



Gilbert Street Mixed-Use

Change in Zoning Classification

Amendment to Signage District Overlay Application

Blacksburg, Virginia



NORTH END
shop. dine. enjoy.

Prepared for:
Virginia Tech Foundation, Inc.
University Gateway Center
902 Prices Fork Road
Suite 130 (MC 0490)
Blacksburg, Virginia 24061

August 1, 2019

W.M.
Jordan
COMPANY

 HANBURY



Draper Aden Associates
Engineering • Surveying • Environmental Services

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**TOWN OF BLACKSBURG
CHANGE OF ZONING CLASSIFICATION APPLICATION (REZONE)**

This application and all accompanying information must be submitted in full before the Rezoning Request can be accepted by Town staff. Once the Planning and Building Department accepts the application, it will be referred to the Planning Commission and Town Council for consideration. The application and all accompanying information will become conditions of approval. Proffered conditions of approval are binding. Please contact the Planning and Building Department at (540) 961-1126 for application deadline or questions, or to schedule the **required** pre-submittal meeting.

The following items **MUST** accompany this application for the Town of Blacksburg to accept this application for processing and review. Any items submitted cannot be larger than 11x17 in size:

- 1) Written, signed consent of the property owner. If the applicant is the contract purchaser, the written consent of the property owner is required
- 2) One copy of a site plan with surveyed boundaries for the property showing the lot, existing and proposed structures, site improvements, parking areas and spaces, and any other information necessary to determine the ability to meet the Zoning Ordinance site development standards, Use & Design standards and physical compatibility with the neighborhood
- 3) Building elevations for all proposed buildings -or- elevations showing any changes to existing buildings
- 4) Vicinity map (may be included on the site plan) showing surrounding uses, zoning districts, buildings and other improvements within 300' of the property
- 5) Legal description of the property
- 6) Completed VDOT 527 (Traffic Impact Analysis) Form
- 7) A list of adjacent property owners (including properties across a street) and their addresses, plus the cost of CERTIFIED FIRST CLASS postage for notifying each adjacent property owner (no stamps, please)
- 8) Fee of \$100 for the Town of Blacksburg to post all public hearing signs. **Please note:** The applicant may choose to post the property, using signs provided by Town Staff, and not be subject to the posting fee
- 9) Fee of \$1500 for Rezoning, or \$2000 for Planned Residential Rezoning, or \$1000 for amendment to existing Planned Residential District. Please make your check or money order payable to the TOWN OF BLACKSBURG
- 10) Proof of pre-submittal meeting between Town staff and applicant/agent
- 11) Prior to the initiation of an application for Rezoning, or prior to the issuance of final approval, the applicant shall produce satisfactory evidence that any delinquent real estate taxes owed, which have been properly assessed against the subject property, have been paid (§ 1150)
- 12) Any applicant for a Rezoning shall make complete disclosure of the equitable ownership of the real estate to be affected including, in the case of corporate ownership, the names of stockholders, officers and directors, and in any case the names and addresses of all of the real parties of interest. The requirement of listing names of stockholders shall not apply to a corporation whose stock is traded on a national or local stock exchange, and which corporation has more than 500 shareholders (§ 1110)
- 13) Proffer statements that meet the requirements as stated below
- 14) Digital copies (PDF) of all application materials are required at the time of submittal, or within 10 working days of the submittal date.

SIGNATURE OF APPLICANT/CONTACT PERSON + PRINTED NAME:

C.S. "SKIP" SMITH III

DATE: 7/30/19

By signing this application, I affirm that this application is complete and all required items are included

SIGNATURE OF PROPERTY OWNER + PRINTED NAME:

DATE: 7/30/2019

By signing this application, I affirm that this application is complete and all required items are included

Location or Address of Property for Rezoning: 211 Prices Fork Road; 460 Turner Street; 400 Turner Street; 300 Turner Street; and 212 Turner Street

Tax Parcel Number(s): 226-A-105; 226-A-102; 226-A-99; 226-A-96; 226-A-95; 226-A-83; 226-A-98; 226-A-97; 226-A-107; 226-A-135; 226-A-135B; and 226-A-135C

Acreage: 7.171

Present Zoning District: Downtown Commercial (DC) with Conditions

Proposed Zoning District: Downtown Commercial (DC) with Amended Conditions (Applicant has filed simultaneously herewith a Change of Zoning Classification Application)

Present Use of Property: Restaurants, retail

Proposed Use of Property: Mixed-Use of restaurants, retail, office, public event space

Is this request for an amendment to an existing Conditional Zoning or Planned Residential District? Yes

Previous Rezoning Ordinance Number: Ordinance 1734

APPLICANT/MAIN CONTACT PERSON (Contract Purchaser if applicable)
NAME: Skip Smith, Vice President of Development , W.M. Jordan Company, Incorporated
ADDRESS: 11010 Jefferson Avenue, Newport News, Virginia 23601
PHONE: (757) 596-6341 EMAIL: ssmith@wmjordan.com

PROPERTY OWNER(s) (If property is held in an LLC or other corporation, names of all partners must be disclosed. All names of members or beneficiaries of a trust must also be disclosed. Signature blocks for multiple property owners may be obtained on separate sheets if needed)
NAME: C S Shopping Center, LLC
ADDRESS: c/o Virginia Tech Real Estate Foundation, 902 Prices Fork Road, Suite 130, Blacksburg, Virginia 24061
PHONE: (540) 231-6374 EMAIL: carrie.woodring@vtf.org

ENGINEER/ARCHITECT (optional)
NAME: Carolyn Howard, Vice President, Regional Manager, Draper Aden Associates
ADDRESS: 2206 S Main Street, Blacksburg, Virginia 24060
PHONE: (540) 552-0444 EMAIL: choward@daa.com

DESCRIPTION OF REZONING REQUEST

Section 15.2-2286(A)(7) of the State Code of Virginia states that, " Whenever the public necessity, convenience, general welfare, or good zoning practice requires, the governing body may, by ordinance, amend, supplement, or change the regulations, district boundaries, or classifications of property. **It is the applicant's responsibility to provide a narrative outlining the following information in order to assess the public necessity, convenience, general welfare, or good zoning practice of the request** (attach additional pages if necessary).

Need and justification for the change in zoning classification

Please see attached

Identify any anticipated effect of the proposed change on public services and facilities

Please see attached

Justify appropriateness of the property for the proposed change, as it relates to the intent of the zoning district requested and applicable use and design standards for all proposed uses

Please see attached

Relationship of the proposed change to the Comprehensive Plan (Include FLU designation)

Please see attached

Way in which the proposed change will further the purposes of the Zoning Ordinance and general welfare of the community

Please see attached

PROFFERED CONDITIONS

Potential proffers can be discussed as part of the presubmittal meeting, and should also be a part of the discussions with staff early in the review process.

PROFFERED CONDITIONS, IF ANY, MUST:

- 1) Be prepared by an attorney and be completed and accepted by the Town prior to the advertising for the Planning Commission Public Hearing;
- 2) Have a reasonable relationship to the rezoning;
- 3) Not include a cash contribution to the Town;
- 4) Not include mandatory dedication of property; and
- 5) Not include payment for construction of off-site improvements. The rezoning must give rise to the need for the conditions and the conditions must be related to the physical development or physical operation of the property and be in conformity with the Comprehensive Plan

Attach proffer statement with application.

OWNER CONSENT STATEMENT

I/We the owner(s)/applicant/contract purchaser(s) of the property described on this application do hereby apply for a change of zoning district classification described on this application.

I/We state that no application for a change in zoning district classification, substantially the same as this request, has been considered by the Town Council for the above-referenced property, or any part thereof, within one year prior to the date of this application.



 SIGNATURE OF OWNER/APPLICANT

7/30/2019

 DATE

2.0 DESCRIPTION OF CHANGE OF ZONING REQUEST

2.1 Need and Justification for the Change in Zoning Classification-Amendment to Signage District Overlay

This Change of Zoning Classification Application (Rezone) is hereby submitted to request an amendment to the existing North End District Signage Overlay pursuant to Ordinance 1734 adopted by the Town of Blacksburg, which Ordinance 1734 applies to Tax Map Numbers 226-A-105; 226-A-102; 226-A-99; 226-A-96; 226-A-95; 226-A-83; 226-A-98; 226-A-97; 226-A-107; 226-A-135; 226-A-135B; and 226-A-135C.

C S Shopping Center, LLC, as owner of the parcels identified as Tax Map Numbers 226-A-105; 226-A-102; 226-A-99; 226-A-96; 226-A-95; 226-A-83; 226-A-107; and 226-A-97 (collectively, the "C S Shopping Center Fee Parcels") and ground lessor of the parcel identified as Tax Map Number 226-A-98 (the "C S Shopping Center Ground Lease Parcel") (the "C S Shopping Center Fee Parcels" and "C S Shopping Center Ground Lease Parcel" are, collectively, referred to herein as the "Property") and Turner Street Project, LLC, as owner of the parcels identified as Tax Map Numbers 226-A-135; 226-A-135B; and 226-A-135C (collectively, the "Turner Street Project Parcels") hereby request the Amendment to the North End District Signage Overlay in connection with CS Shopping Center, LLC's plans to construct a five-story mixed-use building (with rooftop terrace). C S Shopping Center, LLC has provided a copy of this Application to John Hoernemann, ground lessor, in accordance with the Ground Lease recorded in the Clerk's Office of the Circuit Court for Montgomery County, Virginia, in Deed Book 1092, at page 546. A copy of the notice letter that was sent to Mr. Hoernemann is attached to this Change of Zoning Classification Application (Amendment to Signage District Overlay), and a copy is enclosed with this Application.

The proposed Gilbert Street Mixed-Use Building, consisting of approximately 250,000 square feet of gross floor area, will replace two existing buildings located at 211 Prices Fork Road and 400 Turner Street with an iconic, mixed-use building designed to LEED Silver standards and located at the entrance to downtown serving as a flagship for retail, restaurant and office commercial buildings in Downtown Blacksburg. The Applicant has simultaneously submitted a Change of Zoning Classification Application (Rezone) to rezone the Property from Downtown Commercial (DC) with Conditions to Downtown Commercial (DC) with Amended Conditions and a Conditional Use Permit Application for the construction of the five-story

building with rooftop terrace up to a 100' allowance with projected height to be approximately 97'. The #460 Building (460 Turner Street) will remain as currently constructed.

Critical to the vibrancy of Downtown Blacksburg are retail and restaurants that provide services to residents of Blacksburg and visitors to the area, especially pedestrians taking advantage of the businesses located within the Downtown. The Gilbert Street Mixed-Use Building are expected to include a national retailer as well as additional smaller retailers, a public-use signature restaurant with outdoor space on the first level, and a public-use rooftop restaurant with an outdoor terrace and event space. Total retail and restaurant area is estimated to be 45,462 square feet. This is an increase of 30,040 square feet above the current retail space in 211 Prices Fork Road and 400 Turner Street.

