

MEMORANDUM

To: Planning Commission
From: Emma Martin, Planner I EM
Date: October 15, 2020
Subject: CUP20-0004 Conditional Use Permit request for General Office Use in the R-5 Transitional Residential Zoning District on 0.419 acres at 1117 S. Main Street (Tax Map No. 287- 15 10A) by Steve Semones of Balzer and Associates (applicant) on behalf of Lincoln I, LLC (property owner).

SUMMARY OF LAND USE REQUEST

Property Location	1117 S. Main St.
Tax Map Numbers	287- 15 10A
Parcel(s) Size	0.419
Present Zoning District	R-5 Transitional Residential
Present Use	Low Density Residential (Vacant)
Adjacent Zoning District	North: R-5 Transitional Residential East: R-4 Low Density Residential South: R-5 Transitional Residential West: Office
Adjacent Uses	North: Undeveloped and Medium Density Residential East: Low Density Residential South: Medium Density Residential West: Mixed Use
Adopted Future Land Use	Medium Density Residential
Proposed Use	General Office (Gravity Real Estate Office)
R-5 District Standards	
Maximum Height	35' to 45'
Minimum Setbacks	Front: 25' to 35' Side: 10' Rear: 25'
Maximum Lot Coverage	55% impervious
Maximum Density	20 bedrooms per acre
Minimum / Proposed Parking	1 space per 300 sq ft / 8 spaces
Minimum / Proposed Bike Parking	5 spaces / 5 spaces

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1117 S. Main Street
Prepared by ETM

DEVELOPMENT PROPOSAL AND EXISTING CONDITIONS

The property subject to this Conditional Use Permit (CUP) request is located at 1117 South Main Street. The parcel is approximately 0.419 acres and contains an existing single-family residence that is currently vacant. The surrounding neighborhood is a mix of residential and non-residential uses. Adjacent and nearby uses include single-family dwellings, multi-family dwellings (Cohee Road apartments), undeveloped land, and office uses across Main Street. The properties adjacent to 1117 South Main Street across Main Street are the location of the Tele Works Inc. office and the Special Olympics of Southwest Virginia office. The Prime Photonics office is located diagonally from the subject parcel at 1116 South Main Street.

The existing building on the site is a 2,394 square foot, 1.5 story structure with a detached garage that has recently been removed. The owner, Lincoln I, LLC, intends to convert the existing building from residential use to General Office use. The owner is proposing to rent 2,394 square feet of office to the Gravity Real Estate Group for their permanent real estate office. The applicant has requested a Conditional use Permit to allow General Office use in the R-5 Transitional Residential Zoning District. While the proposal is for the Gravity Real Estate Office, if approved, the CUP would apply to the property and allow future General Office tenants.

According to the applicant, the Gravity Real Estate Group is a real estate company that will provide services for residential and commercial real estate transactions. Gravity Real Estate Group agents and office staff have varying hours and are often out of the office at real estate showings and closings. The applicant anticipates 4-5 employees per day at the office and likely no more than 2 clients per day. The proposed hours of operation are from 9:00 AM to 5:00 PM on weekdays and by appointment only on weekends.

The applicant is proposing to improve and widen the existing driveway and entrance, add screening and landscaping, and provide 8 parking spaces at the rear of the building (including one ADA accessible space). Vehicular access to the Office Use will be via the existing driveway on the south side of the property. The driveway previously lead to a 560 square foot detached garage that was recently removed. Landscaping and fencing will be provided along the sides and rear of the property to buffer neighboring properties from the Office Use. The estimated area of land disturbance is under 5,000 square feet and is limited to the minimal grading and paving required for the parking spaces and driveway expansion. The applicant does not propose any interior or exterior changes to the building beyond the creation of an accessible entrance, any required internal renovations or upgrades as required by the Building Code, and cleaning and/or painting of the exterior. The applicant will have to submit plans to the building department if the CUP is approved, and the building department will determine if the change of use warrants any accessibility improvements.

