

MEMORANDUM

To: Planning Commission

From: Kinsey O’Shea, AICP; Town Planner for Current Development

Date: March 13, 2020

Subject: CUP 20-0002 – Conditional Use Permit Request for Additional Height in the Downtown Commercial zoning district for the Blacksburg Police Department Headquarters and Parking Garage in the 200 block of Clay Street on 1.571 acres in the Midtown Development including portions of tax parcel 257-A218 and tax parcel 257-A-94A by the Town of Blacksburg and Midtown Redevelopment Partners, LLC

SUMMARY OF REQUEST

Property Location	200 Clay Street SE/Midtown Development
Tax Parcel Numbers	Portions of tax parcels 257-A218 and tax parcel 257-A-94A
Parcel(s) Size	1.571 acres
Present Zoning District	DC Downtown Commercial with Conditions
Current Use	Vacant
Adjacent Zoning Districts	North: DC Downtown Commercial w/conditions; O Office East: DC Downtown Commercial w/ conditions South: DC Downtown Commercial w/ conditions West: DC Downtown Commercial
Adjacent Uses	North: Vacant; Verizon building; parking lot; Midtown redevelopment construction East: Vacant; Midtown redevelopment construction South: Vacant; Midtown redevelopment construction West: Clay Court mixed commercial & multifamily residential
Adopted Future Land Use	Civic
Proposed Uses	Town of Blacksburg Police Station; Parking garage
Midtown District Standards	
Maximum Height	60’
Proposed Height	86’
Minimum Setbacks	Front: 8’ min Side: 10’ min between buildings; 5’ min on corner Rear: 0’
Maximum lot coverage	100% lot coverage allowed

BACKGROUND AND EXISTING CONDITIONS

The Town of Blacksburg Police Department headquarters is to be relocated in the recently-rezoned Midtown Development at the site of the former Blacksburg Middle School. The new Police Department headquarters building will also include a parking garage to serve both the Police Department and primarily the Midtown development. The Police Department has outgrown its existing building currently located at 200 Clay Street SW. In 2019, the Town Council approved a rezoning request by Midtown Redevelopment Partners, LLC, and the Town of Blacksburg for a mixed use development including commercial, office, residential, and civic uses on the Old Blacksburg Middle School property. This rezoning request did include a site for the new Blacksburg Police Department headquarters and a parking garage. Construction is currently underway for grading of the entire 20± acre site, and there are several site plans under review for infrastructure, as well as for the police department itself.

DEVELOPMENT PROPOSAL

At the time of the Midtown rezoning request, the Police Department building and parking garage were in the early stages of design. Since that time, much more has been finalized regarding design of the building and the needs of the development. The Midtown Development pattern book contemplated a 5-story parking garage, with a 60' maximum height. In finalizing design details, and determining the needs of both the Midtown development, as well as the police department, it became apparent that a 5-story parking garage would not be sufficient. In conjunction with Midtown Redevelopment Partners, LLC, the Town has determined that a 6- or 7-story parking garage is needed.

The Town of Blacksburg seeks a conditional use permit for additional height up to 86' in the Downtown Commercial zoning district to allow for the construction of a 6- or 7-story garage located on the future Police Department parcel. A 6-story garage would hold 339 parking spaces, while a 7-story garage would hold 412 parking spaces. The proposal for 86' is an increase of 26' over the allowed height of 60'.

The police department building is proposed to be 2 stories tall. The parking garage is proposed to be 6- or 7-stories, and therefore requires the conditional use permit for additional height above 60' in the Downtown Commercial zoning district.

