

MEMORANDUM

To: Planning Commission
 From: Matthew Sampa, Planner II
 Date: November 15, 2024
 Subject: RZN-24-3-Request to rezone 1.59 acres from R-5 Transitional Residential to PR Planned Residential at 402 Clay Street SE (257- A188) by Balzer and Associates, LLC (applicant) for Kaler Communications, LLC (owner).

SUMMARY OF REQUEST

<i>Property Details</i>	
Property Location	402 Clay Street SE
Tax Parcel Numbers	257-A188
Parcel Size	1.59 acres
Present Zoning District	R-5 Transitional Residential
Current Use	Vacant
Adjacent Zoning Districts	North: R-5 Transitional Residential
	East: R-5 Transitional Residential
	South: PR Planned Residential
	West: PR Planned Residential
Adjacent Uses	North: Single-family dwellings
	East: Single-family dwellings; multi-family dwelling; townhomes
	South: Vacant
	West: Vacant; Park Land/Open Space
Adopted (2021) FLU	Medium Density Residential
<i>Proposed District Standards</i>	
Proposed Use	Multifamily Residential
Proposed Maximum Density	45.5 bedrooms/acre (72 bedrooms total)
Total Proposed Open Space	Elimination of 20% requirement requested by applicant
Proposed Perimeter Setbacks	20' front; 15' rear and side
Proposed Overall Lot Coverage	65%
Proposed Overall Floor-to-Area Ratio	0.55
Proposed Maximum Building Height	42'
Proposed Minimum Tree Canopy	20%
Proposed Parking Ratio	0.96 spaces per bedroom
Proposed Bicycle Parking	0.25 spaces per bedroom

Overview of Staff Report

This staff report covers the rezoning request for the 402 Clay Street Planned Residential Development. The development includes several proffers, including a dedication of affordable housing units.

This staff report includes the analysis of the application in consideration of the Comprehensive Plan, and the Zoning Ordinance, and the impacts of the development on the surrounding neighborhood as well as public utilities and infrastructure. Below is a listing of the attachments and the relationship to the staff report.

A. Staff Appendix

The Staff Appendix contains pertinent text sections from the Comprehensive Plan and Zoning Ordinance applicable to the evaluation of the rezoning request in order to reduce overall length of the staff report to include only analysis.

B. GIS Maps

Staff GIS maps are included as attachments to this staff report and contain graphical information such as zoning, future land use, aerial imagery, and transportation networks.

C. Engineering Memos

Technical memos from the Engineering staff cover the technical engineering analysis of the application against the Zoning Ordinance, and public utility standards and specifications. The impact to public infrastructure such as roads, water, sewer, and stormwater are discussed.

D. Neighborhood Meeting Notes and Sign-in Sheets

The Town held a neighborhood meeting on November 07, 2024 for this request. The notes and sign-in sheets are attached.

Existing Conditions

The proposed rezoning encompasses one 1.59 acre lot at 402 Clay Street SE, located northeast of the northern corner of the Midtown development. The lot is vacant with mostly trees and shrubs along its peripheries, and a paved driveway that led to the now demolished Sigma Alpha Epsilon fraternity house that was located on the property.

Overall Development Request

The request is to rezone 1.59 acres from R-5 Transitional Residential to PR Planned Residential. The proposal consists of two (2) three-story apartment buildings, one with 18 units and one with 24 units for a total of 72 bedrooms in 42 units. A dedication of 20% of the units as affordable housing units for residents earning less than 80% of the Area Median Income (AMI) is also proffered.

Key Elements

- Proposed density above Future Land Use designation density
- Affordable housing proffer
- Modifications

Evaluation of Application

Criteria for Evaluation

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. Specifically, the Zoning Ordinance calls out the criteria for evaluation of a rezoning request, as found below:

Section 1151 of the Zoning Ordinance requires the Planning 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.*

Comprehensive Plan

The Land Use Map Series designations and text are discussed below. Relevant Comprehensive Plan text sections applicable to this request are included.

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 (FLU) designation of the subject property is one consideration for evaluation. The future land use designation of the subject parcel is Medium Density Residential.

Medium Density Residential is defined as:

Up to and including ten dwelling units per acre; or up to 20 bedrooms per acre, whichever is less. Bedrooms per acre is the primary measurement for multi-family residential uses. Typical Implementing Zoning Districts: Transitional Residential (R-5), Old Town Residential (OTR), Planned Residential (PR), and Planned Manufactured Home (PMH).

The proposed density is 27 dwelling units per acre or 45.5 bedrooms per acre. Although this proposed density is more in keeping with the High Density Residential designation, the proposed PRD is adjacent to the Midtown development, which also includes high density residential components.

Map B: Urban Development Areas

The proposed development is located within an Urban Development Area. Urban Development Areas were designated to indicate areas where future higher density residential and non-residential uses could be accommodated. A site's designation within an Urban Development Area does not obligate approval of a rezoning request, nor does the lack of such designation preclude the approval of a rezoning in these locations.

Map C: Neighborhood, Employment, and Service Areas Map

This map is intended to categorize areas of Town based on similar characteristics of use, rather than particular geographical areas. These designations provide key issues to consider for the future for each of the neighborhood types. The subject parcel lies within an Urban/Walkable Neighborhood which are compact residential neighborhoods located within walking distance of employment and commercial centers. These areas typically have access to all modes of transportation, including transit as well as bicycle and pedestrian infrastructure. The subject parcel is located less than a mile from Downtown Blacksburg and the Virginia Tech campus, however, the sidewalk network is incomplete. The PRD also proposes a connection to the future Midtown trail, which will facilitate easier pedestrian access to South Main Street where sidewalks and bus stops are abundant.