EVALUATION OF REQUEST

The criteria to be considered in evaluation of a Conditional Use Permit include:

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

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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.

NEIGHBORHOOD MEETING

A neighborhood meeting was held on September 30, 2020 at 5:30 PM. Notes and sign-in sheet from the meeting are attached to the staff report. The meeting was held in the Council Chambers at 300 South Main Street with appropriate Public Health Emergency provisions addressing social distancing in place. The meeting was also broadcast live on Comcast cable, WTOB Channel 2, and available for live stream on the Town's website.

COMPREHENSIVE PLAN

In evaluating this request against the Comprehensive Plan, consideration should be given to the Plan's Map Series, as well as applicable text sections, community character principles, goals, and objectives and policies, and other supporting documents.

Land Use Map Series

The Future Land Use map designation identifies this property as Medium-Density Residential. The definition of Medium-Density Residential is:

Residential units with up to and including ten dwelling units per acre or up to 20 bedrooms per acre, whichever is less. Typical implementing districts are Transitional Residential (R-5), Old Town Residential (OTR), Planned Residential (PR), and Planned Manufactured Home (PHM) zoning districts.

The implementing zoning districts do allow some non-residential uses by Conditional Use Permit. These requests are reviewed on a case-by-case basis for their merits and neighborhood compatibility, as well as the mitigation of any adverse impacts.

ZONING ORDINANCE

In consideration of the application against the specific requirements and regulations in the Zoning Ordinance, the applicable sections of the ordinance are outlined below:

Use Definitions

General Office use is defined as:

Use of a site for business, professional, or administrative offices, excluding medical offices. Typical uses include real estate, insurance, management, travel, computer software or information systems research and development, or other business offices; organization and association offices; or law, architectural, engineering, accounting or other professional offices.

The proposed use of office for the Gravity Real Estate Office is consistent with this definition.

District Intent

The purpose of the R-5 Transitional Residential District is to provide for a transitional land use between low density residential and higher intensity land uses. The district is predominantly residential and is

intended to allow appropriate conditional uses that are sensitive to and reinforce the residential neighborhood character.

These typically will involve the conversion or replication of single-family houses. Properties along arterial and collector roads are particularly suited for such conditional uses. The livability or small-town character of the Transitional Residential District is made up of tree-lined streets, open space, and greenways interspersed within a more urban residential pattern.

Per District Standard section 3051 (b) of the Zoning Ordinance, General Office use is allowed in the R-5 Transitional Residential district by conditional use permit. Conversion of a single-family home to a General Office located on an arterial road is consistent with the purpose and intent of the district.

General Office Use and Design Standards

A full list of Use and Design Standards for §4420 General Office are as follows and staff comments have been provided in italics below.

§4420 General Office (a) General standards.

1. Exterior lighting shall be compatible with the surrounding neighborhood.

The applicant is not proposing to install any commercial style parking lot lighting and the application states that any lighting provided will be residential in scale, height, and design. If the applicant is required or wishes to use any exterior lighting, a lighting plan needs to be submitted as part of the Conditional Use Permit application.

2. Entrances to the site should be minimized and placed in such a way as to maximize safety, maximize efficient traffic circulation, and minimize the impact on any surrounding residential neighborhood.

The parking lot will be accessed via the existing driveway entrance on South Main Street. The applicant plans to improve and widen the existing driveway and entrance to meet Town standards and include additional parking at the rear of the property. The driveway may be located in the buffer yard per section 5310 of the Zoning Ordinance.

3. The street elevation of the principal structure shall have at least one (1) street-oriented entrance, and contain the principal windows of the office.

The applicant is not proposing any changes to the existing single-family building besides the addition of an accessible entrance and other improvements as required by the Building Code. The street oriented, front entrance will remain and there are several windows on the front of the building that are street oriented.

4. Loading areas shall be sited in such a way so as to minimize the impact on any surrounding neighborhood. Sufficient screening material meeting the standards of Article V, Division 3 of this ordinance shall be provided to screen and diffuse noise impacts on adjacent residences. A type D buffer shall be required when a loading area is located adjacent to a residential use.

