

STAFF UPDATE MEMO

TO: Town Council

FROM: Emma Martin, Planner EM

DATE: July 2, 2020

SUBJECT: CUP20-0001 Conditional Use Permit request for Medical Office and General Office in the OTR- Old Town Residential Zoning District on 0.615 acres at 409 E Roanoke Street (Tax Map No. 257-A 22) by Kristen DeLack (applicant and property owner)

At the Town Council Work Session on June 16, 2020, Council discussed the staff recommended conditions for the CUP request for Medical and General Office at 409 E Roanoke Street. There was discussion regarding parking and bicycle parking requirements, walkway requirements, and accessibility. Town Council requested that Planning Commission discuss accessibility at the Planning Commission (PC) Work Session. The Town Council Work Session will take place before the Planning Commission Public Hearing on July 7th, 2020.

At both the Town Council and Planning Commission Work Sessions on June 16, 2020, the applicant verbally provided new and changed information not contained in the original application or in the conversations with staff during the review process. At the Council Work Session, there was discussion about walkway requirements from the parking area to the main entrance of the building. The application submitted on January 24, 2020 indicated that stepping stones are available between the parking lot and the back patio and people have the option of walking on the grass to get to the proposed rear entrance. Staff created a recommended condition to provide a walkway to the rear entrance with the understanding that this would be the primary entrance to the office based on the application as submitted. At the Council Work Session, the applicant repeatedly indicated that the main entrance would be this rear entrance that opened to the kitchen. At the PC Work Session, the applicant then verbally indicated that the main entrance would be the other rear entrance that is adjacent to the driveway. The applicant verbally stated at the PC Work Session that the paved driveway leads directly to the rear entrance, and that will be used as a walkway. Staff has modified the recommended condition (condition # 10) requiring a walkway from the parking area to apply if the rear entrance to the kitchen is used, given the clarification from the applicant at the PC Work Session.

At the PC Work Session, there was discussion about required bicycle parking and vehicle parking. Planning Commission felt the existing vehicle parking is adequate, which would require an exception to be granted to reduce vehicle parking requirements. However, in consideration of the exception to vehicle parking requirements, PC felt the bicycle parking requirement should be met. Based on PC discussion, staff retained the condition (condition #6) requiring six bicycle parking spaces.

There was discussion related to the buffer yard on the east side of the property between 413 and 409 E Roanoke Street. Staff included a recommendation in the staff report to ensure the fence on the property at 413 E Roanoke Street be replaced by the applicant on their property at 409 E Roanoke Street in the event that the existing fence is removed. At the PC Work Session, the applicant verbally stated that the

existing fence is located on the 409 E Roanoke Street property. However, the Town has a site plan for 409 E Roanoke Street for the Progress Street Builders General Office dated 8/25/2004 that shows the existing fence is located on the 413 property. Regardless of ownership, staff recommends keeping the condition (condition #2) pertaining to the east buffer yard requiring a fence to be installed by the applicant on the 409 property if the existing fence is removed.

There was also discussion about the west buffer yard at the PC Work Session. The applicant stated that the staff recommended condition requiring additional evergreen shrubs to be planted in the west buffer yard would kill all existing vegetation. Staff does not concur with the applicant's assertion. The PC asked staff to create a less prescriptive condition requiring supplemental vegetation for the west buffer. This condition (condition #4) has been updated to reflect that discussion.

The staff report and conversation with applicant indicated the office use could not commence without approval of the CUP (condition #5). The Center for Creative Change (CCC) has already moved into the building as indicated by signage that exists for the CCC at 409 E Roanoke Street. According to the CCC website, the use is currently operating at 409 E Roanoke Street. This pre-supposed the approval of the CUP by the Planning Commission and Town Council without following the public hearing process.

Below are the updated staff recommended conditions:

- 1) The property shall be developed in substantial conformance with the application dated January 22, 2020.
- 2) The Type A buffer yard standard on the East side of the structure shall be modified to consist of a 10-foot-wide yard and screening trees adjacent to an existing fence located on the 413 East Roanoke Street property. If the existing fence is removed, a replacement architectural screen shall be installed in compliance with the buffer yard requirements.
- 3) The existing vegetation in the East, West, and South buffer yards shall remain. If any vegetation is removed, the location and quantity of replacement plantings must be coordinated with Town staff to ensure an adequate buffer is maintained.
- 4) The buffer yard on the West side of the structure shall be supplemented with additional evergreen shrubs to be planted from the front building line to the end of the existing wooden fence. If the existing or additional required vegetation is removed, replacement vegetation shall be required to ensure an adequate buffer is maintained.
- 5) Prior to the commencement of Office use granted by a Conditional Use Permit, a Certificate of Occupancy must be issued by the Town of Blacksburg Planning and Building Department.
- 6) The applicant shall provide 6 bicycle parking spaces to meet Town standards.
- 7) The maximum occupancy for the office use shall be no greater than 15 people.
- 8) Office hours shall be limited to 7:00 AM and 9:00 PM.
- 9) The parking spaces shall be striped and entrance and exit arrows shall be painted.
- 10) The primary entrance will be the rear entrance adjacent to the driveway. If the kitchen entrance not adjacent to the driveway is used, a walkway shall be constructed to connect the entrance to the parking area within 30 days of use of the kitchen entrance.