Map D: Paths to the Future

Map D illustrates connectivity in the Town of Blacksburg for non-motorized modes of transportation. The map shows on-street and off-street infrastructure that creates a more walkable and bikeable community. The development has proposed to connect to the future Midtown Trail. The trail will connect to future sidewalk along Clay Street that has been included in the Town's proposed CIP projects. This future sidewalk will also cross the subject parcel's Clay Street frontage, however, it isn't scheduled for construction until FY 2027. If the proposed development occurs before the CIP project is underway, the PRD development will have to construct the sidewalk as a requirement of the site plan.

Text Sections

While most people are familiar with the Land Use Map Series in the Comprehensive Plan, it is important to remember that the plan consists of both the map series and the text. The text contains goals for the Town that are broad in scope, including economic development, sustainability, transportation, and housing and are covered by topic in the Plan with goals and policies in each chapter. These goals are in many cases competing. In applying the Comprehensive Plan to a development request, the proposal may further one goal, while not addressing or meeting another. Staff has included housing text below from the Comprehensive Plan. Planning Commission and Town Council must weigh the different goals and priorities to determine the best outcome when evaluating these requests.

Housing Goals

Affordable Housing

The 2021 Comprehensive plan acknowledges that housing affordability in Blacksburg is a growing problem. Many people cannot rent or purchase a home affordably and may have to sacrifice other necessities like food, medical care, or educational enrichment for children. Further, individuals and families that struggle to afford housing may accept substandard housing that can impact the health and well-being of the occupants and can contribute to neglect and deterioration of the community's housing stock over time. Additionally, housing that seems affordable based on cost alone may be far from employment centers, increasing the percentage of income a household dedicates to transportation, thereby making it unaffordable. Housing programs assess whether housing is affordable by comparing a

household's income to a percentage of the Area Median Income (AMI). Households earning less than 80% of the AMI are considered low income by the U.S. Department of Housing and Urban Development (HUD).

The proposed PRD is offering to dedicate 20% of the units (8.4 units) for residents making less than the 80% Area Median Income (AMI). The PRD is located in an area of the Town that is in close proximity to employment and commercial areas. The network of pedestrian infrastructure and public transit in the area create additional opportunities for those residents who may not be able to afford a personal vehicle. *The applicant should clarify whether 8 or 9 units will be made affordable.*

Non-Traditional Students and Young Professionals

An increasing number of graduate students, international graduate students, professional students, and post doctorate researchers live and work in Blacksburg. Many Virginia Tech graduates desire to remain and work in the New River Valley after graduation. Blacksburg also attracts other young professionals with technology-focused jobs and the university. These types of residents may require different housing needs than what is most common in Blacksburg (multi-family student housing & single-family detached residential). The proposed PRD includes a mix of only one bedroom and two bedroom units with smaller, yet adequate living spaces that these groups desire, and that is in short supply in Town.

Comprehensive Plan 2232 Review

Virginia Code § 15.2-2232 and 15.2-2224 require that the comprehensive plan designate the general or approximate location, character, and extent of infrastructure such as road connections, parks, public buildings or utilities. The relevant part of Virginia Code Section 15.2-2232 (A) is provided below:

"... unless a feature is already shown on the adopted master plan or part thereof or is deemed so under subsection D, no street or connection to an existing street, park or other public area, public building or public structure, public utility facility or public service corporation facility other than a railroad facility or an underground natural gas or underground electric distribution facility of a public utility as defined in subdivision (b) of § 56-265.1 within its certificated service territory, whether publicly or privately owned, shall be constructed, established or authorized, unless and until the general location or approximate location, character, and extent thereof has been submitted to and approved by the commission as being substantially in accord with the adopted comprehensive plan or part thereof."

Where new public facilities are proposed, they should be evaluated by the Planning Commission to determine whether they are substantially in accord with the adopted Comprehensive Plan. In this case, there are no public facilities proposed, and the intent of a 2232 review is met.

Zoning Ordinance

Intent of District

There is a statement of purpose for each district in the Zoning Ordinance. For PR, the intent is as follows:

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 Senior Housing 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 and proffer statements are reviewed by the Planning Commission and Town Council for their merits on a case-by-case basis.

The application provides a narrative that points out characteristics from the Comprehensive Plan that support the proposed development and its layout.

Zoning Ordinance Standards

The characteristics of physical site development on private property are regulated by the Zoning Ordinance 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 each of these types of regulations is found below. This section of the staff report includes the analysis of the proposed standards for the development, as related to the surrounding area and existing zoning and land development patterns, as well as the appropriateness of the standard, and the overall effect of the standards, when combined, on the nature of the development.

- **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.

Proposed Planned Residential District Standards

In determining whether the proposed district standards are appropriate for the development and compatible with the neighboring area, consideration should be given to the proposed standards in relation to the surrounding development. The parcel is surrounded by RM-27, R-5, and the PR zoning of Midtown.

As the chart indicates, the proposed physical development is slightly more intense than the surrounding R-5 and RM-27 zoning districts. The Midtown development has varying standards that are generally more intense than this proposal.

	R-5 TRANSITIONAL RESIDENTIAL	RM-27 LOW DENSITY MULTIUNIT RESIDENTIAL	PROPOSED PRD STANDARDS
MAXIMUM DENSITY	20 bedrooms/acre	27 bedrooms/acre	45.5 bedrooms/acre
MINIMUM SETBACKS	Front 35'	Front 35'	Front 20'
	Side 10'	Side 10'	Side 15'
	Corner Side 20'	Corner Side NA	Corner Side NA
	Rear 25'	Rear 25'	Rear 15'
MAXIMUM HEIGHT	35' or 45' with additional setback	35' or 45' with additional setback	42'
MAXIMUM LOT COVERAGE	55%	60%	65%
MAXIMUM FAR	0.35	0.40	0.55
MINIMUM CANOPY COVERAGE	20%	10%	20%
MINIMUM OPEN SPACE	10% for single-family; 20% for 20 or more bedrooms	0%	0%, applicant requests an elimination of open space requirement

Density and Occupancy

The applicant has proposed a density of 45.5 bedrooms per acre. The proposed density is higher than the maximum density of the R-5 and RM-27 zoning districts, but similar to the residential areas in the adjacent Midtown Development. For example, the density for all Planned Residential areas in Midtown calculated over the full 10.54 acres is 48 bedrooms per acre.