Attached hereto is the current North End Signage District Plan 1.0, dated May 1, 2014. This Application is being submitted in order to accommodate the signage needs of future tenants within the Gilbert Street Mixed-Use Building. "Tenant Signage" for the North End District Signage Overlay will enable tenants (excluding Major Tenants, as defined below, which will have alternative signage criteria and conditions) the capability of having up to fifteen (15) square feet of signage on each exterior façade, not to exceed two per affected tenant, for tenants fronting along multiple roads (public or private) and/or the parking areas. The North End Signage District Plan 1.0 (revised date August 1, 2019) attached hereto illustrates the allowable locations of signage on the existing and proposed buildings. The Virginia Tech Foundation – Gilbert Street Mixed Use Signage Elevation attached hereto illustrates the proposed locations of Tenant Signage on the proposed Gilbert Street Mixed-Use Building. Each Major Tenant, as defined below, will have the capability of having up to sixty (60) square feet of signage on each exterior façade, not to exceed two per affected tenant, for Major Tenants fronting along multiple roads (public or private) and/or the parking areas. Monument signs will be as shown on the attached North End Signage District Plan 1.0. Applicant will illuminate the district boundary sculptures in the locations as shown on the attached North End Signage District Plan 1.0 For purposes hereof, "Major Tenant" is any tenant in the Gilbert Street Mixed-Use Building that leases (i) 12,500 square feet or more; or (ii) leases the rooftop terrace restaurant and/or event space.

Allowable signage locations and size are critical to attracting retail and restaurant tenants, because visibility of tenant signage for vehicular and pedestrian access is vital to their success. Accordingly, this Application is being submitted to accommodate signage for tenants within the North End District.

A pre-application meeting with the Director of Planning, the Applicant and Property Owner was held on July 16, 2019.

2.2 Impact on Public Services and Facilities

The proposed amendment to the North End District Signage Overlay will have no impact on public services and facilities.

2.3 Justification Relating to the Zoning District and Use and Design Standards

2.3.1 Justification Relating to the Zoning District

The Applicant recognizes that the Downtown Commercial district is the heart of Town culturally, geographically, and historically and is intended to be a predominantly pedestrian area, catering to bicycle and pedestrian traffic with shops and storefronts close to the road, pedestrian scale, wide walkways, street trees and limited off-street well screened parking. The design of the building, proximity to Turner Street and Gilbert Street for pedestrian access and first floor retail and restaurant with outdoor patio areas, will foster a predominate pedestrian access, focusing on both bicycle and pedestrian users. A terraced landscape wall along Turner Street dually serves as a pedestrian ramp for ease of access to the ground floor retailers as well as an aesthetic feature of the building. The office users will provide additional downtown foot traffic for existing restaurants and retail shops. Sidewalk width from back of curb to the building at ground level will be at least ten (10) feet on Prices Fork and Turner Street.

The proposed Amendment will assist tenants within the North End District to attract visitors and customers to foster the vitality and business operations within the district. Signage will assist in steering pedestrians and vehicles to the Property which is within the heart of Town.

2.3.2 Justification Relating to the Use and Design Standards

Signage use (i.e. location and purpose of identification for tenants) and design will be consistent with the signage currently located on the existing buildings on the Property. The Applicant recognizes that

consistency and conformity in the quality, standards and aesthetic appeal should be observed in order to preserve the visual character of the Property.

Signage will be consistent in quality, standards and aesthetic appeal to the sign renderings entitled, "NORTH END SIGNAGE DISTRICT PLAN: DISTRICT BOUNDARY SCULPTURE 2.0", revised date September 27, 2013; "NORTH END SIGNAGE DISTRICT PLAN: DISTRICT MONUMENT SIGN 3.0", revised date September 27, 2013; "NORTH END SIGNAGE DISTRICT PLAN: BUILDING MONUMENT SIGN 4.0", revised date September 27, 2013; "NORTH END SIGNAGE DISTRICT PLAN: DIRECTIONAL SIGN PYLON 5.0", revised date September 27, 2013; "NORTH END SIGNAGE DISTRICT PLAN: DIRECTIONAL SIGN PYLON 5.1", revised date September 27, 2013; and "SIGN BACKGROUND ELEVATION" prepared by Sign Systems; and "TENANT SIGNAGE FOR NORTH END – BLACKSBURG, VIRGINIA", dated December 16, 2013 prepared by Thomas Koontz Architect, PC, all of which are attached hereto.

2.4 Compatibility with the Comprehensive Plan

The 20-Year Illustrative Vision for the subject site identifies it as "Retail Opportunity". There are a number of attributes that contribute to the Downtown Commercial community's character and uniqueness and that give it a "sense of place." The vision for Downtown Northwest is walkable, urban, architecturally appealing with mixed use targeting retail anchors along Prices Fork. The Gilbert Street Mixed-Use Building offers all of those attributes to help foster the character and uniqueness of the downtown.

Tenant signage will contribute to the vitality of the retail opportunity for the Gilbert Street Mixed-Use Building and the existing buildings or building to be constructed adjacent to it. Signage criteria (size, location and design) have been carefully considered to ensure their compatibility with the Downtown Northwest's character and is consistent with proposed signage shown within the 20-Year Illustrative Vision for retailers that will located downtown.

2.5 Furthering the Purposes of the Zoning Ordinance and General Welfare of the Community

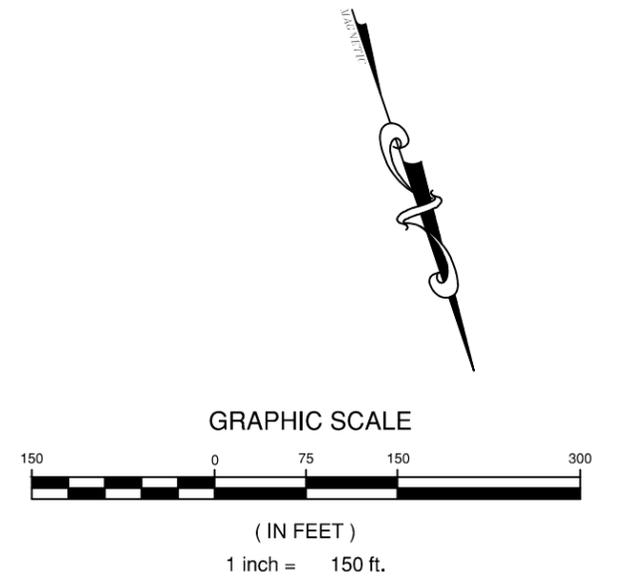
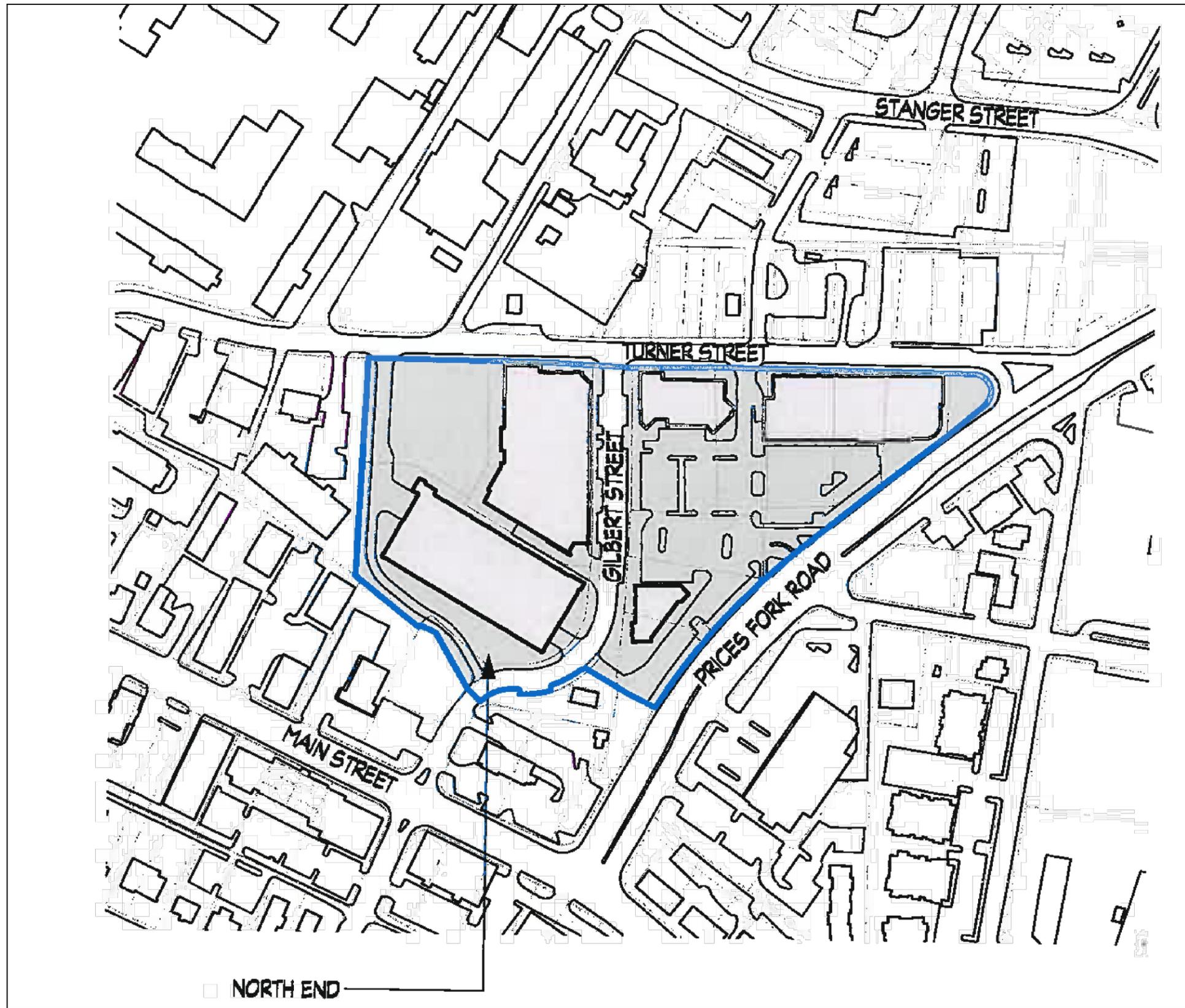
The Gilbert-Street Mixed-Use Building furthers the purposes of the Zoning Ordinance by promoting the character and identity of the Downtown Commercial Zoning District. It will consist of a high-quality building, mix of uses, ground floor retail, density and urbanity, will promote a connection with the VT

campus and downtown, will be walkable, located in a dignified location and be compatible with the surrounding area.

The presence of a national retailer embodies the vision for retail in the corridor as shown on the Town's Downtown plans for future development.

The requested Amendment to the North End District Signage Overlay will help attract new restaurants and retailers to the Downtown District. The proposed signage promotes a consistent and aesthetically pleasing visual environment but affords restaurants and retailers the ability to be viewed by pedestrians and vehicular traffic thereby increasing their economic viability. Signage assists pedestrians and vehicular traffic with way finding.

The district boundary sculptures are enjoyed by Town residents, tenants of the buildings and visitors to the Town. Illumination of the sculptures will enable them to be enjoyed after dark and will present an appealing visual to the North End District.

