

MEMORANDUM

To: Planning Commission

From: Anne McClung, Planning and Building Director 

Date: May 11, 2018

Subject: RZN18-0004/ORD 1865-Request to rezone 1.594 acres at 402 Clay Street SE (Tax Map No. 257-A188) from R-5 Transitional Residential to PR Planned Residential for multi-family age- restricted development by John Neel, Gay and Neel Inc., on behalf of Levi Wild of Fort Worth Holdings Inc. (applicant) and Keith Kennedy of LawMac LLC (owner).

9SUMMARY OF REQUEST

Property Location	402 Clay Street
Tax Parcel Numbers	257-A188
Parcel(s) Size	1.594 acres
Present Zoning District	R-5 Transitional Residential
Present Use	Vacant (former fraternity house location)
Adjacent Zoning District	North: RM-27 Low Density Multiunit Residential East: R-5 Transitional Residential South: R-4 Low Density Residential West: R-4 Low Density Residential
Adjacent Uses	North: Berryfield condominiums East: Single family residential South: Vacant (OBMS) West: Vacant (OBMS)
Adopted Future Land Use	Low-Density Residential
Proposed Use	Multi-unit residential age restricted housing
Proposed District Standards:	
Maximum Height	50'
Minimum Setbacks	Front: 10' Side: 0' Rear: 0'
Maximum Density	70 bedrooms/50 units, 43.9 bedrooms/acre – Option 1 93 bedrooms, 58.3 bedrooms/acre – Option 2
Minimum Open Space	10%
Proposed Parking	.69 spaces per bedroom Option 1 or .71 for Option 2

BACKGROUND

The subject parcel is the site of the former Sigma Phi Epsilon fraternity house. The house was demolished and the parcel was then under the ownership of the Virginia Tech Foundation. Earlier this year the parcel was sold by the Virginia Tech foundation to the current owner. This parcel was previously included in the proposed rezoning of the Old Blacksburg Middle School (RZN 17-0006). In February of 2018 the owner at the time, the Virginia Tech Foundation, withdrew this parcel from the OBMS rezoning with the intent of filing a separate rezoning for 402 Clay Street.

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 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.*

Section 1162 of the Zoning Ordinance states that proposals for rezoning to a planned zoning district constitute an application for conditional zoning. Section 1160 of the Zoning Ordinance gives guidance to the evaluation of proffers that may be proffered by the applicant.

EVALUATION OF APPLICATION

This staff report is divided into topical areas of evaluation. Many of the overarching principles in the Comprehensive Plan, the Residential Infill Guidelines, 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. **The analysis is contained in the staff report. The pertinent text sections from the Comprehensive Plan, the Residential Infill Guidelines, and the Zoning Ordinance have been included as an appendix to this report.**

Development Proposal

The development proposal entails the construction of a single building for age-restricted housing. The application is proposing two distinct development options of 1) independent living senior apartments with common meeting and dining facilities or 2) more traditional assisted living facility with common areas and dining facility. Option 1 has a total of 50 units with 70 bedrooms and 48 parking spaces. Option 2 proposes 93 bedrooms with 93 units and 66 parking spaces. In both options a 3 story building with a maximum building height of 50' is proposed. Both options appear to be rental options and rent may include other services such as personal care, dining, or nursing care. The applicant has identified the uses as "Age-restricted multi-family dwelling" and "Life Care Facility".

The applicant is requesting approval of both options and would make the decision about which option to pursue at a later date if the rezoning is approved. This is the first time the staff has received a request for two different proposals on the same property in one rezoning. Staff did advise the applicant that if both options were desired to include them in the application but to be aware that the Planning Commission and Council may not support both options or may not support either option. Input on the uses, site layout, project impacts or other pertinent factors for each option would be beneficial to the applicant should they want to revise the application or proffers to proceed with only one option.

The concept plans for Options 1 and 2 are found in Appendix J and L of the application. The floor plans for each option are found in Appendix K and M. The applicant has clarified that the acreage for the subject parcel is 1.594 acres and not 1.7 acres as stated in parts of the application. Staff calculations on density are based on the corrected acreage.

COMPREHENSIVE PLAN

Comprehensive Plan Map Series Evaluation of Application

In evaluating whether the proposed use conforms to the general guidelines and policies contained in the 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 with Town. There was a concerted effort in the 2012 Comprehensive Plan update to strengthen the need for maintaining neighborhood character, giving guidance on development form, encouraging an expansion of housing types to serve different segments of the housing market other than undergraduate students, and continuing to promote alternate means of transportation. Many of these principles, goals and objectives address non-student housing as a need in Town to appeal to a variety of market segments, demographics, and price ranges. The following text identifies the designation of the proposed rezoning property on the maps in the Future Land Use map series.

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 shall be considered. The subject property is designated Medium Density Residential on the Future Land Use which is defined as:

Up to 10 dwelling units per acre or 20 bedrooms per acre whichever is less. Typical implementing Zoning Districts: R-5 Transitional Residential, and Planned Residential (PR)

While Planned Residential is an implementing zoning district, the proposed density exceeds the range for this designation. An applicant can ask for a higher density through the rezoning process. For example, in the rezoning of The Alexander project located at the corner of South Main Street and Eheart Street the parcel was designated as Low Density Residential on the Future Land Use map and a density of 62 bedrooms per acre was granted through a PR rezoning. In evaluating a density increase over the density contemplated by the Future Land Use Map particular attention should be given to the level of intensity of the use requested, the site design and neighborhood compatibility. That allows the Planning Commission and Town Council to weigh the specifics of the development proposed and committed to through the proffers with the Future Land Use map designation.

Mixed Use Area/Urban Development Areas

Mixed Use Areas and UDAs are intended to serve as focal points for commercial and residential growth in town. However, the designation of UDA does not prevent developments outside a UDA, nor obligate the Town to approve rezoning or conditional use permit applications within a UDA. The designation of a UDA does not affect zoning, nor does it mandate a specific type of development.

This property is within a Mixed Use area D as designated on the Future Land Use map which is also an Urban Development Area. The description of Mixed Use Area D states:

“Mixed Use Area D includes the Old Blacksburg Middle School property located at the 500 Block of South Main Street, extending to include the Old Annie Kay’s property in the 300 Block of South Main Street. In 2011, Montgomery County and the Town of Blacksburg October 11, 2016 Land Use-14 adopted the Old Blacksburg Middle School Master Plan to guide redevelopment of the site. Redevelopment of remaining property in Mixed Use Area D should have uses that stimulate pedestrian activity on Main Street and have sensitive transitions to established neighborhoods within the Blacksburg Historic District.”