CRITERIA FOR EVALUATION OF CONDITIONAL USE PERMIT REQUESTS

There are a number of analysis points for the evaluation of a request for a conditional use permit within the 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 CUP request, as found below:

Section 1181 of the Zoning Ordinance requires the Commission to study all rezoning requests to determine:

- 1. Conformance to the Comprehensive Plan, or to specific elements of the Plan, and to official Town policies adopted in relation thereto, including the purposes of the Zoning Ordinance.*
- 2. Adherence to minimum adverse impact on the surrounding neighborhood or community. The proposal as submitted shall not cause adverse impacts as defined by Section 1181 (b) of the Zoning Ordinance. Adverse impacts considered may include, but not be limited to, traffic congestion, noise, lights, dust, drainage, water quality, air quality, odor, fumes, and vibrations. Due regard is given to the timing of the operation, site design, access, screening, or other matters which might be regulated to mitigate adverse impact.*

Comprehensive Plan Evaluation

Typically, the proposed uses for Conditional Use Permit requests are evaluated for their conformity to the Comprehensive Plan. In this instance, the use was evaluated as a part of the Midtown rezoning request. The Future Land Use designation is Civic, representative of the historical use of the site as a school. The Police Department headquarters building does fit the future land use designation of the site.

Additional Building Height Conditional Use Permit Request

On September 10, 2019 Town Council adopted Ordinance #1900 which approved a Zoning Ordinance Amendment to allow applicants to request additional building height by Conditional Use Permit in the DC district. The by-right building height limitation in the DC district is 60'. The CUP allows an applicant to ask for up to 100' in height. Each CUP request will be looked at on a case-by-case basis.

Specific criteria for consideration of each CUP request for additional building height were included in the amendment. The applicant has provided justification responding to these criteria. The staff analysis of the updated application against the evaluation criteria found in section 3141 of the zoning ordinance is found below. To date, one previous application has been filed for the North End Mixed Use Development, and was approved for a maximum height of 100'.

Building height combined with building length and width dictate the building's mass and scale and can significantly impact the user experience from the street level. This is a corner lot, and height is measured as an average measurement from the grade to the top along street frontages. The overall height measurement of this proposed building results in the measurement occurring from the lowest point of the site, which is the corner of Church Street and Clay Street, to the highest point of the structure, which would be the top of the solar panels.

Evaluation criteria to determine the appropriateness of the height increase requested include the following:

- (1) Whether the parcel has frontage on a Major Arterial roadway;
The parcel itself does not have frontage on an arterial roadway. The parcel will have frontage on Clay Street and the new portion of Church Street in the Midtown Development. The Midtown Development does have frontage on South Main Street, which is an arterial roadway.
- (2) The parcel is not located within two hundred fifty (250) feet of any parcel zoned R-4, R-5 or OTR;
The parcel is closer than 250' from residentially-zoned properties. At its closest, the property is approximately 45' from the R-5 transitional residential zoning district diagonally across Clay Street from the parcel. However, the height of the Police Department building at the edge of the parcel along Clay Street and Church Street will be 2 stories. The full height of the parking garage will be located interior to the site, and away from the neighboring residential zoning district. According to the application package, the closest portion of the garage will be more than 100' away from the property corner, making the total distance from the structure to the closest residential zoning more than 145'.
- (3) Relationship of building to the street;
The proposed Police Department building has a relationship to the street, with ground-floor entrances, and large windows along the street front and sidewalk on Church Street and Clay Street. The parking garage will not have a relationship to the street along Church Street or Clay Street, as it will be wrapped on those frontages by the Police Department building. The parking garage will be primarily accessed from the Commons, and the police department garage access will be from a drive aisle off of Church Street, and the alley behind Clay Court. The portion of the parking garage directly visible from Church Street will be located behind a large lawn area.

- (4) Building mass, scale, architectural features, which should include expression lines or other horizontal building articulation, and step backs for stories above 60' in height;

The height of the building along the sidewalk will be 2 stories, approximately 32', with the parking garage set back behind the Police Department building. The location of the taller parking garage behind the 2-story police department building will minimize the mass and scale of the parking garage. The 6- to 7-story height of the parking garage will be approximately 75' from the curb at Clay Street, and 105' from the curb at Church Street.