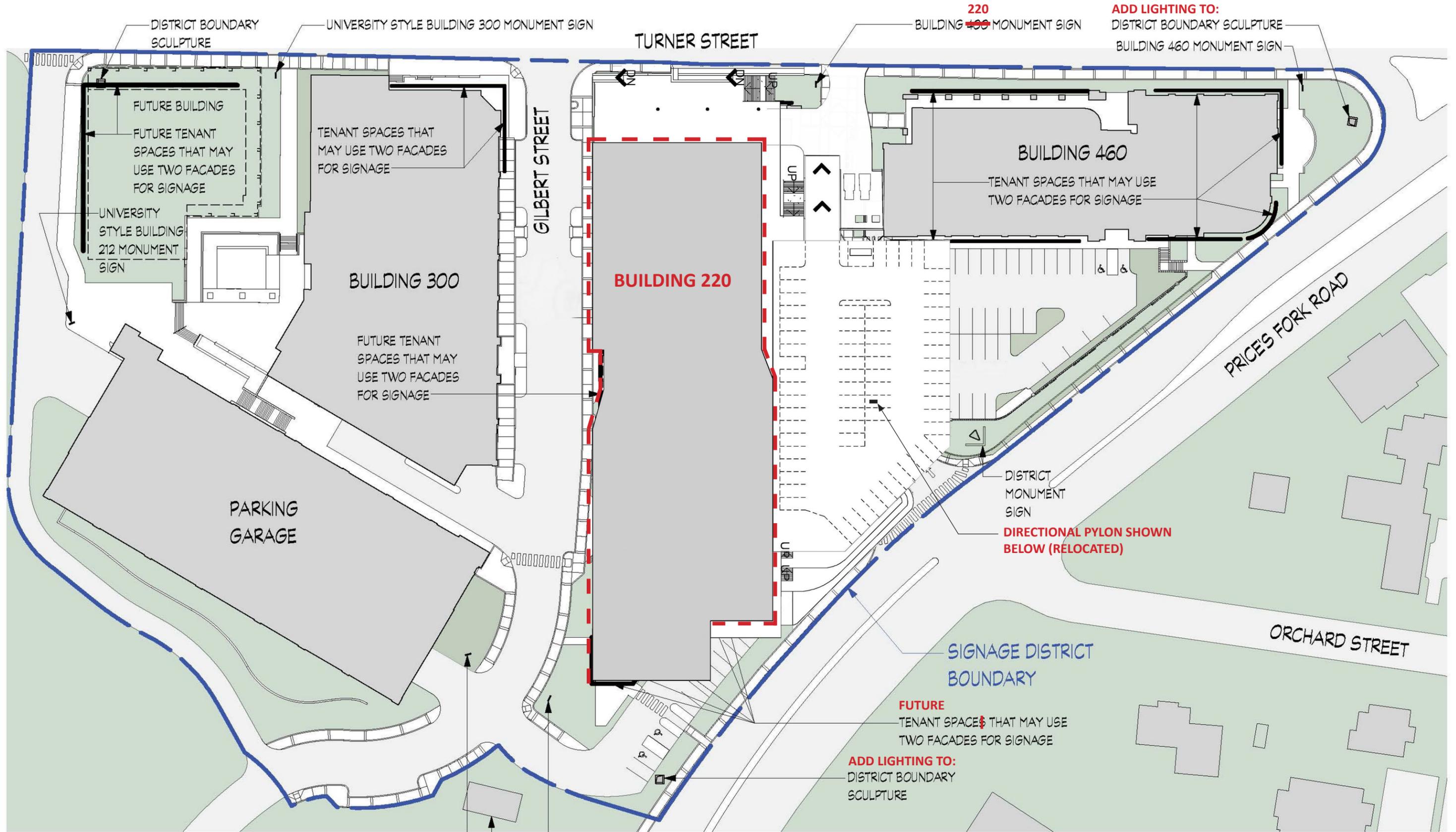


VIRGINIA TECH FOUNDATION - GILBERT STREET MIXED USE

DRAWING NUMBER: 0.0
 DRAWING NAME: North End Vicinity Map



DATE: 1 AUGUST 2019



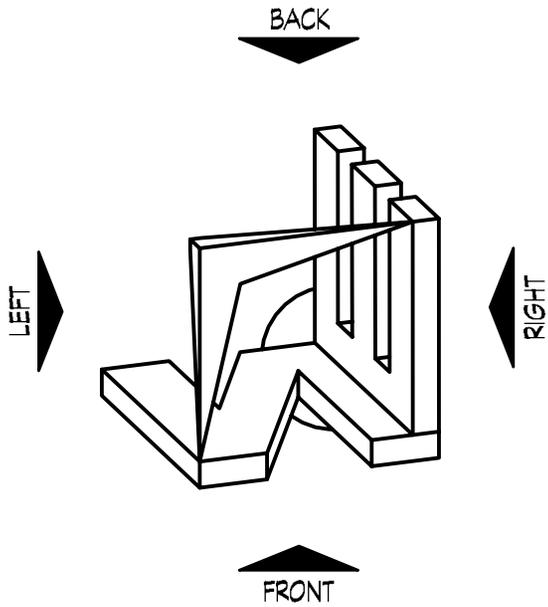
BUILDING 212 MONUMENT SIGN

ODD FELLOWS HALL

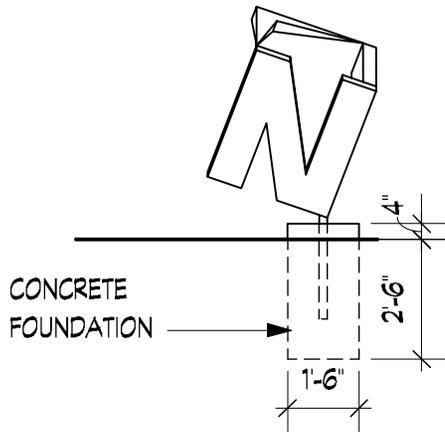
~~DIRECTIONAL SIGN PYLON~~
(REMOVED)

- SIGNAGE DISTRICT BOUNDARY
- SIGNAGE LOCATIONS PERMITTED BY ORDINANCE ~~1700~~ 1734 (NO CHANGE REQUESTED)
- SIGNAGE LOCATIONS REQUESTED IN THIS AMENDMENT TO ORDINANCE ~~1700~~ 1734 FOR EXISTING BUILDING
- - - SIGNAGE LOCATIONS REQUESTED IN THIS AMENDMENT TO ORDINANCE ~~1700~~ 1734 FOR FUTURE BUILDINGS

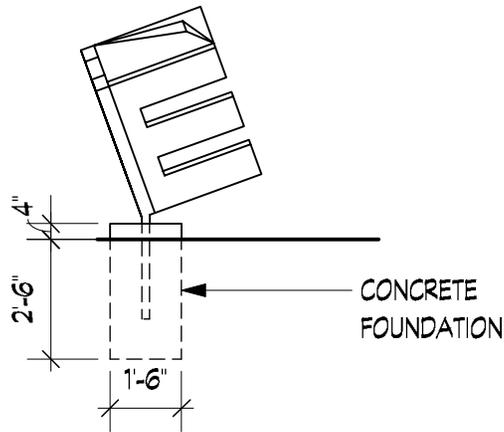




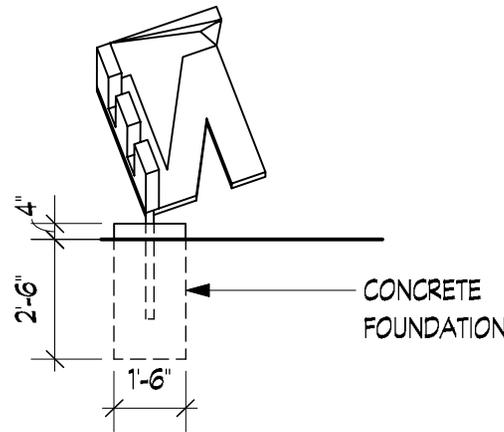
PLAN
SCALE: 1/2" = 1'-0"



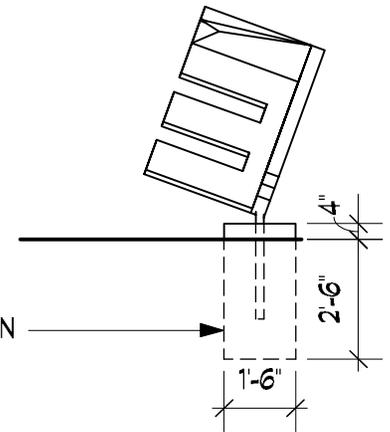
FRONT ELEVATION
SCALE: 1/4" = 1'-0"



RIGHT ELEVATION
SCALE: 1/4" = 1'-0"



BACK ELEVATION
SCALE: 1/4" = 1'-0"

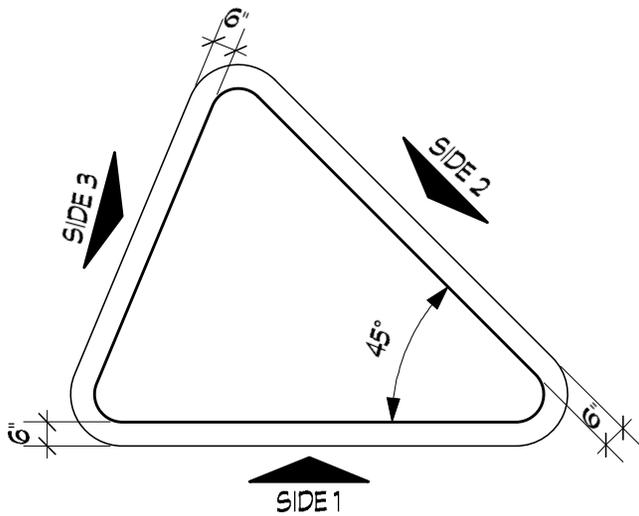


LEFT ELEVATION
SCALE: 1/4" = 1'-0"

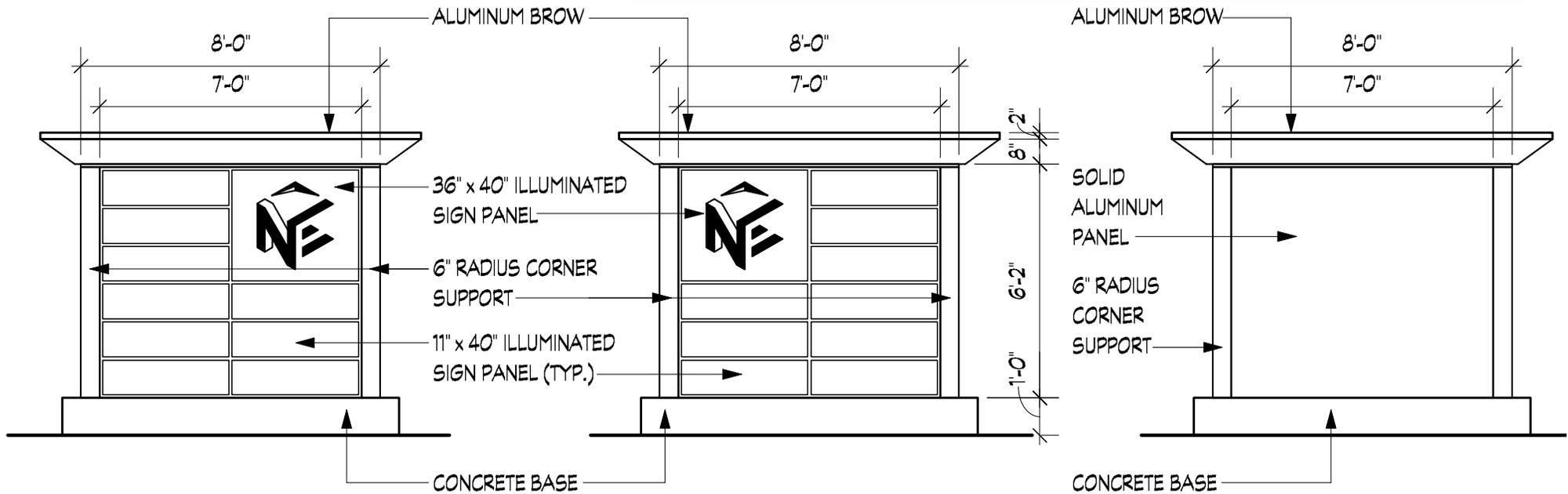
NORTH END SIGNAGE DISTRICT PLAN: DISTRICT BOUNDARY SCULPTURE

REVISED DATE: 09/27/2013

2.0



PLAN
SCALE: 1/2" = 1'-0"