The bulk of the Mixed Use Area D designation is the Old Blacksburg Middle School property but the subject parcel is also included.

Neighborhood, Employment and Service Areas Map/Neighborhood Context

The subject parcels are located within the “Urban/Walkable Neighborhoods” designation and abuts the same designation on the north, south and west. The subject parcel abuts single family and small scale multi-unit development, also zoned R-5 to the east. Across Clay Street is the Berryfield condominium complex and a single family home which has been identified as occupied by members of a fraternity. Many of the residential units in the immediate area are student rentals. However, there are more owner occupied units in the larger surrounding neighborhood including Fiddler’s Green.

Zoning Ordinance Evaluation of Application

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 which 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 which 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. 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 development is age-restricted which will provide housing to a specific population. While the development is shown as independent living staff would note there are institutional facilities provided such as a commercial kitchen and common dining facility. . There is also a need for assisted care facilities in the Town although using a very walkable downtown location for an assisted care facility may not be the best use of the site.

Use and Design Standards

The Zoning Ordinance does contain Use and Design Standards for Multi family dwelling, Life Care Facility and Nursing Home. Many times the standards are listed as applicable based on the zoning district. Staff has included these Use and Design Standards in the staff report appendix. Many of them do not strictly apply but can be used as a reference for the types of design issues that should be addressed. The Use and Design Standards for Multi-family has been incorporated into the text of the staff report.

Development Standards

The characteristics of physical site development are regulated by the Zoning District standards. In a Planned Residential Zoning District the applicant may propose most of the individual standards for the proposed development. The layout and standards of the development, if approved, are binding. 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. There is a great deal of flexibility in proposing the development's standards, but the standards should not be so out of scale or character, or different from the various surrounding districts as to create an incompatibility in use or physical layout.

The building orientation, scale, massing, height, style and building materials of a development are elements affecting how a proposed development fits into an existing neighborhood. This is particularly important when considering infill development. Infill developments should blend with the existing neighborhoods and uses around them, rather than being so discordantly different that the fabric of a neighborhood is negatively affected. Sometimes there are transitional uses that can bridge the context between more disparate land uses such as single family and intensive commercial uses or between rural areas and higher density residential uses. There are a number of standards and principles in Town regulations that give guidance on how to design infill development and can be found in the staff report appendix.

Building Massing and Scale

In both development options the applicant is proposing all of the residential development and support facilities in one building on the site. The proposed floor area ratio is 1.5. This is a small site and a larger FAR might be expected but in looking at the site, the proportionality of the building to the site and the existing uses in the neighborhood is very different and out of scale. Floor to area ratios in the adjacent zoning districts are .25 in the R-4 district, .35 in the R-5 district and .4 in the RM-27 district. If the proposed uses were developed in a district where the uses were allowed by-right, such as the Office zoning district, the allowed FAR would be .4.

The building elevations provided show attractive buildings with a number of design features but are generic in nature as they do not reflect a specific commitment on how architectural elements such as roof line changes, building material changes, changes in wall planes would be used to break up the mass of the building on this site. Elevations included in an application are binding and the elevations need to be site specific. The applicant has indicated they will provide updated elevations. Staff has also requested the applicant provide information on the total square footage of the buildings to help in consideration of the mass of the building.

In both development options, based on the information provided, the building is more institutional in scale and out of place in the context of the area as it exists today. Land to the east and south is currently undeveloped and is part of the OBMS rezoning. Staff cannot assume the building scale and massing that may ultimately occur on this parcel.

Lot Coverage

The applicant has indicated that the lot coverage of only the buildings is 29 % in Option 1 and 41% in Option 2. The applicant will be providing information on total impervious coverage for both options at the work session.

Building Height

The subject parcel has approximately 237 feet of frontage on Clay Street and there is a significant elevation up change from Clay Street to the top of the property. The maximum building height proposed is 50'. It should be noted that building height is measured from the grade at the main entrance to the top of the building. The main entrance is not at the Clay Street level but is higher up on the property. Thus the building will be taller than 50' when viewed from Clay Street. The applicant will provide an estimate of the main entrance elevation so that the distance above Clay Street can be determined.

In comparison, the maximum building height in the surrounding zoning districts is 35' in the R-5 district and 30' in the R-4 district. The RM-27 district allows a maximum height of 35'. In all of these districts an additional 10' in height is allowed with greater setbacks. The proposed height is greater than that allowed in the surrounding districts. Land to the east and south is currently undeveloped and is part of the OBMS rezoning. Staff cannot assume what building heights may occur on this parcel.

Building Orientation

The building does not face Clay Street but rather the side of the parcel. This is not consistent with the Town's infill guidelines and does not provide a meaningful interaction with the street. The Use and Design standards for multifamily dwelling do require that an entrance and principle windows face the street and that standard has not been met. A similar Use and Design Standard exists for Life Care Facility and Nursing home but based on the zoning district Again, the building elevations are generic in nature and do not reflect the visual appearance and impact of this project from Clay Street or from the adjacent properties

Floor Plans/Operational Characteristics

The floor plans provided for Option 1 show residential units on the 2nd and 3rd floors of the building. The first floor contains residential units but also two common areas, a dining room, and a commercial kitchen. It appears that the residential units also have kitchens. Option 2 is the assisted living option and shows a similar layout of two floors of residential rooms above the first floor which contains units and also common meeting areas and a commercial kitchen. In the assisted living option there is also additional level with parking shown as the ground level. In both development options there are different room/unit types shown on the floor plans but there is no accompanying text to explain the differences.

Staff has asked the applicant to provide more information on the mix of units and the operational characteristics of the two facilities at the work session. Information is needed on staffing, and the differences in the types of services provided between the two development options. For example, the independent living option shows a commercial kitchen and common dining facility. Is onsite dining for all meals anticipated or required in this operational model? What level of care is provided in the assisted living option? This would help to ensure the uses proposed as "age-restricted multi-family dwelling" and "Life Care Facility" in the application correspond with the definitions of those uses in the Zoning Ordinance.

Setbacks

Setbacks or required yards provide areas on a property that are to remain free from structures. This allows for both landscaping and open space around buildings for light and air circulation. Consistent setbacks in a neighborhood can help maintain a sense of regular rhythm and uniformity while also allowing for landscaping and open space.

The application states that a 10' front yard setback on Clay Street is proposed. The side and rear setbacks would be zero. The concept plans submitted show the building setback further than 10' on Clay Street. The applicant indicates in Option 1 the building is 20-25' from the front property line and in Option 2 is 25' from the front property line. In conversation with the applicant the concept plans show building setbacks for Option 1 of 70' to the northeast, 2'-10' to the southeast and 5' to the southwest. For Option 2 the distances are 55-70' to the northeast, 8' to the southeast and 15' to the southwest. Staff has asked the applicant to add the dimensions of the green areas shown along the property line to better assess the setbacks of the parking and refuse/recycling areas from the property line.

