

TOWN OF BLACKSBURG
AGENDA MEMO

DATE: June 5, 2024

TO: Town Council

FROM: Kali Casper, Interim Planning and Building Director KC

PREPARED BY: Kinsey O'Shea, AICP, Senior Planner

TITLE: RZN 24-1/ORD 2051-Request for an amendment to previous rezoning RZN 19-0002/ORD 1895 on 33.87 acres at the former Old Blacksburg High School site at 520 Patrick Henry Drive (Tax Map Numbers: 227-A 4, 227-A 4C and 227-A 4D) by Balzer and Associates (applicant) for HS Development LLC and the Town of Blacksburg (property owners).

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- **Background:** The attached is a request to amend the existing Planned Residential District (PRD) for the Old Blacksburg High School (OBHS) at 520 Patrick Henry drive. A portion of the property is located in Montgomery County outside of Town limits and is not subject to this rezoning request. The overall site is approximately 33.87 acres, though the amendment request comprises only a portion of the overall site. The amendment request entails the reduction in the number of townhome units from 100 to 73 on the 11-acre development site. Changes also include architectural layout and floor plan changes, site and circulation changes, and proffer changes. Planning Commission recommended approval at its June 4, 2024 public hearing with a vote of 5/2 with 2 absent.
 - **Considerations:** See attached staff report, update memo, and application.
 - **Action:** Place on consent agenda and schedule public hearing for July 9, 2024.
 - **Attachments:**
 - Planning Commission to Town Council memo
 - Staff update memo dated May 31, 2024
 - Staff report with attachments dated May 15, 2024
 - Application dated May 28, 2024

MEMORANDUM

TO: Town Council

FROM: Planning Commission

DATE: June 4, 2024

SUBJECT: RZN 24-1/ORD 2051-Request for an amendment to previous rezoning RZN 19-0002/ORD 1895 on 33.87 acres at the former Old Blacksburg High School site at 520 Patrick Henry Drive (Tax Map Numbers: 227-A 4, 227-A 4C and 227-A 4D) by Balzer and Associates (applicant) for HS Development LLC and the Town of Blacksburg (property owners).

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Planning Commission Recommendation:

APPROVAL for the rezoning request RZN-24-1/ORD 2051 and 3 associated exceptions to use and design standards for townhomes

- §4231(b)(1) [No more than 8 townhomes in a row; no more than 2 buildings in a row]: To allow more than 2 buildings but no more than 3 buildings in a row
- §4231(b)(6) [Parking and driveways for townhomes]: To allow parking in more than one yard of townhomes
- §4231(b)(14) [Front façade setback variation]: To allow less than 3' of building façade articulation/setback between units

For: Britt; Ford; Herbein; Kassoff; Rinehart
Against: Colley; Walker
Abstain:
Absent: Ermann; Jones

In so recommending approval of this rezoning application and associated exceptions to use and design standards, the Planning Commission finds the request to be in conformity with the Comprehensive Plan, and the Zoning Ordinance, and that it will have minimum adverse impact on the surrounding neighborhood or community.

STAFF UPDATE MEMO

TO: Planning Commission

FROM: Kinsey O'Shea, AICP, Senior Planner

DATE: May 31, 2024

SUBJECT: RZN 24-1/ORD 2051-Request for an amendment to previous rezoning RZN 19-0002/ORD 1895 on 33.87 acres at the former Old Blacksburg High School site at 520 Patrick Henry Drive (Tax Map Numbers: 227-A 4, 227-A 4C and 227-A 4D) by Balzer and Associates (applicant) for HS Development LLC and the Town of Blacksburg (property owners).

At the May 21, 2024 Planning Commission work session, there were a number of topics discussed as below:

- Unit floor plans that included bonus rooms and/or attic storage spaces
- Unit mix being largely 4-bedroom units with very few 3-bedroom units
- Front-loaded garages as opposed to alley-loaded garages
- Use of rear yards
- Proffer changes

The applicant has responded with an updated application. There are a number of changes to the application as below:

- Removal of 4-bedroom units; all units are 3-bedroom units
The elimination of 4-bedroom units brings the total bedroom density down to 219 total bedrooms (previously 284), which equates to 20 bedrooms per acre. This is consistent with the Future Land Use designation for Medium-Density Residential. There are still unit options that include attic storage or bonus rooms. All of the units are now two-story units.
 - Unit A (17 units): 2-story; 3-bedroom, 2.5-bath; with attic storage*
 - Unit B (24 units): 2-story; 3-bedroom, 3-bath; with attic storage*
 - Unit C (16 units): 2-story; 3-bedroom, 2.5-bath; with attic storage and bonus room*
 - Unit D (8 units): 2-story; 3-bedroom, 2.5-bath*
 - Unit E (8 units): 2-story; 3-bedroom; 2.5-bath; with attic storage and bonus room*
- Restrict occupancy to a family + 1, or no more than 2 unrelated individuals
Reducing the occupancy per dwelling unit may reduce the lifestyle conflicts that occur more often with larger concentrations of unrelated individuals. This addresses many of the concerns raised in the work session.
- Effective parking ratio now 1.33 spaces/bedroom; 4 spaces per unit plus public parking in Price Street extension right-of-way. *This alleviates concerns regarding garage and tandem-parked spaces in the parking ratio.*
The reduction of bedrooms effectively increases the parking ratio because the number of parking spaces remains the same at 4 per unit. As previously proposed, on-street parking is allowed in the public right-of-way of Price Street extension.
- Statement that no fences will be allowed in rear yards of units. *This will allow for common maintenance of these areas.*

- One additional crosswalk at Patrick Henry Drive per Corridor Committee recommendations.
- Option to provide back-in diagonal parking along the west side of Price Street extension which results in more parking spaces than parallel parking spaces.

It was suggested that the applicant explore the option to provide angled parking rather than parallel parking because it may result in more parking spaces in the same amount of space. The Town has determined that back-in spaces may be acceptable, because they don't require backing into the public right-of-way to exit. The applicant and the Town will determine the best parking solution for this area with regards to the overall use of the recreation space.

- Sign locations shown on the plan within the development area where public Price Street Extension meets the private loop road.

Attachments

Updated application materials dated May 28, 2024

RZN-24-1 OBHS PRD AMENDMENT REQUEST

PROPOSED DEVELOPMENT

OBHS PRD Proposed Site Development Standards

Proposed Use	Townhomes
Development Size	11.15 acres of 33.87 acre site
Number of Units	73 units, 284 bedrooms
Minimum Open Space	21% provided, 20% required
Parking Ratio	1.1 spaces/bedroom

OBHS PRD REZONING

OBHS PRD was approved in September 2019 and proposed the development of 100 townhome units with public streets and private alleys on approximately 11 acres of the 33.87-acre site. Open space was provided in the development area, and the remainder of the 33-acre site would remain open space and community recreation belonging to the Town of Blacksburg.

PRD AMENDMENT REQUEST

The applicant requests to amend the Planned Residential District with changes to lot configuration, circulation, open space, and an overall reduction in the number of units, as well as a change in the unit mix to eliminate 2-bedroom units, and add 4-bedroom units. There are also changes to the proffer statement.

MODIFICATION REQUESTS

There are three requests to modify Use and Design Standards for Townhomes:

- §4231(b)(1) to allow more than two (2), but not more than three (3) townhome buildings in a row
- §4231(b)(6) to allow some townhome units to have parking and driveways on more than one (1) side of the building
- §4231(b)(14) to allow façade setback variation to be reduced to not less than two (2) feet, instead of the minimum three (3) feet



Aerial of the site



Approved PRD Layout



Proposed PRD Layout

MEMORANDUM

To: Planning Commission

From: Kinsey O’Shea, AICP; Senior Town Planner

Date: May 17, 2024

Subject: RZN 24-1/ORD 2051-Request for an amendment to previous rezoning RZN 19-0002/ORD 1895 on 33.87 acres at the former Old Blacksburg High School site at 520 Patrick Henry Drive (Tax Map Numbers: 227-A 4, 227-A 4C and 227-A 4D) by Balzer and Associates (applicant) for HS Development LLC and the Town of Blacksburg (property owners).

SUMMARY OF REQUEST

<i>Property Details</i>	
Property Location	520 Patrick Henry Drive; Former Blacksburg High School
Tax Parcel Numbers	227-A 4; 227-A 4C; 227-A 4D
Parcel Size	33.87 acres
Present Zoning District	PR Planned Residential (Ordinance 1895; RZN19-0002)
Current Use	Former high school; community recreation; undeveloped
Adjacent Zoning Districts	North: R-4 Low Density Residential
	East: R2 (Montgomery County zoning)
	South: R-4 Low Density Residential
	West: R-4 Low Density Residential
Adjacent Uses	North: Single-family residential
	East: Single-family residential; undeveloped
	South: Single-family residential
	West: Blacksburg Community Center; Blacksburg Aquatic Center
Adopted (2021) FLU	Civic; Medium-Density Residential; Park Land/Open Space/Resource Protection
Proposed Use	Townhouse (Area 2); Civic/recreation/open space (Areas 1, 3, & 4)
Proposed Standards for Area 2	
Proposed Maximum Density	7 units per acre (73 total units); 26 bedrooms per acre (284 total bedrooms)
Total Proposed Open Space	21% of Area 2; 20% required; Additional open space on Area 1, 3, & 4
Proposed Unit Setbacks	Front, Rear 8’
	End unit Side 8’
Area 2 Overall Lot Coverage	60%
Individual Lot Max Lot Coverage	95%
Area 2 Overall FAR	0.40
Maximum building height	35’
Proposed Parking Ratio	1.1 spaces per bedroom, including driveways and garages
Proposed Bicycle Parking	100 outdoor spaces; 35% of total bedrooms proposed; 25% required; plus 219 garage spaces (3 per unit)

STAFF REPORT and KEY ELEMENTS

STAFF REPORT

This staff report covers the amendment request to the 2019 approved rezone for Old Blacksburg High School (OBHS) Townhomes. This staff report is divided into topical areas of evaluation. Many of the overarching principles in the Comprehensive Plan, and the Zoning Ordinance overlap into key topical focus areas. To aid in review of the staff report each topic or focus area is covered only once.