SIDE 1 ELEVATION
SCALE: 1/4" = 1'-0"

SIDE 2 ELEVATION
SCALE: 1/4" = 1'-0"

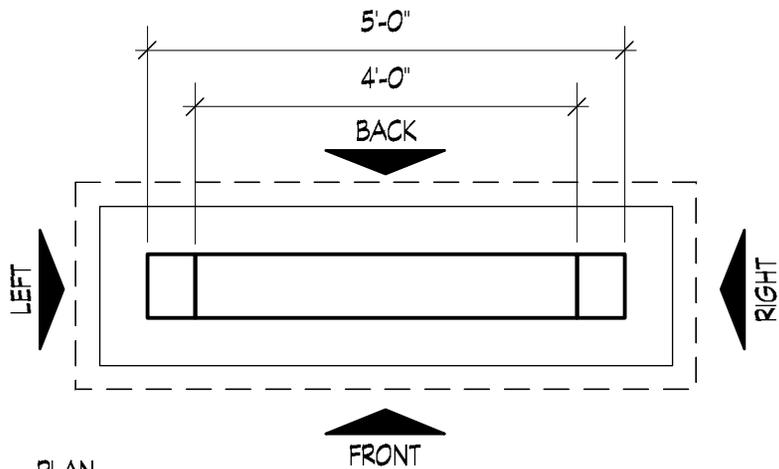
SIDE 3 ELEVATION
SCALE: 1/4" = 1'-0"

NORTH END SIGNAGE DISTRICT PLAN: DISTRICT MONUMENT SIGN

43 SQUARE FOOT AREA PER SIDE

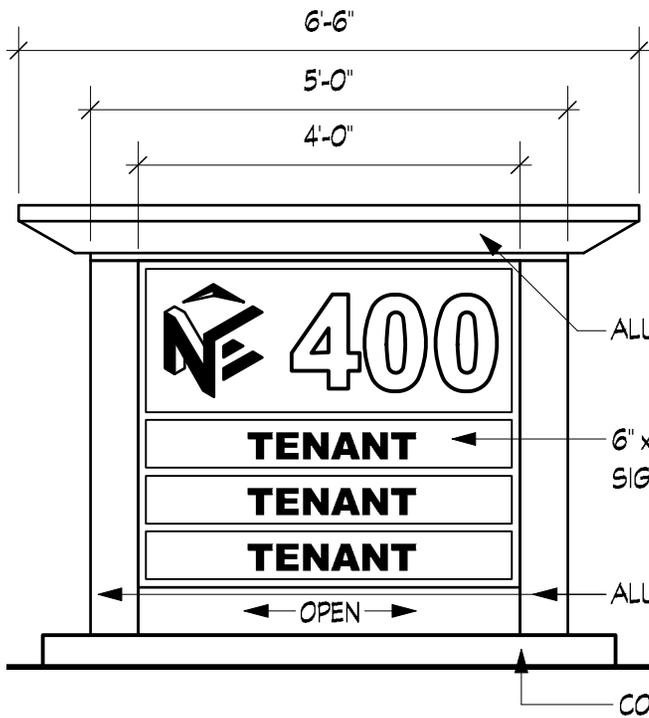
REVISED DATE: 09/27/2013

3.0



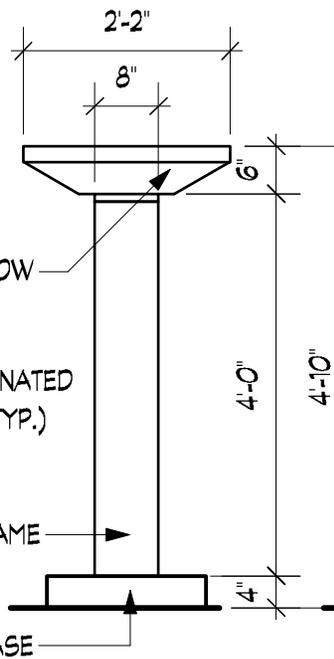
PLAN

SCALE: 1/2" = 1'-0"



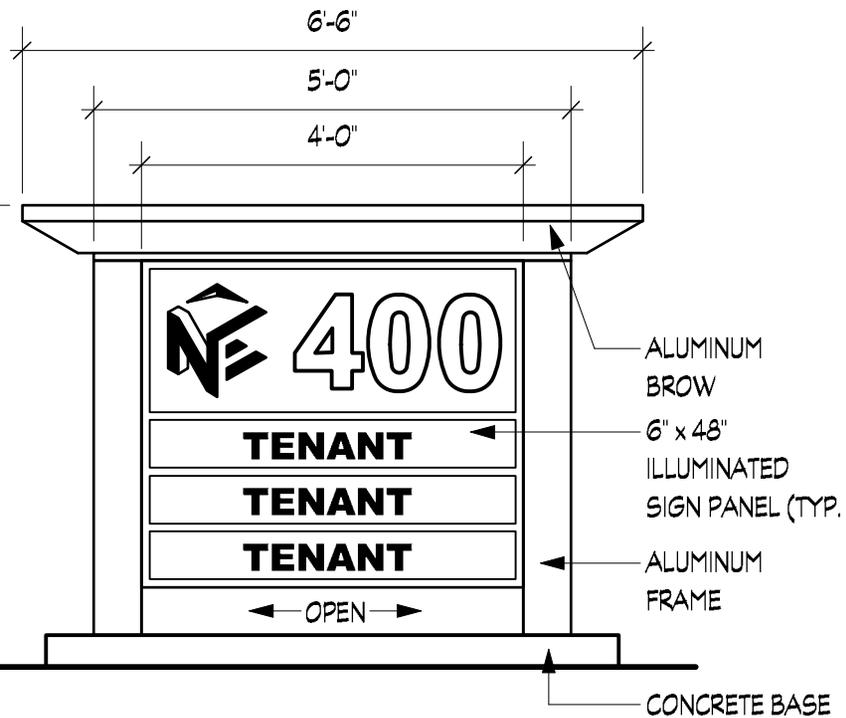
FRONT ELEVATION

SCALE: 1/2" = 1'-0"



RIGHT/LEFT ELEVATION

SCALE: 1/2" = 1'-0"



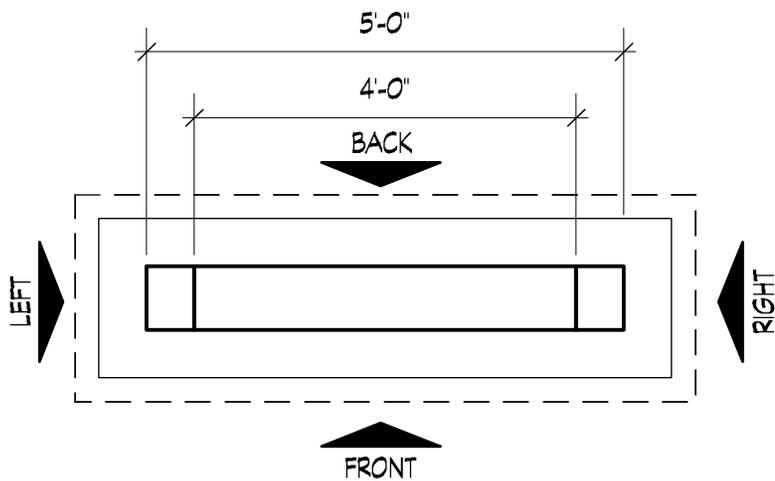
BACK ELEVATION

SCALE: 1/2" = 1'-0"