Buffering/Landscaping

There is no specific buffer yard requirement for the Planned Residential district as a whole because the nature of the proposed developments can vary so widely and the buffering proposed should be appropriate for the type and intensity and context of the development proposed. Each application is evaluated with regards to buffering to determine the appropriateness of the proposal as it relates to the surrounding uses and neighborhood, and whether the effects of proposed buffering mitigate any adverse impacts to the surrounding area.

No perimeter buffers are called out in the application. The applicant has indicated that the green areas along the perimeter of the property are shown to indicate areas that will not be building or parking areas. They are not specifically buffer areas. Plantings are shown along Clay Street and along the west property line but no further details on the planting have been provided.

If this development were being proposed as a by-right use in a district such as the Office district, buffering would be required. If the uses were being developed as Conditional Uses in the R-5 district buffering would be required. Abutting R-5 the applicant would be required to provide the one of the two buffers described below.

Type A	10' Yard 4' Architectural Screen Small evergreen trees 12' o.c.	20' Yard Small evergreen trees 12' o.c. and one row small evergreen shrubs
Type B	15' Yard 6' Architectural Screen Small evergreen trees 12' o.c.	30' Yard Small evergreen trees 12' o.c. and one row evergreen shrubs

Better buffering is needed given the scale of the development proposed and the buffer should be shown on the concept plan with the width and nature of the plantings shown. Perimeter buffering is particularly an issue along the east property line where the subject parcel abuts single family home. Land to the east and south is currently undeveloped and is part of the OBMS rezoning. Staff cannot assume what buffering may be appropriate between these two developments at this time. The Zoning Ordinance also requires a 20% tree canopy coverage and the applicant should indicate how that requirement will be met.

Bicycle and Pedestrian Improvements

Many Town policies and regulations address streetscape, bike and pedestrian improvements as being a high priority to encouraging walkability and contributing to a high quality of life in Town. Providing enhanced pedestrian and bicycle facilities will encourage alternate-transportation behavior and lead to less dependency on personal vehicle trips. These facilities may include wider sidewalks, separation between the street and the sidewalk with a vegetated buffer strip, covered bike parking, and other elements to provide a pleasant and safe streetscape experience. Often, private development serves an important role in providing missing links in the sidewalk and trail network throughout Town, as there is not enough funding within the Town's budget to complete all the sidewalk projects as the Town grows.

Sidewalks

The Town's Corridor Committee maintains a matrix of prioritized sidewalk projects to complete as funding becomes available through revenue-sharing and ongoing sidewalk project budgets. The Corridor Committee has long identified Clay Street as a high priority for sidewalk improvements. This is a high traffic pedestrian area and people are walking in the street where sidewalks are not available. The roadway is narrow, hilly and curved in places and makes it dangerous for pedestrians who are walking in the street. It has been anticipated that a portion of the pedestrian improvements needed on Clay Street would come through the construction of private development such on the Old Blacksburg Middle School site and on the subject parcel.

The application shows a sidewalk along the Clay Street frontage of the parcel. The sidewalk is 5' in width. A 4' planting strip is required between the sidewalk and the street and this planting strip not shown on the plans. The application does not state if a modification to the sidewalk requirement is being requested as part of this rezoning. There is a connection from the public sidewalk to the building. The change in elevation from Clay Street to the top of the subject parcel is significant and the connection of the entrance to the Clay Street sidewalk may involve a number of switchbacks in order to meet ADA requirements. The sidewalk proposed will connect to the pedestrian connection along Clay Street for the adjacent OBMS parcel. The Corridor Committee did recommend that a pedestrian/bike connection internally to the adjacent OBMS parcel be provided.

Bike facilities

In addition to sidewalk prioritization, the Corridor Committee also reviews development applications and makes recommendations based on the Path's to the Future map in the Comprehensive Plan and comments on opportunities that may arise to enhance bicycle and pedestrian routes and facilities in Town. The Committee recommended that connection be made from this development to the interior of the Old Blacksburg Middle School parcel. The application indicates that the required bike parking will be provided but further details are not provided. Staff anticipates that the bike parking will most likely be used by primarily by employees or visitors.

Access and Circulation

The application shows one access point to the development from Clay Street with different entrance widths shown for each option. The entrance is wider for the assisted living option which may be to accommodate more delivery traffic associated with an institutional use and also to provide better access for emergency service vehicles. Emergency Services does want to verify that the slope of the access way and the turning radius will accommodate the Town's ladder truck. The turning radius used is 20' and Engineering has noted that a 25' radius should be used. The applicant should provide more information on the access widths and turning radii. Sight distance is limited along Clay Street in this area and the applicant should verify that the sight distance can be met at the access location shown as the concept plan is binding. Through site inspection, engineering staff determined that the proposed location is highly likely to present a sight distance issue with regard to the western approach to the entrance. The turn lane analysis indicated that a turn lane is not warranted but that a right-turn taper is warranted. This taper is not shown on the master plan and again this is a binding plan.

The applicant has provided information on the total for trip generation anticipated for the project but needs to provide more information on how the calculation was determined. The applicant may have information based on the operational characteristics of other similar facilities they owns but the supporting information needs to be provided as part of the rezoning application.

The Clay Street right-of-way is an approximately 40' in width at this location and the standard width for Town right-of-way for a local street is 50'. The applicant is asking for a significant intensification of the use through this rezoning and will increase trip generation on a narrow, hilly and winding public street. In addition to other issues such as trip generation and access it is appropriate to address the adequacy of the right-of-way needs for

the public street as part of the rezoning request. Applicants typically provide ½ of the right-of-way needed which in this case would be 5’.

In summary, additional information is needed on several transportation issues. Given that the Planned Residential District has a binding plan, issues that might ordinarily be considered at the site plan stage of development need to be considered now to ensure there are not changes that affect the binding rezone plan. Changes to the site design would require going back through the public hearing process. The applicant will be providing as much of the information as possible at the work session.

Parking

The Planned Residential District allows applicants to choose a parking ratio that is different from the standards in the zoning ordinance with information to indicate why the proposed ratio is appropriate and how the level of parking provided will not have any negative effect on surrounding uses. In certain situations, a different ratio may be appropriate given the development’s proximity to transit, the University, services, or the target market demographic. Providing the right amount of parking for a development is critical for the safety and convenience of the development’s residents, but also for the safety and convenience of the surrounding neighborhood. Without adequate parking, residents and guests may overflow into the neighborhoods, where there may already be pressure for parking due to the rental tenancy, or small lot size. The Town is also concerned about developments that may be over parked adding unnecessary impervious surfaces. The goal is “right-sizing” the parking for each development to accommodate residents and guests.