KEY ELEMENTS

- Reduction of number of units from 100 to 73
- Reduction in number of bedrooms from 319 to 284
- Removal of proffer pertaining to minimum age limit for tenants
- Allowance of four-bedroom units where previously only three-bedroom units were allowed
- Inclusion of bonus rooms in units with three and four bedrooms

EXISTING CONDITIONS AND DEVELOPMENT PROPOSAL

EXISTING SITE CONDITIONS

The site is comprised of three separate tax parcels, and the total parcel acreage is approximately 36.503 acres. The application identifies the front parcel as Area 1, which belongs to the Town of Blacksburg, totaling 13.96 acres, and containing the existing recreation amenities such as the track and ballfields, and fronts on Patrick Henry Drive. Area 2 is the proposed development area and totals 11.15 acres, and is the area where the former high school building and parking were. Area 3 is split by the Town of Blacksburg corporate limit, with 7.00 acres in the town, and 2.630 acres in the county. *The portion of this parcel in the county is not subject to this rezoning request, as the Town cannot apply zoning to parcels located in the county.* The total area subject to this rezoning request is approximately 33.87 acres. The parcel map is provided as sheet C.2 in the application.

The rezoning area is the site of the former Blacksburg High School. The Blacksburg High School was opened in 1974, and remained in operation until 2010, when the roof of the gymnasium collapsed, and the building was condemned. The remaining structure was demolished in 2019, and only the parking area remains. The front portion of the site nearest Patrick Henry Drive is owned by the Town of Blacksburg and contains a running track, soccer field, and ballfields. This area is commonly used by the community for recreation use. A large portion of the eastern and southern parts of the property to the side and rear of the former high school building (Area 3) are covered in forest.

Parcel ownership has changed since the 2019 rezoning and the application should be revised in parts to reflect this. Staff and the Town Attorney are working with the applicant on this. The Montgomery County Board of Supervisors sold the site of the Old Blacksburg High School to HS Development LLC in 2017. After the current PRD zoning was approved in 2019 by Ordinance 1895, the site underwent a lot line adjustment and two of the three parcels were sold to the Town of Blacksburg later in 2019. While these Town-owned parcels have been depicted in the 2019 rezoning and the proposed 2024 amendment, either Town-owned parcel may be rezoned in the future without requiring the consent of HS Development LCC, or its successors and assigns. *Town of Leesburg v. Long Lane Assocs. Ltd. P'ship*, 284 Va. 127 (2012).

APPROVED 2019 REZONE

The approved rezone included the development of 100 townhome units on the 11-acre development area known as Area 2. The development included the construction of public streets and private alleys, as well as common green spaces. Parking for all units was provided in unit driveways and garages. Units were a mix of

two-bedroom and three-bedroom units. Development of the site was contingent upon increased sanitary sewer capacity. At the time of the rezone, the Town had funded, but not yet begun construction on sanitary sewer upgrades that would address the downstream sewer capacity inadequacies. At the time of the rezone, the applicant agreed to a sanitary sewer agreement that acknowledged the inadequacies and identified means to upgrade. No site plans for the approved rezone were ever filed, and the site has remained undeveloped following the demolition of the high school building.

DEVELOPMENT PROPOSAL

The development proposal entails a 73-unit townhouse community comprised of 15 buildings. The buildings will range from three attached units to seven attached units. The units vary from two stories to three stories. Each features a two-car garage. Two buildings will not have access from a public or private street, but instead will have access on a private alley. Some units will have frontage on the Price Street Extension, and also have alley access. Two new public streets will be constructed: the entrance road from Patrick Henry south of the ballfields, and Price Street Extension. All other drives in the development will be private.

The applicant proposes “American Colonial” and “Craftsman” style buildings. The two styles don’t contain similar unifying elements, and may not look like a cohesive neighborhood if both styles are utilized. The application states that adjacent units will vary in color and/or material.

All units are front-loaded with garages, except for Building Type 3, which comprises 16 of the units across 4 buildings. Building Type 3 will be alley-loaded. The front of three of the buildings will face Price Street Extension with alley access, while the fourth building will front on the alley on one side and the pocket park on the other.

The parent parcel will be subdivided so that each of the units will be on its own parcel. There will be several common area lots as well, containing common open space.

Notable physical changes from the approved rezoning are as follows:

- Reduced number of units from 100 to 73
- Reduced number of bedrooms from 319 to 284
- Changes to the road and alley layout
- Architectural changes
- Additional bike parking
- Creation of a new town park (Grove Park)
- Previously primarily alley-loaded; as proposed primarily front-loaded, including on both sides of private street
- Elimination of 2-bedroom units; now includes mostly 4-bedroom units

EVALUATION OF REZONING REQUEST

There are a number of analysis points for evaluation of a request to rezone a property within Town. The policies and maps in the Comprehensive Plan lend guidance to the Town’s vision of growth in the future, while specific codes and requirements in the Zoning Ordinance, Subdivision Ordinance, and the Town Code ensure that the development meets all applicable regulations. In this case, the use of townhomes was previously reviewed and found to be in conformity with the Comprehensive Plan and Zoning Ordinance. The evaluation of the amendment request should take into consideration the changes proposed to the district. Specifically, the Zoning Ordinance calls out the criteria for evaluation of a rezoning request, as found below:

CRITERIA FOR EVALUATION

Section 1151 of the Zoning Ordinance requires the Commission to study all rezoning requests to determine:

- 1) *Whether the proposed amendment conforms to the general guidelines and policies contained in the Comprehensive Plan.*
- 2) *The relationship of the proposed amendment to the purposes of the general planning program of the Town, with appropriate consideration as to whether the change will further the purposes of [the Zoning Ordinance] and the general welfare of the entire community.*
- 3) *The need and justification for the change.*
- 4) *When pertaining to a change in the district classification of the property, the effect of the change, if any, on the property, surrounding property, and on public services and facilities. In addition, the Commission shall consider the appropriateness of the property for the proposed change as related to the purposes set forth at the beginning of each district classification.*

Evaluation of Rezoning Amendment Request

Section 1164 sets out the criteria for evaluating revisions to final master plans for planned zoning districts. It has been determined that the proposed revisions to the master plan including changes to circulation, mixture of dwelling unit types, and site and architectural design features are considered to be major revisions and thus subject to review by public hearing as the original plan.

COMPREHENSIVE PLAN EVALUATION

In evaluating whether the proposed use conforms to the general guidelines and policies contained in the 2021 Comprehensive Plan, all applicable sections of the Plan should be included in the review of the application. The Comprehensive Plan offers a wide range of guiding principles for the future of development within Town. The following text identifies the designation of the proposed rezoning property on the maps in the Future Land Use map series.

Map A: Future Land Use Designation

In evaluating whether the proposed planned residential development conforms to the general guidelines and policies contained in the Comprehensive Plan, the Future Land Use designation of the subject property is one consideration for evaluation. The Future Land Use designation of the **developed portion** of the subject parcel is Medium Density Residential. The remainder of the parcel is designated as Civic, and Park Land/Open Space/Resource Protection. This change was made during the 2021 update to the Comprehensive Plan as a part of the staff-initiated change to bring future land use into alignment with the approved 2019 rezoning, and to reflect the long-term civic uses.

Medium Density Residential is defined as:

Up to and including ten (10) dwelling units per acre, or up to 20 bedrooms per acre, whichever is less. Bedrooms-per-acre is the primary measurement for multifamily residential uses. Typical implementing zoning districts: Transitional Residential (R-5), Old Town Residential (OTR), Planned Residential (PR), and Planned Manufactured Home (PMH).

The proposal equates to 26 bedrooms per acre, which is approximately 30% greater than the envisioned density under the Future Land Use designation. The proposal for 73 units equates to approximately 7 units per acre. For comparison, the previously-approved plan of 319 bedrooms equates to 29 bedrooms per acre; the previously-approved plan of 100 units equates to approximately 9 units per acre.

Map B: Urban Development Areas

The property is not located in an urban development area, or a mixed use area.

Map C: Neighborhood, Employment, and Service Areas Map

The property is designated as a suburban residential neighborhood.

Need for a Range of Housing Types

As part of a 2021 Comprehensive Plan update survey, the community identified Housing as the top challenge facing the Town, including approximately 41% of respondents desiring more affordable housing options in the Town over the next ten years. The overarching goal of the Housing chapter of the Town’s recently updated Comprehensive Plan is to provide a diverse housing market to meet a “full range of life situations”. The chapter indicates that "there are a number of market segments based on lifestyle, age, ability, and/or income for which there is not a sufficient inventory of suitable homes."

The proposal includes the construction of 73 townhomes. All townhomes will be at least 3-bedroom units, with most having a fourth bedroom, and many having an additional bonus room. The approved rezoning included a number of proffers intended to limit the use of the units for rental, including a proffer requiring a minimum age for tenants, and limiting leases to by-the-unit rather than by-the-bedroom. See the proffers at the end of this report for a comparison of the new proffers to the old proffers.

Unit Design

The application states that the maximum bedroom count is 284, across 73 units. The floor plans provided show three- and four-bedroom units, though only Unit Type D (8 units) are truly three-bedroom units. All other unit types have the option to be four-bedroom units. The floor plans provided also show that a number of the unit types include a “Bonus Room” in addition to the bedrooms. Unit C and Unit E both show 3 bedrooms with a bonus room, while Unit C also has an option for a 4th bedroom plus the bonus room. These “bonus rooms” do not have closets, but are otherwise generally large enough to be used as bedrooms. The Unit E 4th Bedroom is the converted bonus room with a closet. Approximately one third of the units have the option to have a bonus room included.