Open Space

The Planned Residential District standards, as well as Use & Design Standards for 20 or more multifamily bedrooms require applicants to dedicate a minimum of 20% open space for the development. There are Use & Design Standards for Open Space that generally require applicants to designate large blocks of contiguous land, ecologically or environmentally sensitive areas on the site, streams, and recreational areas as open spaces. The standards are intended to result in meaningful open space for residents in the development and the Town.

Per Section 3113(1)(b)&(C) the open space requirements can be reduced or eliminated based on the criteria below. The applicant has provided justification in the application for the elimination of the open

space requirements based on criteria ii, iii, iv, v, and vii and the following statement, “With the site’s proximity to downtown as well as multiple public open spaces and transit options, and the knowledge that this site will have full use of Midtown’s amenities, we are requesting that the open space requirement for this site be eliminated.”

- i. Maximizing developable area – The size and orientation of the buildings and parking lot do not allow for meaningful open space for this development.
- ii. Proximity to downtown – *The site is located 0.25 miles from downtown.*
- iii. Walking distance to services and transit – *Located walking distance from downtown shopping and restaurants and 0.5 miles from bus stops on South Main St.*
- iv. Density and intensity of use in relation to neighborhood context – *The proposed density of 45.5 bedrooms per acre is compatible with and provides a good transition to the adjacent R-5 and RM-27, and PR zoning districts.*
- v. Demonstrated access to nearby public open space – *The new 2.6 acre Central Park is directly adjacent to subject parcel, and the proposed Old School Common located within adjacent Midtown development.*
- vi. Alternative recreational space (e.g., workout room) – None is proposed in the application.
- vii. Proposed improvements to the adjoining streetscape, which may include construction of additional sidewalks or trails adjoining the street, buffer strips between the sidewalk and the street, or other streetscape amenities or improvements to public space as part of the project. – *A new sidewalk along Clay St. is provided as part of a town CIP project. The proposal shows one connection to this sidewalk, but two is preferred. No additional improvements or enhancements are proposed. Pedestrian connections are proposed to the Midtown trail system*

The comprehensive plan states that dedicated and recorded open space, passive recreational open space, and community gardens within developments are ways to preserve open space, but urban locations may be better served by active recreation, parks with programming, and public gathering spaces. With its close proximity to the new Central Park and other Midtown amenities, as well as Downtown, public open spaces would be readily available and accessible to the residents of the proposed PRD.

Use & Design Standards:

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 look and feel of a development, including its compatibility with the surrounding neighborhood. There are a number of Use & Design Standards applicable to this development.

Multifamily §4216

The Multifamily Use & Design Standards are intended to provide for an attractive, street-oriented development with appropriate sidewalk connections and open space. Outlined below are several excerpted standards that contribute to the overall feel of the proposed development and its compatibility with the neighborhood.

Sidewalk Connections

4216(a)(2) - Sidewalks shall connect each unit to the parking area serving that unit, to other units on-site, and to other buildings or uses on adjacent lots.

The proposed layout shows sidewalk connections from each building entrance to the parking areas, mailboxes, and trash/recycling containers. The internal sidewalks also connect to the future Midtown trail and future Clay Street sidewalk. The applicant should consider implementing sidewalk connections to Clay Street from both buildings on each side of the parking lot, similar to the connections to the Midtown trail.

Street Elevations

4216(a)(2) - The street elevation of the residential buildings shall have at least one (1) street-oriented entrance, and contain the principal windows of the front unit.

The applicant is requesting an exception to this use and design standard because the two apartment buildings face internal to the site and their main entryways face the parking lot rather than Clay Street. The applicant should provide renderings of the end walls of the buildings that show what their appearances would be in relation to Clay Street. This should accurately represent the grade change between Clay St. and the proposed buildings.

Development Standards

In Planned Residential Districts, all applicable development standards found in the Zoning Ordinance apply, unless specific modifications are requested.

Some individual development regulations have methods or criteria for determining alternate standards, or specifically refer to PR standards mimicking other standards. As an example, parking space dimensions may be altered by exception due to “shallow depth of a parcel, location of existing trees, or similar circumstances” (§5202). Conversely, the tree canopy coverage requirements for PR refer an applicant to provide canopy coverage “per [similar] uses” (§5426). Development standards applicable to this request are provided below with analysis.

Vehicular Parking §5200

Parking for planned residential districts shall either be determined by its similar use in Section 5200 of the Zoning Ordinance, or based on demonstrated parking needs, housing types, and potential impacts to surrounding neighborhoods.

Minimum parking for multifamily dwellings as determined in Section 5200 is 1.1 spaces per bedroom. The applicant is proposing a slightly lower ratio of 0.96 spaces per bedroom. The total number of proposed parking spaces is 69 spaces (49 standards, 20 compact, and 4 ADA). *Given the target market of*

young professionals and graduate students for the proposed PRD as well as the component of affordable units, the lower number of parking spaces per bedroom is reasonable. With its close proximity to commercial areas and the university, and accessibility to sidewalks and transit stops, it would be reasonable to conclude that a number of residents from this group would use other means of transportation than personal vehicles.

Bicycle Parking §5213

Bicycle parking is required for multifamily uses at a rate of 0.25 spaces per bedroom. At the 0.25 per bedroom rate, the development would require 18 bike spaces. The project is proposing 22 bike spaces located in two separate, uncovered bike rack areas.

