly state the importance of creating and preserving neighborhoods: “Growth should be organized as neighborhoods. . . . Traditional villages, towns, and cities across the centuries and across cultures are *all assembled from the same building block of the neighborhood*. The smart growth of a region can be measured by the strength of its neighborhoods.” Sec 1.5 “The Neighborhood: Plan in Increments of Neighborhoods” (emphasis added)

Neighborhoods are not only important; they are fundamental: “It is clear that the form of our communities is the *fundamental determinant of so many things that matter*, and a half century of dumb growth has put our nation and our species in a truly precarious position.” (p. xv, emphasis added)

The first word in VATC (“Village”) carries this “fundamental determinant”. Villages do not contain thoroughfares for hundreds of cars. The term “village” implies walkability, safety, security from speeding traffic, children bicycling and playing in streets while parents carry on curbside conversations as they meander through quiet neighborhoods. These values---not connectivity and efficiency---are the “many things that matter.”

Sad to say, some engineers and planners scoff at such traditionally loaded terms, or worse yet, claim they suggest elitism. These values are not elitist; they are long-standing, traditional values based on humanity’s social evolution over centuries. “Neighboring” is a traditional, old-fashion, intangible value that underlies smart growth and supports “the things that matter”.

If city planners ignore these values, the neighborhoods and region trend quickly toward dumb growth. VATC countered this trend by designing fundamental determinants into a smart growth model.

To promote these “fundamental determinants of so much that matters”, VATC lessened setbacks, brought back porches, eliminated high front and back yard fences, and even removed sidewalks on Village Way South to allow pedestrians to meander on safe streets and strike up conversations with their neighbors---i.e., “neighboring.” Words matter, and VATC had the audacity to call itself a “village” that encouraged neighboring.

Engineers and city planners tend to emphasize the tangible, measurable, efficient, more certain data of the physical infrastructure. Vpd is far more ascertainable than neighborly conversations per day. The strength of a street is far more measurable than the strength of trust in a neighborhood.

No doubt, the emphasis on measurability is extremely important, BUT quantitative measuring is only half the “duty” of planners and engineers. The other half is to be trained in, and very sensitive to, the difficulty of preserving the more intangible, unmeasurable, invisible and less certain qualities of trust, collaboration, cooperation, and friendliness of neighborhoods. These qualities take regular and timely communications that develop only with care and personal presence, most often in and on the streets. The physical infrastructure, though important, must not destroy the social infrastructure.

In short, the two types of connectivity require delicate balancing and wise planning. The determinism of the physical world must not destroy the delicacy of the social world. Introduction of hundreds of cars will quickly destroy invisible bonds, drive neighbors indoors, encourage residents to find friendships outside of their neighborhoods---using the car of course.

In summary, “dumb growth”

- gives priority to efficiency and the cult of cars at the expense of the neighborhoods which are the true “building blocks” of culture;
- ignores the importance---and fragility---of neighborhoods by ignoring the unmeasurable “fundamentals” in favor of “connectivity”, “efficiency”, measurable data;
- fails to invest in necessary smart codes that preserve the core of neighborhoods;

-sacrifices one well-developed, planned, and thriving neighborhood by exiting and entering hundreds of vpd through it in order to develop a new neighborhood. This short-term planning will continue all the mistakes of the last half-century of dumb growth.

-uses the excuse of the bottom line and profits to favor hasty development and immediate growth while sacrificing future generations who will reside under the burden of cheap solutions for the next hundreds years. During that 100 years, residents will be subjected to millions of passing vehicles and their pollution.

The “Smart Growth” Solution: Eliminate Vehicle Connectivity to Create Neighborhood Connectivity

This solution switches the function of The Exit from vehicle connectivity to neighboring connectivity by adding a walking/biking path in The Exit rather than a street. We believe this one change will provide a win-win for residents of both VATC and GSC.

For residents of both VATC and GSC, this solution will eliminate the dangerous, destructive, and dumb growth traffic problems stated above.

- This one change will burden each neighborhood, VATC and GSC, with traffic only from its own residents; thus, it is a fair distribution of traffic and maintains traffic in VATC to its present, safe and promised level.

-For the greater Blacksburg community, it sacrifices nothing since there are no businesses nor apartment complexes to connect with and thus there is no reasonable justification for a UCB-type thoroughfare through the neighborhoods. Likewise, neither Toms Creek nor Glade Road have any significant businesses on them, and the reason of a shortcut to Kroger is doubtful and dubious since Kroger is on UCB.

-For VATC residents it will preserve the “fundamental determinant” of the Village at Tom’s Creek, namely, conditions that foster village-like neighborhoods, tame the automobile, preserve the safety of streets for bicycling and playing children, and avoid massive dangers created by too much traffic. It will do the same for residents of GSC if its HOA promotes these fundamental determinants.

-It will likely promote neighboring between residents of both VATC and GSC since it will provide a safe walking/biking path between the two neighborhoods by moving the walking/biking path to the center of VATC (in the center of Village Way South).

-It will create a biking link to Glade Road for VATC residents and to Toms Creek for GSC residents. That link will encourage residents of both to use bikes for travel outside of the neighborhoods because there are bike paths on Toms Creek and Glade Road. The recent emergence of cheap electric bike kits can only increase this trend.

-Finally, for GSC, it will allow the GSC proposal to be adopted nearly in its totality (assuming environmental and other requirements are satisfied) by making one change.

Kasey Thomsen

From: Anne McClung
Sent: Monday, January 30, 2023 7:21 AM
To: Kasey Thomsen; Kinsey O'Shea
Subject: Fw: Cancel Connectivity in GSC Proposal
Attachments: Smart Growth Solution to GSC.docx; Connectivity Forbidden by Plat, Declaration, and TOB Ordinances.docx

Follow Up Flag: Follow up
Flag Status: Flagged

From: Spader, Dean J <Dean.Spader@usd.edu>
Sent: Sunday, January 29, 2023 7:31 PM
To: Planning Commission; Matt Hanratty; Leslie Hager-Smith; anderson@math.vt.edu; John Bush; Jerryjford@blacksburg.gov; Susan Mattingly; Michael Sutphin; Kinsey O'Shea
Subject: Cancel Connectivity in GSC Proposal

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TO: TOB Planning Commission, Town Council and Staff
RE: Cancel Connectivity Between VATC and GSC

There are several reasons to cancel "connectivity" between GSC and VATC. Please refer pp. 11-18 of VATC Coalition submission. Here is a summary:

1) **It is unnecessary and unwanted, because there are no commercial interests on these streets.** Recent research states: "Our finding is consistent with Hillier (1996, 2007) that commercial uses prefer locations with high connectivity, while residential uses often prefer [security] and privacy." Harjrasouhil, A. and Li Yin (2015) Urban Studies, Vol. 52 (13) 2483-2497. Over 200 signatures make it clear that connectivity is unwanted.