The front façade of the police department building features a number of horizontal and vertical elements to break up the length and mass of the building. The garage will be visible behind the police department building, and will feature similar horizontal and vertical elements for a cohesive appearance. The stair tower, visible behind the police department building near Clay Court will feature large panels of glass along the Clay Street façade. Brick will be used on the garage face to tie the materials to the Police Department building. The garage will be an "open" garage, and openings will be punctuated by vertical columns to reduce the horizontal mass of the structure. The only portion of the garage without horizontal openings will be where the garage shares a solid wall with the police department building.

- (5) Building setbacks;

The Police Department building will be set back a minimum of 8' from the curb on Church Street, and a minimum of 5' from the curb on Clay Street. These setbacks are outlined in the proffer statement for the Midtown development. The site plan submitted shows that the Police Department building has setbacks from the curb that range from 12' – 30.' While the structure of the parking garage itself does not feature distinctive step-backs, the roofline and upper floor of the structure is varied. The roof-mounted solar panels, which will comprise the tallest portions of the building will be stepped back from the Clay Street frontage approximately 115' from the curb at Clay Street, and will not be flush with the exterior wall of the garage on the Clay Street façade. The stair tower, also a tall vertical element, will be approximately 60' from the curb at Clay Street. A graphic depicting these building step-backs is found in the application package, and is titled Figure 1, by Draper Aden Associates.

- (6) Width of sidewalk;

The sidewalk width along both Clay Street and Church Street will be a minimum of 8' wide as required in the Downtown Commercial zoning district. There are portions of the sidewalk that are wider, namely near the main entrance to the Police Department building at the corner of Church Street and Clay Street.

- (7) Impact on pedestrian environment;

The pedestrian environment comprises more than just the sidewalk minimum width. In this case, it will also feature low planter areas adjacent to the building. In total, the space between the curb and the building along Clay Street and Church Street will vary from approximately 12' – 30'. The pedestrian area will also feature urban street trees, downtown benches and planters, and other downtown street furniture. The only area where pedestrians will interface with the additional height of the parking garage will be where the garage faces the Commons.

- (8) Impact on adjacent land uses

The proposed additional height for the Police Department parking garage may have visual impact on surrounding uses. The proposed Police Department building sits across from the historic T-intersection of the original 16 squares of Blacksburg at Clay Street and Church Street. The topography of the

Midtown Development sits higher than the neighboring 16 Squares. The height at the street will be 2 stories, but the additional height of the parking garage beyond may be visible from certain areas on the nearby street and sidewalk. The garage will also be in close proximity to the adjacent Clay Court building, separated by an alley. The Clay Court building is 3 stories on the rear adjacent to the proposed 6- to 7-story parking garage, and is located approximately 40' from the parking garage. Directly across Clay Street from the proposed Police Department building is the low, single-story windowless brick and stone Verizon building and tower. A surface parking lot is located across Clay Street from the proposed building as well. Diagonally across Clay Street from the building, is a single-story residential structure. The proposed additional height is not located at the street frontage, but rather stepped back behind the Police Department building, and thus would have a lesser impact on the street than if the full height of the request were located along the sidewalk. The 6- to 7-story parking garage will be located approximately 40' from the three-story Clay Court building adjacent to the site, which is approximately 45' tall.

EVALUATION OF IMPACTS

In evaluating the potential impacts on public services and facilities that this rezoning would have, the Town Engineering department has reviewed the application and finds that the additional height request does not have adverse impact on Town infrastructure.

NEIGHBORHOOD MEETING

A neighborhood meeting was held on March 11, 2020. Notes and the sign-in sheets from this meeting are attached.

SUMMARY

The Planning Commission and Town Council are asked to evaluate the request for a Conditional Use Permit for Additional Height in the Downtown Commercial zoning district in accordance with sections 1181 and 3141 of the zoning ordinance. The evaluation should consider the conformity to the comprehensive plan, the zoning ordinance, and the mitigation of adverse impacts.