Buffer Yards & Screening §5300 et seq.

Buffer yards are required to mitigate impacts between uses or zoning districts of differing intensities. The code specifies that the buffer yard must be installed on the parcel of higher intensity. The chart in the ordinance indicates that no buffer is required to be installed on a PR parcel abutting R-5 because buffering is to be evaluated on a case-by-case basis with each PR application.

The project is proposing a buffer yard of small evergreen trees and shrubs along its northern border where R-5 zoned parcels are adjacent.

Landscaping §5400

Landscaping is evaluated as a part of the overall review of the Planned Residential district request. The Zoning Ordinance provides minimum requirements for some applications, but overall, the proposed landscape plan for the PR district should be evaluated for its appropriateness to the proposed development and existing neighborhood. Apart from buffering, there are three standards that are applicable to this development: overall canopy coverage, parking lot landscaping, and street trees.

Tree canopy coverage refers to the square footage of land a tree's canopy would cover on the ground at full maturity, generally considered 20 years. There are a number of different factors that affect canopy coverage including tree selection, microclimates, adequacy of growing area, and appropriateness of the species selection for the application. Tree canopy provides shade and ground cover that helps prevent erosion by both holding the soil with roots and reducing the amount of rainfall that reaches the ground. Trees also help to define the character of a neighborhood and soften areas of intense development. The Zoning Ordinance specifies that canopy coverage for Planned Districts should be "per [similar] uses". In this instance, the multifamily use is most similar to developments in the RM-27 zoning district, which requires 10% canopy coverage.

The development is proposing a minimum of 14% canopy coverage that would include new and existing trees internally and on the periphery of the site. A total of 6 street trees are required along Clay Street and 8 are provided. An additional 12 street trees are provided along the future Midtown Way road connection and trail. A number of parking lot trees are also provided throughout the site.

Impact on Public Infrastructure

Town engineering staff review requests for rezoning for impacts to public utilities to determine if the existing infrastructure has capacity to support the additional development. In some instances, there are

not adequate facilities to provide services to the development, or the development would result in a negative impact to existing infrastructure. Typically, infrastructure improvements to accommodate development are provided by the developer.

Water and Sewer

The development is proposing to connect to the existing 8" watermain and sanitary sewer main in Clay Street. The estimated water usage per day by the proposed development is 5,400 gallons. The engineering staff has indicated that the Town can provide the minimum required pressure (20psi) at the water meter, but the concept plan waterline design proposes to connect to a future Midtown waterline extension. A dead-end waterline as proposed with a future connection at an undetermined time could present water quality issues in the future. The proposed waterline should be connected to the existing stub out shown on Concept Plan Sheet Z3 as part of the Clay Street Apartments Project.

Town engineering staff have reviewed the proposal in regard to sanitary sewer service. The application states that the proposed development would connect to a brick manhole on an 8" terra cotta clay sewer in Clay Street. Engineering staff have indicated that the sewer is 6" terra cotta, just downstream of a flat sections pipe. However, the slope on the sewer downstream of the manhole connection is fairly steep, so downstream sewer capacity is adequate to support the development.

Please see the attached water and sewer memorandums for other comments.

Transportation

The Town engineering staff reviews requests with regards to impacts to the overall transportation network, including intersection analyses, turn lane and signal warrant analyses, and projected traffic volumes. The applicant submitted trip generation information for the development, as well as a traffic impact analysis. No improvements to Clay Street are warranted or recommended. The attached memo provides considerations for the realignment of the road connection from the parking lot of the development to Midtown Way. Staff recommends a direct extension of Midtown way resulting a standard 'T' intersection within Midtown and the proposed parking lot.

Additionally, staff recommends there be a stop condition for vehicles and/or at minimum "Trail Crossing/Bike Route Ahead" signage added where the Midtown Trail crosses the cross-access road. This will improve bicycle and pedestrian safety, and help reduce conflicts when people walking and biking on the trail across the road.

The Corridor Committee reviewed the request and had several comments:

- The proposal currently shows more bicycle parking adjacent to the smaller apartment building and less next to the bigger building. The Committee recommends changing this so that more bicycle parking is located closer to the larger apartment building, and a smaller amount is closer to the smaller building.
- The Committee recommends moving some bicycle parking closer to the entrance at Clay Street, so that it is more convenient for people entering and leaving the site.
- The Committee noted that walking and biking along Clay Street, between (new) Church Street and Willard Drive, is challenging as there are no bike/pedestrian facilities, visibility is difficult and there is no shoulder. There was concern about additional traffic being added to this stretch of road with this proposed development and without any improvements to Clay Street. It will be

important that the Clay Street bike lane and sidewalk CIP project be completed before or around the same time this apartment project is completed, if approved.

Stormwater Management

All requests for rezoning are required to provide a stormwater concept plan that shows that the minimum Town stormwater standards for water quality and water quantity can be met. Town engineering staff has reviewed the stormwater concept plan and the plan is **approved** at this time. Please also see the attached engineering stormwater memo.

Summary

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 GC and R-5 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.

The rezoning master plan is binding, and should not presume the approval of any variances that may be needed from the subdivision ordinance standards, unless specifically addressed in the rezone and approved through the ordinance language.

Modifications Requested

§3113(b)(1)(a): to allow a reduction or elimination of the open space requirement for any project less than 2 acres

§4216(a)(3): to allow for the elimination of the at least one street-oriented entrance that contains the principal windows of the front unit

Proffer Statement

1. The property shall be developed in substantial conformance, as determined by the Zoning Administrator, with the submitted rezoning application entitled Clay Street Apartments Planned Residential Development (the "Application") dated October 1, 2024.
2. The development will require an income qualification for a portion of the units. Twenty percent (20%) of the units will be reserved for residents earning less than Eighty percent (80%) of the Average Median Income (AMI). This will be administered by the Department of Housing and Community Development (DHCD) or through another program as approved by the Town of Blacksburg.
3. Property owner shall issue parking permits/stickers to residents and residents shall abide by the written parking policy as determined and provided by the management association.