No loading area is necessary for the proposed office use and no loading area is required.

5. The use of alternative paving material, such as brick pavers or porous pavement is permitted.

The applicant has not provided any information about use of alternative paving material. The concept plan shows the driveway and parking lot as being paved with asphalt over the existing asphalt.

§4420(b) Additional standards in the R-5 zoning district:

1. The retention and use of upper floors for residential purposes is encouraged, so as to continue and enhance the residential character of the neighborhood.

The application proposes to convert the existing single-family structure into an office use for the Gravity Real Estate Group. No residential uses are proposed and the application states the residential character of the home will be kept.

2. A general office which adjoins a R-4, R-5, OTR, RR1, RR2, or PR zoning district shall have a type A buffer yard behind the front line of the principal building. A Type A buffer consists of a 10' buffer; 4' architectural screen; and small evergreen trees; or a 20' buffer; a row of small evergreen trees and a row of evergreen shrubs.

North and East Buffer

The parcel at 1117 S Main Street adjoins the R-4 Low Density Residential zoning district on the east, the R-5 Transitional Residential zoning district to the north. A Type A buffer is required since the subject parcel abuts the R-4 and R-5 districts. The applicant is proposing to include a 10' wide Type A buffer yard along the north and east property lines that would include a 4' screening fence and smaller evergreen trees.

West Buffer

The parcel is adjacent to the Office zoning district to the west across South Main Street. There is no buffer required to screen the west side of the property since it is adjacent to South Main Street.

South Buffer

*The parcel is adjacent to the R-5 Transitional Residential zoning district to the south. The applicant is requesting a modification concerning the Type A buffer yard that is required along the south property line. The applicant is proposing a modification for the south property line to allow an **8' wide** Type A buffer yard rather than a 10' wide buffer yard. The reduced width is due to the proximity of the existing building and existing /proposed driveway along the southern property line. The applicant states that if a full 10' wide buffer was proposed, the driveway would be directly abutting the existing structure and could provide a safety hazard to drivers and pedestrians. To mitigate the 2' reduction in buffer yard width, the applicant is proposing a higher screening fence of **6'** instead of the required 4' tall fence along with the required evergreen trees.*

3. For existing structures, no exterior changes may be made that are nonresidential in character. *The applicant states that no changes to the exterior of the existing structure are proposed beyond maintenance such as cleaning or painting. Other renovations internal to the building will include all necessary updates and be permitted as required by the Building Code.*

4. Applicants must clearly demonstrate that the use will be compatible with the neighborhood, particularly with regard to traffic circulation, parking, and appearance.

The applicant has provided justification for the request used on pages 2 and 3 of the application narrative. There are a variety of uses in the area; directly adjacent is single-family and multi-family

residential and across S Main there are several offices and restaurants. In addition, the nature of what is proposed and the use of the existing residential structure lends itself to neighborhood compatibility. For discussion of parking, see Development Standards Parking section. For discussion of traffic, see Transportation section.

5. The scale, massing, and building design should be compatible with the surrounding neighborhood. The structure shall be street-oriented with pedestrian entrances from the street. *The scale, massing, and design of the existing building is compatible with the surrounding neighborhood. The existing building is 1.5 stories, totaling 2,394 square feet. No changes are proposed to the height of the building. No changes are being proposed to massing or building design beyond the removal of the detached garage.*

The structure is street-oriented with a pedestrian entrance from the street. However, it is not clear if this entrance will be the primary entrance for office use or if the rear entrance adjacent to the proposed parking lot will be used as the primary entrance. The application states that an accessible entrance into the building will be provided, but it is unclear which entrance will be accessible, as the interior design of the building has not yet been finished. The specific location of the entrance can be resolved at the site plan stage.