The standard ratio is 1.1 parking spaces per bedroom for multifamily development. This standard was designed primarily to response to the parking demands associated with multifamily housing geared toward students and would be excessive for development in an age-restricted or assisted living community. Life Care Facility is listed as Schedule B use in the parking section of the Zoning Ordinance which means the Zoning Administrator can determine the appropriate parking ratio. A nursing home has a parking ratio of 1 space per 4 bedrooms and 1 space per employee on the largest shift. The applicant needs to provide more information on how the parking ratios shown were determined and allow staff to compare what is proposed to what the Zoning Ordinance requires. The information from the applicant can include data on similar facilities operated by the owner. The two options proposed are very different in their parking needs. For independent living one would expect residents may care cars and in addition staff parking would be need. For assisted living it is unlikely residents would have cars and there would be more employees at the facility and a need for visitor parking. The applicant should provide more information on how the parking ratios discussed below were derived and how they adequately meet the need of either type of facility.

The Option 1 independent living proposal shows all of the parking as surface parking with a parking ratio of .69 spaces per bedroom. In Option 2, assisted living shows ground floor pedestal parking area shown with 42 parking spaces and labeled as a “parking garage” on the concept plan. The overall parking ratio proposed is .71 spaces per bedroom it appears there is one entrance/exit for the underground parking. More information on the specific of the drive aisles and dimensions of the parking spaces is needed.

Density & Occupancy, Lifestyle Conflicts

Not only does the physical development of the property affect the neighborhood compatibility, but also the lifestyle of the target market for the project. There are a number of Town policies and goals that encourage the provision of housing for a variety of different citizens with different lifestyle needs. Blacksburg has been identified as both a great place to retire, as well as a good place to raise a family. The University is actively growing undergraduate enrollment which is impacting the Town’s housing market. The Town does have a need for non-student housing to meet a wide range of market demands including recent graduates/young professionals; young faculty, starter families; workforce and middle-income housing, as well as retiree/empty-

nester and further opportunities for aging in place. Pressure for undergraduate student housing often dominates the housing market and other market segments often have fewer opportunities for available housing to meet their needs.

Density

The density of the development is also a factor in considering whether the proposed development is appropriate to the surrounding neighborhood. The density proposed for Option 1 Independent Living is 41 bedrooms per acre. Option 2 Assisted Living is 53 bedrooms per acre. Both options are a greater density than contemplated on the Future Land Use map. For comparison, the adjacent R-5 development allow up to 20 bedrooms per acre. The multifamily development across Clay Street is designated High Density Residential. Berryfield is zoned RM-27 which allows 27 bedrooms per acre but may be developed at a higher density.

Age Restrictions/Aging-in-Place

The applicant is proposed an age-restricted community and has included a proffer on the restriction. The proffer states that the age restriction will meet federal standards. The age qualified occupant must be 55 or older. A spouse may be under age 55 and may remain should the age-qualified spouse perish. The application further states that there are occupancy restrictions for people under 18, and between 19 and 50. Children, and adults under 50 will be allowed to reside in the community for a period of no more than 60 days and 180 days respectively. A disabled person may reside in the community if they are under age 55. If a person over 55 becomes disabled a relative who is under 55 may live with the disabled resident. The application further restricts units from being used as lodging for transients, such as rental through the Town's homestay program. The restrictions proposed would set forth and enforced through the "community rules and regulations".

Staff would note that the two different options proposed seem to be for two very different older populations. An independent living facility would have residents who are able to be more active and may find the walkable location appealing. These residents are also likely to have cars and be more active in the community. The assisted living facility option will have a population that typically is less able to interact in the community and residents may not be ambulatory. With Option 2 most of the activity at the facility will be staff arriving/departing from their shifts and visitors coming to visit friends or family.

There are two other age-restricted independent living communities in Town including the completed Grisson Lane duplexes and 4-unit single-story townhomes recently completed as part of the Fieldstone development on Givens Lane. Both of these developments are affordable housing developments. Staff is not aware of any age-restricted market rate independent housing existing in Blacksburg. A rezone proposal for age-restricted housing on Airport Road was recently denied by Town Council. The assisted care option proposed would appear to be more akin to facilities in Town such as Heritage Hall or The Crossings where personal care and nursing care are provided.

Open Space

The provision of open space is another component of residential communities that it is included as a requirement for nearly every type of residential development. The Planned Residential Zoning District Standards and the Use & Design Standards for Multifamily Dwellings §4216(a) (6) require a minimum of 20% open space for developments. It is important that the open space be meaningful in its size and function and geared toward the use of the residents who in the development. The application shows a requested reduction of open space from 20% to 10%.

Section 3113 of the Zoning Ordinance does allow requests for reduction or elimination of open space for parcels less than 2 acres based on criteria such as maximizing developable area, proximity to downtown, walking

distance to services and transit, density and intensity in relation to neighborhood context, access to nearby open space, alternative recreational space and improvements to the streetscape.

The applicant requests to reduce the open to 10% with 5% of that space being internal meeting rooms, activity rooms or internal recreation space. The other external 5% is focused on an interior courtyard with small strip areas along the perimeter of the parcel. The courtyard is somewhat larger for the independent living option. The assisted living options shows a pet park at the south end of the parcel. More specificity on the nature of the internal amenities and the dimensions of the exterior open space would be helpful.

Signage

The applicant has indicated that signage would be as required by the Zoning Ordinance. However, there are no specific signage requirements for Planned Residential and the applicant will need to outline the signage proposed including, at a minimum, the type of signage, location, and size proposed. The applicant anticipates having information for the work session.

EVALUATION OF IMPACTS

In evaluating the potential effect on public services and facilities that this rezoning would have, the Town Engineering department has reviewed the Master Plan and application and the following comments are provided.

Sanitary Sewer

The Town's sanitary sewer model indicates there is adequate capacity in the Town's sewer lines to accept the wastewater flows from the proposed development. However, in combination with other proposed developments in that area (OBMS) there is approximately 1,211 linear feet of 12" pipe that does not have capacity for the combined flows. The Town has a fully funded capital improvement project to upgrade the sewer lines and address the capacity issues for development in this area.

The average daily sewer flow anticipated is greater than 10,000 gpd. Additional sewer flows greater than 10,000 gpd require approval from the Sanitation Authority to ensure there is adequate capacity in their sewer lines. Town staff have sent the pertinent information to the Sanitation Authority for them to evaluate capacity.

Water

Town engineering staff has reviewed the application with respect to water services and has no comments. There is adequate capacity to serve the proposed development.

