BLACKSBURG PLANNING COMMISSION — December 6, 2022
Municipal Building Council Chambers — 6:30 p.m.

MINUTES

I. CALL TO ORDER

Chair Andy Kassoff called the meeting to order at 6:30 pm.

II. ROLL CALL

Present: T. Colley; J. Ford; J. Herbein; A. Kassoff; S. Rinehart; L. Walker; L. Watson.
A. McClung, Planning and Building Director.
K. O'Shea, Town Planner.
K. Thomsen, Planning Technician.
M. Hanratty, Assistant to the Town Manger.

Absent: M. Jones.

III. CONSENT AGENDA

A. ZOA #42/ORD #2002-Ordinance to amend the text of the Town's Zoning Ordinance to create, define and regulate small-scale alcohol productions facilities including associated uses such as tasting rooms and retail sales.
ACTION: Cancel public hearing for December 6, 2022 and reschedule for January 3, 2023.

B. RZN 22-0003-Request for an amendment to previous rezoning Ordinance #746 to modify a Planned Commercial PC zoning district including permitted uses at 1055 Plantation Road (Tax Map No. 254-A-18) by Broadstreet Partners, LLC (applicant) for Blacksburgs Green BLD LLC (owner).
ACTION: Cancel public hearing for December 6, 2022 and reschedule for February 7, 2023.

C. CUP 22-0006-Conditional Use Permit for Mini-Warehouse Use in the Planned Commercial PC zoning district at 1055 Plantation Road (Tax Map No. 254-A-18) by Broadstreet Partners, LLC (applicant) for Blacksburgs Greens BLD LLC (owner).
ACTION: Cancel public hearing for December 6, 2022 and reschedule for February 7, 2023.

Jerry Ford Jr. moved to approve the Consent Agenda.
Joel Herbein seconded the motion.

There was no discussion from the Planning Commission.

Motion passed 7-0. All commissioners present voted yes. None voted no.

IV. PUBLIC HEARING

A. CUP 22-0005-Conditional Use Permit for additional height in the Downtown Commercial DC zoning district at 310 Midtown Way (Tax Map No. 257-(A)-217) by Foresight Design Services (applicant) for Midtown Redevelopment Partners, LLC (owner).

a. Staff presentation.
Kinsey O'Shea stated the request is to increase the allowable building height of a proposed hotel in the Midtown Development from 60 feet to a maximum of 73 feet on Downtown Commercial zoned Parcel DC #6. O'Shea gave the definition of building height and described how it is measured. O'Shea showed a map of the different projects under review on different parcels in the overall Midtown development. O'Shea commented on how this hotel will fit in the development. Town staff recommended conditions for the Conditional Use Permit include substantial conformance with the revised November 28, 2022 application; maximum height of the structure shall be limited to 73 feet and the developer should provide certain enhanced streetscape measures as discussed.

b. Applicant presentation.
John Neel of Foresight Design Services and Miller Caldwell of Caldwell Architects gave a presentation on the request. The developer is asking for 73 feet but in actuality, the building will be closer to 71 feet in height. The developer is asking for some flexibility above the 71 feet to account for any changes that may occur with the preparation of construction drawings. Neel gave an overview of the proposed hotel design noting the lobby, breakfast area, guest rooms and conference room/meeting space, and terrace lounge locations, along with utility locations and improvements to the landscape design.

The Planning Commission had questions about the significance of the conference rooms and occupant load of the building.

c. Public Comment.
None.

d. Applicant rebuttal.
None.

e. Motion and Discussion.
Joel Herbein moved to approve CUP 22-0005 for additional height in DC at 310 Midtown Way with all staff recommended conditions.

Tim Colley seconded the motion.

There was no discussion from the Planning Commission.

Motion to approve CUP 22-0005 with staff conditions passed 7-0. All Planning Commissioners present voted yes. None voted no.

B. <u>ZOA #60/ORD #2001-Zoning Ordinance Amendment to amend text of the Zoning Ordinance and create a new Downtown Northwest zoning district for the area bounded by North Main Street, Turner Street and Price Fork Road.</u>
a. Staff presentation.

Anne McClung stated that the zoning ordinance amendment request is part of the implementation of the Town's Downtown Strategic Plan, specifically for the sub-district of Downtown Northwest. McClung gave an overview of the geographic boundaries and stated that the new zoning district is wholly optional and incentive based. Property owners would need to apply for rezoning to the district. The district contains more detailed form-based standards that are found in other existing zoning districts in the code. The new district is designed to ensure implementation of the vision of the Downtown Strategic Plan. Key provision in the new district are: minimum parcel size for rezoning; residential density; building height and step backs; and new build-to and build-out standards for buildings. McClung stated that the Town Council will pause the process after received the Planning Commission's recommendation in order for Council to have time review the materials, consider input received and consider key issues. Town Council may send the amendment back to Planning Commission for review and recommendation if Council directs substantial revisions to the district.