STAFF RECOMMENDED CONDITIONS

1. The site shall be developed in substantial conformance with the application dated February 24, 2020.
2. The maximum height of the structure shall be limited to 86'.
3. The parking garage building shall be developed with solar panels, or be constructed with the necessary infrastructure to allow the future placement of solar panels as illustrated in the application.

ATTACHMENTS

Staff GIS Maps
Neighborhood Meeting Notes & Sign-in sheets

CUP20-0002
Additional Height
for
Blacksburg
Police Department
and Parking Garage

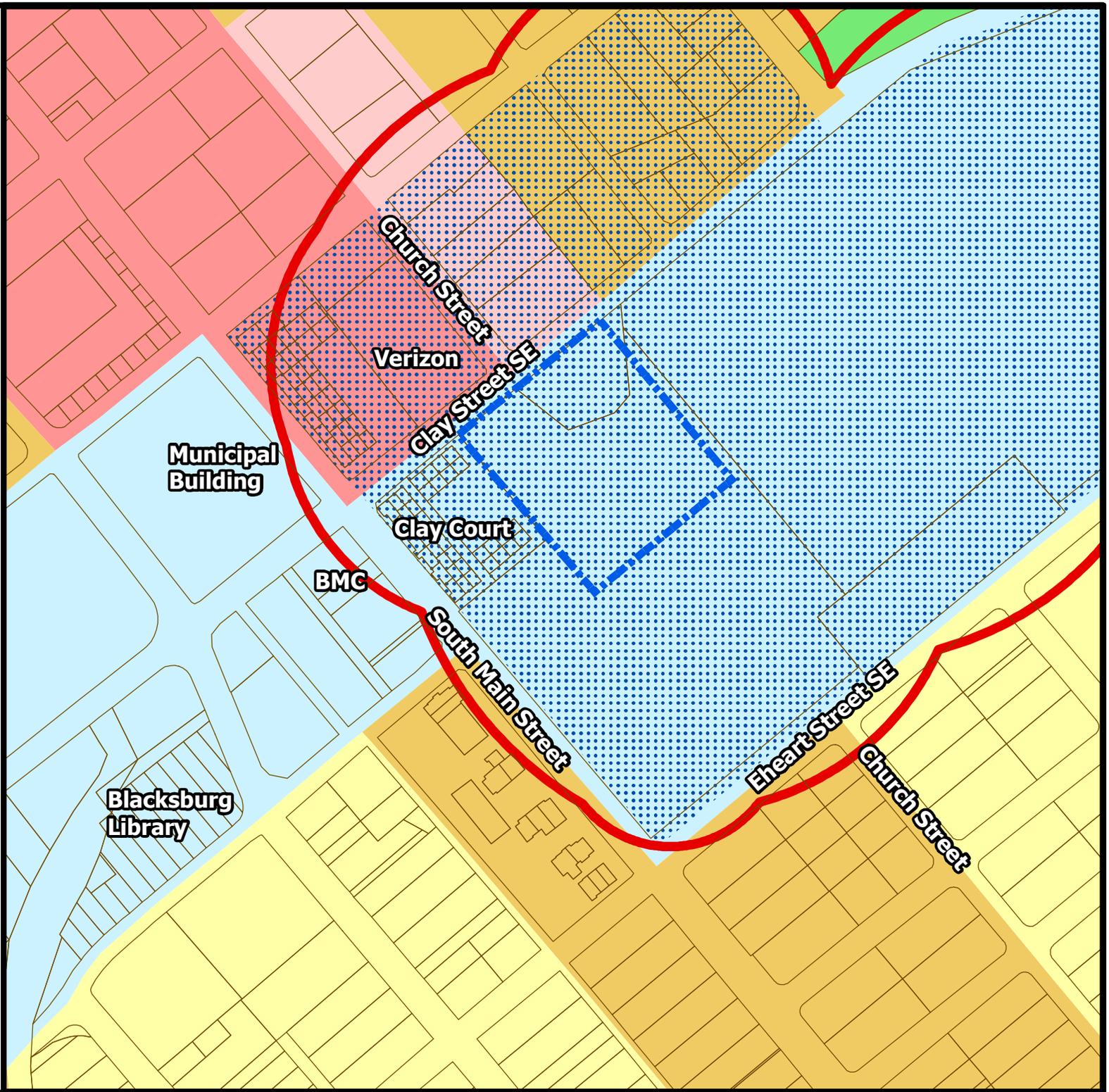


CUP20-0002 Additional Height for Blacksburg Police Department and Parking Garage

Future Land Use

Legend

-  Site Area
-  Parcels
-  Mixed Use Area
-  Urban Development Area
-  Low Density Residential
-  Medium Density Residential
-  Park Land / Open Space / Resource Protection
-  Civic
-  Low Impact Commercial
-  High Impact Commercial