2) **Highly dangerous traffic conditions will occur .** Serious dangers will exist if GSC exits onto Village Way South---no sidewalks, no streetlights, and many children using the street to walk to three bus stops during peak traffic hours. (See first attached file, pp. 11-18.)

3) There is a serious **cloud on the title** to this parcel since VATC owned it in fee simple and conveyed it to the town without 67 percent of the members of VATC---the very reason that the TOB denied the sale of a common area in VATC the same year. A Quiet Title action may be brought not only to determine ownership, but also to determine "overburdening" intent. (See second attached file.)

4) **Reasonable alternatives exist---i.e., Coal Springs Hollow solution.** If an entry/exit is needed solely for emergency, the Coal Springs Hollow solution with a locked gate and key out their back drive provides the solution. Likewise, if planners believe commerce will grow on the west side of Highway 460, then the University City Blvd solution exists, and that should be next to 460, not through neighborhoods.. (See first attached file for extended discussion.)

5) **Most importantly, connectivity will destroy an established neighborhood.** Beware of planners who give priority over neighborliness; they have destroyed many, many neighborhoods. Here is a selection from pp.3-5 of first attached file:

The authors of The Smart Growth Manual by Andres Duany, et. alia, adamantly state the importance of creating and preserving neighborhoods: "Growth should be organized as neighborhoods. . . . Traditional villages, towns, and cities across the centuries and across cultures are all assembled from the same building block of the neighborhood. The smart growth of a region can be measured by the strength of its neighborhoods." Sec 1.5 "The Neighborhood: Plan in Increments of Neighborhoods" (emphasis added)

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6) **Fairness demands that each neighborhood handle their own traffic.** VATC has exited its own entries for 20 years; GSC can exit its own entries also. Simple fairness suggests this is the best solution since neither wants the others traffic.

7) **Honor the city planners' duty. The Smart Growth Manual states the city planner's duty:** "City planners who strive to make driving and parking more convenient inevitably degrade the urban environment as a result. . . . It is the planner's *role not to incentivize driving* . . . [A]ccommodating the automobile unconditionally is a no-win game. Sec 3:11 "Taming the Automobile: Do Not Allow Traffic to Trump Livability" (emphasis added)

Respectfully submitted, Dean Spader, 1301 Village Way South, Blacksburg, VA

Dean Spader

"Truthfully, I think every farmer making the transition from industrial to regenerative agriculture is a champion."

(Gabe Brown, ND eco-farmer, after Wheaties put his picture in their "Breakfast of Champions" box.)

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-For VATC residents it will preserve the “fundamental determinant” of the Village at Tom’s Creek, namely, conditions that foster village-like neighborhoods, tame the automobile, preserve the safety of streets for bicycling and playing children, and avoid massive dangers created by too much traffic. It will do the same for residents of GSC if its HOA promotes these fundamental determinants.

-It will likely promote neighboring between residents of both VATC and GSC since it will provide a safe walking/biking path between the two neighborhoods by moving the walking/biking path to the center of VATC (in the center of Village Way South).

-It will create a biking link to Glade Road for VATC residents and to Toms Creek for GSC residents. That link will encourage residents of both to use bikes for travel outside of the neighborhoods because there are bike paths on Toms Creek and Glade Road. The recent emergence of cheap electric bike kits can only increase this trend.

-Finally, for GSC, it will allow the GSC proposal to be adopted nearly in its totality (assuming environmental and other requirements are satisfied) by making one change.

Tom's Creek Sustainability Coalition

The purpose of this Memo is to contest the TOB's belief that Parcel ID: 120660 in the VATC is available for development as a connector of a major thoroughfare street through the VATC.

The Final Subdivision Plat of VATC, Phase III lists this parcel as a private, limited easement, not as a major public right of way. "Over-burdening" an easement is forbidden.

Issue: For what purpose did the original plat designate Parcel 120660?

Facts: The Final Subdivision Plat for VATC, filed at Bk 25, Page 269-280) lists this parcel as only a limited easement and not a right of way. Sheet 1 of 12 provides the abbreviations of P.U.E for public utility easement and R/W for right of way. Sheet 8 of 12 shows three public utility easements (PUE's) on this parcel. One of these easements is the STEP sewer system along the south end of all Lots on VWS. In addition, a three-acre holding pond easement attached to the west side of this parcel required utility access to maintain it.

In sum, four easements exist on or near this parcel, all of which require access for maintenance. Finally, a locked gate at the bottom of the two track-path down the middle of this parcel for utility vehicles prevents any public use. This locked gate has existed for 22 years, a lengthy time during which the developer and VATC members have substantially relied in their assessment of the parcel's purpose.

Nowhere does the plat contain any indication (using the r/w symbol), nor have the actions of the developer suggested, that this parcel was meant to be a major public right of way. This was no minor omission because the Plat designates Village Way South (VWS) as a R/W, thus clearly indicating no intent or desire to make this a street comparable to VWS. In fact, the GSC Proposal indicates the need to intrude on adjacent Lots on both sides of this parcel in order to comply with minimum street regulations. Because the proposed connector grossly "overburdens" this easement, the GSC Proposal request two variances from street regulations, and even then, cannot add normal sidewalks.

Conclusion: The Developer did not intend this parcel to become a major public right of way. Limited access rights of way are implied in many utility easements. However, these limited rights are very narrow. Thus, by not expressly listing this parcel as a right of way, the developer gave notice to all members of only an implied limited right of way for the utility companies to service the utility. Since the south part of all the houses on VWS contain STEP sewer systems, the Developer needed to provide limited access to the TOB truck tanks to service these sewer systems and to the utility companies to service the other utilities. Members could easily conclude, without more express notice, that this parcel was meant as only a very limited right of way, not a right of way for thoroughfare-type connectivity.

By proposing to re-make this easement into a thoroughfare, the GSC and TOB have “over-burdened” this limited easement.

The Declaration of Covenants and Restrictions provides numerous time limits during which the developer and TOB can make substantial changes.

Issue: What is the strength of the many “easements of enjoyment” given by the Developer in the Preamble of the Declaration and in many other provisions of the Declaration?

Facts: Time limits exist throughout the Declaration. They limit the power of the Developer to unilaterally alter established conditions. For example, ARTICLE II provides a “five year” limitation from the last Supplemental Declaration in which the Developer can make “substantial changes” in the Development Plan. To our knowledge, the Seventh Supplemental Declaration was recorded on August 7, 2015. Although ARTICLE II expressly applies to the Developer’s power to add more lands within VATC, this express limit circumscribes the Developer’s right to continue imposing additional changes that upset the reliance of members on the present status. Members have an implied right to expect no further changes after five years.