As proposed, the maximum number of bedrooms of 284 assumes that only the Unit D types will have 3 bedrooms, while all other units will be 4-bedroom units. With the addition of bonus rooms in many of these units, including in the 4-bedroom units, the overall occupancy of the development may be higher than originally intended and communicated in the application. This type of unit may be appealing to families as well as students. Occupancy restrictions can reduce lifestyle conflicts.

ZONING ORDINANCE EVALUATION OF APPLICATION

Zoning Ordinance Intent of Districts

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

Planned Residential §3110

The purpose of this district is to provide for the development of planned residential communities that incorporate a variety of housing options as well as certain limited commercial and office uses designed to serve the inhabitants of the district. This district is intended to allow greater flexibility than is generally possible under conventional zoning district regulations by encouraging ingenuity, imagination, and high quality design to create a superior living environment for the residents of the planned community. The PR district is particularly appropriate for parcels that contain a number of constraints to conventional development. In addition to an improved quality of design, the PR district creates an opportunity to reflect changes in the technology of land development, provide opportunities for new approaches to home ownership, and provide for an efficient use of land that can result in reduced development costs.

It is the burden of the applicant to prove that the design submitted meets the intent of the Planned Residential District. In some cases, a development application for a PR district provides the Town with a housing model or type that is not found elsewhere in town, such as the Shadowlake Village Co-Housing Community PR district. In other instances, the PR district allows an applicant to put forward housing for an underserved population and proffer limitations to ensure the need is met as with the Grissom Lane Affordable Senior Housing development, and the Legacy development. Other applicants have included proffers that provide green building certification, or have provided for additional bicycle and pedestrian infrastructure to mitigate impacts of the development on the Town's transportation network. In all cases, these applications are reviewed by the Planning Commission and Town Council for their merits on a case-by-case basis.

The proposed amendment includes different unit types including units with primary bedroom and bathroom on the main level, allowing for aging-in-place, which is a housing product in short supply in town.

Zoning Ordinance Standards

The characteristics of physical site development are regulated by the Zoning District standards. In general, there are three types of zoning standards that apply to development in the Town: District Standards; Use & Design Standards; and Development Standards. Explanations and examples of these types of regulations are below:

- **District Standards** include regulations for the physical development of any use on a parcel in a particular zoning district. Common district standards include building height; setbacks; lot coverage; FAR; residential density; and minimum lot size. District standards (for non-planned districts) cannot be varied except through the Board of Zoning Appeals. District standards for planned districts are proposed by the applicant, and can be varied or amended through the rezone process.
- **Use & Design Standards** provide regulations for the physical development of a parcel based on the use, such as residential or commercial, in any zoning district. These standards vary and include architectural standards for some uses such as building orientation; site layout standards such as provision of sidewalks or a minimum parcel size; and operational standards such as outdoor display and storage, lighting, or vehicle circulation. There may be additional standards for uses based on zoning districts and the intent to mitigate adverse impacts. An example of this may be additional buffer yard requirements for a particular use where it abuts a lesser intensity zoning district.
- **Development Standards** provide regulations for improvements that may be required, such as parking or landscaping. The Planned Residential District allows some of these standards to be proposed by the applicant such as parking and landscaping or buffering. These standards vary based on both use and district, such as one standard for commercial uses and a different standard for residential uses, or one standard for one zoning district but not another.

In a Planned Residential Zoning District, the applicant may propose most of the individual District standards for the proposed development. Development Standards and Use & Design Standards require adherence for developments even during a rezoning request, unless a modification or exception is explicitly requested and granted through the rezoning process.

The layout and standards of the development, if approved, are binding, and any deviation would require amending the rezoning. Since the applicant proposes the standards in the PRD, the evaluation of the proposed standards is different. The evaluation should be based on how well the proposed standards, when applied, fit into the existing character of the surrounding area. The Planning Commission and Town Council evaluate each Planned Residential development on its own merit.

Comparative District Standards

The table below demonstrates the approved PRD standards compared to the proposed amendment to the PRD. In both cases, porches are allowed to encroach up to 4’ into a front setback. Also, a minimum of 20% of the property is proposed as open space, meeting the minimum requirement.

	Approved 2019 PRD Standards	Proposed Amended PRD Standards
Maximum Density	Up to 30 bedrooms/acre	Up to 26 bedrooms/acre
Minimum Setbacks	Front: 8’	Front: 8’
	Side: 8’ (20’ between townhouse series)	Side: 8’ (20’ between townhouse series)
	Rear: 8’	Rear: 8’
Maximum lot coverage	95% per individual lot	95% per individual lot
Maximum FAR	0.5 per development area 2	0.4 per development area 2
Maximum Height	35’	35’
Maximum Occupancy	Family + 2 unrelated; no more than 3 unrelated	Family + 2 unrelated; no more than 3 unrelated

Townhouse Use & Design Standards §4231

Use & Design Standards provide regulations that generally govern the overall appearance and function of a development. Use and Design Standards can go a long way to establishing the feel and appearance of a development, including its compatibility with the surrounding neighborhood. There are a number of Use & Design Standards applicable to this development. The previously-approved rezoning request included exception requests for items §4231(b)(1) and (b)(14) as below, but not for §4231(b)(6).

The Townhome Use & Design Standards are intended to encourage site and building design that is more in keeping with attached single-family housing than apartment buildings. Standards for façade articulation, single-family appearance, front and rear entries to each unit, and others provide for a more individual-unit experience rather than apartment living. The applicant requests exceptions to three of the standards, as below:

- **§4231(b)(1) [No more than 8 townhomes in a row; no more than 2 buildings in a row]:** *Except in the DC District a maximum of eight (8) dwelling units may be constructed in a contiguous series of townhouses. No more than two (2) contiguous series shall be constructed adjacent to each other.*

The intent of the regulation is to ensure that there is adequate light and airflow to buildings, as well as limiting façade length to reduce the overall mass and scale of the buildings. Additionally, the regulation states that no more than two series be in a row. The proposed PRD meets the requirement for number of units in a row, with buildings having no more than seven units in a row. However, the applicant has requested a modification to this standard to allow up to three buildings in a row. Each of the proposed private streets will have blocks of three townhomes on at least one side. The previously-approved plan showed groups of 5 units together; now up to 7 units may be attached together in a building in the proposed plan.

- **§4231(b)(6) [Parking and driveways for townhomes]:** *Only one (1) yard, either the front yard or the rear yard, or in the case of an end unit, the side yard, shall be improved with a driveway or parking spaces.*

The intent of this standard is to ensure that townhomes have adequate space around them and not be surrounded by parking or drive aisles. There are many instances when layout necessitates a different design that still provides adequate yard space. The proposed layout shows several buildings with roads or alleys

adjacent to more than one yard of the townhomes. Generally, the townhomes have adequate side or rear yard area so as not to feel completely surrounded by pavement.

- **§4231(b)(14) [Front façade setback variation]:** *Front yard setbacks for adjacent units shall vary a minimum of three (3) feet and a maximum of eight (8) feet.* [This standard references “front yard setbacks” though the intent of the standard is to require building façade articulation of 3’-8’ between units such that no adjacent units are co-planar with one another.]

This standard aims to ensure that townhome developments are more single-family in appearance, rather than multifamily-apartment in nature. The application indicates, on page 8, that a modification is requested to this standard. The floor plans provided in the application indicate that there will be at least 2’ of variation for all unit types; and the application further states on page 8, that adjacent units will be differentiated by “changes in color and/or material where the exception applies, and shall not apply to more than two-adjacent in a series of townhomes.” *This language is unclear and should be clarified by the applicant.*

Development Standards

In Planned Residential Districts, the Development Standards found in the Zoning Ordinance apply unless specific modifications are requested. Development standards applicable to this request are Overall Tree Canopy, Parking Lot Landscaping, Vehicle Parking, and Bicycle Parking. The chart below illustrates the comparison between the two sets of standards.

	Applicable Development Standards	Proposed OBHS PRD Standards
Minimum Tree Canopy	10%	“as per §5400”
Street Trees	1 tree per 30’ of frontage	1 native tree per 30’ frontage
Minimum Parking Ratio	1.1 spaces/bedroom	1.1 sp/br incl. garages and driveways
Minimum Bike Parking	0.25 spaces/bedroom	0.35 spaces/bedroom plus garages

- **Landscaping & Buffering §5300 et seq.; §5400 et seq.:** The Planned Residential District has no overall landscaping or buffering requirements such as a prescribed overall tree canopy or required buffers between uses or districts. The PR district rather relies on the other development standards for landscaping such as parking lot landscaping and street tree requirements. The overall canopy coverage requirement in the Development Standards §5426 states that canopy coverage shall be “per [similar] uses”.

The application site plan sheet C.3 shows street trees and landscape trees throughout the development area. The applicant will have to show, at the site plan stage, that the appropriate street tree ratio and canopy coverage can be provided. At least 1 tree per every 30’ of public road frontage is required, and at least 10% overall canopy coverage is required. There are no required buffers for the development. There are no individual unit parcels that back up to neighboring development—there is common open space around the perimeter of the development abutting existing residential neighborhoods.

- **Parking §5200 et seq.** The Planned Residential District allows an applicant to propose alternate Development Standards than what is typically required in the Zoning Ordinance, including vehicle-parking ratios. The ordinance gives guidance regarding the evaluation of standards different from what is prescribed in the Townhome use minimum parking standards:

§3113(f): Parking in the PR district shall either be as contained in Section 5200 or as approved through:

- 1) *A rezoning to the PR district based on demonstrated parking needs, housing types and potential impacts to surrounding neighborhoods.*

The application states that the minimum parking for the development will be 1.1 space per bedroom which meets the minimum requirement for townhome parking of 1.1 spaces per bedroom. However, the parking ratio is contingent upon having two garage spaces and two driveway spaces available for all homes. There are also on-street parking spaces proposed along the Price Street extension. These spaces will be within the right-of-way, and not part of the parking calculation.