6. The location, dimensions, and design concept of any proposed signage should be provided at the time of the conditional use permit application. *The applicant states that a new ground mounted monument sign is proposed along the South Main Street frontage and will be designed and located as required per Town Code. Section 5525 of the Zoning Ordinance outlines the requirements for monument signs and section 5532 covers signage regulations in residential zoning districts. According to section 5532, a freestanding monument sign for a business in the R-5 zoning district shall have a maximum height of 4 feet and a maximum square footage of 12 square feet. The applicant provided graphics of the proposed sign, with dimensions in a revised application dated September 30, 2020. The proposed signage is 4' by 3' and located in the front yard of the parcel. Additional dimensions are needed to verify this signage meets the Zoning Ordinance requirements.*

7. Parking shall be located behind the front line of the principal building. Town Council may grant a special exception to this requirement as authorized by Section 1112. *Proposed parking is located to the rear of the building, meeting this standard.*

DEVELOPMENT STANDARDS

Vehicle Parking

The application proposes to provide eight parking spaces including one ADA accessible space. Section 5220 (d) of the Zoning Ordinance outlines minimum parking required for General Office Uses. The Zoning Ordinance requires one space for every 300 square feet of office space. The applicant intends to use the existing building, approximately 2,394 square feet, as a general office. Therefore, 7.98 parking spaces are required per the parking requirements for general office space.

Bicycle Parking

Section 5213 of the Zoning Ordinance outlines minimum parking for bicycles. For office uses, a minimum of five bicycle parking spaces shall be provided. Five bicycle parking spaces are proposed.

Pedestrian Access

There is a sidewalk along South Main Street adjacent to the subject parcel. There is an existing brick walkway from the public sidewalk to the front entrance. The concept plan for the proposed office shows a concrete walkway leading from the proposed parking area to a rear entrance.

Street Trees

Section 5400 of the Zoning Ordinance outlines the importance of preserving existing trees and vegetation as well as the planting of new trees and vegetation. The conversion of an existing residential use to a commercial use requires a site development plan per section 5100 of the Zoning Ordinance. When a site plan is required, section 5410 states that the landscaping requirements apply to the development. Section 5428 requires every development requiring a site plan to provide at least one tree for every 30 feet of public street frontage. For 101 feet of street frontage along South Main Street, at least 3 trees shall be planted on or adjacent to the site. The applicant is also required to meet the standards of the Landscaping Division of the Zoning Ordinance including tree canopy. If the applicant revises the concept plan to show street trees, staff recommended condition number 3 can be removed. Other landscaping requirements can be confirmed at the site plan stage.

ADVERSE IMPACTS

Section 1181 of the Zoning Ordinances requires that Conditional Use Permit requests be evaluated for minimum adverse impact on the surrounding neighborhood or community. Adverse impact shall be evaluated with consideration to items such as, but not limited to: traffic congestion, noise, lights, dust, drainage, water quality, air quality, odor, fumes, and vibrations. In consideration of these impacts, due regard shall be given to the timing of the operation, site design, access, screening, or other matters which might be regulated to mitigate adverse impacts.

Noise

Noise from the office use will be minimal and will depend on hours of operation.

Hours of Use

The applicant noted that the office staff will have varying hours and are often out of the office at real estate showings and closings. The applicant is proposing hours of operation from 9:00 AM to 5:00 PM on weekdays and by appointment only on weekends. Limiting hours for the office to normal weekly business hours would result in a lower impact on the surrounding residential neighborhood. Staff recommends a condition limiting hours of operation from 7:00 AM to 7:00 PM to allow for flexibility while minimizing neighborhood impacts.

Transportation

The Town Engineering Staff have reviewed the application with regard to transportation impact and provide the following comments:

- Based on the 2,394 SF Office space use the anticipated total daily trips would be thirty-nine (39). As a comparison, the anticipated number of total trips for a Single Family use would be ten (10). Though the percentage of trips would increase significantly, the anticipated total daily trip volume would be considered minimal and would be expected to have a negligible impact on the existing road network. Mitigating measures beyond the proposed improvements to the existing entrance would not be warranted.

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Public Utilities

The Town Engineering Staff have reviewed the application with regard to the water and sanitary sewer service and provided no comments.