Conclusion: The Developer cannot continually make “additions and modifications” indefinitely, and the members of VATC have a right to the safety, security, and peace of mind that 22 years of reliance have provided. Substantial changes violate these reasonable expectations, and we submit that the retroactive attempts by the Developer, TOB, and the VATC Board of Trustees (listed below) violated these specific and general “easements of enjoyment” expressly provided throughout the Declaration.

The Developer, on January 8, 2021 and more than five years after August 7, 2015, conveyed to the VATC Association fee simple ownership in Parcel 120660 by General Warranty Deed that also attempted to redesignate the parcel as a “Future Right of Way”.

Issue: Can the Developer re-designate by deed of conveyance, rather than by TOB ordinance procedures, an easement into a “future right of way”? And can such a major redesignation be done after five years?

Facts: This deed misrepresented this parcel as a “designated Phase III Future Right of Way”. The deed cited Plat 25, page 269 (more accurately it should be p. 276). But nowhere on that Plat does the Plat “designate” this parcel as a “Future Right of Way.” Thus, more than five years after the last Declaration, the developer is trying to **re-designate** the purpose of this parcel.

A similar 10-year time limit suggests the Developer cannot unilaterally alter the Declaration as filed. ARTICLE IX Section 2 states that the Developer can alter the Declaration for 10 years, but after that, it must obtain 67% of member votes. These time limits place good faith time limits on the power of the Developer to retroactively change recorded items. The Developer, TOB, VATC, and GSC ought to recognize and honor these limits in good faith.

Twenty-two years of reliance have been summarily dismissed by all four parties, and over 200 signatures submitted to the TOB express the anger of town citizens at this retroactive redesignation.

Conclusion: Given the proximity of GSC's filing of its PRD Plan, this **re-designation** of parcel 120660 appears in bad faith and contrary to the best interests of the homeowners who bought parcels from the Developer. Never in the 20 years of VATC development did the Developer give any persons buying Lots any notice of any intent to redesignate this easement into a right of way for a major thorough fare through the Village. Given this substantial negative change, it becomes clear that the Developer violated the implied rights of enjoyment expressly stated in Declaration. Whether by active collusion or ignorant mistake, this **major redesignation** added retroactively to the records without notice and hearing from the members violates the reliance of members on the Declaration and other representations.

Upon becoming owner in fee simple of this parcel as a common area of VATC, the VATC Association violated rights of its member given in ARTICLE IV, Section 2. Easement of Enjoyment which requires "the assent of sixty-seven percent (67%) of the votes of a Quorum of the Owners" before it conveys, or transfers, all or any part of the Common Areas,..."

Issue: Can the VATC Association convey common property to the TOB without prior consent of its members and without following TOB zoning requirements?

Facts: One year after receiving fee ownership of Parcel 120660, and on February 23, 2022, VATC conveyed by DEED OF DEDICATION Parcel 120660 to the Town of Blacksburg "for public right-of-way purposes (the ROW)". In more astounding language, the deed stated that "it was the desire and intent" of Grantor to dedicate the Property for use as a Town right of way, ..." (Instrument # 2022001758, E-recorded in Clerk's Office)

The Toms Creek Sustainability Coalition has submitted 200 signatures of persons who disagree that it was the "desire and Intent" of VATC to make such a dedication of valuable Common Area. No vote was taken to determine this intent, and surely 67% of members did not consent to the stated intent nor the conveyance.

ARTICLE IV, Section 2 (h) provides one narrow exception to the right of the Association to transfer part of the Common Areas. That exception can be used only if it is "pursuant to a recorded subdivision plat . . . for the purpose of adjusting Lot lines or otherwise in connection with the orderly subdivision and development of the Properties, provided that: . . . (4) "the adjustment shall not materially alter the Common Area." This is a very limited exception to correct Lot lines and preserve orderly progress for the benefit of the Properties --- not the benefit of the public. Even then, this exception is limited to minor adjustments and not allowed for "material" alterations.

Conclusion: Clearly, VATC cannot convey at will the Common Areas owned and used collectively by members for easement access without the consent of the 67% of the members,

especially if the conveyance “materially alters the Common Area.” Section 2 (h) (4) This conveyance “materially alters” Parcel 120660 from a private utility access easement open only to utility servicers, into a major thorough fare street open to the entire public.

For 20 years, members of VATC relied on the recorded plat designations and the actions of the Developer and TOB suggesting this parcel contains very limited functions. The signatures of over 200 individuals indicate that these retroactive actions are a “material” breach of their enjoyment rights. Further, the locked gate at the bottom of the parcel for 20 years denies that it is the “desire and intent” of VATC members to make this a public right of way open to hundreds of cars that will inevitably speed through the neighborhood.

Many other provisions of the VATC Declaration of Covenants and Restrictions make it clear that the VATC Association has violated the letter and intent of its own Declaration that is designed to protect the ‘right of enjoyment’ of its members.

ARTICLE VIII Sections 1 and 2 provide guidance on how to interpret the language stated above. It states: “[T]he Association shall not without the consent of sixty-seven percent (67%)” of its members “sell or transfer the Common Areas or other property owned by the Association.” However, note carefully this exception: “The granting of easements for public utilities or other public purposes consistent with the intended use of the Properties, . . . shall not be deemed a transfer within the meaning of this clause.” Clearly, VATC has the power to convey Common Property for easement access to utility companies; but the conveyance of Common Area to re-designate it as a massive public right of ways is not granted to the Association. Granting such a power to the Board of Trustees would jeopardize every member’s property right and open the door to vindictive uses of the power.

The TOB is estopped by Virginia common law from accepting this conveyance from VATC of common open space because the TOB has denied this type of conveyance to members of VATC (citing TOB ordinances requiring a public hearing process for this zoning amendment).

Issue: Can the TOB require consent of 67% of VATC members and HOA public hearing processes for zoning amendments when members seek to purchase open common space, and then not follow the same procedures when common open space is conveyed to the TOB. In short, is the TOB estopped under equity principles from such a conveyance.

Facts: On other occasions, the TOB forbade members of VATC from taking common open space by conveyance. The TOB cited Ordinances 1216 and 1289 public hearing processes that are required before the reduction of Common Area can be allowed.

Specifically, the TOB stated: “[A] reduction in the approved common open space, such as the purchasing of a portion of the required common open space by an individual, would need to be approved by the owners of the common open space and submitted to and approved by the Town of Blacksburg as a revision to the approved Master Plan.” The Town stated: “While the HOA may allow for this request [to take common open space by conveyance] in its

regulations, it does not supersede Town regulations and the approved Ordinances 1216 and 1289 which do not allow for this sale.” (Written Determination – DET20-0008)

The common space at issue in this written determination is directly attached to parcel 120660, and thus its proximity suggests similar requirements for similarly situated property.