While the application states that 1.1 spaces per bedroom are provided, there is no true guest parking as all of the parking for the development is in unit driveways and garages. As planned, 50% of the parking is located in garages, thereby producing tandem parking with the driveway spaces. All units have 4 parking spaces, whether 4-bedroom or 3-bedroom. The parking ratio does not address the proposed “bonus rooms”.

The approved rezoning also includes a 1.1 parking space/bedroom ratio, and also utilizes two garage spaces and two driveway spaces for each unit. There were no additional parking spaces proposed, except those in the public right-of-way on Price Street Extension. However, it should be noted that the units were a mix of two- and three-bedroom units, rather than three- and four-bedroom units as proposed today.

- **Bicycle Parking §5213:** The PR district standards do not address bicycle parking beyond what is required in the zoning ordinance development standards. Bicycle parking is required at a rate of 0.25 spaces per bedroom.

Per the Zoning Ordinance, space for 71 bikes is required. The applicant is proposing outdoor rack space for 100 bicycles which equates to a ratio of 0.35 spaces per bedroom, and is a commitment to providing more than the minimum bike parking requirement. The application also indicates that there will be three bike hangers installed in each of the garages for additional storage. The total of 319 racks, including garage hangers, is proposed, for a total ratio of 1.12 spaces per bedroom.

- **Signage §5500:** The Planned zoning district application requirements §1162 require applicants to submit a “comprehensive sign plan”.

The application does not include any graphics for signage, but states that there will be two signs for the development: one at the Grove Avenue entrance, and one adjacent to the southern intersection of the loop road with Price Street. *The applicant should indicate on the plan where the location of the signs will be.* The signs will not exceed 50 square feet total, with neither sign exceeding 35 square feet. Signs will be no taller than 8', and have base meeting standards in the zoning ordinance. The application also states that signage may not be installed.

IMPACT ON PUBLIC INFRASTRUCTURE

In evaluating the potential effect on public services and facilities that this rezoning would have, the application is reviewed to determine the scope of the impact, and what improvements may be required to mitigate the impact. The evaluation of impacts to public infrastructure should take into account the proposed intensity of the development and the current condition of the Town’s public infrastructure. Specific improvements necessary to support a proposed development, and attributable to a development should be constructed by the developer. Full engineering design and layout of infrastructure typically occurs at the site plan stage, but the

applicant must provide enough information at the rezoning stage to determine the impact. Additional review for compliance with all Town standards and specifications would occur at the site plan stage, if the rezoning is approved.

Transportation

Vehicular Transportation

Applicants for rezoning must provide traffic impact information for consideration as a part of the rezoning application, in order to determine the effect of the development on public facilities, including the Town's transportation network.

Impact on Transportation Network

The applicant has provided traffic information in the form of trip generation comparisons between the approved rezone and the proposed amendment. The approved rezone assumed a total of 112 units, and used the ITE code of "Low Rise Multifamily Housing". The proposed amendment assumes 73 units and uses "single family attached" as the use code to produce trip generation projections. The projections based on the assumptions is that the proposed amendment will have a lesser transportation impact than the approved rezone.

Trails & Sidewalks

The application shows the installation of a public trail within the unbuilt Grove Avenue right-of-way connecting to trail along the Price Street extension and along the southern entrance road to the development connecting to Patrick Henry Drive. The application also states that a 5' wide natural soil walking trail will be developed on the south side of the property within the Town's property in Area 3, which is the wooded area south of the development area. Internal sidewalks are proposed along all public streets and internal private streets.

The Corridor Committee reviewed the request and had several comments pertaining to transportation:

- The proposed sidewalk along the Patrick Henry Drive entrance road ends abruptly and does not extend to Patrick Henry Drive. The Committee recommended that the proposed sidewalk extend the rest of the way to Patrick Henry drive, along the entrance road. They noted that this would help create better connectivity for the Nature Path as well.
- The Committee recommended adding a crosswalk across the Patrick Henry Drive entrance, as there is existing sidewalk on either side of the entrance.
- The Committee suggested adding a Nature Path spur, from the property line at the dead-end of Elliot Drive to the proposed Nature Path.
- The Committee noted that sidewalks near bicycle racks should have ramps, so that users can bike to the rack and avoid the need to navigate over curbs.
- The Committee suggested adding a crosswalk across the entrance to Grove Avenue, along Patrick Henry Drive, as there is existing sidewalk on either side of the entrance.
- The Committee noted that if this development is constructed, this could be an opportunity to consider reducing the street speed or adding traffic calming measures along Patrick Henry Drive, due to the additional traffic and density along the corridor. They noted that a reduced speed and traffic calming could help make crossings safer for people walking and biking.

Also of note is that the Pedestrian Connectivity sheet C.7 in the application shows a number of existing sidewalk as proposed. The applicant should clarify that these are existing sidewalks.

Stormwater Management

Rezoning applications must also include a stormwater concept plan to ensure that the proposed development, in concept, can meet both the Town's stormwater quality and quantity regulations. The applicant prepared the

concept plan with the application, and the stormwater concept plan has been approved. Please see the attached memo.

Public Water Utility Services

Rezoning applications also must include conceptual utility layouts for water and sewer. This is to ensure that there are no potential conflicts in the development layout with utility easements, and that the Town's services are adequate to support the additional development. Town Engineering staff reviewed the development proposal water utility plan and had no comments regarding the conceptual design of the water system.

Public Sanitary Sewer Utility Services

Developers must also provide projected wastewater flow estimates to allow the Town to evaluate sanitary sewer service capacity. The applicant has provided these estimates and Town engineering staff used this to model the impact of the proposed development on the Town's sanitary sewer infrastructure. The modeling has shown that there is not capacity in the Town's sanitary sewer system to accommodate the full development. The site is located within the Town of Blacksburg Harding Avenue Sewer Shed, and there are multiple segments that the model predicts to be at or above capacity within this system. Plans were prepared to address the limitations (Harding Avenue Sewer Shed Upgrade – Phase II), but the bids for the work far exceeded the budget and available funds and no contract was awarded. As a result, there are a number of possible measures that are now being evaluated to address the capacity issues without fully constructing the planned project including value-engineering the design into smaller priority segments before re-bid; targeting inflow & infiltration (I&I) prone sections with a CIP abatement project; and fine-tuning the sewer model to better reflect actual field conditions. Each of these possible capacity building measures is further discussed in the attached Sanitary Sewer Engineering Memo.

Notwithstanding the above, Town engineering staff have determined that up to 25 units may be issued certificates of occupancy before any further improvements to the sewer system are made. This is based on the capacity that became available following the demolition of the high school and removal of its discharge from the sewer shed. A sewer agreement would need to be developed by the Town Attorney and Town engineering staff to identify the actions needed to permit the remaining units. As with other sewer agreements, the applicant would have the option to complete any of the capacity building measures on an accelerated timetable at their own expense if additional units are desired to be delivered prior to the estimated completion dates set forth above. Several of the above-mentioned measures will be addressed in 2025 and 2026 potentially ahead of the project construction timeline. The sewer agreement can then be reviewed and revised as needed, if additional capacity is found.

Waste Management and Recycling Services

The applicant is proposing that trash and recycling will be handled by a curbside pickup along public streets and private alleys. The application shows an area for trash and recycling carts along the alley for the four units on the dead-end portion of the alley for residents to use on collection day so that the trash truck does not go down the dead-end portion.

Blacksburg Transit

The nearest existing transit access for this development is on Patrick Henry Drive at Giles Road, approximately 1,400 feet away from the development.

NEIGHBORHOOD MEETING

A neighborhood meeting was held on Wednesday May 1, 2024, at 6:30 pm. Notes and sign-in sheet from the meeting are attached.

MODIFICATIONS/VARIANCES REQUESTED

§4231(b)(1) [No more than 8 townhomes in a row; no more than 2 buildings in a row]: *To allow more than 2 buildings but no more than 3 buildings in a row*

§4231(b)(6) [Parking and driveways for townhomes]: *To allow parking in more than one yard of townhomes*

§4231(b)(14) [Front façade setback variation]: *To allow less than 3' of building façade articulation/setback between units*

PROFFER STATEMENT DATED May 2, 2024

Staff notes are found in italics.

1. The Owner will develop the property in substantial conformance with the Old Blacksburg High School Planned Residential District Master Plan (the "Application") dated April 1, 2024 or as amended.
This is a standard proffer to ensure compliance with the application and plan.
2. No purpose-built student housing design with four-bedroom, four bath parity is allowed. Four-bedroom or three-bedroom units with three and a half (3.5) or fewer baths may be constructed notwithstanding what is depicted and stated in the Application.
This proffer changed from previous which did not include 4-bedroom units at all. The proffer also does not include an age restriction as previously approved.
3. No more than 73 dwelling units shall be constructed within Area 2.
This proffer limits the total number of dwelling units.
4. Exposed exterior walls (above finished grade) for residential dwellings shall consist of brick, stone, cultured stone, cementitious siding (e.g., Hardiplank or equivalent), engineered siding (e.g., LP Smartside or equivalent), high-grade vinyl siding (a minimum of .042" nominal thickness as evidenced by manufacturer's printed literature), shake siding or PVC in gables, or a combination of the foregoing; provided, however, a minimum of 25% masonry materials. Vinyl windows, trim and molding may be used. Alternate materials may be allowed if requested by Owner and specifically approved by the Director of Planning upon a demonstration by Owner that such materials are of equivalent quality, function, or manufacturer to those specifically enumerated above.
This proffer did not change.
5. Prior to or concurrent with the final approval of the initial site plan and/or subdivision for Area 2, a document setting forth covenants (the "Covenants") shall be recorded in the Clerk's Office of the Circuit Court of Montgomery County, Virginia (the "County") setting forth controls on the development and maintenance of Area 2 and establishing an owners' association (the "Association"). The Association shall establish uniform rules related to the standards for approval by the Association of improvements within Area 2.
This proffer did not change.
6. All residential units in the Planned Residential District shall be part of the Association, and the proffers set forth herein will be included in the declaration and restrictive covenants and will be maintained and adhered to and complied with by the Declarant until such time as the Declarant period ends as set

forth in the declaration and restrictive covenants filed with the Montgomery County Circuit Court, at which time these proffers will then become the responsibility of the Association.