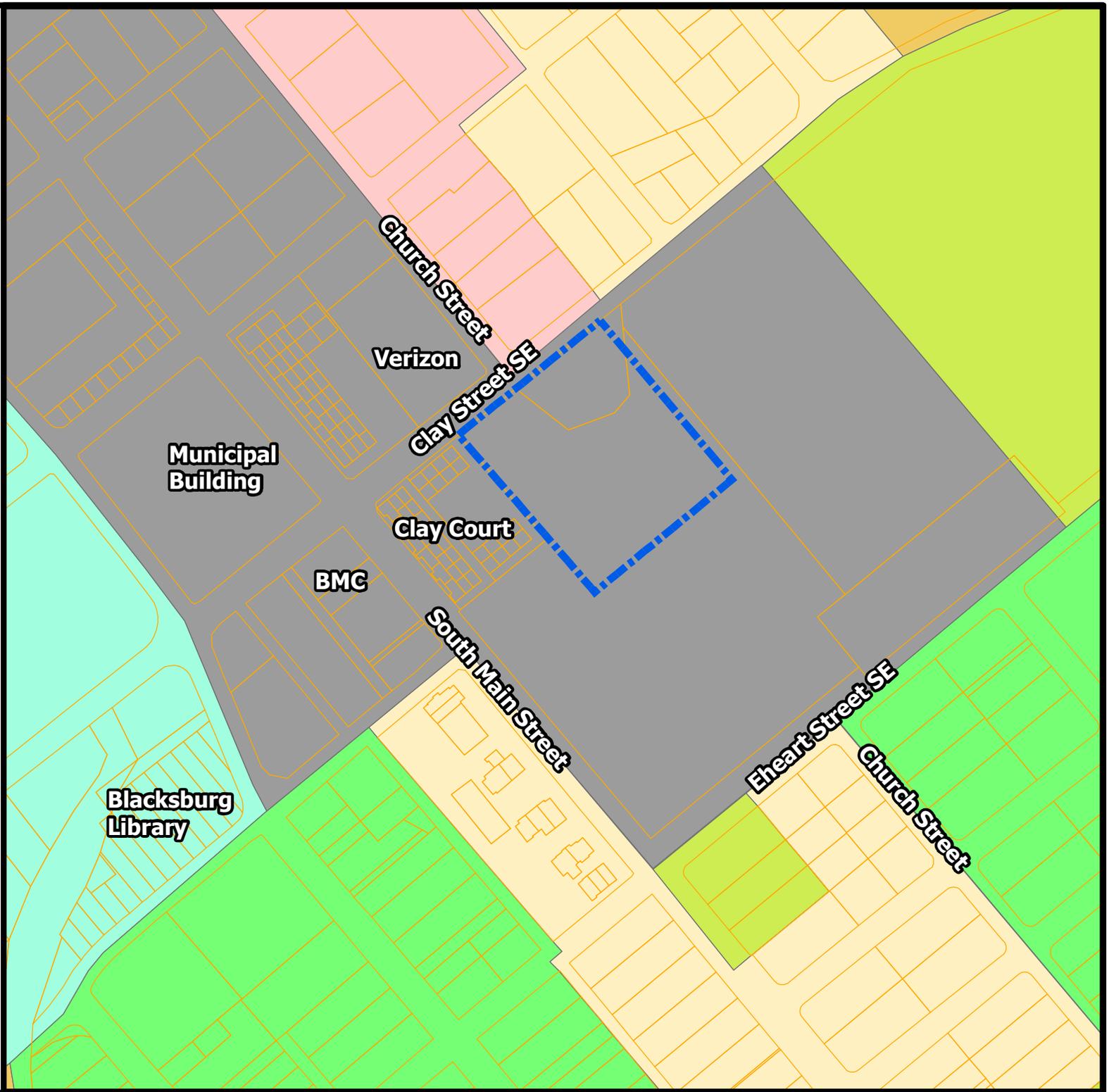


CUP20-0002 Additional Height for Blacksburg Police Department and Parking Garage

Zoning

Legend

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



Neighborhood Meeting Notes for CUP20-0002
Conditional Use Permit for Additional Height for the
Blacksburg Police Department and Parking Garage
March 11, 2020

A neighborhood meeting was held to discuss the request for a conditional use permit to allow additional height above 60' in the Downtown Commercial zoning district for the Town of Blacksburg Police Department headquarters and parking garage in the Midtown Development. Members from the applicant team, staff, and several citizens were in attendance. Please see the sign-in sheet. The meeting began at approximately 6:35 pm.

At the meeting, staff gave a brief overview of the process and the schedule, as well as provided an opportunity for the public to ask questions of staff.

Chris Lawrence, Deputy Town Manager, represented the applicant and gave an overview of the project and spoke with the citizens in attendance about their questions and concerns.

- A citizen asked about the expedited timeline, and had questions regarding the timing of the council meetings and the planning commission meetings. The citizen noted that the Council would hold a work session before the Planning Commission work session, and wondered if the Town's policies support this timeline.
- A citizen wondered if the garage would front on Main Street.
- An attendee asked if the police entrance to the garage would be separate from the public entrance.
- A citizen asked if the solar panels were included in the full height measurement in the application.
- A citizen asked when it would be known if the garage would be 6- or 7-stories.