Conclusion: Hardly has a more major revision occurred that angers so many members of VATC as this attempt to make a major alteration in this limited easement. Yet the TOB did not require its own procedures prior to participating in the revision and this conveyance.

Principles of equity estop the TOB from this revision and this conveyance.

Public officials have the duty not only to act in good faith, but also to give the appearance of good faith. Public trust grows only if both duties are honored.

The appearance of these two convenient conveyances, with **re-designations** of the purpose of Parcel 120660, and without notices to members of the major change from an unused private easement to a proposed public thoroughfare, does not suggest good faith to affected landowners (as 185 signatures attest). Notice and copies of the intended deeds could have easily been posted in VATC minutes. Changing an established neighborhood into a thoroughfare that will exist for the next 100 years is a substantial, material change.

THEREFORE, we respectfully request that the TOB and GSC developers abandon your attempt to retroactively convert a limited easement into an “overburdened” major right of way. Abandoning it fairly distributes traffic from each development out to its own connector street: VATC to Toms Creek, and GSC to Glade Road.

IN SUPPORT OF THIS REQUEST, we have stated the following grounds:

- 1) There was no express designation of “r/w” on this parcel in the Final Plat;**
- 2) numerous time limit provisions in the Declaration restrain the power of the Developer to ex post facto declare this parcel to be a future right of way in a deed filed long after the time limits expire;**
- 3) the VATC Association violated provisions of their own Declaration by conveying common area property to the TOB without the consent of 67% of its members;**
- 4) the TOB is estopped from receiving common area property whose conveyance is done by a process that the TOB has forbidden under its own ordinances;**
- 5) the GSC Proposal, by its first two request for variances, effectively admits its own plan will “over-burden” it to the extent that it intrudes on the property of adjoining Lots; and**
- 6) the letter and spirit of these legal provisions, and the spirit of the TOB’s Comprehensive plan, have been violated, and in total, these violations substantially deny VATC member the “easements of enjoyment” promised throughout the Declaration.**

Kasey Thomsen

From: Robin Jones <robindavisjones@gmail.com>
Sent: Tuesday, January 31, 2023 10:03 PM
To: Planning Commission; Matt Hanratty; Leslie Hager-Smith; S Anderson Math; John Bush; Lauren Colliver; Jerry Ford; Susan Mattingly; Michael Sutphin; Kinsey O'Shea
Subject: In alignment with the Applicant regarding the connector road
Attachments: Rezone and Connector Opposition Signatures 1.31.23.pdf

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Town Staff, Planning Commission, and Council,

Attached are more signatures who oppose rezoning to accommodate the current Glade Springs Crossing concept plan because of safety concerns due to increased traffic resulting from proposed connectivity AND the negative environmental impact to Toms Creek. Our total is up to 223 residents.

I will note that we SUPPORT the applicant's suggestion this evening to allow for an emergency and pedestrian connection at that location. A good compromise! Is this something we can all come together on?

On behalf of the Coalition,
Robin Jones
1224 Village Way S

We, the residents of the Town of Blacksburg, **oppose** rezoning to accommodate the Glade Springs Crossing concept plan because of safety concerns due to increased traffic resulting from proposed connectivity **AND** the negative environmental impact to Toms Creek.

Print Name	Address	Email	Signature
Ellis Bingley	1013 Village Way N	bingleyef@gmail.com	
Henry Bingley	1013 Village Way N	Henrybingley@gmail.com	Henry Bingley
Jannah Bingley	1013 Village Way N	sbingley77@gmail.com	Jannah Bingley
Cora Olson Cora Olson	1580 Honeycuckle Dr	cowebb@gmail.com	
Andrew Olson	1580 Honeycuckle Dr	anolson@gmail.com	
Kelly O'Brien	917 Village Way N	kob73345@gmail.com	Kelly O'Brien
A. Scarpa-Friedman	1009 Village Way N	ascarpafriedman@gmail.com	Angela Scarpa-Friedman
B. Scarpa-Friedman	1009 Village Way N	bh.friedman@bt.net	Bruce Scarpa-Friedman
Jennifer Tauzell	1210 Redbud Rd	jennifer.tauzell@gmail.com	Jennifer Tauzell
Scott Verbridge	925 Village Way N	scottvers@gmail.com	

MARIE JOHANSON
Campaigner

1/30/23
Date

Kasey Thomsen

From: Anne McClung
Sent: Tuesday, January 31, 2023 8:13 AM
To: Kasey Thomsen; Kinsey O'Shea
Subject: Fw: Concerns with development adjacent to Village Way South in the Village of Tom's Creek

Follow Up Flag: Follow up
Flag Status: Flagged

From: Priscilla Baker <zooley5253@gmail.com>
Sent: Monday, January 30, 2023 6:06 PM
To: Planning Commission; Matt Hanratty; Leslie Hager-Smith; anderson@math.vt.edu; John Bush; Lauren Colliver; Jerry Ford; Michael Sutphin; Kinsey O'Shea; Susan Mattingly
Subject: Concerns with development adjacent to Village Way South in the Village of Tom's Creek

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I am writing to all of you to express my concerns regarding the proposed project to develop the pasture directly behind my house on Polar Ridge Circle in the Village of Tom's Creek. Though I certainly expected when I bought this home in 2008 that there would eventually be development behind me, this is not at all what I was expecting and I am against it for multiple reasons:

- 176 homes in that space is absurdly dense for a property of that size
- With 134 homes only having 2 parking spots and no garages, we will have an increase in street parking on roads that already have an incredibly limited capacity and lack of space to even turn around leave alone park
- The builder is asking for excessive variances, in the name of cost, to justify donating 24 very small lots for affordable housing. I wonder if the town would even consider such a proposal if affordable housing were not nominally included for appearance's sake?
- We have been through this issue before with prior proposals regarding the major environmental concerns we have with Tom's Creek which has already been labeled as "stressed." What will 176 more houses do to that stress? Higher water temperatures and stormwater runoff pollutants will run rampant. We have multiple watershed engineers in this very neighborhood who have been pressing this point for years.
- The proposed connector road will cause multiple problems with parking, traffic, and especially safety. It simply cannot accommodate that kind of heavy traffic, especially given that it is a *one-way* looped road through a major residential area. Almost every single house along Village Way South has children under the age of 12 who play in the street and the median, as well as a dozen dogs who enjoy free play in our makeshift dog park. This is why we all moved into this neighborhood – for a sense of community. That access road will single-handedly obliterate that.