There were no questions from the Planning Commission.

b. Public Comment.
Jeff Mitchell of 2109 Reagan Road is a representative of a property owner in the proposed District at 208 Turner Street. They enthusiastically support the district, which can provide a seamless transition to Virginia Tech. Mitchell recommended that the implementation plan be altered so that an owner's property is either in the district or out of the district and expressed concerns about the minimum parcel size for rezoning. Mitchell also requested that there be no small-scale student housing developments.

Joe Gatto of CORE Spaces stated they like the idea but think there is room for changes. The land parcel area required for rezoning should be reduced or eliminated. Development may be hindered due to all the standards in the proposed district and achieving the variety of uses envisioned may be problematic. Gatto stated that setbacks should allow the buildings to be taller closer to the street.

Emilio Santini of Progress Street stated that he is a neighbor and is favor of the district; noting the potential benefit to the larger community despite the proximity to his neighborhood. Santini does think that the minimum parcel size should be lowered.

c. Motion and Discussion.

Andy Kassoff asked about what exactly the Planning Commission would be voting on this evening. Anne McClung stated that the Planning Commission would be voting on the November 2022 draft of the amendment. McClung suggested the Planning Commission could make two motions; one to take action on the amendment and move it on to Town Council for their consideration and a separate motion to provide the Commission's input on items that Council may want to further review as part of its consideration.

Joel Herbein motioned to approve ZOA #60/ORD #2001 as stated by Town staff. Susanna Rinehart seconded the motion.

Jerry Ford Jr. commended staff and consultants and those that spoke at Public Comment. Ford has concerns about the upper limit height and cannot support this amendment at this time.

Rinehart asked for a point of clarification from the commissioners as to their concerns about acreage verses recommended height.

Chair Andy Kassoff stated that if commissioners had concerns, they can express them with their vote.

Tim Colley stated he did have concerns and further evaluation of the parcel size needs to be explored.

Motion to approve ZOA #60/ORD # 2001 passed 4-3. Walker, Kassoff, Herbein and Colley voted yes. Ford, Rinehart and Watson voted no.

2nd Motion to request more evaluation of minimum acreage required for rezoning, maximum building height, required road frontage and more ways of promoting commercial development based on comments made by Jerry Ford Jr.

Motion seconded by Tim Colley.

There was no discussion from the Planning Commission.

Motion passed 7-0. All Planning Commissioners voted yes. None voted no.

C. ZOA #42/ORD #2002-Ordinance to amend the text of the Town's Zoning Ordinance to create, define and regulate small-scale alcohol productions facilities including associated uses such as tasting rooms and retail sales.
Public Hearing cancelled. See Item III-A.

D. RZN 22-0003/ORD #2003-Request for an amendment to previous rezoning Ordinance #746 to modify a Planned Commercial PC zoning district including permitted uses at 1055 Plantation Road (Tax Map No. 254-A-18) by Broadstreet Partners, LLC (applicant) for Blacksburgs Greens BLD LLC (owner).
Public Hearing cancelled. See Item III-B.

E. CUP 22-0006-Conditional Use Permit for Mini-Warehouse Use in the Planned Commercial PC zoning district at 1055 Plantation Road (Tax Map No. 254-A-18) by Broadstreet Partners, LLC (applicant) for Blacksburgs Greens BLD LLC (owner).
Public Hearing cancelled. See Item III-C.

V. CITIZEN COMMENT-None.

VI. UNFINISHED BUSINESS

A. Zoning Ordinance Review Committee
Andy Kassoff stated that the committee has reviewed ZOA # 42 Small Scale Alcohol and will review accessory apartments at their next meeting.

B. Historic or Design Review Board
Tim Colley reported that the board has not met recently.

C. Montgomery County Planning Commission.
The Board met twice in November and Joel Herbein provided a report about the latest Montgomery County Planning Commission meetings.

D. Additional items from the Planning Commission.
None.

VII. NEW BUSINESS

A. Chair's Report
None.

B. Planning Director's Report.
None.

C. Town Council Report
Jerry Ford reported that Town Council is reviewing the Capital Improvement Program requests.

VIII. ADJOURNMENT OF REGULAR MEETING

The meeting was adjourned at 7:47 pm.

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Timothy Colley, Secretary

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K. Thomsen, Planning Technician