- (1) All purchasers shall be required to represent to the seller in an affidavit, at the time of purchase that they are not acquiring the property primarily for investment purposes or as a "rental property."
- (2) In the event that a residential unit is rented, a standard residential lease agreement shall be used, and a copy of the tenant's contact information shall be provided to the Association upon request and with tenant's permission. Any owner who leases their unit to an outside party must provide third party management information to The Declarant. The Association, however, will have no right nor any claim to any of the confidential information regarding the applicant/tenant that was or is obtained by the Owner during the application process or during the tenancy, including but not limited to the applicant/tenant's credit report and any prior background report. Further, the Association will have no authority to approve or to reject any such rental application and/or lease agreement entered into between the Owner and the applicant/tenant.
- (3) Leases shall be for a minimum term of twelve (12) months, and no residence may be individually leased by the bedroom.
- (4) Lease agreements shall provide that sub-leasing will require prior written permission from the Owner of the leased premises.
- (5) All leases must contain a provision notifying the tenants of their obligation to abide by all of the Association's covenants and bylaws, as well as the occupancy limitations established by the Application.

This proffer did not change.

7. The "Association" shall not adopt any covenants or bylaws prohibiting Owners from installing rooftop solar collection devices.

This proffer did not change.

The applicant removed the proffer #3 below in the May 2, 2024 proffer statement.

APPROVED PROFFER STATEMENT DATED SEPTEMBER 19, 2019

1. The Owner will develop the property in substantial conformance with the Old Blacksburg High School Planned Residential District Preliminary Master Plan (the "Application") prepared by Parker Design Group, Inc. of Roanoke, Virginia & Communita Atelier LLC of Seattle, Washington, dated 23 August 2019 or as amended.
2. A) No purpose-built student housing design with four-bedroom, four bath parity shall be allowed. Nonetheless, three-bedroom units may be constructed.
B) A dwelling unit shall not be leased to any applicant under the age of twenty-three (23) years, except that this restriction shall not apply to any family member of the applicant(s) or to members of the military, as defined under the Servicemembers Civil Relief Act ("SCRA"), cited as 50 U.S.C. §§ 3901-4043.
3. The Owner shall reserve, after construction completion of all the dwelling units within Area 2, as described in the Preliminary Master Plan, any excess stormwater nutrient removal credits generated by the stormwater management system serving the residential development on Area 2, for future developments within Area 1 as described in the Preliminary Master Plan, pursuant to § 62.1-44.15:35 of the Code of Virginia.
4. No more than 100 dwelling units shall be constructed within Area 2.
5. Exposed exterior walls (above finished grade) for residential dwellings shall consist of brick, stone, cultured stone, cementitious siding (e.g., Hardiplank or equivalent), engineered siding (e.g., LP Smartside or equivalent), high-grade vinyl siding (a minimum of .042" nominal thickness as evidenced by

manufacturer's printed literature), shake siding or PVC in gables, or a combination of the foregoing; provided, however, a minimum of 25% masonry materials. Vinyl windows, trim and molding may be used. Alternate materials may be allowed if requested by Owner and specifically approved by the Director of Planning upon a demonstration by Owner that such materials are of equivalent quality, function, or manufacturer to those specifically enumerated above.

6. Prior to or concurrent with the final approval of the initial site plan and/or subdivision for Area 2, a document setting forth covenants (the "Covenants") shall be recorded in the Clerk's Office of the Circuit Court of Montgomery County, Virginia (the "County") setting forth controls on the development and maintenance of Area 2 and establishing an owners' association (the "Association"). The Association shall establish uniform rules related to the standards for approval by the Association of improvements within Area 2.
7. All residential units in the Planned Residential District shall be part of the Association, and the proffers set forth herein will be included in the declaration and restrictive covenants and will be maintained and adhered to and complied with by the Declarant until such time as the Declarant period ends as set forth in the declaration and restrictive covenants filed with the Montgomery County Circuit Court, at which time these proffers will then become the responsibility of the Association.
 - a. All purchasers shall be required to represent to the seller in an affidavit, at the time of purchase that they are not acquiring the property primarily for investment purposes or as a "rental property".
 - b. In the event that a residential unit is leased, a standard residential lease agreement shall be used and a copy of the tenants contact information shall be provided to the Association upon request. Any owner who leases their unit to an outside party must provide third party management information to The Declarant. The Association, however, will have no right nor any claim to any of the confidential information regarding the applicant/tenant that was or is obtained by the Owner during the application process or during the tenancy, including but not limited to the applicant/tenant's credit report and any prior background report. Further, the Association will have no authority to approve or to reject any such rental application and/or lease agreement entered into between the Owner and the applicant / tenant.
 - c. Leases shall be for a minimum term of twelve (12) months, and no residence may be individually leased by the bedroom. The tenants of each unit shall verify to the Owner, or to their leasing agent, prior to the execution of the lease agreement that they have income that is twice the monthly rent, or liquid personal assets sufficient to cover the full amount of the rent for the term of the lease agreement.
 - d. Lease agreements shall provide that sub-leasing will require prior written permission from the Owner of the leased premises.
 - e. All lease agreements must contain a provision notifying the tenants of their obligation to abide by all of the Association's covenants and bylaws, as well as the occupancy limitations established by the Application.
8. The Association shall not adopt any covenants or bylaws prohibiting Owners from installing rooftop solar collection devices.

LAND USE EVALUATION SUMMARY

The applicant is proposing to amend the existing PRD for the Old Blacksburg High School. The evaluation of the PR amendment request takes into consideration the proposed standards and proposed character of the

development as they relate to the existing neighborhood, as well as conformity to the maps and text in the Comprehensive Plan. The applicant is proposing a density higher than what is envisioned in the Medium-Density Residential Future Land Use designation.

The evaluation of the request should also include the modifications requested to Zoning Ordinance regulations. In consideration of the proposed rezoning, improvements, including those as highlighted in the staff report to the site design, and layout of the proposed development would help to make the proposed townhomes more compatible with the surrounding neighborhood.





PLANNING COMMISSION RECOMMENDATION AND COUNCIL ACTION

The Planning Commission is asked to consider and make a recommendation of approval or denial of the proposed rezoning request. If the request is approved, the property will be rezoned Planned Residential with any proffers offered by the applicant and accepted by Town Council. Any changes to the master plan would be required to be reviewed through the public hearing process to amend this PR district. If denied, the property will continue to be zoned PR subject to the 2019 rezoning, and any such subsequent development application will have to adhere to all the minimum standards found therein. The decision to grant or deny the rezoning request is a discretionary decision, and should be made according to the criteria outlined in §1151, and with the analysis provided.

ATTACHMENTS

- Staff GIS maps
- Town Staff Stormwater approval letter dated May 8, 2024
- Town Staff Sanitary Sewer memo dated May 16, 2024
- Neighborhood meeting notes & sign-in sheets
- Correspondence received through 5/17/2024

520 Patrick Henry Dr. RZN-24-1

-  Bus Stops
-  Subject Area
-  Corporate Limits
-  Parcels



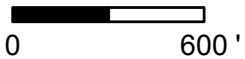
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VIRGINIA