This last piece concerns me perhaps the most give my own personal experience – the developer intends to use the STEP/STEG system that is used for many of our homes currently. In November of 2021, that system failed miserably on two counts – the pump was broken AND the panel that is meant to alert the Town that there is an issue was fried – and our entire basement flooded with sewage. The Town was found liable and had to pay out \$20,122.89 to us for remediation and repairs. The whole process to remediate and reconstruct took over 10 months – close to *a year* that we did not have use of a third of our house due to the inept nature of the STEP/STEG system. And the fact that that system is tied to a *landline* is a complete and utter joke in today’s technological age. Our neighborhood has voiced the landline argument for years to no avail. I know of several other neighbors who had back-ups before me and at least two that I know of after our own incident. That system simply does not work, and you are asking for more incredibly costly claims if you proceed with this plan.

I appreciate your consideration as you weigh this decision.

Sincerely,

Priscilla B Baker

Biological Systems Engineering Department (MC0303)

307 Seitz Hall, Virginia Tech

155 Ag Quad Lane

Blacksburg, VA 24061

540-231-2145

bseadvising@vt.edu

www.bse.vt.edu



Kasey Thomsen

From: Siri Bedsaul <siribedsaul@vt.edu>
Sent: Tuesday, January 31, 2023 9:20 AM
To: Kinsey O'Shea; Leslie Hager-Smith; anderson@math.vt.edu; colliver@blacksburg.gov; John Bush; Jerry Ford; Matt Hanratty; Michael Sutphin; Planning Commission; Susan Mattingly
Subject: Development on Village Way South

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Dear Blacksburg officials,

I am writing in opposition to the planned development of 44 acres on Village Way South.

It is our strong belief that the density is just too high. The VA Dept of Environmental Quality has already identified Tom's Creek as "stressed". These 176 units, in addition to Union, The Farm and a variety of other recent development, will only increase stress with higher water temperatures and stormwater runoff pollutants

Additionally, I live near the proposed entrance and I am concerned about lack of adequate space for off street parking and the fact that VWS is a nonconforming road with a one-way loop that's already narrow and cannot accommodate heavy traffic.

Best Regards,

Siri Bedsaul

Village Way South Resident

Mobile 540-357-4201

--

Siri Bedsaul

Innovate Living-Learning Student

Department of Philosophy, Politics, & Economics

Strengths: Restorative | Futuristic | Strategic | Command | Significance

Virginia Tech

siribedsaul@vt.edu

Kasey Thomsen

From: Anne McClung
Sent: Tuesday, January 31, 2023 10:17 AM
To: Kinsey O'Shea; Kasey Thomsen
Subject: FW: FW: Development on Village Way South

Follow Up Flag: Follow up
Flag Status: Completed

From: Kellum Bedsaul <kellumbedsaul@gmail.com>
Sent: Tuesday, January 31, 2023 9:24 AM
To: Jerry Ford <jford@blacksburg.gov>; Kinsey O'Shea <KOShea@blacksburg.gov>; Leslie Hager-Smith <LHager-Smith@blacksburg.gov>; anderson@math.vt.edu; John Bush <jbush@blacksburg.gov>; Lauren Colliver <lcolliver@blacksburg.gov>; Matt Hanratty <mhanratty@blacksburg.gov>; Michael Sutphin <msutphin@blacksburg.gov>; Planning Commission <PlanningCommission@blacksburg.gov>; Susan Mattingly <smattingly@blacksburg.gov>
Subject: Fwd: FW: Development on Village Way South

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On Tue, Jan 31, 2023 at 9:07 AM Bedsaul, Andrea <Andrea.Bedsaul@evs-inmotion.com> wrote:

Please copy and resend this email before 10:00 am today.

From: Bedsaul, Andrea
Sent: Tuesday, January 31, 2023 9:07 AM
To: planningcommission@blacksburg.gov; mhanratty@blacksburg.gov; LHager-Smith@blacksburg.gov; anderson@math.vt.edu; jbush@blacksburg.gov; lcolliver@blacksburg.gov; Jerry Ford <jford@blacksburg.gov>; smattingly@blacksburg.gov; msutphin@blacksburg.gov; KOShea@blacksburg.gov
Subject: Development on Village Way South

Dear Blacksburg officials,

I am writing in opposition to the planned development of 44 acres on Village Way South.

It is our strong belief that the density is just too high. The VA Dept of Environmental Quality has already identified Tom's Creek as "stressed". These 176 units, in addition to Union, The Farm and a variety of other recent development, will only increase stress with higher water temperatures and stormwater runoff pollutants

Additionally, I live near the proposed entrance and I am concerned about lack of adequate space for off street parking and the fact that VWS is a nonconforming road with a one-way loop that's already narrow and cannot accommodate heavy traffic.

Best regards,

Kellum Bedsaul

Village Way South resident

Mobile 540-391-2012

Kasey Thomsen

From: Anne McClung
Sent: Tuesday, January 31, 2023 10:17 AM
To: Kinsey O'Shea; Kasey Thomsen
Subject: FW: Development on Village Way South

Follow Up Flag: Follow up
Flag Status: Completed

From: Bedsaul, Andrea <Andrea.Bedsaul@evs-inmotion.com>
Sent: Tuesday, January 31, 2023 9:07 AM
To: Planning Commission <PlanningCommission@blacksburg.gov>; Matt Hanratty <mhanratty@blacksburg.gov>; Leslie Hager-Smith <LHager-Smith@blacksburg.gov>; anderson@math.vt.edu; John Bush <jbush@blacksburg.gov>; Lauren Colliver <lcolliver@blacksburg.gov>; Jerry Ford <jford@blacksburg.gov>; Susan Mattingly <smattingly@blacksburg.gov>; Michael Sutphin <msutphin@blacksburg.gov>; Kinsey O'Shea <KOShea@blacksburg.gov>
Subject: Development on Village Way South

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Blacksburg officials,

I am writing in opposition to the planned development of 44 acres on Village Way South.

It is our strong belief that the density is just too high. The VA Dept of Environmental Quality has already identified Tom's Creek as "stressed". These 176 units, in addition to Union, The Farm and a variety of other recent development, will only increase stress with higher water temperatures and stormwater runoff pollutants

Additionally, I live near the proposed entrance and I am concerned about lack of adequate space for off street parking and the fact that VWS is a nonconforming road with a one-way loop that's already narrow and cannot accommodate heavy traffic.

Best regards,
Andrea Bedsaul
Village Way South resident
Mobile 540-230-6943

Kasey Thomsen

From: Anne McClung
Sent: Monday, January 30, 2023 9:08 AM
To: Kasey Thomsen; Kinsey O'Shea
Subject: Fw: Glad Road Crossing and Safety

Follow Up Flag: Follow up
Flag Status: Flagged

From: Tombo Jones <tombojones1@gmail.com>
Sent: Monday, January 30, 2023 8:32 AM
To: Planning Commission; Matt Hanratty; Leslie Hager-Smith; anderson@math.vt.edu; John Bush; Lauren Colliver; Michael Sutphin; Kinsey O'Shea; Susan Mattingly; Jerry Ford
Subject: Glad Road Crossing and Safety

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Hello members of the town planning commission,

I first want to thank each of you for what you do for our town and its residents as I know each of you care deeply, or you wouldn't serve in such a capacity.