Stormwater

The Town Engineering Staff have reviewed the application with regard to stormwater and have provided no comments.

SUMMARY

The application shall be evaluated on compatibility with the Comprehensive Plan and to official Town policies, including the purposes and development requirements of the Zoning Ordinance and Subdivision Ordinance. Per section 1183, the Commission shall base its recommendation upon the review of the submitted application materials, the specific and general criteria for the Conditional Use, public comment received at the hearing, and the information and evaluation provided by the staff. The Conditional Use Permit application being reviewed is a discretionary decision.

In making a recommendation to the Town Council, the Commission may recommend any conditions necessary to ensure that the proposal meets the specific and general standards for the proposed use. Any such conditions shall be related to the design, scale, use, or operation of the proposed Conditional Use. Where warranted, for the purpose of compliance with the general standards for Conditional Uses, such conditions may exceed the specific standards for the use found elsewhere in the Zoning Ordinance. In addition, the Conditional Use Permit application is evaluated on minimum adverse impact on the surrounding neighborhood or community.

No adverse impacts are expected due to a General Office use with regard to traffic, external lights, noise, dust, drainage, water quality, air quality, odor, fumes and vibrations.

MODIFICATION REQUESTED BY APPLICANT

Use and Design Standard 4420 (b) (2): Modification of the Type A buffer yard along the **south** property line to allow for a **8' wide** Type A buffer yard with a **6' tall** screening fence and the required evergreen trees.

STAFF RECOMMENDED CONDITIONS

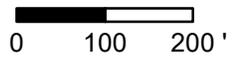
1. The property shall be developed in substantial conformance with the revised application dated September 30, 2020.
2. The office hours of operation shall be limited to 7:00 AM to 7:00 PM daily.
3. One street tree shall be planted for every 30 feet of public street frontage along S Main Street. For the 101 feet of frontage, at least 3 trees shall be planted along the Main Street frontage.

ATTACHMENTS

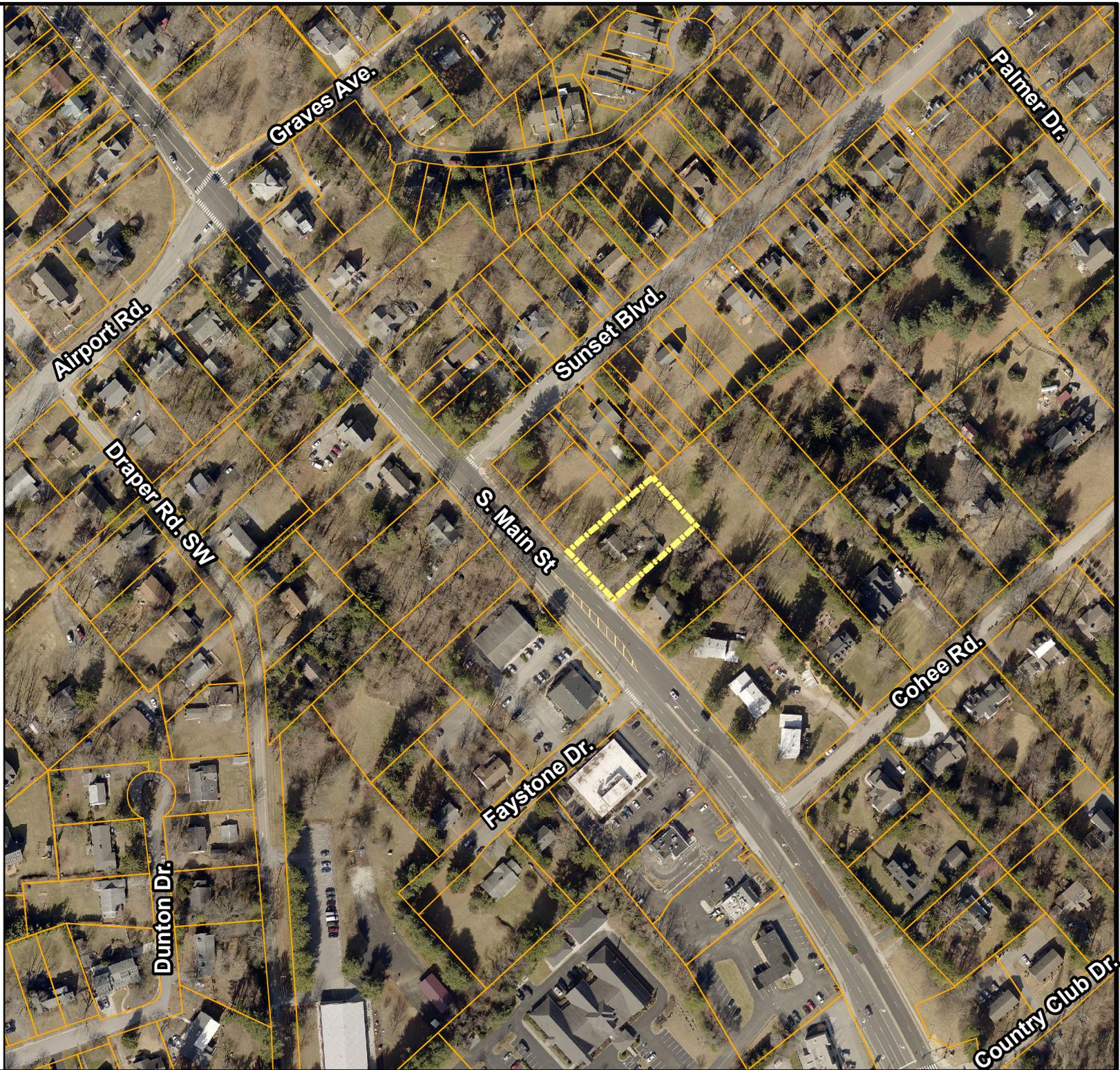
Staff GIS Maps
Revised application dated September 30, 2020
Neighborhood Meeting Notes and Sign in Sheet