Stormwater Management

The application submitted shows underground stormwater management facility under the access drive. The application states that the project will incorporate rainwater harvesting with cisterns. The water will be reused in toilets and for laundry. The stormwater management concept plan has been reviewed by the Town's stormwater engineer and has been approved. If this project is approved, the water re-use system will become part of the binding masterplan and can't be removed from the project without going back through the public hearing process. Additionally, the Town's stormwater engineer has commented that this will require coordination with the architecture and building plans to make sure the appropriate plumbing is designed to allow for the use of rainwater for toilet flushing and laundry facilities, as shown in these plans.

Traffic & Transportation

Town engineering staff reviewed the data provided as a part of the application and would like further information a number of issues. These have been outlined in the access and circulation portion of the staff report.

Blacksburg Transit

Blacksburg Transit staff reviewed this application with regards to transit service and had no recommendations. They have commented that there is no service on Clay Street and the closest transit routes are on Main Street and Harding Avenue.

NEIGHBORHOOD MEETING

A neighborhood meeting was held on April 25, 2018. Meeting notes and the sign-in sheets are attached.

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 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.

PROFFER STATEMENT

The applicant has submitted a proffer statement dated April 2, 2018. The proffers are summarized below and can be found in the application:

1. Development in accordance with the application
2. Age restrictions on units
3. Maximum building height of 50'
4. Provision of a parking policy
5. Occupancy limitation of one person per bedroom for unrelated individuals

ATTACHMENTS

Staff Appendix
Staff GIS Maps
Neighborhood Meeting Notes & Sign-In Sheet
Application dated April 2, 2018

RZN18-0004 Age Restricted Housing at 402 Clay Street

Staff Appendix

This appendix is provided to give additional supporting information from the Comprehensive Plan, the Residential Infill Guidelines, and the Zoning Ordinance in order to allow the staff report to focus on the analysis of the application.

Physical Site Development

Building Orientation, Scale, Massing, Height

- **Comprehensive Plan Land Use Policy LU.6 Consider the compatibility of development with surrounding uses. Utilize strategies such as landscaping or other buffering techniques along with modification of site design to minimize impacts and facilitate compatibility**
- **Residential Infill Guidelines Best Practice #1: Respect neighborhood context and enhance community character**
- **Residential Infill Guidelines Best Practice #2: Provide...transitions...of building scale, building design, form and color...Complementary architectural design, materials, scale, massing and the use of landscape, screening, and open space are strategies to achieve compatibility within the neighborhood and the Town.**
- **Residential Infill Guidelines Site Design & Parking:**
 - **Buildings oriented toward streets are a key characteristic of Blacksburg's residential neighborhoods.**
 - **Locate the primary entrance towards the street**
 - **Clearly define the primary entrance of the structure by using a front porch or stoop, and other architectural details.**
 - **Retain space in front of the structure to relate to the street or sidewalk without intervening elements such as parking.**
 - **Entry porches and porticoes in two-story homes should be one story to minimize the appearance of bulk.**
 - **The scale and style of porch and portico elements should be consistent with the scale and style of the home, and should strive to respect the scale and style of porch and portico elements in the other homes on the block.**
 - **Buildings should be designed to fit within the context of the surrounding structures and provide visual interest to pedestrians.**
- **Residential Infill Guidelines Building Design**
 - **The mass and scale of new infill residential buildings should appear to be similar to the building seen traditionally in the neighborhood.**
 - **The width of a building face of an infill project should not exceed the width of a typical residential structure on adjacent lots.**
 - **Building roof forms that are similar to those seen traditionally in the neighborhood, such as gabled and hip roofs, should be used.**
 - **Buildings should be designed to fit within the context of the surrounding structures and provide visual interest to pedestrians.**
- **Multifamily Dwelling Use & Design Standard for building orientation §4216 (a)(3):**
 - **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.**
- **Life Care Facility Use & Design Standards §4321(b)(1)**
 - **Any new buildings shall be residential in character, street-oriented with pedestrian**

entrances from the street, and compatible with the surrounding residential development.

- Life Care Facility Use & Design Standards §4321(b)(5)
 - Applicants must clearly demonstrate that the use will be compatible with the neighborhood, particularly with regard to traffic circulation, parking, and appearance.
- Life Care Facility Use & Design Standards §4321(b)(7)
 - Exterior lighting shall be compatible with the surrounding neighborhood
- Nursing Home Use & Design Standards §4326(a)(3)
 - All new principal structures shall be residential in character and visually compatible with any surrounding residential development. Principal structures shall be street-oriented with pedestrian entrances from the street.
- Nursing Home Use & Design Standards §4326(a)(5)
 - Applicants must clearly demonstrate that the use will be compatible with the neighborhood, particularly with regard to traffic circulation, parking, and appearance.
- Nursing Home Use & Design Standards §4326(a)(7)
 - Exterior lighting shall be compatible with the surrounding neighborhood

Setbacks, Lot Coverage, Buffer Yards & Landscaping

- Comprehensive Plan CCP.16: Responsible site design and development practices will minimize environmental impacts within the town
- Comprehensive Plan Environment Objective E.17 As a part of the development review process, the Town will evaluate a proposed development's impact and proposed mitigation measures for the following:
 - Open Space
 - Urban forest canopy
 - Watershed
- Residential Infill Guidelines Best Practice #2: Provide transitions
- Residential Infill Guidelines Site Design and Parking:
 - Streets [that] feature consistent front building setbacks...help define neighborhood character.
 - Provide a front yard consistent with those found on the block facing the street.
 - Front porches are encouraged and may extend into the required front yard setback.
 - In residential neighborhoods, multi-family housing should adopt the predominant setback, but should also vary the building façade to relieve the appearance of mass.
 - Setbacks should be proportional to the height and mass of a building
 - The "green edge [landscaped setbacks between the...buildings and sidewalks]" provides residential streets with a clearly identifiable character; [landscaping] and fences are often used for transition between public and private space; provision of open space is critical for multifamily developments...
 - Natural features and existing trees should be retained
 - Parking lots should be generously landscaped to provide shade, reduce glare, and provide visual interest
 - All site areas not covered by structures, walkways, driveways, or parking spaces should be landscaped
 - Street trees and planting strips also help buffer pedestrians from vehicle traffic.
- Comprehensive Plan Sustainability Objectives & Policy S.6: Promote, protect and enhance the Town's urban forests through Town initiatives and in the development review process.

Minimize site disturbance to protect existing tree canopy, native vegetation, and pervious surfaces to encourage open space.