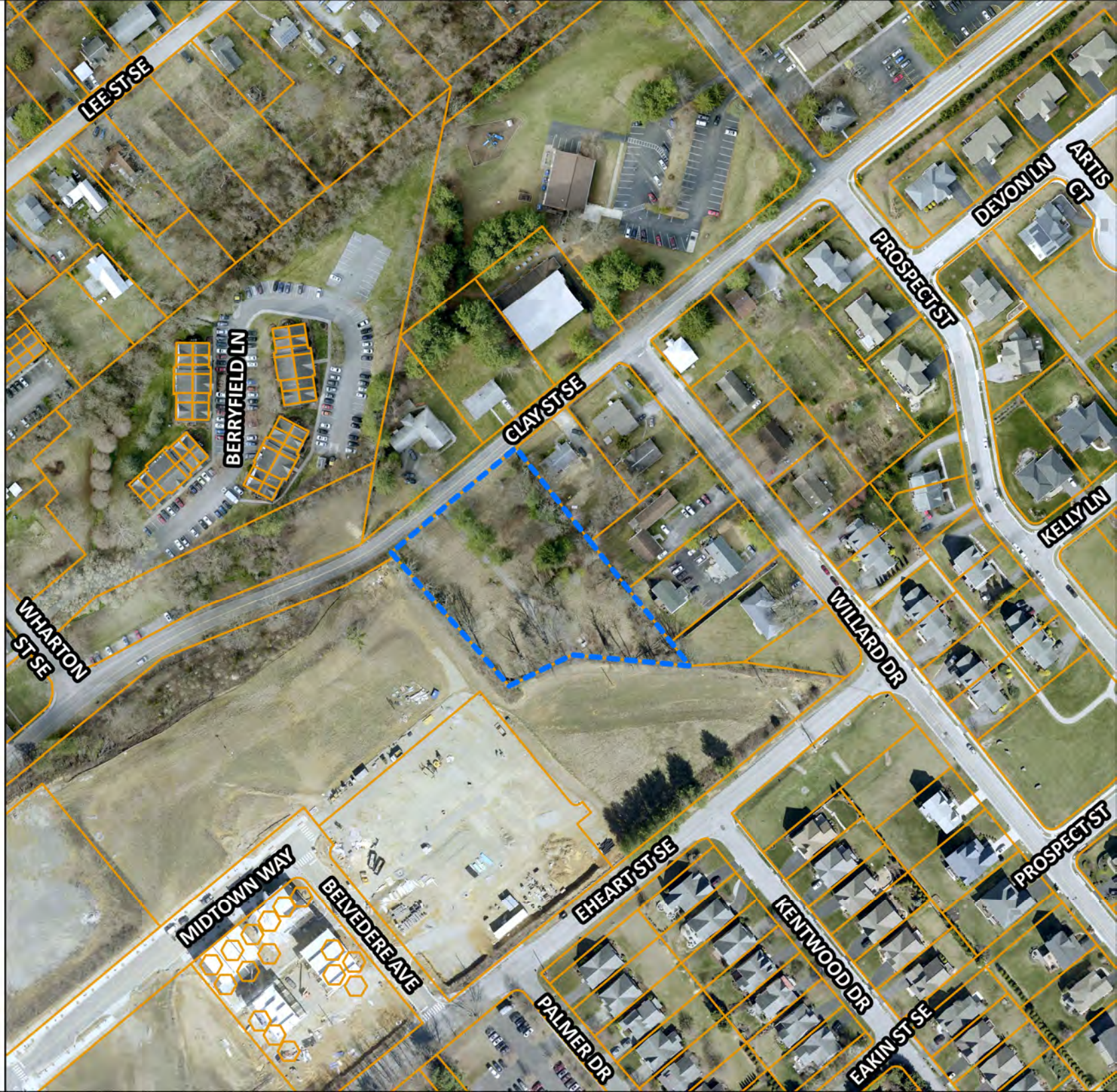
**Clay Street
Apartments PRD
402 Clay Street
RZN-24-3**

 Subject Area
 Parcels











Blacksburg TOWN OF
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Town of Blacksburg, P&E Dept. 11-14-2024