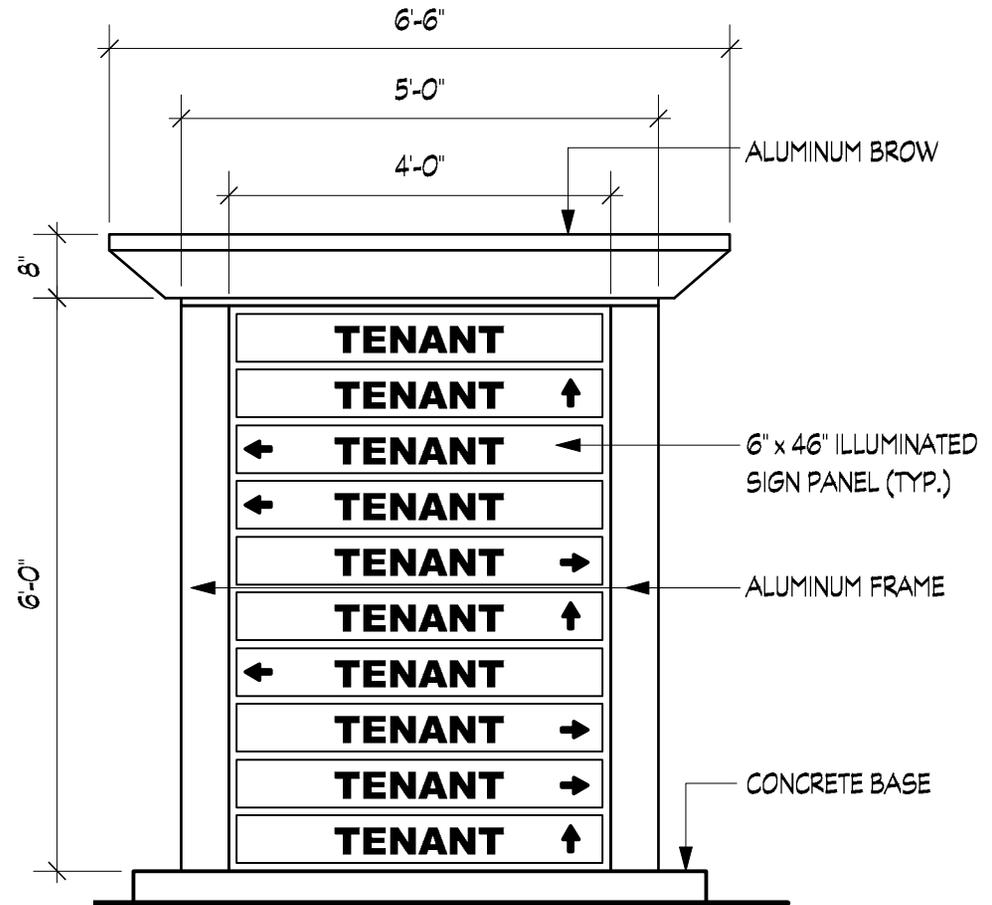
NORTH END SIGNAGE DISTRICT PLAN: BUILDING MONUMENT SIGN

REVISED DATE: 09/27/2013

4.0



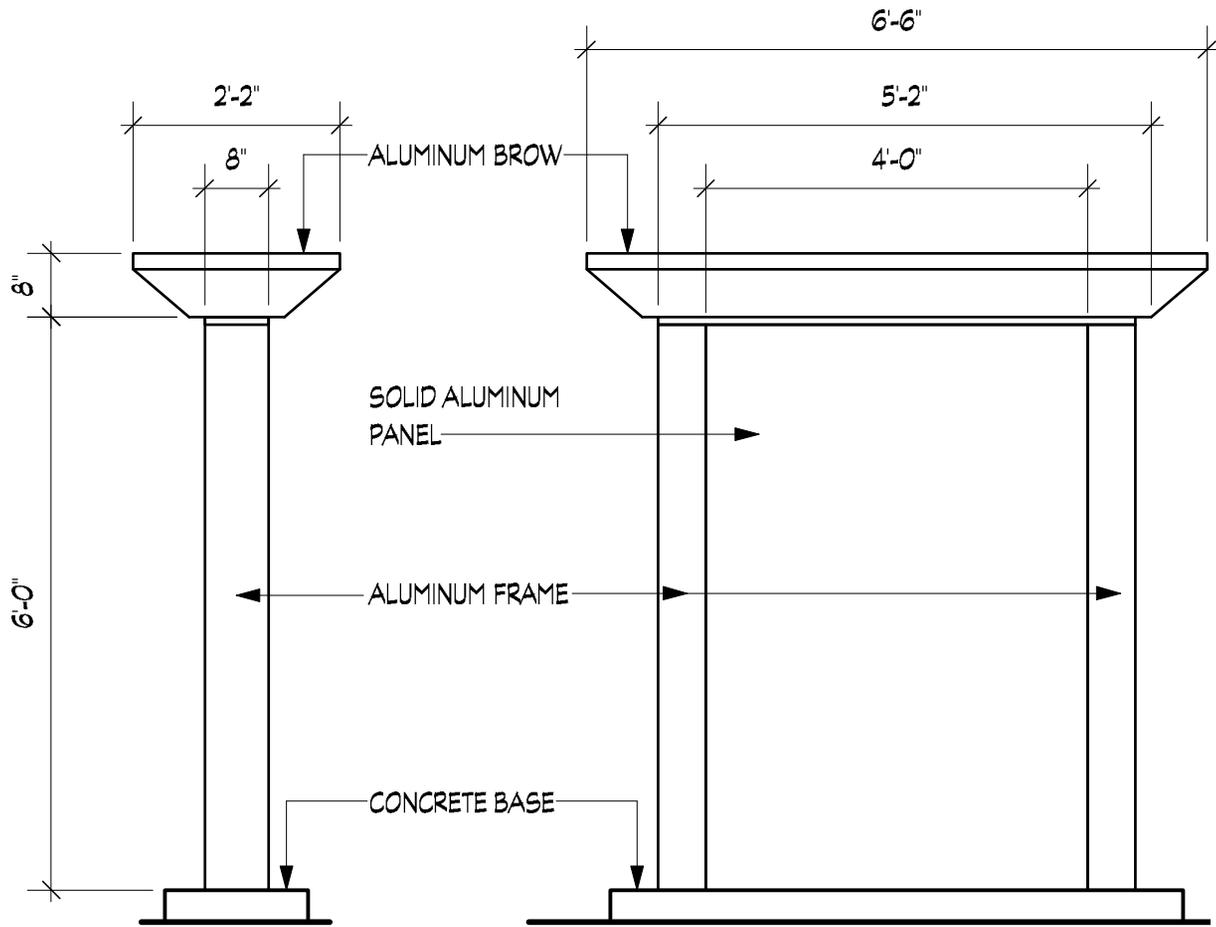
PLAN
SCALE: 1/2" = 1'-0"



FRONT ELEVATION
SCALE: 1/2" = 1'-0"

NORTH END SIGNAGE DISTRICT PLAN: DIRECTIONAL SIGN PYLON

REVISED DATE: 09/27/2013

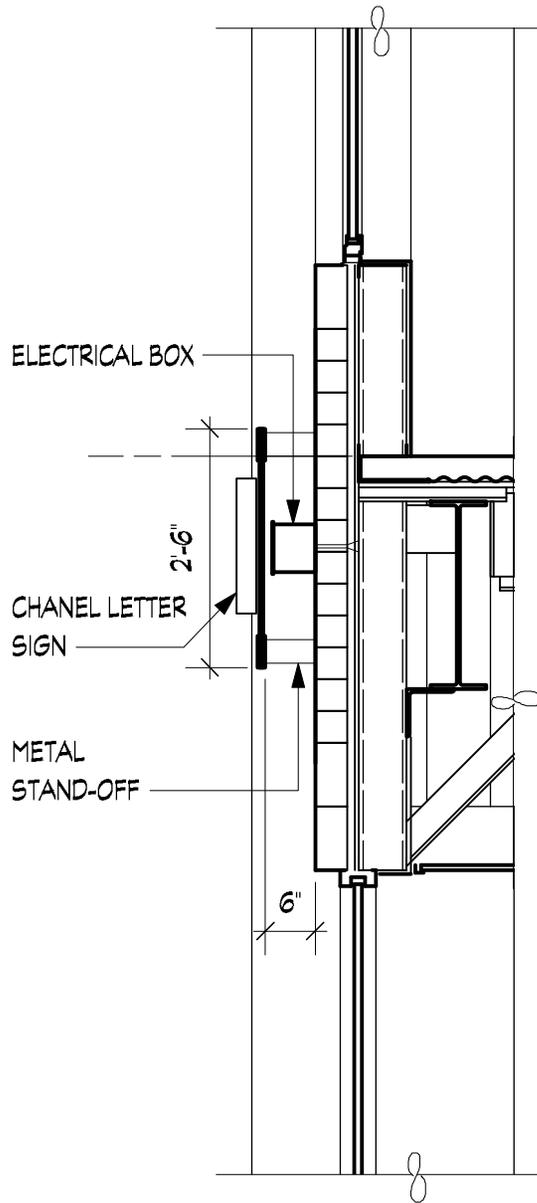


RIGHT/LEFT ELEVATION
SCALE: 1/2" = 1'-0"

BACK ELEVATION
SCALE: 1/2" = 1'-0"

NORTH END SIGNAGE DISTRICT PLAN: DIRECTIONAL SIGN PYLON

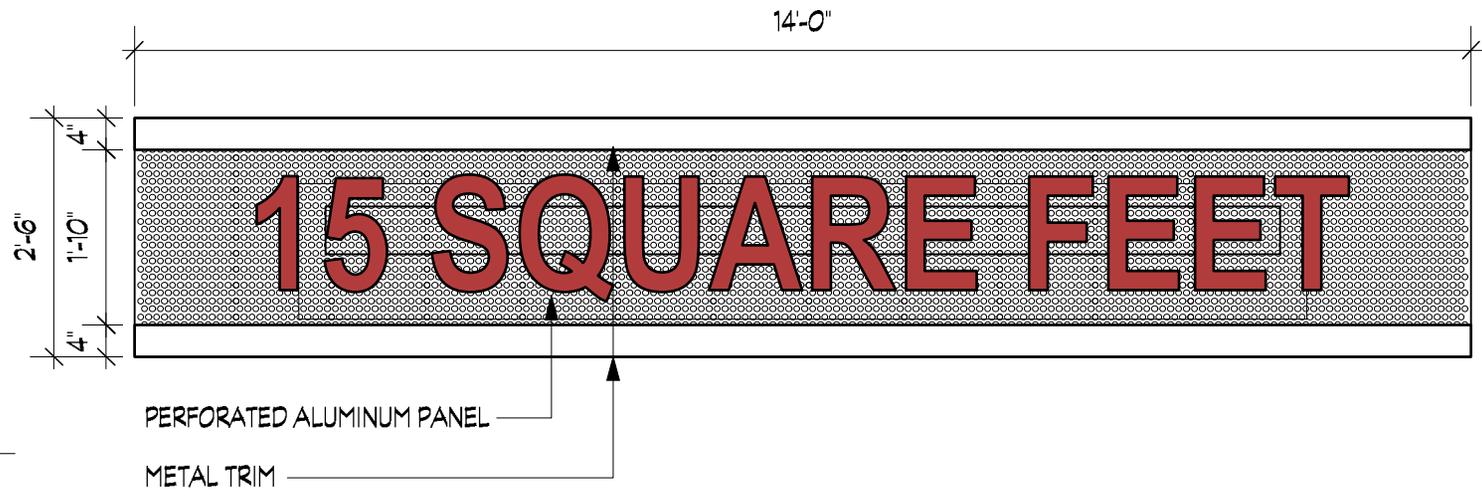
REVISED DATE: 09/27/2013



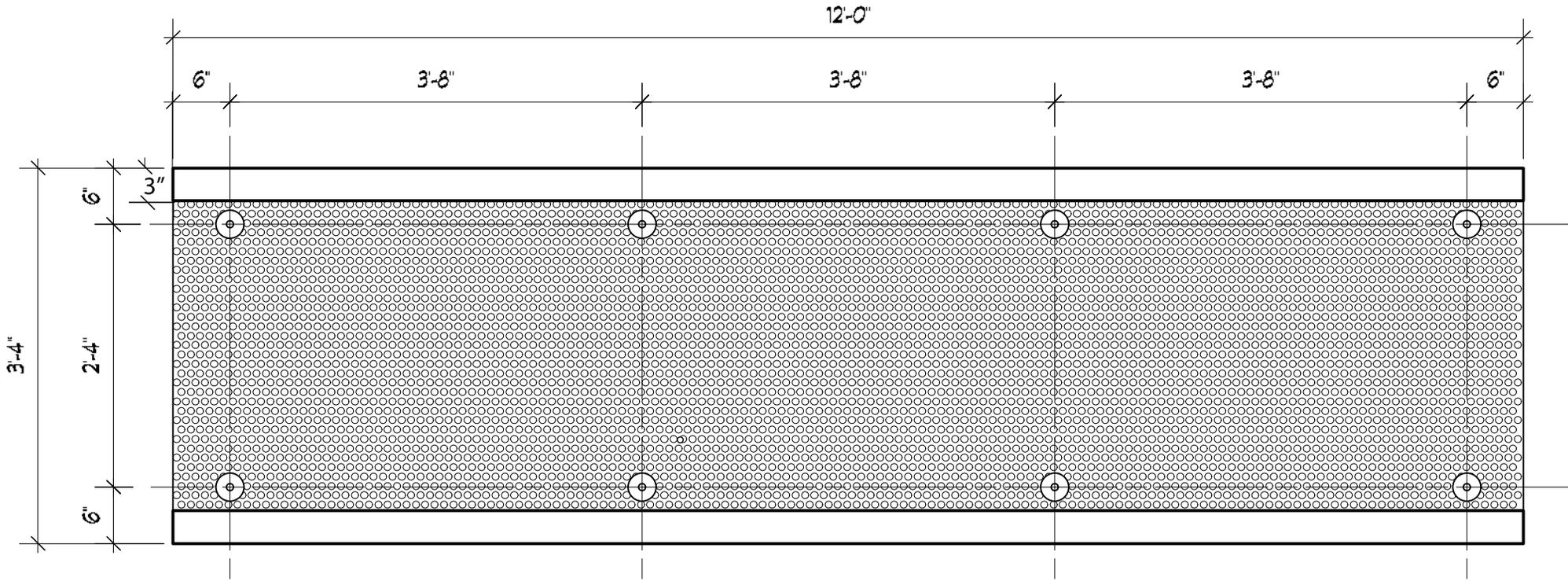
SECTION
SCALE: 1/2" = 1'-0"