- Life Care Facility Use & Design Standards §4321(b)(3)
 - Minimum side yard setback for new structures: 15'
- Life Care Facility Use & Design Standards §4321(b)(4)
 - A type A buffer yard shall be provided in yards adjacent to a R-4, R-5, OTR, PR, RR1 or RR2 zoning district
- Nursing Home Use & Design Standards §4326(b)(3)
 - Minimum side yard setback for new structures: 15'
- Nursing Home Use & Design Standards §4326(b)(4)
 - A type A buffer yard shall be provided in yards adjacent to a R-4, R-5, OTR, PR, RR1 or RR2 zoning district

Streetscape, Bicycle and Pedestrian Improvements

- Comprehensive Plan CCP.1. Well-designed pedestrian and bicycle friendly routes and facilities are essential to the Town's identity as a walkable and bikeable community.
- CCP.14: Transit connections and bus stop facilities are important components to support transit as a viable transportation option in town. These elements should be part of the design of new developments and be coordinated with Blacksburg Transit regarding service availability.
- Comprehensive Plan Transportation Objective & Policy T.10 Complete the construction of a connected sidewalk system.
- T.12: Maintain and improve the aesthetic quality of the pedestrian environment by planting street trees and other landscaping, and installing street furniture where appropriate.
- T.28: During the development review process, ensure that transit service and access to/from the transit stop and the development are provided.
- Residential Infill Guidelines Best Practice #3: Create a pedestrian friendly streetscape
- Residential Infill Guidelines Site Design & Parking:
 - The design of the space between the edge of the curb and the front of a building is essential for encouraging pedestrian activity and promoting safety and security.
 - [Sidewalks] contribute to the character of the neighborhoods by providing safe places for people to travel and interact with one another.
 - Walkways should connect public sidewalks and parking areas to all main entrances on the site. For townhouses...fronting on the street, the sidewalk may be used to meet this standard
- Residential Infill Guidelines Streetscape:
 - Neighborhood streets should include an interconnected system of sidewalks.
 - Neighborhood streets should include a sidewalk design that reflects the existing pattern in the neighborhood
 - Primary streets should have planting strips and streetscape to separate sidewalks from the street's edge
 - While Blacksburg has an extensive sidewalk system on many neighborhood streets, gaps remain in some locations. Infill projects can help to fill these gaps.
- Multifamily Use & Design Standard for sidewalks §4216 (a)(2):
 - Sidewalks shall connect each unit to the parking area serving that unit, to other units onsite, and to other buildings or uses on adjacent lots.
- Townhouse Use & Design Standard for sidewalks §4231 (b)(4):
 - Sidewalks shall connect each townhouse to the parking area serving that townhouse,

to other buildings within the site, and to other buildings or uses on adjacent lots.

- Two-family dwelling Use & Design Standard for sidewalks §4241 (a)(4):
 - 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.
- Site Development Plans Minimum Standards and Improvements Required §5120(d)(1):
 - Sidewalks meeting the design standards of the Subdivision Ordinance shall be provided on public or private land along all parts of a site abutting a developed public street where such sidewalks do not exist as of the date of the application for site plan approval. The provision of these sidewalks will advance the goal of the Blacksburg comprehensive plan of development of “a network of walkways in the Town to increase the safety and convenience of pedestrian travel.” The Town Council finds that the need for such sidewalks in this Town is substantially generated by the development

Parking and Circulation

- Residential Infill Guidelines Best Practice #4: Minimize visual impacts of parking
- Residential Infill Guidelines Site Design & Parking:
 - Parking should not obstruct the building frontage; rather, it should be located behind, to the rear or side of the principle structure
 - Deep front setbacks can compromise the ability to provide backyard space and/or rear parking, particularly at higher densities.
 - Parking spaces should not dominate the street scene. Instead, parking should be located to the rear of the lot or building or screened from the public way with landscaping, low fencing, or garage orientation.
 - Parking should not disrupt the quality of common spaces or pedestrian environments of multi-family development
 - Reduced or no onsite parking can greatly simplify the design of infill development with no need to find space to fit vehicle areas onto small infill sites, and entirely avoids the problem of how to minimize the visual and environmental impacts of parking.
- Multifamily Dwelling Use & Design Standards §4216(a)(4):
 - All parking spaces shall be located behind the front building line
- Life Care Facility Use & Design Standards §4321(b)(2)
 - Parking shall be located behind the front line of the principal building
- Nursing Home Use & Design Standards §4326(a)(4)
 - Entrances to the site shall be minimized and placed in such a way as to maximize safety and efficient traffic circulation, and to minimize the impact on any surrounding neighborhood.
- Nursing Home Use & Design Standards §4326(b)(2)
 - Parking shall be located behind the front line of the principal building

Density & Occupancy, Lifestyle Conflicts, and Affordability

- Comprehensive Plan CCP.2. Lifestyle conflicts are inherent in a college town, where neighborhoods may have a mix of students and non-students.
- Comprehensive Plan Land Use Objective & Policy LU.7: Encourage developers to work with surrounding property owners and tenants to resolve community concerns prior to formalizing development plans.
- Comprehensive Plan Jobs & Housing “Senior Housing Options”
 - There is a lack of services and housing options for this segment, including affordable

- options, to serve these growing populations
- As the population continues to age, additional nursing home facilities that provide all levels of medical care will be needed in the New River Valley
- Comprehensive Plan Jobs & Housing Objective & Policy J&H.48 Plan for the housing demands of a changing and diversifying population
- J&H.49 Continue to provide affordable workforce housing in Blacksburg in accordance with the adopted Consolidated Plan.
- J&H.50 Work with regional partners to promote affordable and sustainable housing in the New River Valley
- J&H.51 Promote varying types of housing types needed, including:
 - Rental or starter homes for purchase by graduate students and young families
 - Young professional housing and services in the Downtown area
 - Workforce housing for those making 80% - 120% of AMI
 - Affordable workforce housing options for LMI families making less than 80% of AMI
 - Housing with universal design features to allow aging-in-place
- J&H.52 As the active adult, retiree, and senior citizen population increases, promote varying types of housing needed. For example, provide smaller homes that retirees can downsize to such as townhomes or condos, as well as retirement communities and nursing home facilities.
- Comprehensive Plan Sustainability Objectives & Policy S.8: Support the New River Valley Livability Initiative coordinated by the NRV Planning District Commission and other regional efforts.