**1117 S. Main
CUP20-0004
Aerial**

- Subject Parcel
- ▭ Parcels

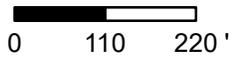


Blacksburg TOWN OF
VIRGINIA

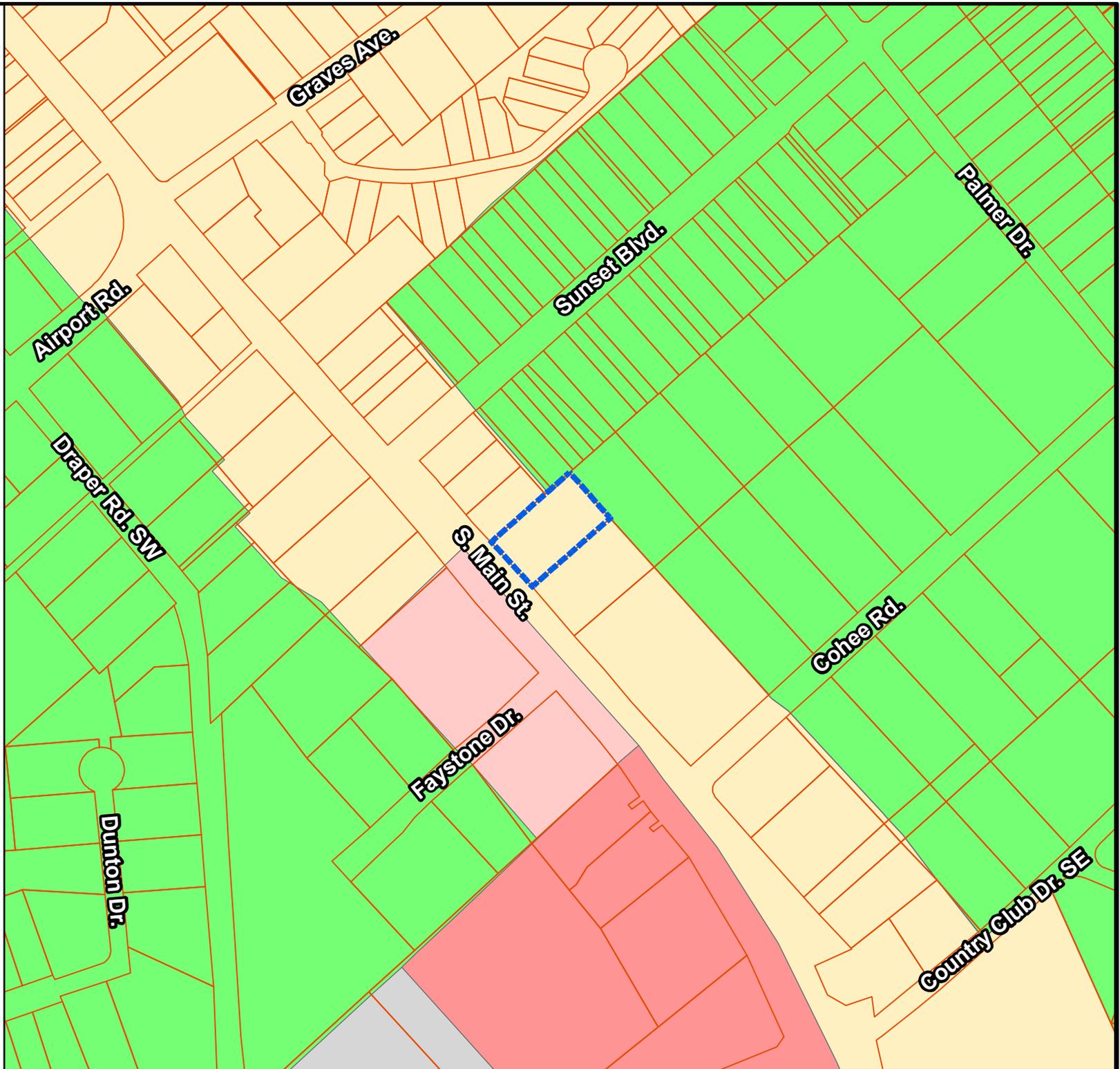


1117 S. Main St. CUP20-0004 Zoning

- Subject Area
- Parcels
- GC General Commercial
- O Office
- PC Planned Commercial
- R-4 Low Density Residential
- R-5 Transitional Residential