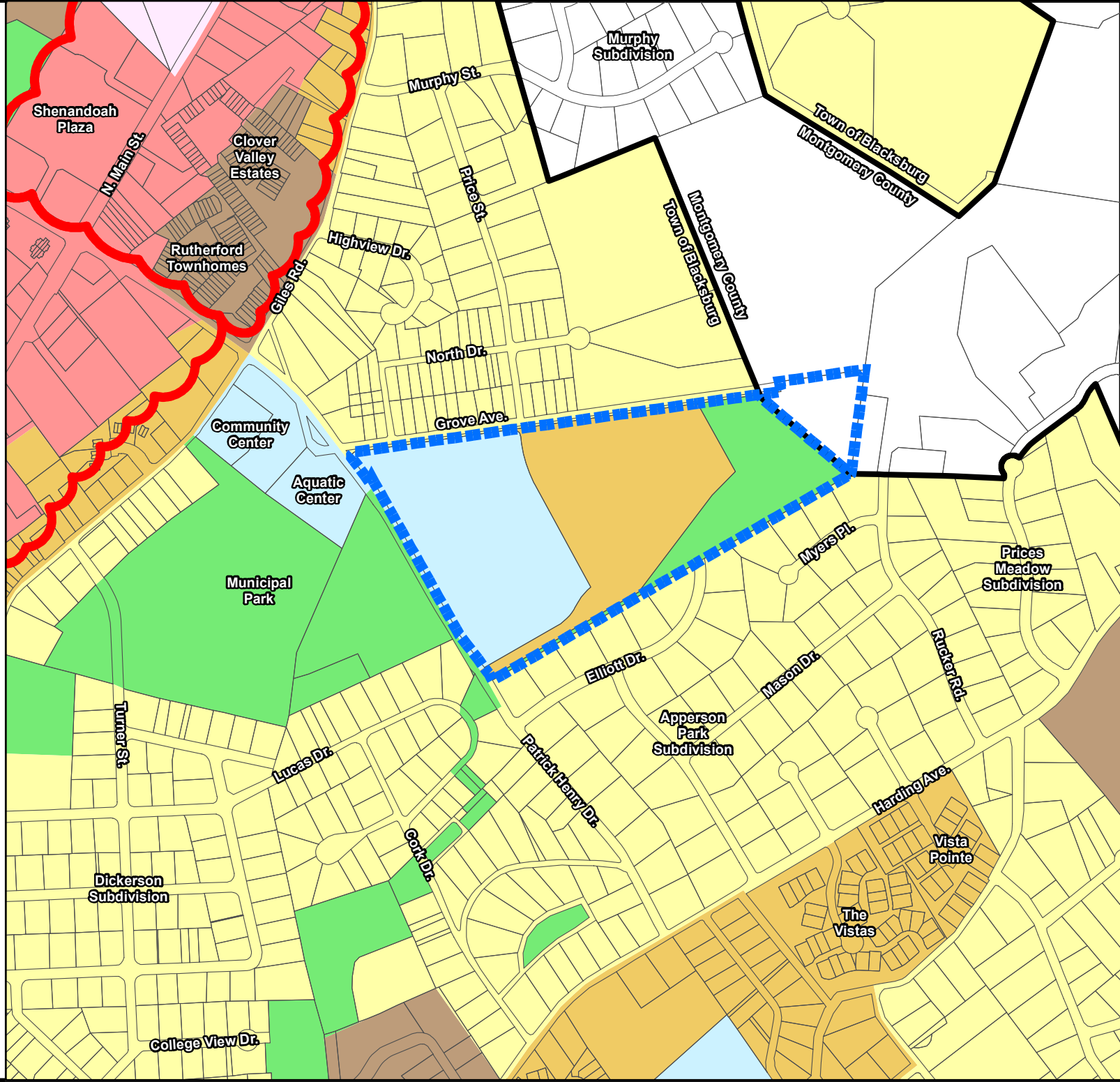
520 Patrick Henry Dr.
RZN-24-1

Future Land Use

- Subject Area
- Corporate Limits
- ▭ Mixed Use
- ▭ Parcels
- ▭ Low Density Residential
- ▭ Medium Density Residential
- ▭ High Density Residential
- ▭ Park Land / Open Space / Resource Protection
- ▭ Civic
- ▭ Commercial
- ▭ Research / Development



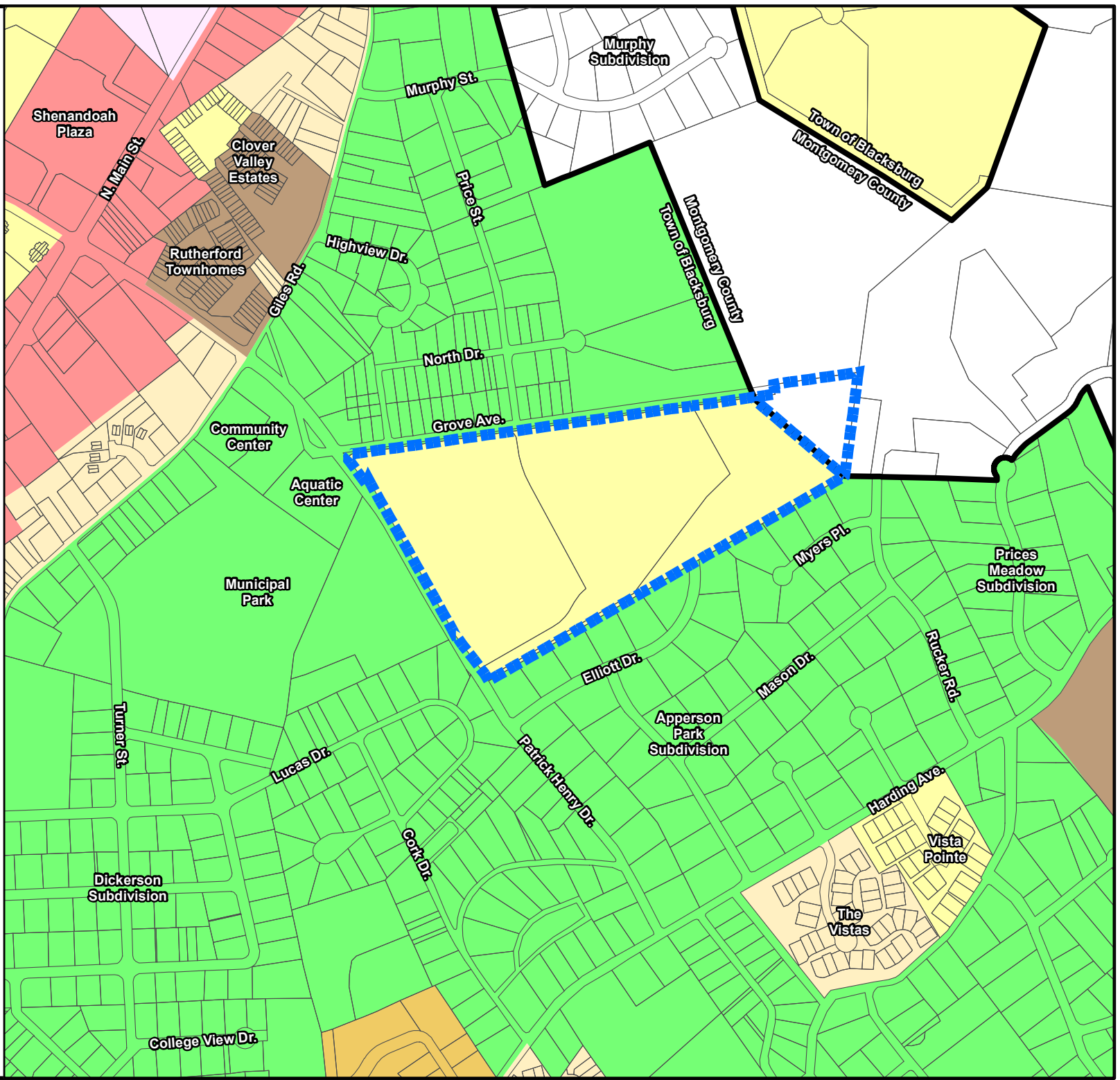
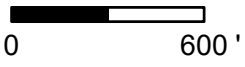
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Blacksburg
VIRGINIA



520 Patrick Henry Dr.
RZN-24-1

Current Zoning

- Subject Area
- Corporate Limits
- Parcels
- R-4 Low Density Residential
- R-5 Transitional Residential
- RM-27 Low Density Multiunit Residential
- RM-48 Medium Density Multiunit Residential
- GC General Commercial
- RD Research and Development
- PR Planned Residential



May 8, 2024

Balzer and Associates
Attn: James Taylor
80 College Street, Suite H
Christiansburg, VA 24073

RE: **RZN-24-1 Old Blacksburg High School Rezoning to PR - Stormwater Concept Plan**

Dear James:

The Engineering Department has completed the review of The Old Blacksburg High School Rezoning to Planned Residential stormwater concept plan. The Concept Plan is **approved** at this time. This current site owned by HS Development LLC is one parcel totaling 12.9 acres in size. The portion of the site where development is proposed is where the Old Blacksburg High School building recently sat until its demolition in 2020. Due to the re-development proposed being situated in the same location as the empty high school structure, and a total of 2.24 acres of impervious will be converted to grass, the stormwater management requirements are minimal.

Water Quantity (Volume) Requirements:

This stormwater concept plans shows the ability of the development to treat water quantity with the reduction in impervious land cover. This land conversion reduces the post-development flows enough to meet all requirements for channel and flood protection. The energy-balance is met for channel stability and erosion protection.

TABLE 1: CHANNEL PROTECTION COMPLIANCE SUMMARY

	Pre-development Peak Flow	Energy Balance Max Q _{Developed}	Post-development Peak Flow	% Change (from Pre-Dev)
DA "A"	38.31 cfs	36.19 cfs	32.98 cfs	-13.9%

In addition, the 10-year flood protection requirements are met as well. Current stormwater criteria requires that the 10-year storm be reduced to pre-development levels. The reduction in impervious surfaces has resulted in a reduced flow rate for that storm.

TABLE 2: FLOOD PROTECTION COMPLIANCE SUMMARY

	Pre-development Peak Flow	Post-development Peak Flow	% Change
Limit of Analysis	204.10 cfs	198.87 cfs	-2.6%

Water Quality (Nutrients) Requirements:

This concept plan shows the intention of this site to meet water quality requirement entirely through the use of off-site nutrient credits. The Town **recommends** that this development provide some on-site stormwater quality treatment instead of only off-site methods. An on-site facility will provide lasting beneficial water quality value to the Stroubles Creek watershed, whereas the current layout may contribute to the degradation of our local water quality.

Downstream Flooding Concerns:

This project is not adjacent to the floodplain and is located upstream of the Town maintained regional stormwater facility in Owens Park. This regional facility is intended to provide protection from flooding to downstream areas. There are no documented structural flooding issues in the general area.

Comments to be addressed prior to Site Plan Approval:

1. Drainage divides illustrated in the stormwater concept plan must be consistent with final site plan.
2. This site will need to be covered under the Virginia Stormwater Management Program (VSMP) permit. This will need to be attained prior to final site plan approval, and maintenance fees will be required for all years that this permit is active.

Notes:

1. The Town of Blacksburg Town has implemented a stormwater utility fee based on total impervious lot coverage. The rezoned area of this parcel would generate a stormwater fee of **\$545.45 dollars per month** for this site. For more information on the details of the Stormwater Utility fee, please go to: <http://www.blacksburg.gov/stormwaterfund>.

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

Sincerely,

Kafi Howard, Interim Director of Engineering and GIS
400 S. Main Street
Blacksburg, VA 24060
khoward@blacksburg.gov
(540) 443-1354

MEMORANDUM

TO: Kafi Howard, Kinsey O'Shea

FROM: Shawn Veltman, Town Engineer

DATE: May 16, 2024

SUBJECT: RZN 24-1 Old Blacksburg High School Planned Residential Development (OBHS)

This memo provides review comments on a rezoning request by the HS Development LLC for a Planned Residential Development that would include the construction of 73 Townhomes on 36.501 acres of land off Patrick Henry Drive. The application was prepared by Balzer & Associates, date of 4/1/24 and includes preliminary concept plans for required utility services. This review is for the sanitary sewers only.

RZN 24- 1 Review Comments

The concept plan for providing sewer service to the proposed development is acceptable. However, as the applicant has noted on Page 12 of the Rezoning Narrative, the site is located within the Town of Blacksburg Harding Avenue Sewer Shed and multiple segments of the sanitary sewer system downstream of the development are indicated to be at or above capacity based on the Town sewer model.