Open Space

- Comprehensive Plan CCP.6. Creation of public and private parks and recreation amenities is an important part of land use development decisions
- Residential Infill Guidelines Best Practice #5: Create usable outdoor spaces
- Residential Infill Guidelines Site Design and Parking:
 - New developments should use open space and community facilities to provide social and design focal points.
 - Multi-family development must provide...common open space for each unit
 - Common spaces and amenities should enhance the sense of community in multi-family projects
 - Play spaces for children are strongly encouraged and should be both secure and observable.
 - Provision of open space is critical for multi-family developments.
- Multifamily Use & Design Standard for open space, recreation, and trails §4216(a)(6)
 - Except in the Downtown Commercial (DC) district and the Mixed Use (MXD) district, for any development of twenty (20) or more bedrooms, a minimum of twenty (20) percent of the gross land area shall be reserved as open space. A specific recreational activity area or areas shall be developed and maintained for the residents of the development as a part of this open space

RZN 18-0004
402 Clay St.
Planned
Residential

 Subject parcel
Parcels



TOWN OF
Blacksburg
VIRGINIA



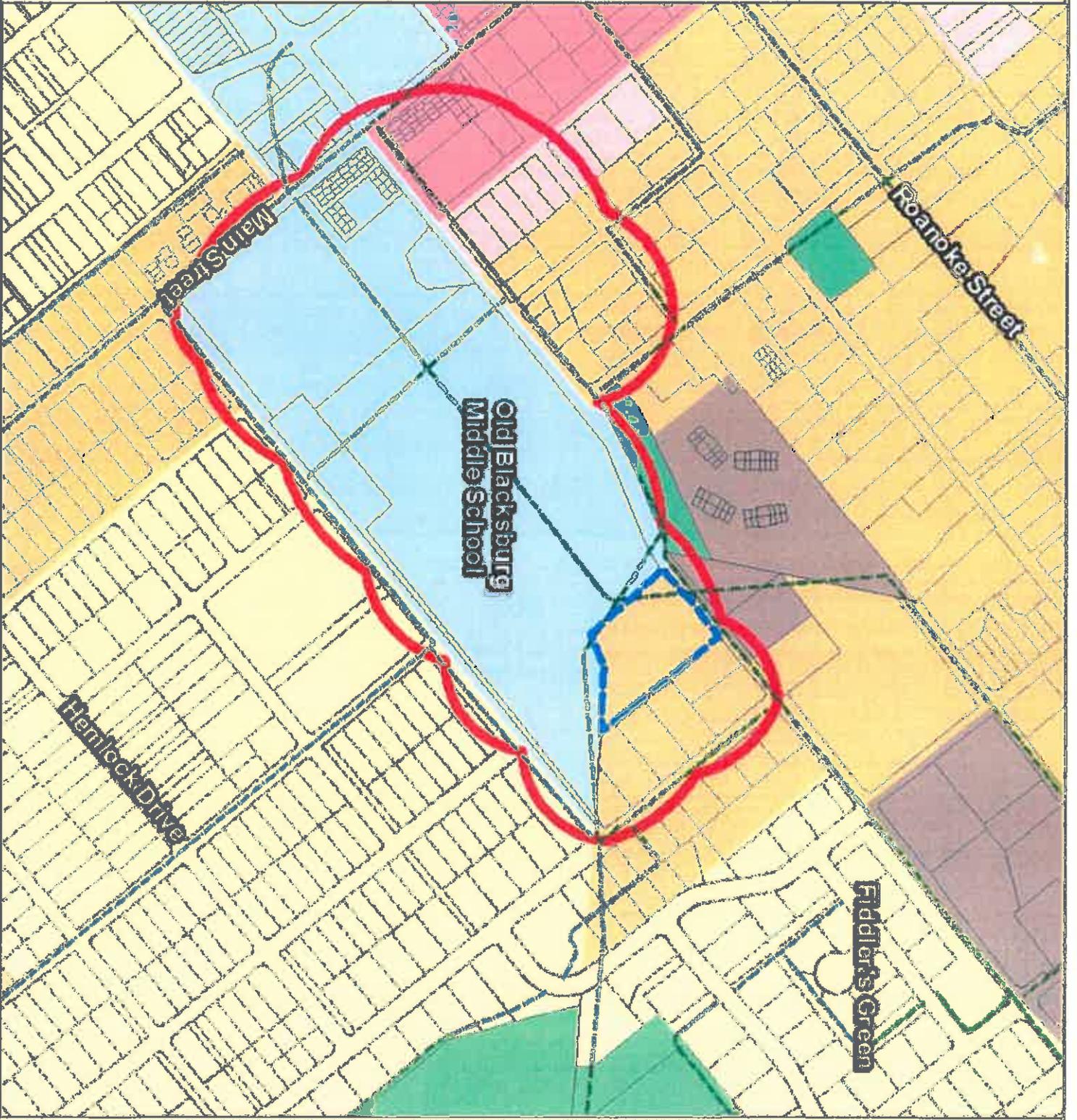
RZN18-0004 402 Clay St. Planned Residential

Comprehensive Plan Map

-  Subject Property
-  Paths to the Future
-  Mixed Use
-  Parcels
-  Low Density Residential
-  Medium Density Residential
-  High Density Residential
-  Park Land / Open Space / Resource Protection
-  C&I
-  Low Impact Commercial
-  High Impact Commercial