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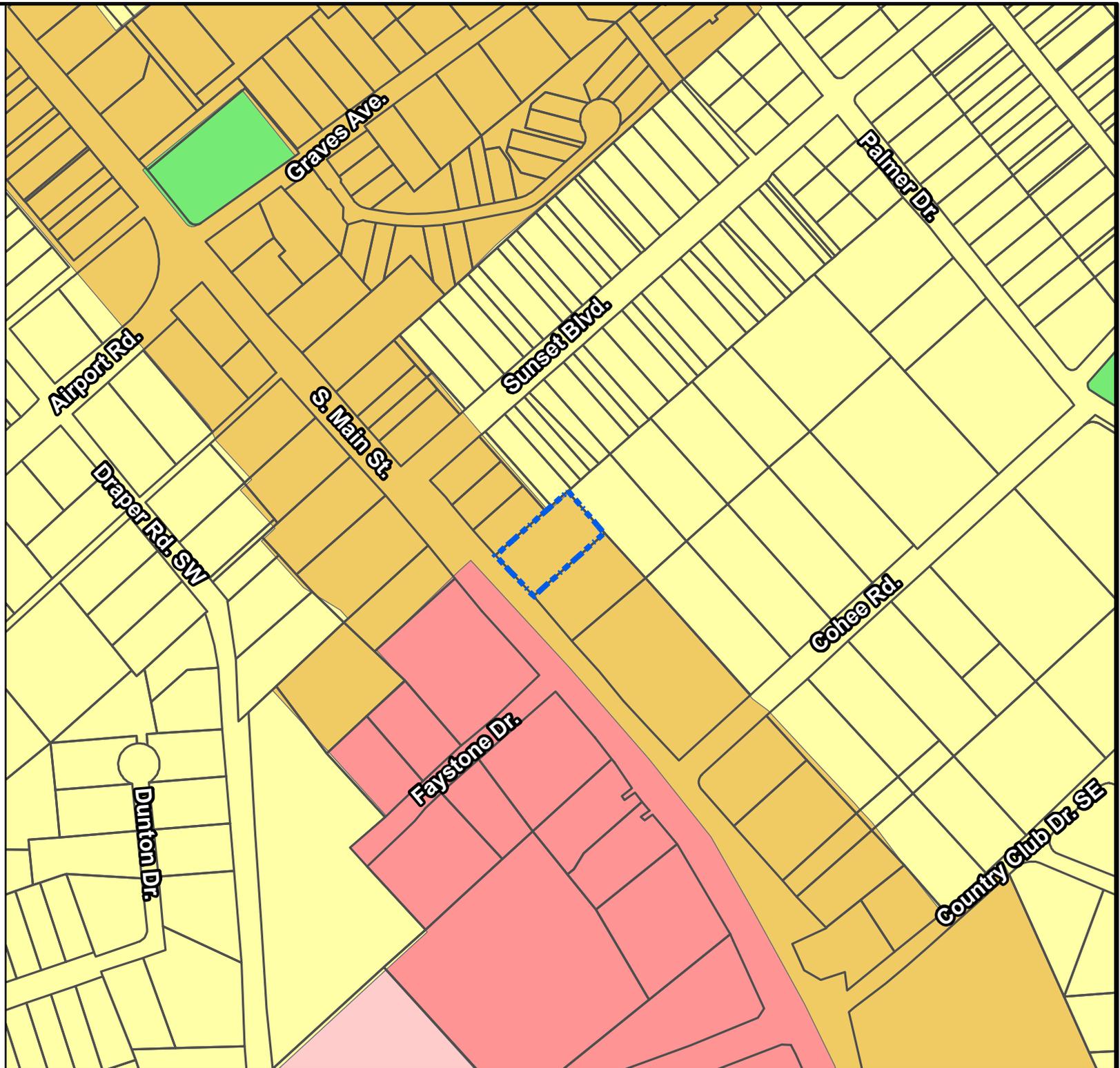


1117 S. Main St. CUP20-0004 Future Land Use

- Subject Parcel
- Parcels
- Low Density Residential
- Low Impact Commercial
- Medium Density Residential
- Park Land / Open Space / Resource Protection
- High Impact Commercial



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VIRGINIA



**1117 S. Main
CUP20-0004
Aerial**

-  East Buffer
-  South Buffer
-  West Buffer
-  North Buffer
-  Parcels



Blacksburg TOWN OF
VIRGINIA



CUP 20-0004-General Office (Real Estate) in R-5

Neighborhood Meeting

Wednesday, September 30, 2020

5:30 pm

Town staff in attendance was Emma Martin, Anne McClung and Kasey Thomsen

Steve Semones and Austin Cummings were in attendance as the applicants.

The meeting began at 5:31 pm.

Emma Martin opened the meeting by discussing the schedule of meetings yet to come, the purpose of the Neighborhood meeting and overview of the parcel in question. She also directed all those in attendance to the Town of Blacksburg website where the current application, meeting schedule and any and all future documents and additions to the application could be found.

Mr. Steve Semones gave a presentation on the project proposal. The property is currently a vacant single family home that the applicant would like to use as use as a real estate office. The business will keep office hours of 9AM to 5PM, Monday through Friday and by appointment only on weekends. A real estate office is typically a low (customer) traffic entity and the property is proposed to have 8 parking spaces and 5 employees. There are many access points for the property. Finally the applicant plans to install a (required) buffer yard consisting of a fence and vegetation. The applicant is requesting a modification to the south buffer yard due to the presence of the driveway.

There was 1 citizen in attendance who had 1 question:

-When exiting the property, will customers driving cars have to back out onto South Main Street or is there room on the property to turn around?

The meeting concluded at 5:45 pm.