My profession is in aviation safety and not in community planning. Consequently, I defer to your expertise in matters surrounding neighborhood development but I would like to suggest there might be a few applicable parallels between our professions.

In the aviation industry when an entity wants to operate outside the regulations they must receive a waiver, and in applying for such an exception must demonstrate that their proposed alternative meets the same level of safety. In your industry it seems that a variance is a similar ask to gain relief from having to comply with regulations.

Upon researching the Glad Road Crossings application I have noted 13 variances have been requested. That sounds like a lot and seems to hint at some red flags.

In the aviation industry we often don't realize something is a red flag until after an accident occurs and we have the luxury of hindsight. It is also my understanding that anytime a variance is granted by the town that the town then assumes any safety risk associated with that deviation.

I would ask the town to look hard at the variances associated with the proposed intersection between GRC and VATC. It appears this right of way is too narrow to accommodate the needed space to allow for the safe flow of both vehicle and pedestrian traffic.

Please look carefully at this and consider whether granting exceptions to regulations developed for safety reasons should be granted, or whether an alternative way of connecting the neighborhoods might be better and consistent with keeping the residents safe.

Thanks,

Tombo Jones

Kasey Thomsen

From: Anne McClung
Sent: Tuesday, January 31, 2023 8:13 AM
To: Kasey Thomsen; Kinsey O'Shea
Subject: Fw: Glade Spring Crossing

Follow Up Flag: Follow up
Flag Status: Flagged

From: Julie Kroth <jkroth2000@gmail.com>
Sent: Monday, January 30, 2023 4:15 PM
To: Planning Commission; Matt Hanratty; Leslie Hager-Smith; anderson@math.vt.edu; John Bush; Lauren Colliver; Michael Sutphin; Kinsey O'Shea; ford@blacksburg.gov; Susan Mattingly
Subject: Glade Spring Crossing

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I am writing regarding the proposed development of Glade Springs Crossing.

We recently retired and moved to Blacksburg. We bought a home in the Village of Tom's Creek in July. At the time we noted the adjoining 44 acre parcel is zoned RR-1, and anticipated the land may someday be developed with up to 44 homes.

We recently were made aware of a proposal to develop the land with 176 homes. To say this was a shock is an understatement.

Blacksburg could, and should, be the model for fair, responsible, sustainable growth that benefits its citizens. Cramming 176 homes on steep slopes adjoining the headwaters of a primary stream is not responsible or sustainable.

Now I understand that \$2.8 million taxpayer dollars will be provided to support this development, in order to subsidize about two dozen units to be sold as affordable housing. The environmental costs, present and future, of this project far exceed the benefit of providing a couple dozen affordable units. This is not the appropriate use of taxpayer money.

A carefully planned, environmentally sensitive development which adheres to the original RR-1 zoning should be placed on this site. Providing affordable housing within that development would be a plus.

Sincerely,

Julia Klapproth

Kasey Thomsen

From: Anne McClung
Sent: Monday, January 30, 2023 7:20 AM
To: Kasey Thomsen
Subject: Fw: Glade Springs Crossing letter of concern
Attachments: Mike Stein to Plannin Comission 1-29-23.docx

Follow Up Flag: Follow up
Flag Status: Flagged

From: Mike Stein <mike_stein2@yahoo.com>
Sent: Sunday, January 29, 2023 10:24 PM
To: Planning Commission; Kinsey O'Shea
Subject: Glade Springs Crossing letter of concern

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Blacksburg Planning Commission,

Please take the time to read my letter outlining my concerns about the Glade Springs Crossing development. I am available at any time to discuss my concerns if needed. Please note that I included two maps at the end of my letter. It is important you see these maps as part of my document.

Thank you for your time and consideration,

Mike Stein
540-449-8805
mike_stein2@yahoo.com
1225 Village Way S.

To Blacksburg Planning Commission,

I am a property owner at 1225 Village Way S. (VWS). I have a number of concerns regarding the proposed Glade Springs Crossing (GSC) development. Below I will lay out my concern and solution. Please contact me at any time to discuss any questions you have.

1. **Access Road** – The GSG entrance from VWS to GSC is currently listed between the homes of 1225 VWS and 1301 VWS. This entrance is being forced onto a utilities easement that is not meant for high traffic usage. To make this road work, the developer MUST use multiple variances, utilize a portion of my property, and compromise the safety of citizens that use VWS.

a. Safety

- i. *Play Time* – On nice days and any day over 50 degrees, you will find children using the median and road of VWS for gathering to play. The proposed access road will directly impact the safety of all children who use our neighborhood as a safe space.
- ii. *Bus* – Every morning and afternoon, there are three busses that travel VWS. That is a total of 6 busses on VWS every day. VWS does not have a sidewalk, except for a walking path down the middle of the median. This means children who ride a school bus MUST walk on the street, without sidewalks, to get to the bus each morning and on the way home. Every school day, my children walk to the bus, and home, without the safety of a sidewalk. Please note, 4 children use the same bus stop and none can use a sidewalk, nor the median walking path. The access road will directly impact the safety of my children and many others walking to the bus and back home every day. This does not take into account the number of future children who will ride the bus in the years to come.
- iii. *Sidewalks on VWS* – There are no sidewalks on VWS. There is a walking path in the median of VWS. The homes on VWS were built close to the road to be a “Front Porch Community.” There is no space to add sidewalks in front of the homes. This directly impacts the safety of all people who use VWS to walk, run, ride bikes, walk dogs, or play outside.
- iv. *Sidewalk on access road* – To add a sidewalk to the access road, the developer MUST use a portion of my property. The developer MUST utilize multiple variances to build a road that will NOT pass Blacksburg Code. The developer proposed not putting a sidewalk on this road. By not putting a sidewalk on this road, children and other residents walking down this road are put in grave danger due to the steepness and narrow width of the road. Please see section “b” for an alternate that will solve this problem.