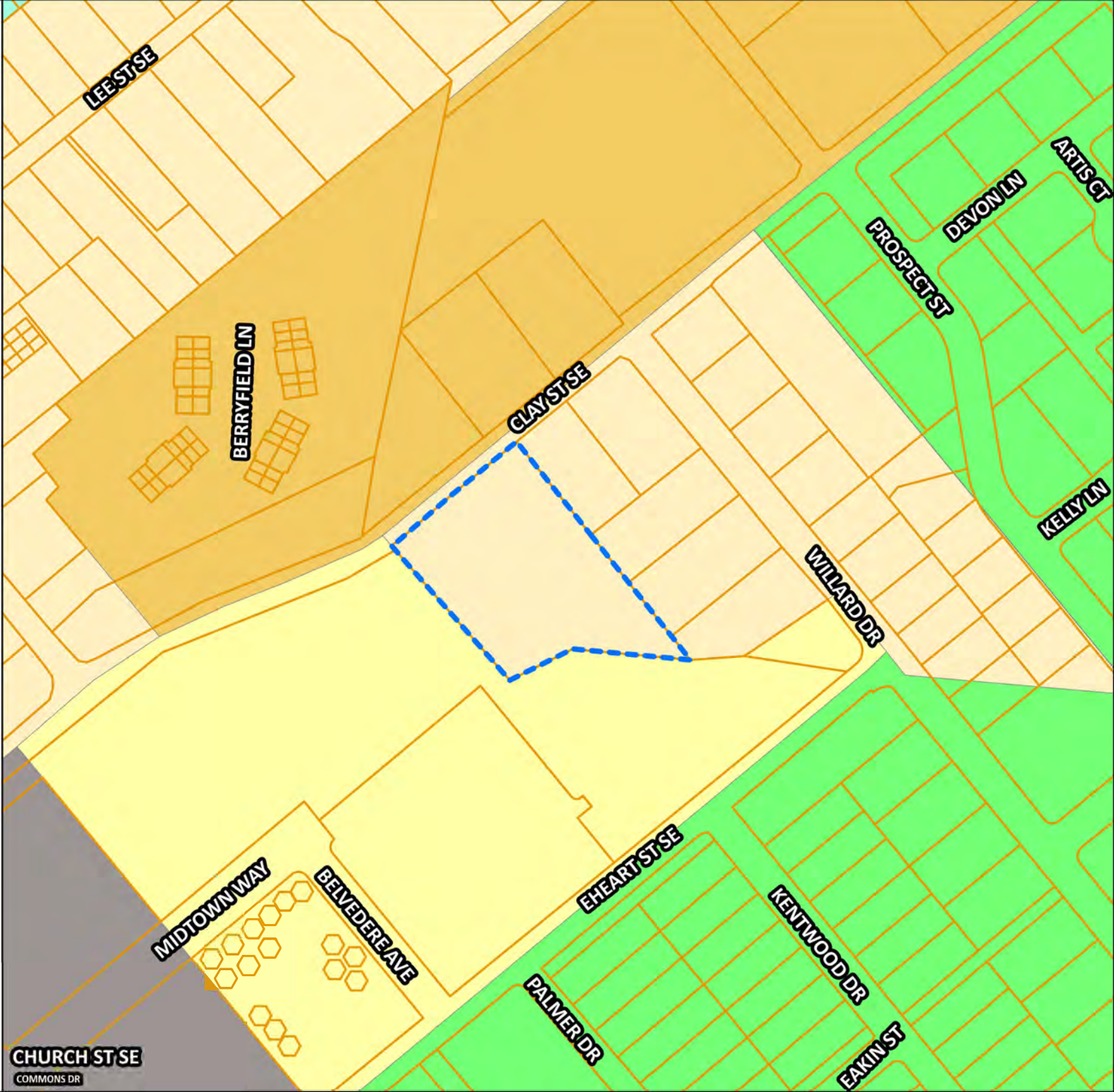
Clay Street Apartments PRD 402 Clay Street RZN-24-3

Current Zoning

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










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Town of Blacksburg, P&E Dept. 11-14-2024