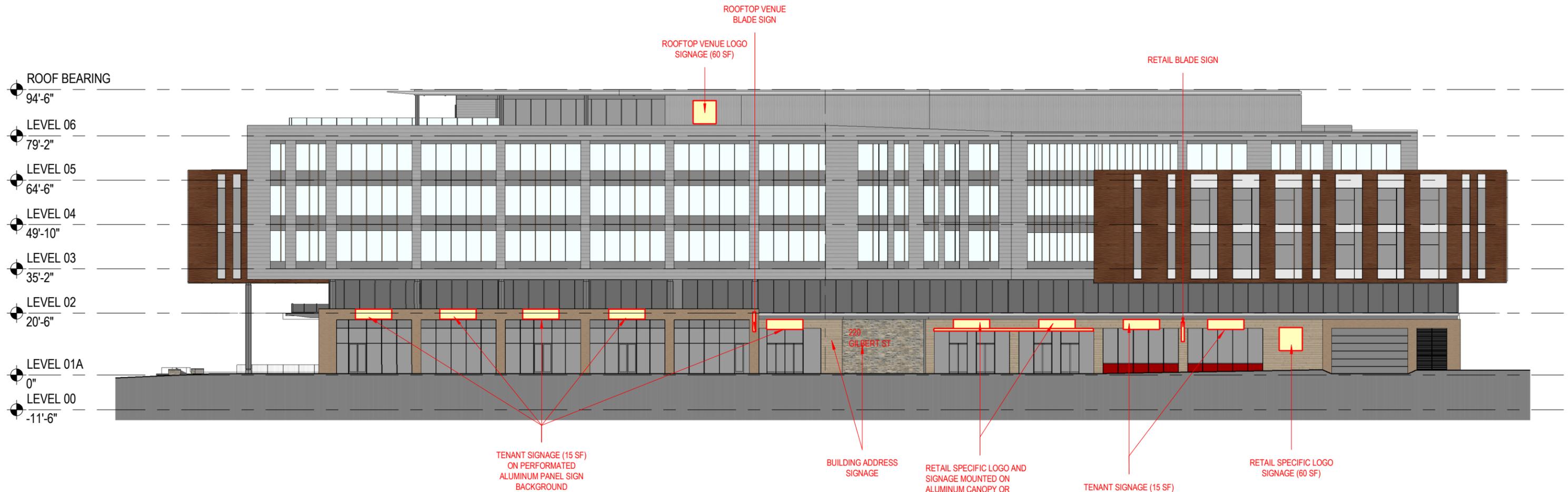
ILLUSTRATION OF SIGNAGE BACKGROUND PANELS ON BUILDING



FRONT ELEVATION
SCALE: 1/2" = 1'-0"



J-7 SIGN BACKGROUND ELEVATION
 A1 SCALE 3/4" = 1'-0"



ELEVATION - EAST

1/32" = 1'-0"



VIRGINIA TECH FOUNDATION - GILBERT STREET MIXED USE

DRAWING NUMBER: AS-101
 DRAWING NAME: SIGNAGE ELEVATION



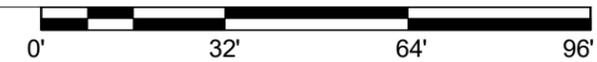
DATE: AUGUST 1, 2019

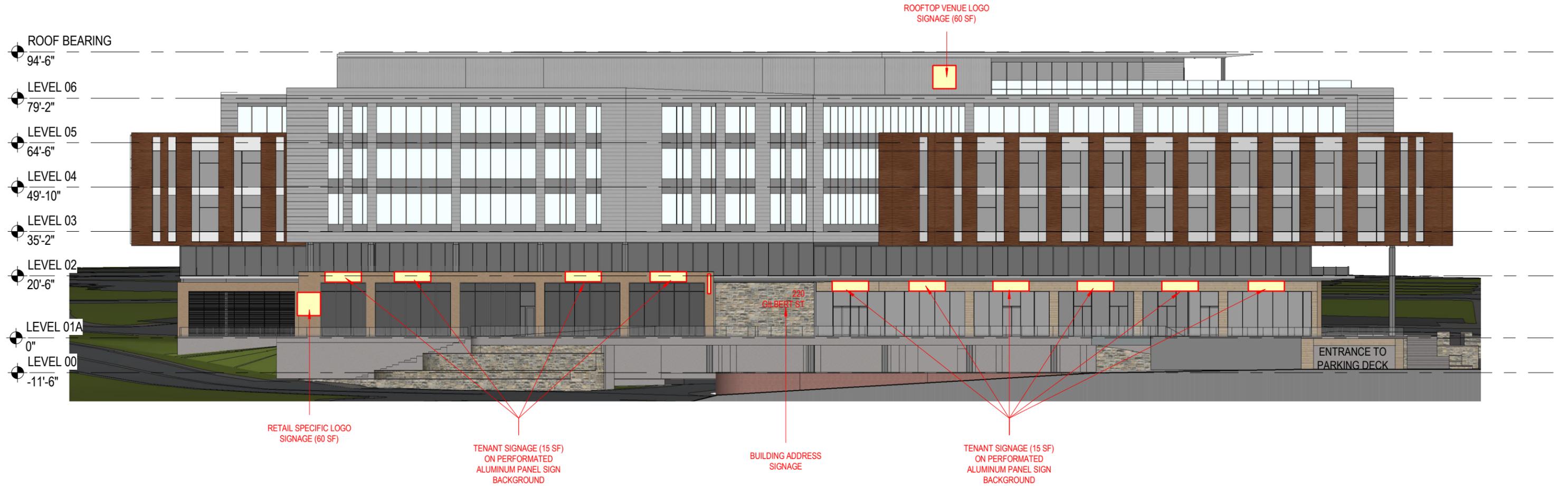


TENANT SIGNAGE (15 SF)
ON PERFORMATED
ALUMINUM PANEL SIGN
BACKGROUND

ELEVATION - NORTH

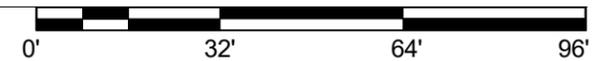
1/32" = 1'-0"





ELEVATION - WEST

1/32" = 1'-0"



VIRGINIA TECH FOUNDATION - GILBERT STREET MIXED USE

DRAWING NUMBER: AS-103
DRAWING NAME: SIGNAGE ELEVATION

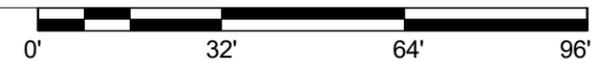


DATE:
AUGUST 1, 2019



ELEVATION - SOUTH

1/32" = 1'-0"





Gilbert Street Mixed-Use

Appendix A

Disclosure of Equitable Ownership



Disclosure of Equitable Ownership (Amendment to North End Special Signage District)

Tax Parcel Numbers: 226-A-105; 226-A-102; 226-A-99; 226-A-96; 226-A-95; 226-A-83; 226-A-97; and 226-A-107

Owner: C S Shopping Center, LLC, a Virginia limited liability company

Sole Member: Virginia Tech Real Estate Foundation

Tax Parcel Number: 226-A-98

Owner: John Hoernemann

Tax Parcel Number: 226-A-135; 226-A-135B; and 226-A-135C

Owner: Turner Street Project, LLC, a Virginia limited liability company

Sole Member: Virginia Tech Real Estate Foundation



Gilbert Street Mixed-Use Appendix B

Letter to Mr. John W.
Hoernemann July 31, 2019



NORTH END
shop. dine. enjoy.

W.M.
Jordan
COMPANY

 HANBURY



Draper Aden Associates
Engineering • Surveying • Environmental Services

Property Management
University Gateway Center
902 Prices Fork Road, Suite 145 (0490), Blacksburg, Virginia 24061
540-231-6374 Fax 540-231-1126 Email: carrie.woodring@vt.edu



July 31, 2019

Via UPS 2nd Day Air Mail - # 1Z-56R-837-35-9158-0819

Mr. John W. Hoernemann
4335 Blackhawk Drive
Willits, CA 95490

Re: Tax Map Number 226-(A)-98, 0.425 acres which fronts along Turner Street in Blacksburg, VA and is part of the underlying ground of Collegiate Square (211 Prices Fork Road and 400 – 460 Turner Street)

Dear Mr. Hoernemann:

This letter serves as notification that the Foundation is planning to redevelop a portion of Collegiate Square that will require demolition of two buildings (211 Prices Fork and 400 Turner Street) and construction of a larger building in their place. The proposed new building will front along Gilbert Street and is currently referred to as the Gilbert Street Project. Redevelopment of the site will require several approvals from the Town, which are detailed below:

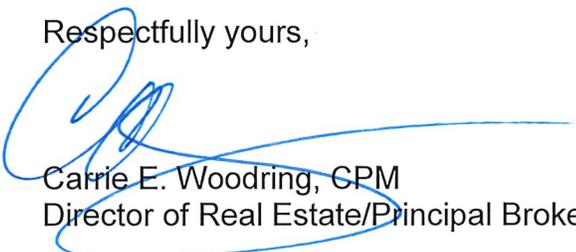
1. Application to change the zoning classification from Downtown Commercial (DC) with Conditions to Downtown Commercial (DC) with Amended Conditions
2. Application to Amend to the existing Sign Overlay District permitted by Ordinance 1734
3. Conditional Use Permit Application to construct the new building to a height to 97 feet

Being that your property is part of Collegiate Square, any changes in zoning and/or the Sign Overlay District will affect your property which, pursuant to a directive from the Town Attorney, requires that we provide you with notice of the proposed changes. Please note that the zoning classification for your property will remain Downtown Commercial (DC). This application is to voluntarily place conditions on how the Foundation develops the building and the Sign Overlay District Amendment is to obtain permission for the proposed signage on the new building.

Mr. John W. Hoernemann
July 31, 2019
Page 2

Copies of the rezoning application, amendment to the Sign Overlay District and application for the conditional use permit are enclosed for your reference. If you have any questions or require additional information, please call me at 540-231-6374 or email me at carrie.woodring@vt.edu.