- v. *Intersection* – There are four roads and two medians at the intersection of VWS and the proposed entrance to GSC. Please look at an overhead view of this intersection. It is simply a matter of time until someone is injured because they could not figure out what the other car was going to do. There is not another intersection in Blacksburg that is similar to this and it is for good reason. Added confusion makes for added danger.
 - b. **Alternate Entrance** - The entrance has an alternate route that is more efficient and much safer. **Please refer to the Map A and Map B at the end of this document.** The green highlights the alternate entrance possible route.
 - i. The alternate entrance accomplishes the following (Please note 5 advantages to 1 disadvantage):
 1. *Advantage* – Allows the developer to build an access road to code, with sidewalks, without seeking multiple variances.
 2. *Advantage* – Preserves a safe environment for those on VWS – Children, Walkers, Dogs, Etc.
 3. *Advantage* – Funnels traffic to an already busy portion of the neighborhood and away from a street with no sidewalks.
 4. *Advantage* – Preserves the “neighborhood” feel of The Village at Tom’s Creek.
 5. *Advantage* – Allows for a walking path and bike path to be put in the utilities easement. This provides connectivity to pedestrians. This connects current paths to new paths throughout The Village of Tom’s Creek and GSC.
 6. *Disadvantage* - Requires only a single variance of reducing the amount of open space required for the Village at Tom’s Creek.
 - c. **Variances** – The developer is asking for too many variances that are compromising the safety of residents.
 - i. The developer needs a portion of my property and multiple variances to put the road on the utilities easement. Thus, violating section 3-3 of the Blacksburg Zoning Ordinance.
 - ii. As the homeowner of 1225 Village Way S., I do not have any intent to give permission to the developer or the town to use my property to put in the access road.
 - iii. I encourage Blacksburg Town planners to build any access road to code. Make safety a priority to protect residents now and for the future.
2. **Environment** – The Tom’s Creek basin is currently stressed. This is a proven fact, not opinion. By building GSC, the creek will be further stressed. The creek cannot speak for itself. Please consider the impact on the environment instead of simply ignoring it because we need more homes. We all know that altering a greenspace has an impact

regardless of the building rules we follow. Whatever holding pond is built, it is a modification from humans on the environment and will be a negative impact. We will NEVER be able to modify the land and do an acceptable job at protecting the creek.

- a. Solution – Build in a bigger buffer to the creek to filter out water contaminants. Add in native species of trees and shrubs.
- b. Solution – Consult experts at Virginia Tech on the best way to protect the creek.
- c. Solution – Do not simply rush this decision because one engineer on Blacksburg Town staff says they have a solution. Use the resources of this great town.

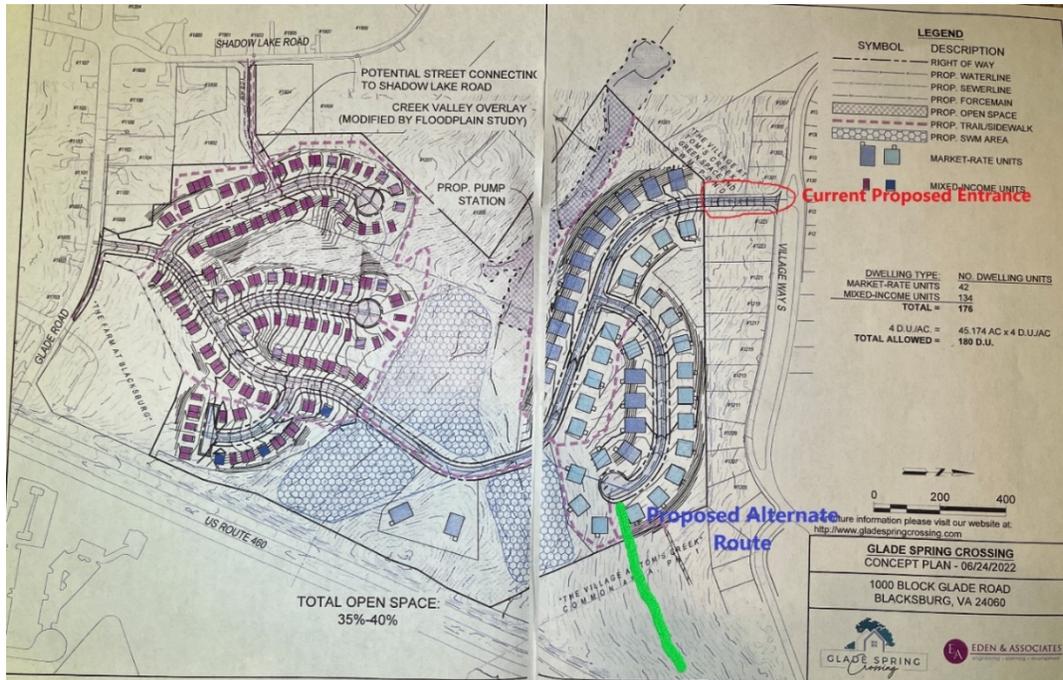
SUMMARY

The location of the proposed entrance to GSC from VWS is simply too dangerous. The town of Blacksburg wants connectivity and the residents in The Village at Tom's Creek want safety. The alternate entrance plan laid out in section "b" above solves a lot of problems with the current plan. Simply based on the safety of residents, the alternate entrance plan makes sense. Please consider changing the entrance to GCS and make the safety of Blacksburg town residents a priority.

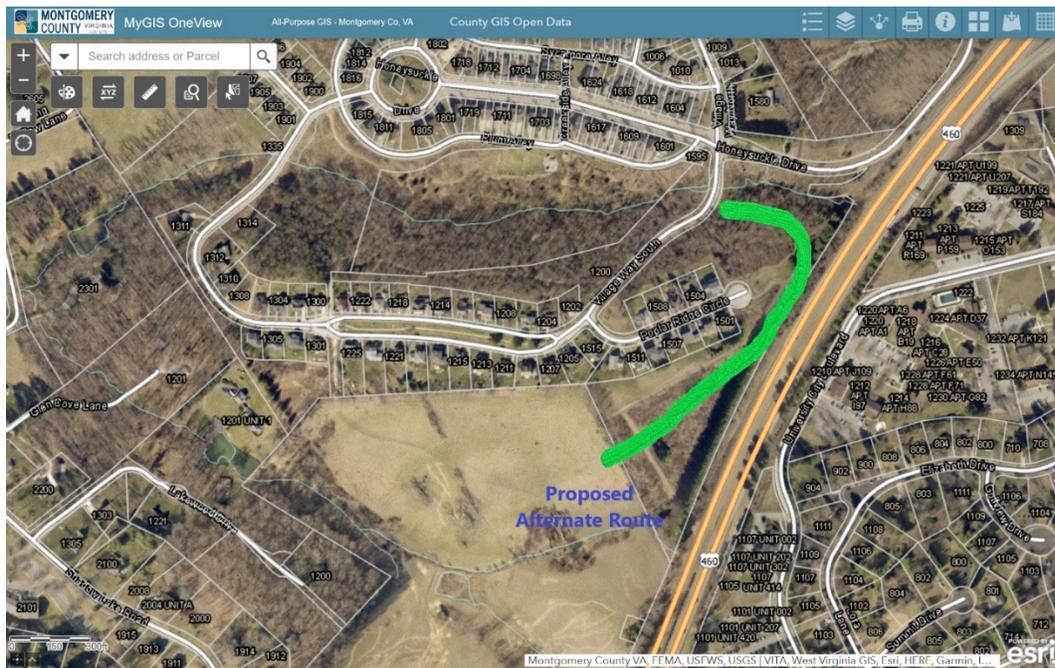
Thank you for your time and consideration. Respectfully,

Michael Stein
540-449-8805
mike_stein2@yahoo.com
1225 Village Way S.
Blacksburg, VA

Map A shows the proposed layout of GSC with red showing the current proposed entrance and green showing the new proposed entrance. The developer would simply trade location of cul-de-sacs.