Clay Street Apartments PRD 402 Clay Street RZN-24-3

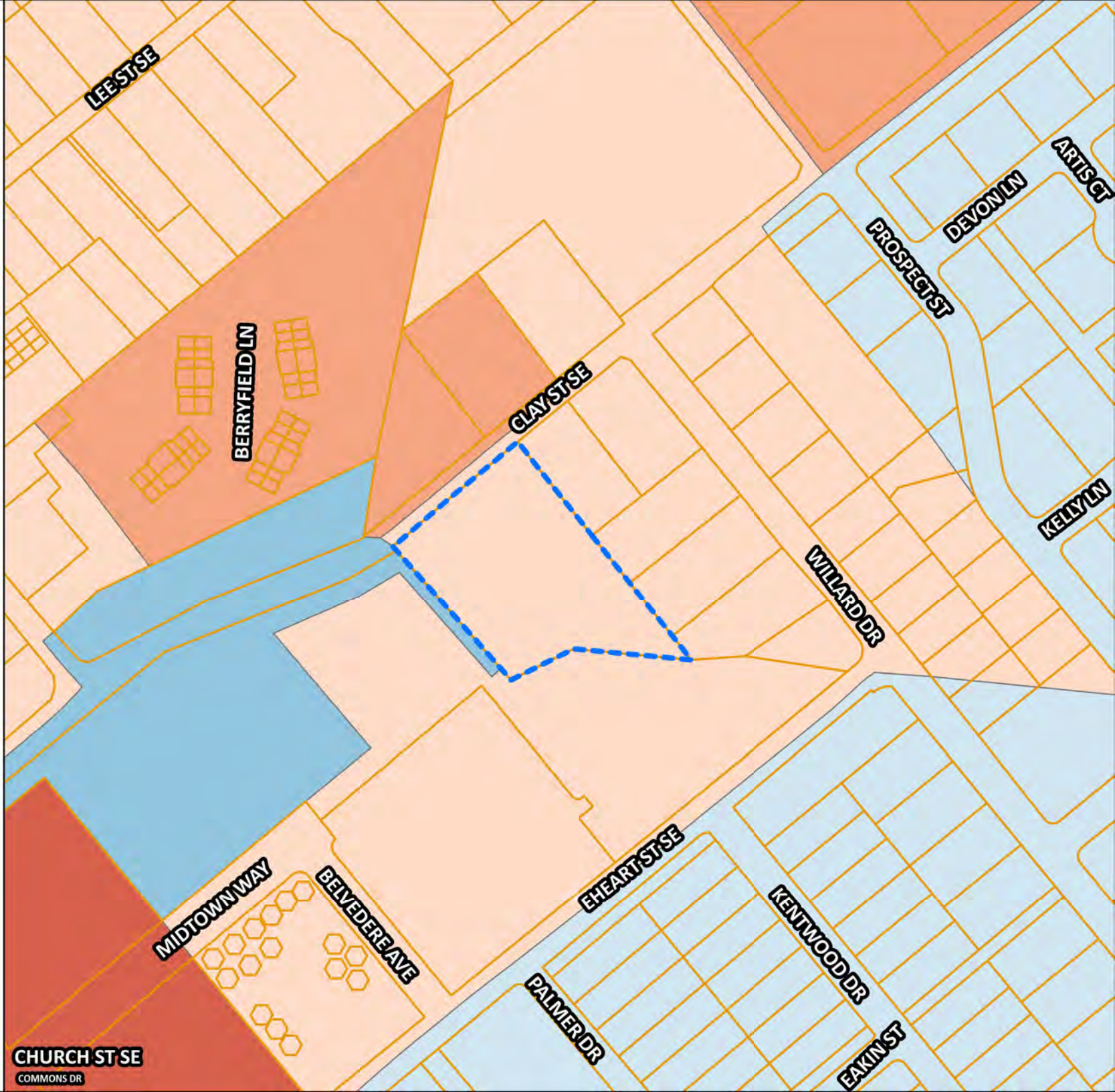
Future Land Use

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



TOWN OF
Blacksburg
VIRGINIA

2023 Aerials provided by Pictometry
Town of Blacksburg, P&E Dept. 11-14-2024



MEMORANDUM

DATE: November 7, 2024
TO: Matt Sampa, Planner II
FROM: Shawn Veltman, Town Engineer
SUBJECT: RZN24-3 Clay Street Apartments PRD
CC: Carolyn Howard, Kafi Howard

This memo provides review comments on a rezoning request by Kaler Communications, LLC for a Planned Residential Development that would include the construction of 42 apartment units with 72 bedrooms on 1.59 acres of land on Clay Street, adjacent to the Midtown development. The application was prepared by Balzer & Associates, date of 10/1/24 and includes preliminary concept plans for the development. This review is for the sanitary sewers only.

Comments

The narrative references an extension of sewer service from Midtown Way but that is not what the concept plans indicate. This inconsistency should be addressed.

The projected average daily sewer flow for the development is 5,400 gpd based on the applicant's wastewater flow projections. The proposed development would connect to a brick manhole on a 6" terra cotta clay sewer in Clay Street (not 8" as indicated in the narrative), just downstream of a flat section of pipe. However the slope on the sewer downstream of the manhole connection is fairly steep, so downstream sewer capacity is adequate to support the development.

To make the connection to the brick manhole, the applicant is proposing to run approximately 130 linear feet of new sewer (of unspecified size) parallel to Clay Street along the right-of-way line. This sewer would convey the flow from 18-unit uphill apartment building to a new manhole where the flow from the downhill 24-unit apartment building would enter and then be conveyed together with the flow from the upstream apartment building by a single pipe to the brick manhole in Clay Street.

It is not clear from the proposed plan if the parallel sewer along the right-of-way is intended to be a public or private sewer, but the Town would prefer to see 130 LF of the existing sewer in Clay Street replaced with 8" PVC with new precast manholes installed at either end and the development then serviced by a connection from each apartment unit to these manholes. **Town staff do not support the installation of a parallel (duplicate) public sewer or the placement of a private sewer that would encroach into the right-of-way. The design intent must be clarified.**

MEMORANDUM

TO: Matt Sampa, Planner II

FROM: Carolyn Howard, Director of Engineering and GIS

DATE: November 7, 2024

SUBJECT: Clay Street Apartments PRD – Transportation Comments

Town Engineering Staff have reviewed the transportation submissions for the referenced rezoning application and offer the following comments.

Overview

The development proposes to be re-developed into a 42-unit apartment complex. The VDOT Traffic Impact Analysis Supplemental Application shows a daily trip generation of 283 vehicles per day, which does not warrant a full Traffic Impact Analysis study. This volume is not considered high enough to result in a substantial impact to the existing transportation network.

Turn Lane Analysis

Town Engineering Staff have reviewed the left and right turn lane warrant analysis provided by the applicant. The applicant utilized trip generation data from the 2022 Virginia Department of Transportation Published Annual Average Daily Traffic Report along Clay Street from Bus. 460 to ECL of Blacksburg.

The analysis results indicate that neither a right turn nor a left turn lane are warranted along Clay Street. Town Staff is satisfied with this conclusion.

Sidewalk

The application illustrates that sidewalk is not proposed due to a Town CIP project along Clay Street.

Interior Connection to Midtown

The application illustrates a road connection from the parking lot to the Midtown Development complex. Engineering staff recommends the applicant consider a realignment of the road connection to Midtown. We recommend a direct extension of Midtown Way resulting in a standard 'T' intersection within Midtown and the proposed parking lot.

MEMORANDUM

DATE: November 12, 2024
TO: Matthew Sampa, Planner
FROM: **Lori Lester, Water Resources Manager**
SUBJECT: Water comments for RXN-24-3, Clay Street Apartments
CC: Kafi Howard

Water Comments:

- The Town can provide the minimum required pressure(20psi) at the water meter based on information provided by applicant.
- Additional water infrastructure or changes to proposed concept plan may be required to meet Town of Blacksburg Water Standards, Specifications, Building and Fire Codes, etc.
- The concept plan waterline design proposes to connect to a future Midtown waterline extension. A deadend waterline as proposed with a future connection at an undetermined time could present water quality issues in the future. The proposed waterline should be connected to the existing stubout shown on Concept Plan Sheet Z3 as part of the Clay Street Apartments Project.

Tuesday, November 12, 2024

Balzer and Associates
Attn: Steve Semones
448 Peppers Ferry Road
Christiansburg, VA 24073

RE: **RZN22-0001 Clay Street Apartments PRD**

Dear Steve Semones:

The Engineering Department has completed the review of the Clay Street Apartments PRD rezoning request Stormwater Concept Plan. The SWM Concept Plan is **approved** at this time. This 1.56 acres of land is proposed to be re-developed into a 42-unit apartment complex. In the post-development condition, stormwater quantities will increase due to the addition of a higher amount of impervious coverage.