Respectfully yours,



Carrie E. Woodring, CPM
Director of Real Estate/Principal Broker

Enclosures

Cc: G. Harris Warner, Jr., Esquire (via mail)
Town of Blacksburg Zoning Administration



Gilbert Street Mixed-Use

Appendix C

Legal Description of Property



Legal Description

Parcel 1: All that certain lot, tract or parcel of real property with all improvements thereon containing 0.312 acres, more or less, being Parcel 1, situate in the Town of Blacksburg, in the Prices Fork Magisterial District of Montgomery County, Virginia, as shown on plat made by Gay and Neel, Inc. dated August 14, 2009, entitled "ALTA/ACSM LAND TITLE SURVEY OF TAX MAP PARCEL No.s 226-(A)-83, 226-(A)-95, 96, 97, 98 & 99, 226-(A)-102, 105 & 107 Prepared for The Virginia Tech Foundation, Inc. Town of Blacksburg Prices Fork Magisterial District Montgomery County, Virginia", a copy of which is attached to and made a part of that certain Special Warranty Deed, dated September 30, 2009, by and between Collegiate Square, LLC, a Virginia limited liability company, as Grantor, and CS Shopping Center, LLC, a Virginia limited liability company, as Grantee, which Special Warranty Deed was recorded in the Clerk's Office of the Circuit Court for the County of Montgomery, Virginia, as Instrument Number 2009011656. (Tax Map No. 226-A-105)

Parcel 2: All that certain lot, tract or parcel of real property with all improvements thereon containing 0.507 acres, more or less, being Parcel 2, situate in the Town of Blacksburg, in the Prices Fork Magisterial District of Montgomery County, Virginia, as shown on plat made by Gay and Neel, Inc. dated August 14, 2009, entitled "ALTA/ACSM LAND TITLE SURVEY OF TAX MAP PARCEL No.s 226-(A)-83, 226-(A)-95, 96, 97, 98 & 99, 226-(A)-102, 105 & 107 Prepared for The Virginia Tech Foundation, Inc. Town of Blacksburg Prices Fork Magisterial District Montgomery County, Virginia", a copy of which is attached to and made a part of that certain Special Warranty Deed, dated September 30, 2009, by and between Collegiate Square, LLC, a Virginia limited liability company, as Grantor, and CS Shopping Center, LLC, a Virginia limited liability company, as Grantee, which Special Warranty Deed was recorded in the Clerk's Office of the Circuit Court for the County of Montgomery, Virginia, as Instrument Number 2009011656. (Tax Map No. 226-A-102)

Parcel 3: All that certain lot, tract or parcel of real property with all improvements thereon containing 0.510 acres, more or less, being Parcel 3, situate in the Town of Blacksburg, in the Prices Fork Magisterial District of Montgomery County, Virginia, as shown on plat made by Gay and Neel, Inc. dated August 14, 2009, entitled "ALTA/ACSM LAND TITLE SURVEY OF TAX MAP PARCEL No.s 226-(A)-83, 226-(A)-95, 96, 97, 98 & 99, 226-(A)-102, 105 & 107 Prepared for The Virginia Tech Foundation, Inc. Town of Blacksburg Prices Fork Magisterial District Montgomery County, Virginia", a copy of which is attached to and made a part of that certain Special Warranty Deed, dated September 30, 2009, by and between Collegiate Square, LLC, a Virginia limited liability company, as Grantor, and CS Shopping Center, LLC, a Virginia limited liability company, as Grantee, which Special Warranty Deed was recorded in the Clerk's Office of the Circuit Court for the County of Montgomery, Virginia, as Instrument Number 2009011656. (Tax Map No. 226-A-99)

Parcel 4: All that certain lot, tract or parcel of real property with all improvements thereon containing 0.391 acres, more or less, being Parcel 4, situate in the Town of Blacksburg, in the Prices Fork Magisterial District of Montgomery County, Virginia, as shown on plat made by Gay and Neel, Inc. dated August 14, 2009, entitled "ALTA/ACSM LAND TITLE SURVEY OF TAX MAP PARCEL No.s 226-(A)-83, 226-(A)-95, 96, 97, 98 & 99, 226-(A)-102, 105 & 107 Prepared for The Virginia Tech Foundation, Inc. Town of Blacksburg Prices Fork Magisterial District Montgomery County, Virginia", a copy of which is attached to and made a part of that certain Special Warranty Deed, dated September 30, 2009, by and between Collegiate Square, LLC, a Virginia limited liability company, as Grantor, and CS Shopping Center, LLC, a Virginia limited liability company, as Grantee, which Special Warranty Deed was recorded in the Clerk's Office of the Circuit Court for the County of Montgomery, Virginia, as Instrument Number 2009011656. (Tax Map No. 226-A-96)

Parcel 5: All that certain lot, tract or parcel of real property with all improvements thereon containing 0.338 acres, more or less, being Parcel 5, situate in the Town of Blacksburg, in the Prices Fork Magisterial District of Montgomery County, Virginia, as shown on plat made by Gay and Neel, Inc. dated August 14, 2009, entitled "ALTA/ACSM LAND TITLE SURVEY OF TAX MAP PARCEL No.s 226-(A)-83, 226-(A)-95, 96, 97, 98 & 99, 226-(A)-102, 105 & 107 Prepared for The Virginia Tech Foundation, Inc. Town of Blacksburg Prices Fork Magisterial District Montgomery County, Virginia", a copy of which is attached to and made a part of that certain Special Warranty Deed, dated September 30, 2009, by and between Collegiate Square, LLC, a Virginia limited liability company, as Grantor, and CS Shopping Center, LLC, a Virginia limited liability company, as Grantee, which Special Warranty Deed was recorded in the Clerk's Office of the Circuit Court for the County of Montgomery, Virginia, as Instrument Number 2009011656. (Tax Map No. 226-A-95)

Parcel 6: All that certain lot, tract or parcel of real property with all improvements thereon containing 0.369 acres, more or less, being Parcel 6, situate in the Town of Blacksburg, in the Prices Fork Magisterial District of Montgomery County, Virginia, as shown on plat made by Gay and Neel, Inc. dated August 14, 2009, entitled "ALTA/ACSM LAND TITLE SURVEY OF TAX MAP PARCEL No.s 226-(A)-83, 226-(A)-95, 96, 97, 98 & 99, 226-(A)-102, 105 & 107 Prepared for The Virginia Tech Foundation, Inc. Town of Blacksburg Prices Fork Magisterial District Montgomery County, Virginia", a copy of which is attached to and made a part of that certain Special Warranty Deed, dated September 30, 2009, by and between Collegiate Square, LLC, a Virginia limited liability company, as Grantor, and CS Shopping Center, LLC, a Virginia limited liability company, as Grantee, which Special Warranty Deed was recorded in the Clerk's Office of the Circuit Court for

the County of Montgomery, Virginia, as Instrument Number 2009011656. (Tax Map No. 226-A-83)

Parcel 7: All that certain lot, tract or parcel of real property with all improvements thereon containing 0.425 acres, more or less, being Parcel 7, situate in the Town of Blacksburg, in the Prices Fork Magisterial District of Montgomery County, Virginia, as shown on plat made by Gay and Neel, Inc. dated August 14, 2009, entitled "ALTA/ACSM LAND TITLE SURVEY OF TAX MAP PARCEL No.s 226-(A)-83, 226-(A)-95, 96, 97, 98 & 99, 226-(A)-102, 105 & 107 Prepared for The Virginia Tech Foundation, Inc. Town of Blacksburg Prices Fork Magisterial District Montgomery County, Virginia", a copy of which is attached to and made a part of that certain Special Warranty Deed, dated September 30, 2009, by and between Collegiate Square, LLC, a Virginia limited liability company, as Grantor, and CS Shopping Center, LLC, a Virginia limited liability company, as Grantee, which Special Warranty Deed was recorded in the Clerk's Office of the Circuit Court for the County of Montgomery, Virginia, as Instrument Number 2009011656. (Tax Map No. 226-A-98)

Parcel 8: All that certain lot, tract or parcel of real property with all improvements thereon situate in the Town of Blacksburg, in the Prices Fork Magisterial District of Montgomery County, Virginia, containing 0.688 acres, more or less, as shown on plat made by Gay and Neel, Inc. dated August 14, 2009, entitled "ALTA/ACSM LAND TITLE SURVEY OF TAX MAP PARCEL No.s 226-(A)-83, 226-(A)-95, 96, 97, 98 & 99, 226-(A)-102, 105 & 107 Prepared for The Virginia Tech Foundation, Inc. Town of Blacksburg Prices Fork Magisterial District Montgomery County, Virginia", a copy of which is attached to and made a part of that certain Special Warranty Deed, dated September 30, 2009, by and between Collegiate Square, LLC, a Virginia limited liability company, as Grantor, and CS Shopping Center, LLC, a Virginia limited liability company, as Grantee, which Special Warranty Deed was recorded in the Clerk's Office of the Circuit Court for the County of Montgomery, Virginia, as Instrument Number 2009011656. (Tax Map No. 226-A-97).

Parcel 9: All that certain parcel of land situate in the Town of Blacksburg in the Prices Fork Magisterial District of Montgomery County, Virginia, containing 0.105 acres, more or less, as shown on plat made by Gay and Neel, Inc. dated August 14, 2009, entitled "ALTA/ACSM LAND TITLE SURVEY OF TAX MAP PARCEL No.s 226-(A)-83, 226-(A)-95, 96, 97, 98 & 99, 226-(A)-102, 105 & 107 Prepared for The Virginia Tech Foundation, Inc. Town of Blacksburg Prices Fork Magisterial District Montgomery County, Virginia", a copy of which is attached to and made a part of that certain Special Warranty Deed, dated September 30, 2009, by and between Collegiate Square, LLC, a Virginia limited liability company, as Grantor, and CS Shopping Center, LLC, a Virginia limited liability company, as Grantee, which Special Warranty Deed was recorded in the Clerk's Office of the Circuit Court for the County of Montgomery, Virginia, as Instrument Number 2009011656. (Tax Map No. 226-A-107).

Parcel 10: All that certain lot, tract or parcel of real property with all improvements thereon situate in the Town of Blacksburg, in the Prices Fork Magisterial District of Montgomery County, Virginia, containing 1.092 acres, more or less, being Parcel A as shown on plat made by Draper Aden Associates, dated December 2, 2010, as amended December 13, 2010, further amended March 24, 2011 and further amended July 11, 2011, entitled, "LOT LINE REVISION AND RIGHT-OF-WAY REVISION PLAT – TURNER STREET PROJECT, LLC.PROPERTIES – PRICES FORK DISTRICT, TOWN OF BLACKSBURG, MONTGOMERY COUNTY, VIRGINIA", a copy of which is plat was recorded in the Clerk's Office of the Circuit Court for the County of Montgomery, Virginia, as Instrument Number 2012001456. (Tax Map No. 226-A-135).

Parcel 11: All that certain lot, tract or parcel of real property with all improvements thereon situate in the Town of Blacksburg, in the Prices Fork Magisterial District of Montgomery County, Virginia, containing 1.60 acres, more or less, being Parcel B as shown on plat made by Draper Aden Associates, dated December 2, 2010, as amended December 13, 2010, further amended March 24, 2011 and further amended July 11, 2011, entitled, "LOT LINE REVISION AND RIGHT-OF-WAY REVISION PLAT – TURNER STREET PROJECT, LLC.PROPERTIES – PRICES FORK DISTRICT, TOWN OF BLACKSBURG, MONTGOMERY COUNTY, VIRGINIA", a copy of which is plat was recorded in the Clerk's Office of the Circuit Court for the County of Montgomery, Virginia, as Instrument Number 2012001456. (Tax Map No. 226-A-135B).

Parcel 12: All that certain lot, tract or parcel of real property with all improvements thereon situate in the Town of Blacksburg, in the Prices Fork Magisterial District of Montgomery County, Virginia, containing 0.779 acres, more or less, being Parcel C as shown on plat made by Draper Aden Associates, dated December 2, 2010, as amended December 13, 2010, further amended March 24, 2011 and further amended July 11, 2011, entitled, "LOT LINE REVISION AND RIGHT-OF-WAY REVISION PLAT – TURNER STREET PROJECT, LLC.PROPERTIES – PRICES FORK DISTRICT, TOWN OF BLACKSBURG, MONTGOMERY COUNTY, VIRGINIA", a copy of which is plat was recorded in the Clerk's Office of the Circuit Court for the County of Montgomery, Virginia, as Instrument Number 2012001456. (Tax Map No. 226-A-135C).



