

AN ORDINANCE AMENDING THE TOWN CODE BY ADDING A NEW ARTICLE XI TO CHAPTER 22, "TAXATION," TO CREATE THE MIDTOWN SPECIAL SERVICE DISTRICT

WHEREAS, on May 14, 2019, the Blacksburg Town Council rezoned approximately 20 acres of vacant land in downtown Blacksburg to provide for the development of office, retail and residential uses (the "Midtown Redevelopment");

WHEREAS, a public parking garage is necessary to facilitate the Midtown Redevelopment;

WHEREAS, the Development Agreement between the Town of Blacksburg and Midtown Redevelopment Partners, LLC that was approved on May 14, 2019, contemplated the need for the establishment of a special service district to provide some of funding for the public parking garage; and,

WHEREAS, the Town reasonably anticipates that, once established, this special service district will terminate upon the collection of the principal amount of \$2,692,500 (excluding any contingency in the parking garage budget not used for hard costs), plus the cost of the debt service for the repayment of the principal.

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

1. That Town Code Chapter 22 is amended and re-ordained, and a new Article XI is added, as follows:

Article XI - MIDTOWN SPECIAL SERVICE DISTRICT

Sec. 22-1100. - Creation of the Midtown Special Service District.

Pursuant to the authority contained in Virginia Code § 15.2-2400, et seq., there is hereby created a Special Service District for the Midtown Redevelopment (described below at § 22-1102) for the purposes set forth in Virginia Code § 15.2-2403.

Sec. 22-1101. - Name of district.

The service district shall be known as the Midtown Special Service District.

Sec. 22-1102. - Boundaries of the Midtown Special Service District.

The area within the Midtown Special Service District is described as follows:

All that real property identified on and contained within that certain lot line adjustment plat entitled "Lot Line Adjustment Plat of Midtown – Phase I Showing Parcels A Through E" dated October 15, 2019, last revised _____, 2020, prepared by Balzer & Associates, which plat is recorded in the Clerk's Office for the Circuit Court of Montgomery County, Virginia as Instrument _____ (the "Service District Boundaries").

The metes and bounds description of the Midtown Special Service District boundaries is attached as Exhibit A.

Sec. 22-1103. - Facilities and services to be provided within the Midtown Special Service District.

The Midtown Special Service District is created for the purpose of providing financing for a higher level of public services within the service district. This purpose shall include the costs of construction of a public parking garage, as well as services required to provide maintenance and operation of the garage.

Toward that end, there shall be provided within the Midtown Special Service District those facilities and services necessary or desirable to accomplish the purpose of the service district, including, without limitation, administrative, engineering and other professional services and such other equipment and facilities as may, from time to time, be needed to accomplish the purpose of the service district.

Sec. 22-1104. - Proposed plan for providing facilities and services within the Midtown Special Service District.

The plan is to accumulate dedicated revenue generated for use within the Midtown Special Service District to fund, in part, the construction, maintenance, and repayment of and financing of the public parking garage as well as other services and facilities that may be authorized by this Article.

Sec. 22-1105. - Benefits expected to be realized from the provision of facilities and services within the Midtown Special Service District.

The parking garage will provide a parking facility to serve the town's public safety building, the business and retail facilities created by the Midtown Redevelopment and existing parking needs within the downtown area of the Town, including special events. The availability of parking will reduce congestion on the streets of downtown and reduce the amount of surface parking necessary for the Midtown Redevelopment.

Sec. 22-1106. - Levy of additional taxes to pay, either in whole or part, the expenses and charges for providing additional governmental services with the Midtown Special Service District.

Pursuant to the authority contained in Virginia Code § 15.2-2403, within the Midtown Special Service District, there is hereby levied and imposed for each calendar year, in addition to the real estate tax levied by Town Code 22-200, an additional tax of \$0.20 per hundred dollars of assessed valuation on all real estate and the improvements thereon not expressly exempt from taxation. This levy is to fund the town's obligations to pay, either in whole or part, the expenses and charges for providing and maintaining facilities and services within the service district.

Sec. 22-1107. - Limitation on purposes for which additional taxes levied and collected within the Midtown Special Service District may be used.

All taxes levied and collected pursuant to this chapter within the Midtown Special District shall only be used to pay, either in whole or part, the expenses and charges for providing and maintaining facilities and services within the Service District Boundaries. No additional tax shall be levied for or used to pay for schools, police or general government services not authorized by Virginia Code § 15.2-2400. The proceeds from all such additional taxes as may be levied and collected shall be maintained in a special fund, the Midtown Special Service District special revenue fund, with the proceeds to be so segregated as to enable the same to be expended only within the Service District Boundaries.

2. That this ordinance shall be in effect on and after January 1, 2021.

Mayor

ATTEST:

Town Clerk

Introduction: _____

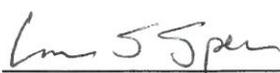
Public Hearing & Action: _____

APPROVED AS TO CONTENT:



Town Manager

APPROVED AS TO LEGAL SUFFICIENCY:



Town Attorney

EXHIBIT A

Metes and Bounds Description of Midtown Special Service District Boundaries

BEGINNING AT A DRILL HOLE FOUND AT THE INTERSECTION OF SOUTH MAIN STREET AND EHEART STREET, S.E.; THENCE WITH THE NORTHEAST LINE OF SOUTH MAIN STREET N40°03'20"W 458.38' TO A 5/8" ROD FOUND; THENCE LEAVING THE SAID LINE OF SOUTH MAIN STREET N51°09'22"E 165.69' TO A 1/2" ROD FOUND; THENCE N40°16'23"W 193.00' TO A 5/8" ROD FOUND IN THE SOUTHEAST LINE OF CLAY STREET, S.E.; THENCE WITH THE SOUTHEAST LINE OF CLAY STREET, S.E. N50°46'37"E 109.42' TO A 5/8" ROD FOUND IN A HOLE IN THE ASPHALT; THENCE N50°46'44"E 199.57' TO A 1/2" ROD FOUND; THENCE N50°46'37"E 553.65' TO A POINT; THENCE N66°43'24"E 288.36' TO A POINT; THENCE N59°47'49"E 81.85' TO POINT; THENCE LEAVING THE SAID LINE OF CLAY STREET, S.E. S40°48'42"E 252.01' TO A 1/2" ROD FOUND; THENCE N67°00'18"E 102.00' TO A RAILROAD SPIKE FOUND; THENCE S84°09'34"E 171.86' TO A 5/8" ROD FOUND; THENCE S85°42'45"E 78.81' TO A 5/8" ROD FOUND IN A FENCE LINE; THENCE N50°35'15"E 146.64' TO A 5/8" ROD FOUND IN THE SOUTHWEST LINE OF WILLARD DRIVE; THENCE WITH THE SAID LINE OF WILLARD DRIVE S38°48'56"E 100.00' TO A POINT AT THE INTERSECTION OF WILLARD DRIVE EHEART STREET, S.E.; THENCE LEAVING THE SAID LINE OF WILLARD DRIVE AND WITH THE NORTHWEST LINE OF EHEART STREET, S.E. S50°25'45"W 40.28' TO A 1-1/4" ROD FOUND; THENCE S51°00'58"W 985.13' TO A MARK ON A WATER VAULT; THENCE S51°00'45"W 379.65' TO A NAIL FOUND; THENCE S49°40'23"W 400.68' TO THE POINT OF BEGINNING.