Stormwater Management Regulatory Requirements:

The stormwater management mitigation is provided by an on-site underground detention pond to meet the quantity requirements for the energy-balance equation and 10 year storm flows. This concept plan shows the intent of this site to meet water quality requirements through the sole use of off-site nutrient credits. The Town recommends that this development provide some on-site stormwater quality treatment instead of 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.

Items to be addressed prior to Site Plan Approval:

1. Confirmation of Nutrient Bank Availability must be confirmed.
2. Off-site grading will be necessary to make the proposed grades work. Currently this off-site area is part of the Midtown project, but is not included in any approved plan. Approval of this site plan will be dependent on approval of the offsite grading necessary to complete this plan.
3. This site discharges directly to Clay Street to the side of the road where there is currently no existing ditch. An adequate discharge location **must** be provided so that the storm runoff does not impact road safety.
4. Drainage patterns must be consistent with stormwater concept plan. This includes both roof drainage and parking area drainage areas.
5. **Note:** It is unclear how the buffer landscaping will be installed with the current 2:1 grading without the use of a wall and no walls are proposed. Please confirm that this layout is constructible.
6. **Note:** The Town of Blacksburg Town has implemented a stormwater utility fee based on total impervious lot coverage. This proposed development area would generate a stormwater fee of **\$72.73** dollars per month for this site.

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. If you would like to schedule a post review meeting please also contact me.

Sincerely,

Town Engineer – Stormwater, 400 S Main St., Blacksburg VA 24060, khoward@blacksburg.gov

Neighborhood Meeting for Clay Street Apartments PRD request
RZN-24-3 at 402 Clay Street SE
Thursday, November 7, 2024 at 5:30 pm
Blacksburg Motor Company building, 400 South Main Street

A neighborhood meeting was held to discuss a rezoning amendment from R-5 Transitional Residential to PR Planned Residential at 402 Clay Street SE to construct 1 and 2 bedroom apartment units.

Town staff present were Matthew Sampa, Kasey Thomsen and Andrew Warren. Liam Watson, Town Council member was also in attendance.

Applicants and owners in attendance were Steve Semones and Gretchen Merix of Balzer and Associates, Ian Friend of Kaler Communications.

After an introduction by Matthew Sampa and a presentation by the applicant, the floor was opened for questions and comments.

-An attendee asked why the prior projects were not pursued.

-An attendee asked what the building that was previously on the property was.

-An attendee asked about the number of parking spaces per number of bedrooms?

-A citizen stated that the parking spaces do not seem to match how many people may be occupying the units.

-A citizen asked if the units are for rent or for sale.

-An attendee asked if the applicant could give a price range for the standard units and for the affordable housing units.

-A citizen stated that Blacksburg has a 45% poverty rate so setting aside 20% of the units for affordable housing is not enough. The citizen asked if the applicant could or was willing to raise that percentage.

-A citizen asked how much money the developers make per unit and if they could re-invest some of that money into things that benefit the citizens as a whole.

-A citizen stated that housing needs for current and future residents are not being met and suggested that there could be a meeting with citizens and developers hosted by the Town to discuss these needs.

-An attendee asked how the applicant is improving the infrastructure for the increased density.

-An attendee asked if there is an entrance to the development from Clay Street.

-A neighbor asked if there are any existing trees in the area.

-A citizen stated that they really like the street connection but the cut-through through the parking lot seems dangerous. Additionally, what nutrient credits are you purchasing and can you do anything more to improve the storm water quality.

-An attendee stated that they manage and own several buildings near the property. They asked if the parking lot for the development will cause a deluge of water into their properties. The attendee asked if

the elevations will be so tall that their home will always be in shadow. Finally, the attendee asked how tall the proposed trees will be when mature.

-A neighbor stated that planning for only a 10 year storm seems a little shortsighted given recent heavy storms and felt the applicant should plan for a 20 or 50 year storm.

-An attendee asked if the town or developer will provide curb and gutter for the side walk.

-An attendee asked if the applicant had done any studies to make the parking under the houses. The attendee stated that it would save space and provide more greenspace.

-An attendee asked if the developer could guarantee that the storm water will not leave the property.

-A citizen asked if the developer could do impervious pavement.

-An attendee stated that if the housing is open to everyone then it could be filled with students.

-A citizen asked if the applicant can guarantee that 20% of the development units will always be affordable housing.

-A citizen asked if the Town offered the developer an incentive to put the parking underground, would they consider it

-A citizen asked to see the floorplans of the apartments and what sustainable material, if any, would you be using.

-An attendee asked if the development blend in with Midtown and if it would have a flat roof and solar panels.

-An attendee asked if the affordable housing units be any different than the other units.

-A citizen asked if the building pictures were just artistic renderings or actual representations of the built buildings. The citizen asked about the composition of the exterior materials.

-A citizen asked about traffic intensity and traffic trips. The citizen asked if future developments in the area were being considered in the traffic counts.

-A citizen asked how many units will be ADA accessible.

- A citizen asked if two additional ADA parking spaces could be added to the 4 already proposed.

-An attendee asked if it was correct that Clay Street doesn't have enough traffic to merit a turn lane or signal.

-An attendee asked by what standard was the applicant taking the traffic counts from and what year did the traffic count occur.

-An adjoining building owner asked if visitors and game day people will park in the Midtown Development. The building owner does not want overflow parking on their properties.

-An attendee asked if there will be balconies.

-An attendee asked if the previous project was 3-stories.

-An attendee asked if the height for this development will go over R-5 height regulations.

-An attendee suggested using cement board instead of brick for the exterior as it would be better for the environment and heating and cooling costs.

-An attendee asked if the developer was leaving any existing trees and if they encountered any wetland areas?

-An attendee asked about the location of the existing trees on the property.

-A citizen asked if there will be fencing from the property and the property to the north.

-A citizen asked how long it would take for build out if approved.

Adjourned at 6:30 pm.

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