Gilbert Street Mixed-Use Appendix D

Town of Blacksburg VDOT Traffic Impact Analysis (TIA)
Supplemental Application



OFFICE USE ONLY	
Date Received:	_____
RZN#	_____
CUP#	_____

TOWN OF BLACKSBURG
VDOT TRAFFIC IMPACT ANALYSIS (TIA) SUPPLEMENTAL APPLICATION

This application, appropriate fee, and accompanying documentation must be submitted in conjunction with the corresponding rezoning, conditional use permit, or comprehensive plan amendment before any application can be reviewed by staff. If you have any questions, please contact the Planning and Building Department.

Name of Development: Gilbert Street Mixed-Use Project

Address/Location: 211 Prices Fork Road; 460 Turner Street; 400 Turner Street; 300 Turner Street; and 212 Turner Street

Tax Map Parcel: 226-A-105; 226-A-102; 226-A-99; 226-A-96; 226-A-95; 226-A-83; 226-A-98; and 226-A-97; 226-A-107; 226-A-135; 226-A-135B; and 226-A-135C

Size of Site: 7.71 acres

Proposed Use: Mixed Use to include commercial, regional retailer, office, university and event space

Current Zoning District: Downtown Commercial (DC) with Conditions

Existing Future Land Use Classification: Downtown Commercial (DC) with Amended Conditions

This application is submitted in conjunction with a

- Rezoning Application. Proposed Zoning District: Amendment to North End Special Signage District
- Conditional Use Permit Application. Proposed Conditional Use: _____
- Comprehensive Plan Amendment. Proposed Future Land Use: _____

This is the first, second, third or subsequent submission of the TIA for review by VDOT.
 First Submission to the Town of Blacksburg - VDOT Review is NOT required.

A traffic impact analysis is is not required for the proposed project:

1. Yes or No, the site is located 5,500 feet along the vehicle path of traffic which is less than 3,000 feet from VDOT maintained roadways, or is within 3,000 feet of a non-limited access state controlled highway, or is within 3,000 feet of a connection to a state limited access highway.
2. **If the answer to question #1 is Yes, complete the following:**
 - a. Yes or No, the proposed development generates _____ vpd which is greater than the VDOT requirement of 5,000 vehicles per day.
- N/A 3. Yes or No, the proposed comprehensive plan amendment results in substantial impact of 5,000 additional vehicle trips per day or results in substantial changes to the existing transportation network and infrastructure of state controlled highways.
- N/A 4. No, a new TIA study is not required because a previously submitted TIA is still applicable for the project site. (Note: the appropriate documentation must be attached to this application)
- N/A 5. Yes or No, a VDOT Scope of work meeting has been held.

If a TIA is required, please provide the following information: N/A

Name of Property Owner(s): _____

Address: _____

Phone: _____ **Fax:** _____

Email address: _____

Applicant to whom review comments will be sent: N/A

Address: _____

Phone: _____ Fax: _____

Email address: _____

Project Engineer who prepared TIA (if different from applicant): N/A

Address: _____

Phone: _____ Fax: _____

Email address: _____

Please check all applicable boxes of information submitted with this application:

1. Review Fee Check made payable to VDOT for

First, Second or Third review by VDOT

Rezoning or Conditional Use Permit request

Low volume road submission 24VAC30-155-40 A 3: \$250

All other submissions: \$1000

Comprehensive Plan Amendments: \$1000

2. For the Town of Blacksburg, please provide a *digital submission of the following:*

a. **One signed copy** of the Town's VDOT Supplemental TIA application.

b. **One complete copy** of the TIA submitted to VDOT including a completed checklist of information and signed scope of work meeting agreement.

c. **One copy** of the VDOT review fee check.

d. **One copy** of letter and supporting information documenting why a new or updated TIA is not required for this project.

3. **For VDOT, three paper copies** of the complete Traffic Impact Analysis. Forms and additional information can be found at <http://www.virginiadot.org/projects/chapter527/default.asp>

By signing below, I acknowledge that all information on this application and included in the supporting documentation is correct and accurate, and has been prepared by an appropriate licensed professional.

SIGNATURE OF APPLICANT:  Date: 7/30/19

For Staff Use Only:

First Submission Second Submission Third or Subsequent Submission

Reviewed and Accepted as complete by _____ Date _____

TIA forwarded to VDOT by _____ Date _____

Rejected by _____ Date _____

Reason for rejection: _____

Town of Blacksburg, Planning & Building Department
300 South Main Street • PO Box 90003, Blacksburg, VA 24060-9003
Phone: (540) 951-1126 • Fax: (540) 951-0672 • www.blacksburg.gov



Gilbert Street Mixed-Use Appendix E

Revised Proffer Statement for the Change of Zoning classification
Application to Amend the North End Special Sign District



REVISED PROFFER STATEMENT FOR THE CHANGE OF ZONING CLASSIFICATION APPLICATION TO AMEND THE NORTH END SPECIAL SIGN DISTRICT FOR TAX MAP NO. 226-A-105; 226-A-102; 226-A-99; 226-A-96; 226-A-95; 226-A-83; 226-A-98; 226-A-97; 226-A-107; 226-A-135; 226-A-135B; and 226-A-135C

Pursuant to Section 15.2-2298 of the Code of Virginia (1950) as amended, and Section 1160 of the Town of Blacksburg Zoning Ordinance, Town Code Appendix A, C S Shopping Center, LLC and Turner Street Project, LLC (referred to herein together as "Applicant") hereby voluntarily proffer that the properties which are the subject of this Change of Zoning Classification Application, specifically including the land described by Tax Map Numbers 226-A-105; 226-A-102; 226-A-99; 226-A-96; 226-A-95; 226-A-83; 226-A-98; 226-A-97, 226-A-102; 226-A-107; 226-A-135; 226-A-135B; and 226-a-135C which includes a 0.425 acre tract of land (Tax Map No. 226-A-98) currently leased for a term of 99-years by the Applicant from John Hoernemann pursuant to Lease, dated October 1, 1994, a copy of which is recorded in the Clerk's Office of the Circuit Court for the County of Montgomery, Virginia, in Deed Book 1092, at page 546 (all of said properties hereinafter referred to as the "Property") are depicted on the NORTH END SIGNAGE DISTRICT PLAN, dated August 1, 2019, attached hereto and submitted as part of the Change of Zoning Classification Application, will be developed in accordance with the following conditions, if the Change of Zoning Classification is approved, and the Signage District is amended. In the event that the Change of Zoning Classification is denied or approved with conditions not agreed to by Applicant, these proffers shall immediately be null and void and of no further force or effect. The Applicant, and its successors and assigns, voluntarily proffer the following regarding the Property (an analysis and justification for each proffered item is attached as Exhibit A):

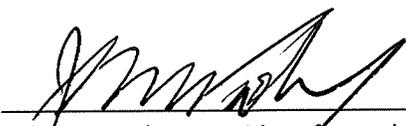
1. The Applicant has established the Special Signage District substantially in accordance with the Request for Change of Zoning Classification for North End Development Special Sign District, dated June 30, 2013, amended September 27, 2013, and as further amended May 1, 2014. The North End Signage District Plan 1.0, dated August 1, 2019, sets forth the boundaries of the North End Special Sign District and the number, type, dimensions, and locations of proposed signs. The Signage Elevation, dated August 1, 2019 sets forth the proposed signage locations, number, type and size of the signs to be installed on the Gilbert Street Mixed-Use Building. The Applicant will erect signage on the Property in conformity with the attached North End Signage District Plan 1.0 and the Signage Elevation. Existing signage in the Collegiate Square Shopping Center located at Building 460 (460 Turner Street) will remain.

2. No signs within the North End Special Signage District shall contain electronic changeable copy.

3. The provisions of the original Proffer Statement dated October 10, 2013 remain in effect except as revised by this Revised Proffer Statement.

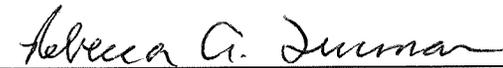
The undersigned hereby warrants that all of the owners of a legal interest in the Property or their authorized representatives (to the extent required) have signed this Proffer Statement, that they have full authority to bind the Property to these conditions, and that the proffers are entered into voluntarily.

C S Shopping Center, LLC

By: 
John E. Dooley, President for and on
behalf of Virginia Tech Real Estate
Foundation, Inc., as Member-Manager

COMMONWEALTH OF VIRGINIA,
COUNTY OF MONTGOMERY, to wit:

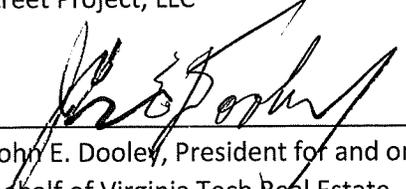
The foregoing was acknowledged before me this 30 day of July, 2019, by John E. Dooley, as President for and on behalf of Virginia Tech Real Estate Foundation as Member-Manager of C S Shopping Center, LLC.


NOTARY PUBLIC

Registration Number: 287658
My commission expires: 11/30/2019

REBECCA A. TURMAN
NOTARY PUBLIC
REG. #287658
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES NOV. 30, 2019

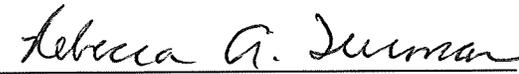
Turner Street Project, LLC

By: 

John E. Dooley, President for and on behalf of Virginia Tech Real Estate Foundation, Inc., as Member-Manager

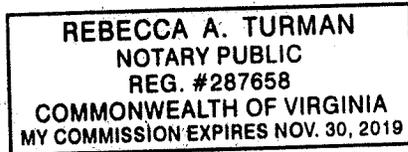
COMMONWEALTH OF VIRGINIA,
COUNTY OF MONTGOMERY, to wit:

The foregoing was acknowledged before me this 30th day of July, 2019, by John E. Dooley, as President for and on behalf of Virginia Tech Real Estate Foundation as Member-Manager of C S Shopping Center, LLC.


NOTARY PUBLIC

Registration Number: 287658

My commission expires: 11/30/2019



REVISED PROFFER STATEMENT FOR THE CHANGE OF ZONING CLASSIFICATION APPLICATION TO AMEND THE NORTH END SPECIAL SIGN DISTRICT FOR TAX MAP NO. 226-A-105; 226-A-102; 226-A-99; 226-A-96; 226-A-95; 226-A-83; 226-A-98; 226-A-97; 226-A-107; 226-A-135; 226-A-135B; and 226-A-135C

EXHIBIT A

Proffer #1: The North End Signage District Master Plan 1.02, dated August 1, 2019, Signage Elevation, dated August 1, 2019, Change of Zoning Classification Application and accompanying documents contain the details of the application. This proffer provides assurance to the Town that the project will be developed in accordance with the documents.

Proffer #2: This proffer provides assurance to the Town that all signage will be in conformity with existing signage, except as amended hereby.

Proffer #3: This proffer provides assurance to the Town that all signage will be in conformity with existing signage, except as amended hereby.