Map B shows the GIS view of GSC and The Village At Tom's Creek. The green line is a continuation of the green line in Map A.



Kasey Thomsen

From: Anne McClung
Sent: Tuesday, January 31, 2023 8:13 AM
To: Kinsey O'Shea; Kasey Thomsen
Subject: Fw: Quantity vs. Quality- Issues with GSC rezoning proposal
Attachments: Video.mov

Follow Up Flag: Follow up
Flag Status: Flagged

From: Robin Jones <robindavisjones@gmail.com>
Sent: Monday, January 30, 2023 4:54 PM
To: Planning Commission; Matt Hanratty; Leslie Hager-Smith; Susan Anderson; John Bush; Lauren Colliver; Michael Sutphin; Kinsey O'Shea; Susan Mattingly; Jerry Ford
Subject: Quantity vs. Quality- Issues with GSC rezoning proposal

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Town Planning Commission and Town Council,

I'm just a resident- with no expertise in safety, stormwater or codes. But I have concerns and questions that I want to put forth to you regarding the GSC project. I do so, knowing that I am also ignorant to the process. But in experiencing it, feel that it disadvantages regular people like me from learning more about rezoning projects, their effects, and how I can engage.

Below are the issues that concern me and reasons why. I do hope that you are able to raise them with the applicant or town staff (as appropriate) and get the answers that satisfy town requirements, resident feedback, and goals of the project. To me, this comes down to quantity vs. quality. And I think we are sacrificing one for the other.

Volume of Variances

1. Variance requests in the proposal violate many TOB and VDOT standards- by my count they are up to 13.
2. **Any variances granted become the town's liability.** I'm concerned safety concessions could result in injury or death and the environmental concessions could result in damage to public and private property and the watershed itself.
3. To my understanding, the town has never granted landscaping exceptions for a large-scale development nor required the HOA and residents to be responsible for hopefully and eventually meeting the standards. This should not be the first.

Density

1. There are already many dense housing areas in town. There are no significant single family home neighborhoods being built and the growth needs diversity and not just density.
2. Visit the property. It's not flat as the plans show. The new development is basically stripping all of the trees buffering the Farm from the surrounding areas and with the landscaping variances not planning on putting any of it back and hoping that shade and screening will come forth with practically no management within a sea of imperviousness. The project becomes a parking lot with homes in it.

Quality of Community

1. The lack of adequate and safe turnarounds, parking, sidewalks, by the applicant's own admission on Jan 17, is sacrificed by "trying to squeeze it all in."
2. The quality of the neighborhood community culture that can be achieved with this development is inequitable and inferior, hardly a town standard or a message for those who need/desire housing that is affordable.
3. The applicant keeps using VATC as a comparison. They do so when convenient and not for compliance. VATC follows standards required by the town, including landscaping and safety and we bear the burden for our own traffic.
4. Parking plans in GSC (south) assume only 2 cars per household. It doesn't account for additional family vehicles, or guests and visitors. Street parking will be inevitably and will become an additional safety hazard and an environmental concern due to run off.
5. How will delivery vehicles or school buses navigate to each household if cars can't even turn around in some areas?

Connectivity

1. Even if the town had all the permissions to build the connector between GSC and VWS, it could not build it without acquiring private property of two residents.
2. Even if the town had all the permissions to build the connector, it does not follow VDOT standards.
3. Even if the town had all the permissions to build the connector, it will require retaining walls, which become the responsibility of the town to maintain.
4. Even if the town had all the permissions to build the connector, it will not allow for pedestrian traffic and maybe not even school buses.
5. Shortcut roads do not build community- neighbors in VATC and GSC will sacrifice quality community with a road that serves as a cut through. It will not bring people together. I'd prefer to bring people together with pedestrian pathways and by joining our trails.
6. The traffic study and density of the proposal will significantly increase traffic to areas not designed to assume such- risking safety and security to both developments.

Affordable Housing

1. What is the baseline definition for affordable housing? Does this really mean workforce housing or below market housing?
2. The town is supporting almost as much affordable housing as the developer- do they really need 152 more units to make their budget work? I feel like we are being taken advantage of. I'd rather have developments with equitable single family homes so new professionals, young families and others in the workforce could put roots down in the community.
3. The farther you get from Glade Road, the farther commercial access is. There are also no buses in the area for residents in the affordable or smaller homes to access- an important component of affordable housing.

Stormwater

1. Admittedly, I have no expertise in this area but conflicting opinions between town and resident contributors have me concerned that the proposal is adequate to protect the vulnerable watershed.

I've also attached a video from this past weekend that shows me and my neighbors in community. This is what happens when the weather is nice- and we were missing a few families who also usually join in. We have shallow front yards so this is where we gather. We hope that is preserved and any future development in adjacent property has something similar.

I will be unable to attend the Feb 7 meeting so thanks in advance for your consideration. And thanks to those who have agreed to meet in person either with me or with other residents.

Robin Jones
1224 Village Way S

Kasey Thomsen

From: Kasey Thomsen
Sent: Tuesday, January 31, 2023 12:42 PM
To: Kinsey O'Shea; Kasey Thomsen
Subject: Glade Spring Concerns from John Galbraith.

John Galbraith called the Planning and Building office today. He has been a resident of Glade Road for 23 years. His main concern is the traffic increase on Old Glade Road and Glade Road.

Currently, when someone is turning off Prices Fork Road onto Old Glade Road and then turning left on Glade Road, traffic is often backed up and people can be waiting up to 5 minutes. Although there haven't been any accidents yet, Galbraith is concerned with the new residential units coming in, that there will be traffic accidents.

Galbraith suggests that the developer or Town of Blacksburg install a 3-way stop sign at Old Glade Road and Glade Road or a traffic circle.

Galbraith's email address is galbraith@vt.edu.

**Kasey Thomsen, Planning Technician
Planning and Building Department
Town of Blacksburg, VA**

540-443-1307
kthomsen@blacksburg.gov