While plans were prepared to address the sewer system limitations and the work was bid in November 2023, the single bid received for the improvements far exceeded the engineer's estimate and the Town's available funds to complete the work, and a contract was not awarded. The approach going forward to resolve the capacity issues is as follows:

- Value engineering of the design plans where possible to reduce costs and break the project into smaller priority segments before re-bid when the bid environment has improved;
- Targeting I&I prone sections of the sewershed in the upcoming I&I abatement project (CIP) to make interim capacity available by reducing excess I&I, and;
- Collecting additional flow data in the sewershed to refine the calibration of the hydraulic model that guided the recommendations for sewer replacement in this sewershed.

Each of these possible capacity building measures is discussed in further detail below.

Value Engineering of the Harding Avenue Phase II Sewer Project

Modeling has revealed that not all of the planned 5,000+ feet of sewer replacement associated with this project is required to incrementally increase the capacity of the sewers in the sewer shed to accept additional flow. Contractor feedback from the bid in November 2023 also identified a number of design changes that could be incorporated into the plans to reduce cost. Consequently, Town engineering staff are currently value engineering the plans to divide the project into smaller biddable segments that will

incrementally increase capacity at much lower cost and re-designing the features that escalated costs. The value engineering and redesign efforts will be completed internally by Town staff by December 2024, in time to request funding for the selected work in the Town's 2026-2030 Capital Improvement Plan (CIP). Assuming Town Council approval of the CIP, at least one segment of the project will be bid in July 2025 with a projected construction start date in the fall of 2025 and a construction completion date in 2026. The projected capacity gain associated with this effort is expected to far exceed the needs of the full development.

I&I Abatement

The Town has already approved over \$1 million in CIP funding for I&I abatement projects that will be used to reduce rainwater infiltration and inflow into the sewer system. Town engineering staff are currently working with CHA Consulting to prepare contract documents for a "Find & Fix" contract that will target areas of the Town where infiltration and inflow is high, including sewers within the Harding Avenue Sewer Shed. This work is expected to be bid in late summer 2024 and it will have a one-year construction duration. At the end of 2025 when work is complete, Town engineering staff will assess the effectiveness of the work and revise model estimates for I&I accordingly. There is a high probability that these efforts will free enough capacity to allow full buildout of the proposed development.

Model Recalibration

Town engineering staff rely on a highly complex dynamic model of the sewer system (Bentley SewerGEMS) to evaluate capacity for new development and plan system improvements. The model is highly sensitive to the RTK coefficients used in the model that predict the amount of rainwater incident on the sewer shed that will enter the sewer system through groundwater infiltration (through pipe and manhole defects), and direct inflow through system openings (e.g., manhole cover vents) or illegal cross connections like basement sump pumps or roof leaders. The RTK coefficients must be derived from simultaneous system flow monitoring and rainfall gauging, and they were last derived from data collected in 2017. Observations of the current model predictions versus actual system performance indicate that the model is over-predicting overflows in the Harding Sewer Shed, but adjustment of the coefficients cannot be done arbitrarily; it requires new system flow monitoring. This monitoring is now underway and expected to continue for 6 months or until a rainfall event of statistical significance occurs. Once the monitoring is completed the data will be evaluated using the USEPA Sanitary Sewer Overflow Analysis and Planning (SSOAP) Toolbox to generate new RTK coefficients for the Harding Sewer Shed. This effort is expected to be completed by July 2025 and based on the system observations noted above it is expected to reveal that additional capacity already exists within the Sewer Shed. There is a good chance that the model recalibration will reveal that the sewer system is already capable of handling the full development.

Notwithstanding the above, Town engineering staff have determined that up to 25 units may be issued certificates of occupancy before any further improvements to the sewer system are made. This is based on the capacity that became available following the demolition of the high school and removal of its discharge from the sewershed. A sewer agreement would need to be developed by the Town Attorney and Town engineering staff to identify the actions needed to permit the remaining units. As with other sewer agreements, the applicant would have the option to complete any of the capacity building measures on an accelerated timetable at their own expense if additional units are desired to be delivered prior to the estimated completion dates set forth above.

Neighborhood Meeting for RZN-24-1/ORD 2051
Old Blacksburg High School Rezoning Amendment at 520 Patrick Henry Drive

Wednesday, May 1, 2024

6:30 PM

Roger E. Hedgepeth Chambers, 2nd Floor Municipal Building
300 South Main Street, Blacksburg.

A neighborhood meeting was held to discuss a rezoning amendment request to amend previous rezoning RZN 19-0002/ORD 1895 at the site of the Old Blacksburg High School at 520 Patrick Henry Drive.

The meeting was originally located in the Blacksburg Motor Company building but was relocated to the Chambers due to overcapacity in the BMC conference room.

The meeting began at 6:41 am.

Town staff present were Kinsey O'Shea, Kasey Thomsen and Cait Adams (Planning Intern).

Applicants and owners in attendance were Steve Semones of Balzer and Associates, Ian Friend of SAS Construction and David Hagan.

After an introduction by Kinsey O'Shea and a presentation by the applicant, the floor was opened for questions and comments.

- An attendee asked how many bedrooms there would be per unit.
- An attendee asked if the meeting would be recorded or if the notes will be available online.
- An attendee asked if any of these units will be accessible. The attendee stated that the bathrooms do not appear to be accessible to people in a wheelchair.
- An attendee asked if it is the Type D Units are the ones that do not have a 4 bedroom option.
- An attendee stated that it would be nice if there were shelters for bike parking.
- An attendee stated that the applicant appears to want to provide single story living but are not developing any single story units. They asked if this meant that the buildings will be taller than previously proposed. They wondered if the applicant had 3-story units in the original proposal. They asked if there was more impervious area compared with the previous submittal.
- An attendee asked if the applicant was counting the Town of Blacksburg owned property when calculating impervious area and Open Space.
- An attendee asked if the calculated green space includes the parks and recreation land. They asked if the Town agreed to have a park on its land.
- An attendee expressed concern about traffic cut through onto adjacent neighborhood roads, specifically Harding Avenue and Roanoke Street.
- An attendee asked if the applicant is accounting for growth factors with regards to traffic.
- An attendee noted that York Drive was not considered in the traffic study. They asked if citizens can request a new traffic study because the study used in the application is out of date.
- An attendee stated that the last traffic study was done 5 years ago and is out of date. Additionally, they stated that they were unaware of the sewer upgrade that is meant to help with capacity issues.

- An attendee asked Town staff if there is a time limit for the validity of traffic studies. They mentioned problems with traffic in Windsor Hills and Patrick Henry.
- An attendee asked if the requirement of 80% sewer capacity is no longer needed.
- An attendee stated that since some proffers have been removed (particularly the investment property proffer) from this current application, this development could become student housing. When it was approved in 2019, the Town Council mentioned the strength of the proffers.
- An attendee noted that the applicant has stated that units will have natural gas. The attendee asked if the applicant has considered the variable price of gas and the environmental effects. The attendee asked about the Home Owners Association and whether homeowners can make changes to their units, specifically with regard to solar panels.
- An attendee asked if the triangle piece of Open Space in Montgomery County would come into the town as Planned Residential zoning. They asked if there are any plans to develop that property.
- An attendee asked if any of the remaining proffers would help prevent this development from becoming student housing.
- An attendee stated that “purpose built” prevents student housing not student investment housing.
- An attendee asked the applicant to point out any proffers that will prevent student housing.
- An attendee stated that the applicant should take the lead in preventing this development from becoming student housing.
- An attendee asked about the affidavit for owner-occupancy proffer.
- An attendee stated that the proposal may be geared toward young professionals but if their son and his friends want to live there, they can.
- An attendee asked who owns the properties involved in the rezoning request. Are there any plans to rezone Zone 1 and Zone 3?
- An attendee asked Town staff how many changes could be done in the site plan process.
- An attendee asked for clarification regarding how many units have primary bedrooms on the first floor; how many have 4 bedrooms and does the maximum parking numbers assume that all units are 4 bedrooms. The attendee asked why there are so many bike parking spaces.
- An attendee stated that the number of bike parking spaces is consistent with student housing.
- An attendee asked if the applicant is willing to work with the Town to prevent student investment housing.
- An attendee asked why a person in a wheelchair would want to buy a 3-bedroom two-story unit.
- An attendee asked about the pricing of the units and whether this will be workforce housing.
- An attendee asked if “Lake Apperson” will be covered up, referring to the temporary sediment basin that is in place onsite.
- An attendee stated that there is nothing clear in the proffers that prohibits student housing. Additionally, the resident expressed the desire for a storm water pond and stated that sewer capacity is still a problem in the area.
- An attendee stated that the prior approved development did not occur because of sewer capacity issues. The attendee asked if the applicant is still waiting on the Town to improve the capacity.