- An attendee asked how many parking spaces would be reserved for the Midtown development.
- Citizens asked how the garage use would be controlled between the public and leased spaces.
- A citizen asked if the money spent by the Town on the garage would justify the number of parking spaces that would be available to the public.
- A citizen expressed concern that the additional parking spaces in a 7-story garage would generate more traffic than was accounted for in the traffic analysis for Midtown, which the citizen felt was flawed to begin with.
- An attendee noted that there was not a representative from Midtown present at the meeting.
- A citizen asked if the additional 73 parking spaces on the 7th story of the parking garage would be leased spaces or public spaces.
- A citizen asked if tenants don't commit to using their allotment of leased spaces, could there be more public parking available.
- An attendee asked if there would be residential parking in the garage.

CUP20-0002 Police Department Additional Height
Neighborhood meeting notes
March 11, 2020

- A citizen asked where visitors to the police department would park, and if there would be a fee for parking in the garage for police visitors.
- An attendee asked if there would be enough parking to accommodate the Police department's training and events held at the station.
- A citizen asked if there would be a fee to use the community room.
- A citizen asked if the Town's fire apparatus is equipped to manage emergencies on a 7-story garage.
- Several citizens asked if there was physical separation between the police department building and the parking garage.
- A citizen noted that ideally, the police department should be a solitary building, and not connected to any other building, for security purposes.

The meeting concluded at approximately 8:00 pm.

