

RESOLUTION 4-A-13

A RESOLUTION GRANTING AN AMENDMENT TO A CONDITIONAL USE PERMIT TO BROWNSTONE, LLC, FOR A GENERAL OFFICE USE AND/OR MEDICAL OFFICE USE ON THE GROUND FLOOR IN THE DOWNTOWN COMMERCIAL ZONING DISTRICT AT 301 SOUTH MAIN STREET

WHEREAS, Brownstone, LLC, previously applied for a Conditional Use Permit for General Office and/or Medical Office on the Ground Floor in the Downtown Commercial Zoning District at 301 South Main Street (Tax Map Number 257-A-54), which was granted by Resolution 10-E-12;

WHEREAS, Brownstone, LLC, has requested an amendment to the previously granted Conditional Use Permit; and

WHEREAS, this Council, after notice and public hearing thereon, has considered the application in light of its conformity with the Town's Comprehensive Plan; its harmony with the purposes and standards of the Zoning Ordinance; its compatibility with permitted and existing uses and purposes and conditions of the relevant zoning district; and its impact on the surrounding neighborhood.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Blacksburg:

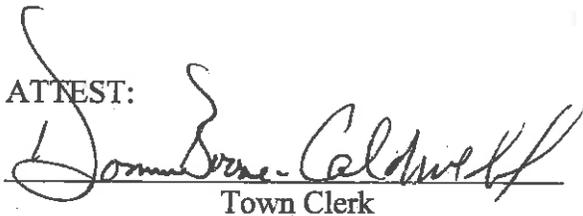
1. That, based on the above considerations, the Council makes the following findings: (a) this request does conform to the Town's Comprehensive Plan, or to specific elements of such plan and to official policies adopted pursuant thereto, including the purposes of the Zoning Ordinance, as set out in §1102 thereof; (b) this request shall not have an undue adverse impact on the surrounding neighborhood, in terms of public health, safety or general welfare; and (c) this request is in conformity with the applicable performance standards set forth in the Zoning Ordinance.

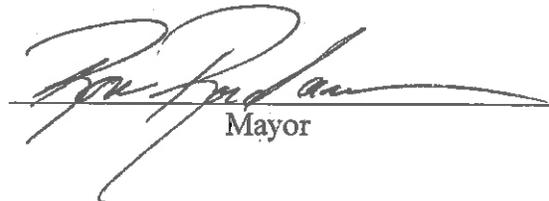
2. That, in accord with Zoning Ordinance § 3141(b), the Council hereby grants to Brownstone, LLC, a Conditional Use Permit for a General Office use and/or Medical Office use in the Downtown Commercial Zoning District, on the ground floor of 301 South Main Street, to be established and conducted in substantial conformance with the application dated February 1, 2013, and with the following conditions:

- a. The combined total of medical or general office use shall be a maximum amount of 33% (~~4,351 square feet~~) of the completed project's ground floor area.
- b. The total general office use shall be a maximum amount of 20% (~~2,637 square feet~~) of the completed project's ground floor area.

- ~~e. The permitted office ground floor area shall have a minimum of two tenants.~~
- c. Since this conditional use permit is intended to be limited, once the maximum amount of permitted square footage of office space has been placed into use, the physical location of the permitted office space shall be considered to be fixed and not transferable to other areas on the ground floor. If the use of a permitted office space changes to a use permitted by right, a new conditional use permit shall be required to re-establish an office use in that space. The location and calculation of the maximum permitted amount of office shall be based upon the amount of ground floor as shown in the application. Sales or changes in the ownership of individual units on the ground floor shall not affect these locations or calculations.
- d. The owner shall provide to the Zoning Administrator, with each certificate of occupancy for an office use, a tally of the square footage in office uses and the square footage remaining for office uses.
- e. No electronic (including LED) reader board signs shall be allowed for use by the permitted office space.

ATTEST:


Town Clerk


Mayor

Date of Adoption: April 9, 2013