Blacksburg
TOWN OF
VIRGINIA



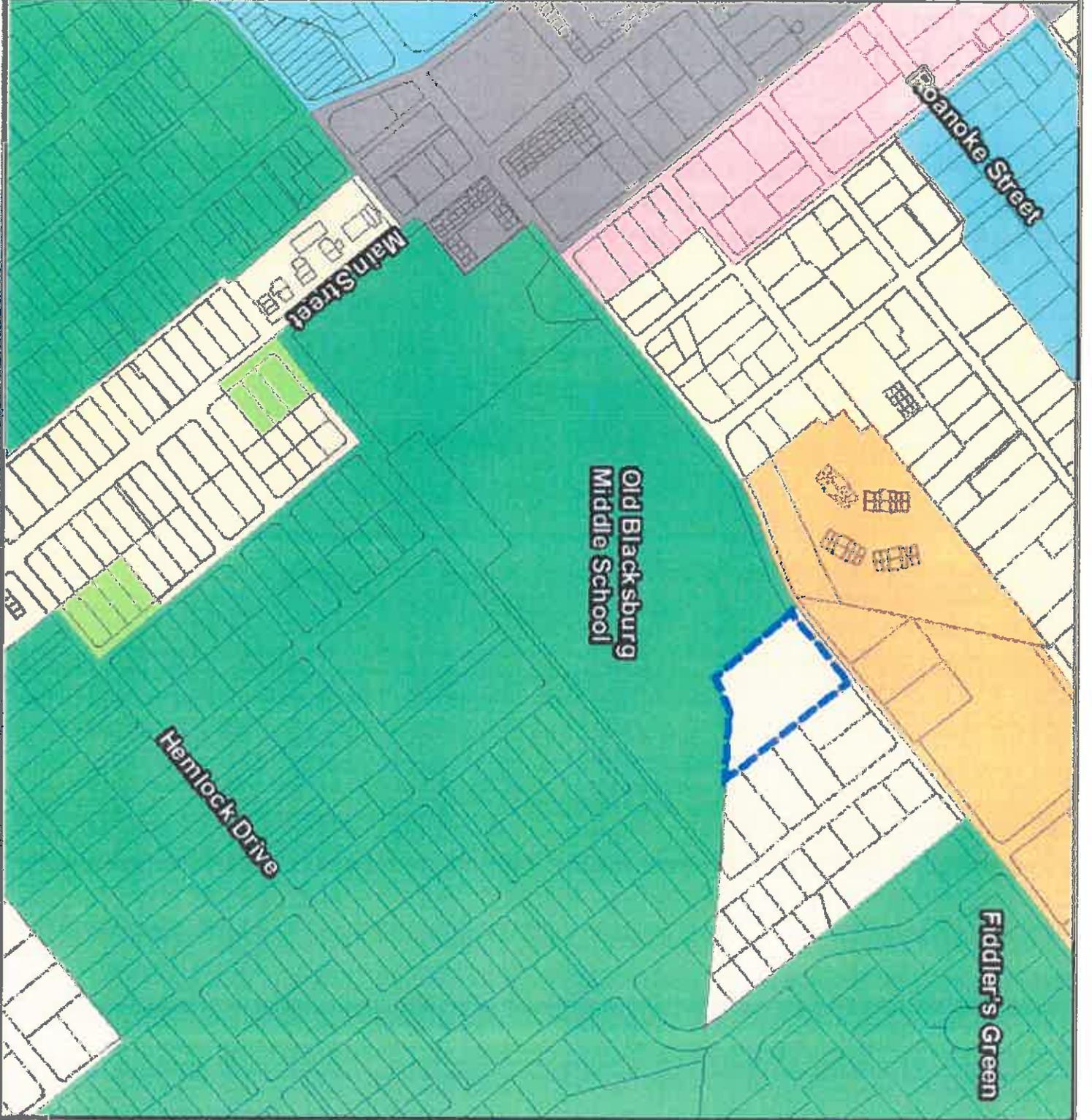
RZN18-0004
402 Clay St.
Planned
Residential

Current Zoning

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



Blacksburg TOWN OF
VIRGINIA



RZN18-0004
402 Clay Street Rezoning
Neighborhood Meeting

Wednesday, April 25, 2018

6:00 pm

Blacksburg Motor Company building, 400 South Main Street

Town staff in attendance were Anne McClung and Kasey Thomsen. John Neel of Gay & Neel along with Josh MacDonald of Gay & Neel and Jeffrey Mitchell, The Mitchell Law firm were in attendance representing the applicant.

The neighborhood meeting began at 6:03 pm.

Anne McClung began the meeting by explaining the Town of Blacksburg's role in reviewing and processing the application and the timeline and meetings proposed to discuss and decide on this application. She also referred those in attendance to the Town's website where the application, documents and any and all proposed meetings and updates to the project could be found.

John Neel spoke about the prior planning history of the project, the currently proposed request and the details and overview of the project.

Those in attendance had questions/comments regarding the following items:

-A citizen asked for clarification on the limit the occupancy of the housing to one person per bedroom. How would that apply to a couple?

-A citizen inquired as to what the Future Land Use designation was for the property? The attendee also inquired about the ratio of units and bedrooms for each option?

-An attendee agreed that there was a need for senior housing but wondered whether the applicant has done research into what seniors are looking for in housing in the Town of Blacksburg and other local areas? He noted there are many types of senior housing options with many differing amenities. The attendee was there to gather information for his friend who is a quadriplegic. The citizen asked if there be a garage that could accommodate a handicapped van. Would units in the development have any space for residents?

-A neighbor in attendance noted that this definitely fulfills a need in the area but that the property is surrounded by "noisy" student housing which may not mesh well with the target populace who may desire a quieter area. There was a suggestion that sound blocking measures should be considered.

-A citizen asked when the general public would receive more detail about the footprint of the building, parking, Floor Area Ratio (FAR) and recreation space.

-An attendee asked what the difference was between senior housing and assisted living housing? The attendee also noted concerns about what would stop this from becoming "football houses?"

-A person asked if these would be owned or rented out by a central agency. Could owners rent out the property after purchase?

-The owner of 406 Clay Street was concerned about the height of the building and the shadow that it might cast on his property. He is also concerned about proposing the project as senior housing but the use may change if they (applicant) find it is not financially feasible. He inquired if the applicant operates any student housing development? He also wanted to correct the application in that not all surrounding houses are multi-unit houses; there are single family houses.

-A citizen asked if building elevations and a bird's eye view of the project could be created and provided at a later time.

-A citizen asked if the entrance shown on Clay Street was the only entrance proposed for the development. There were concerns about how will traffic be handled? What plans are the Town and the applicant making to accommodate this traffic?

-Several attendees then shared problems with existing cut-thru traffic on Willard Street and noted it is increasing as an alternative to Main Street. This development and other proposed development in the area will make this problem even worse.

-An attendee asked for the assisted living option, how many parking spaces are planned?

-An attendee asked where the staff will park.

-A citizen asked if the applicant was planning to install sidewalk along Clay Street and would there also be curb and gutter constructed.

-A person asked for clarification that if the parking shown for the assisted living was below grade and then would the building actually be 4 stories in height and not 3?

-A citizen asked about the total acreage of the project property.

-An attendee asked the independent living option was chosen, how would parking be handled then?

-A citizen asked if the applicant has built anything other than 3-story buildings. Are there other models for this type of use?

-A person stated that with the property rezoning the density would increase from 20 bedrooms per acre to 55 bedrooms per acre.

-A person asked for clarification as to when the Planning Commission meeting would occur.

-A citizen asked when the decision would be made as to whether independent living housing option or the assisted living housing option would be constructed. There was concern about having multiple option and a "last minute" decision as to which would occur.

-A citizen said that it seemed a "time smart" move to decide later when more might be known about the Blacksburg market.

-A person asked if the applicant was considering any other locations in the area for this type of housing.

-An attendee asked if the assisted living housing option is approved and/or chosen, how much space is required for the facilities needed. There was further inquiry about how many employees would work at the facility and how many jobs will be created? Will the facilities include meals and medical care?

-An attendee asked if pets will be allowed. The surrounding neighbors have issues with pet owners not cleaning up after their animals.

-An attendee asked who owns the property now and who owns the property across the street from the project?

The meeting was adjourned at 7:03 pm.