- An attendee asked if this current plan is not approved, could the applicant build the 2019 plan.
- A resident of Price Street asked if there are plans for a Price Street Extension. The resident is against an extension of Price Street. They like the quiet road and do not want an extension. The resident requested one way in and one way out of the development to avoid cars being “dumped” on Price Street and Grove. If it was only needed due to the higher density of the 2019 plan, then the applicant should eliminate the extension and give the existing neighborhoods more buffer area.
- An attendee asked if the townhomes have areas in the back or front with grass/play spaces. Additionally the attendee stated that the new road might be a good BT bus route because currently there is no close route.
- An attendee asked Town staff if Zone 3 land area is part of the Land Trust.
- An attendee asked if a family of 6 could move in and then rent to 2 unrelated people.
- An attendee asked why the applicant requested this rezoning amendment.
- An attendee asked where overflow parking will be located if all the units that can do become 4 bedroom units. They stated that the Blacksburg Recreation Center will be overrun with students who live across the street.
- An attendee stated that the Blacksburg Recreation Center and Aquatic Center will become a country club for the residents. They stated that the fields in Area 1 will become party areas.
- An attendee stated that this amendment request is an opportunity for the applicant to work with the Town to prevent student housing.
- An attendee stated that they prefer the revised layout but it is hard to believe that this will not become student housing when the applicant has removed the proffer that guarantees that it won't be student housing.
- An attendee stated that people are concerned about traffic but that there would be more traffic with the old layout.
- An attendee stated that student housing will have more traffic than families because some families do not drive or they will share a vehicle. In short of passing a law, student housing cannot be prevented.
- An attendee stated that all the applicant can do is make it very difficult for students to rent.
- An attendee asked if the developer could do anything to prevent student housing.
- An attendee asked if there are any existing building restrictions.
- An attendee asked if there was a way that LLC's cannot buy townhomes, or would need to pay more, or have some kind of a special tax. The attendee asked the applicant if they would consider two entrances on Grove Avenue and Price Street but only one exit out of the development. The attendee asked about a two-way bike way on Grove Avenue and Price Street.
- A resident of Price Street stated that their priority is not going to be buffered from the high density of this development.
- An attendee stated that the target audience is not going buy unless there is an assurance that there is not going to be student housing. The attendee asked about the price point for the development.
- An attendee stated that there is a need for restricted zoning that only allows families.
- An attendee stated that there should be a zoning restriction that you must be a permanent resident.

- An attendee asked if you cannot limit student housing, how age-restricted housing is allowed.
- An attendee asked that if student housing is a concern, why the applicant did not choose to go back to 55+ housing like in the original plan.
- An attendee stated that there seems to be a consensus that the attendees like the lower density and the primary bedroom on main options so a proffer that would keep out students would benefit everyone.
- An attendee stated that student restrictions should be kept and maintained by the Homeowners Association.
- An attendee asked if the Blacksburg Parks and Recreation Department has been consulted about this density so close to their facilities. The attendee asked that the applicant specifically ask the Parks and Recreation Department how this development will affect them and how/if they can accommodate this influx of people.
- An attendee stated that the proposed road will have parking on both sides so there will be more parking for the ballfields and track.
- An attendee stated that they like the lower density and overall design but do not mix architectural styles. The attendee recommended that the applicant use only the Craftsman style. The resident also requested that the exit onto Patrick Henry be a right turn only to funnel traffic to the light at Main Street and Patrick Henry.
- An attendee asked how soon construction would begin and what the timeline is.
- An attendee asked why the density is greater than the Future Land Use designation and what that really means.
- An attendee asked if the proposed park will be Town owned, is there the possibility that Grove Avenue might be extended to allow more parking for recreation facilities there.
- An attendee asked about light restrictions for the development. The resident mentioned that street lighting is another reason not to make the Price Street Extension.
- An attendee asked if the new multi-use trail that ties into Price Street is set away from vehicular traffic.
- An attendee asked what will happen to the trees and rocks on what is now the paper street.
- An attendee stated that they like that the development is incredibly walkable.
- An attendee stated that Grove Avenue is not accessible for mobility challenged persons so there is no way to get to the track or ballfields.
- An attendee requested that the applicant place handicap spaces on Price Street or use it for another use instead of extending it.
- An attendee asked that the applicant consider drought tolerant plants or rain gardens.
- An attendee asked if there would be fencing between this proposed development and the town property.
- An attendee asked if there were any problems when the stormwater detention pond was built.
- An attendee asked how the applicant will handle the grading of units with masters on main as these owners are more likely to have mobility issues.
- An attendee noted that the tallest units were on the flattest part of the site and least likely to be accessible units with the primary bedroom on the main floor.

The meeting was adjourned at 8:36 pm.

Wednesday, May 1, 2024 6:30 pm.

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Wednesday, May 1, 2024 6:30 pm.

520 Patrick Henry Drive

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From: [Joel McCormick-Goodhart](#)
To: [Kinsey O'Shea](#)
Subject: Idea for OBHS Development
Date: Thursday, May 2, 2024 8:30:55 AM

<p style="border:2px; border-style:solid; border-color:#000000; padding: .7em; background-color:#FFFF00 ">
CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.</p>

Hey Kinsey,

I was at the meeting last night and gave the recommendation for the contraflow lane ant the junction of Price & Grove. I appreciate you and the developer taking so much time to answer questions from the neighbors, that was quite the meeting.

Anyway, I had another idea this morning I wanted to pitch and it concerns the pocket park at the entrance to the development off the main entrance from Patrick Henry. Does the development need that pocket park if it's right beside one of the largest civic spaces in Blacksburg? Any kid is going to go "why would I play in this pocket park when Hand in Hand is literally right across the street?"

Instead, could the developer replace that pocket park with a row of "workforce" affordable housing? Maybe in the style of the affordable housing on Church St? Maybe even consider donating that small land piece to the New River Land Trust to keep it affordable in perpetuity.

Strategically, I think it's very difficult for residents to not want more workforce housing. Even if it's a small number (say 3-6 units) we all want to see our police, teachers, etc have places to live in town. You could package that workforce housing with the high end townhomes, and I think it makes for a healthier neighborhood ecosystem.

Also, if you could ensure that workforce housing goes to workforce owners (NRLT donation?), they would be extremely effective at keeping potential student housing in check. It would be difficult for student investment properties to throw a kegger spring party when a town police officer lives next door. I think that would be even more effective than proffers that are difficult to enforce, and more housing for working people is a great thing.

The development would lose a small park, but gain quite a lot if that change was considered / possible to implement.

I would curious to hear your/the developer's thoughts!

All the best,

Joel Goodhart

From: [Bill Beal](#)
To: [Planning And Building; Kinsey O'Shea](#)
Subject: Concerns Regarding Old HS Development Project
Date: Tuesday, May 14, 2024 11:33:12 AM
Attachments: [Concerns - Old Bburg HS Development 5-14-24 BEAL.pdf](#)

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

Please see the attached pdf file memo regarding: RZN 24-1/ORD 2051-Request for an amendment to previous rezoning RZN 19-0002/ORD 1895.

The memo details three concerns about the amendment request I believe are important and deserve the Planning Commission and Town Council's consideration. Thank you for considering my concerns.

--

Dr. W. E. "Bill" Beal
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To: Blacksburg Planning Commission (w/copies to Town Council)

RE: RZN 24-1/ORD 2051-Request for an amendment to previous rezoning RZN 19-0002/ORD 1895

I attended the neighborhood meeting regarding the zoning amendment on May 1, 2024. I came away with a positive feeling about the applicant's request and the community interest and attitude regarding the amendment. In particular, I believe the community members at the meeting were encouraged by the reduction in the potential number of beds in the complex from over 300 to 289. The attendees also seemed to be encouraged by the applicant's request to reduce the number of units from 100 to 73, a change necessitated by increasing the number of units with a first floor master bedroom. These changes would reduce the density and promote family living versus a student housing use.

After listening to an informative discussion between the citizens at the meeting and the applicant's representative I came away with a strong feeling that there are three critical issues that should be addressed by the Planning Commission and Town Council members before approving the zoning amendment. Those issues are:

1. The applicant's request to **eliminate a proffer regarding restrictions on leasing and sub-leasing** that was included in the original rezoning application and that was cited by several Town Council members as the reason for their willingness to vote in favor of the rezoning request.
2. The **dated nature of the traffic study performed in 2019** and some suggestions that potential impacts of the additional traffic were overlooked in that study.
3. The **confusion over the downstream capacity of the existing sanitary sewer system**. The amendment application implies improvements need to be made to the existing infrastructure to insure adequate capacity of the sewer system downstream of the development. However, in comments made during the neighborhood meeting the applicant's representative indicated the current infrastructure is adequate to handle the additional sewer flow.

The applicant's representative stated that they are requesting two proffers included in the original rezoning request be omitted. One regarding storm water capacity is not an issue. However the second involving leasing and subleasing was a "hot topic" during the rezoning and is still very important to the community members. Wording in that proffer was designed to make 12-month leases mandatory and to limit subleasing, both are attempts to reduce the likelihood of student housing in the development. This proffer included in the original rezoning request or another that is as strong or stronger must be included for this amendment to be acceptable. I expect Town Council members, who are on record stating the importance of this proffer, to "step up" and demand that the applicants include the original

proffer or another that is as strong or a stronger deterrent to student housing in this development.

The traffic study cited in the original rezoning request was done 5 years ago. Traffic on Patrick Henry Drive (on both the east and west side of Main St.) has increased dramatically since 2019. The intersection at Harding and Patrick Henry is already one that is despised by drivers and that sentiment is encouraging “cut-throughs” from Patrick Henry to Harding (or via versa) using Apperson Dr. or Cork and York Drives. Residents in the Cork and York Dr, area have also claimed that traffic in the neighborhood was not considered in the original rezoning request traffic study. Couple these facts with the strong likelihood the Town will build a new Rec Center on the area of the old high school track in the next 10 years and you have the “perfect storm” for highly congested traffic in the Patrick Henry corridor. A new traffic study should be performed and the Town and Developer should reconsider the impact of this development on traffic flow.

Sewage flow was an issue in the original rezoning consideration. The amendment request indicates that, *“a portion of the receiving sanitary sewer system downstream of the proposed development is inadequate to handle increased capacity and infrastructure improvements are required.”* However, during the neighborhood meeting the applicants representative made statements claiming the town had “miscalculated” the current sewer flow and that the existing sewer system is adequate to handle the increased capacity caused by this development. At the least there is confusion about the downstream sewer flow capacity. At worst, one of the parties is being disingenuous. This issue needs to be clarified and the accurate information released to the public.

I realize this request is only made to consider changes to the original rezoning request which was granted. Therefore some of the issues I have raised (especially #2 and #3) may be out of the sphere of necessary actions when considering the amendment. That, however, doesn't change the importance of these issues to our community and I would hope the Planning Commission and Town Council would carefully consider all the issues I have cited.

Thank you for consideration of my concerns. I will be watching the consideration of this amendment request carefully along with my fellow concerned citizens.