NOTE:

The Proposed Ordinance Establishing the Montgomery County Stormwater Ordinance is listed under Old Business instead of the Consent Agenda in order to better inform the citizens of Montgomery County about implementing a stormwater ordinance.

TO: The Honorable Board of Supervisors

FROM: F. Craig Meadows, County Administrator
L. Carol Edmonds, Deputy County Administrator

DATE: June 9, 2014

SUBJECT: AGENDA REPORT

I. CALL TO ORDER

II. INTO CLOSED MEETING

BE IT RESOLVED, The Board of Supervisors hereby enters into Closed Meeting for the purpose of discussing the following:

Section 2.2-3711 (1) Discussion, Consideration or Interviews of Prospective Candidates for Employment; Assignment, Appointment, Promotion, Performance, Demotion, Salaries, Disciplining or Resignation of Specific Officers, Appointees or Employees of Any Public Body

1. Adjustment and Appeals Board
2. CPMT
3. Parks & Recreation Commission

III. OUT OF CLOSED MEETING

BE IT RESOLVED, The Board of Supervisors ends their Closed Meeting to return to Regular Session.

IV. CERTIFICATION OF CLOSED MEETING

WHEREAS, The Board of Supervisors of Montgomery County has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the Board that such Closed Meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby certifies that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion conveying the closed meeting were heard, discussed or considered by the Board.

VOTE

AYES

NAYS

ABSENT DURING VOTE

ABSENT DURING MEETING

V. INVOCATION

VI. PLEDGE OF ALLEGIANCE

VII. PRESENTATION

Resolution of Appreciation – Jimmy Epperly- Fire and Rescue Commission
The Board of Supervisors will present Jimmy Epperly with a Resolution of Appreciation for serving on the Fire and Rescue Commission.

VIII. DELEGATIONS

A. Virginia Department of Transportation
David Clarke, VDOT, will provide an update on road projects/issues in Montgomery County.

B. Public Safety Building
Ronald Riquelmy, Project Manager, will provide an update on the construction of the Public Safety Building.

IX. PUBLIC HEARINGS

A. SUBJECT: BOARD OF SUPERVISORS

The following public hearings were advertised pursuant to law in the "BURGS" Section of the Roanoke Times on May 25, 2014 and June 1, 2014:

1. Proposed conveyance of a 15'easement to Atmos Energy Corporation
   Proposed conveyance of a 15'easement to Atmos Energy Corporation for a gas line across a portion of the Christiansburg Middle School property located at 1205 Buffalo Street, N.W., Christiansburg, Virginia, to provide gas service to the adjacent Wynwood Estates neighborhood. See TAB **A** .

2. Proposed Ordinance Amending Election Districts – Create On-Campus Voting Precincts
   Proposed Ordinance Amending Election District A, Voting Precincts A-2 and A-3, Election District E, Voting Precincts E-1 and E-3, Election District F, Voting Precinct F-1 and F-2, Election District G, Voting Precinct G-1 and creating a new F-3 Voting Precinct with the F-3 Voting Precinct Polling Place Located at the Squires Student Center, 290 College Avenue, Blacksburg, Virginia, and changing the E-3 Voting Precinct Polling Place from the Virginia Tech Montgomery Executive Airport to the Squires Student Center, 290 College Avenue, Blacksburg, Virginia in order to create two on-campus Voting Precincts E-3 and F-3 with an on-campus Polling Location for both Precincts at Squires Student Center. See TAB **B** .

X. PUBLIC ADDRESS

XI. ADDENDUM

XII. CONSENT AGENDA

XIII. OLD BUSINESS

A. SUBJECT: ESTABLISH THE STORMWATER MANAGEMENT ORDINANCE

ORD-FY-14-
AN ORDINANCE ESTABLISHING THE MONTGOMERY COUNTY VIRGINIA STORMWATER ORDINANCE SECTIONS 8-70 THROUGH 8-85 OF THE CODE OF THE COUNTY OF MONTGOMERY BY CREATING STORMWATER MANAGEMENT REQUIREMENTS BY PROVIDING A FRAMEWORK FOR THE ADMINISTRATION, IMPLEMENTATION AND ENFORCEMENT OF THE PROVISIONS OF THE VIRGINIA STORMWATER ACT AND THE INTEGRATION OF MONTGOMERY COUNTY'S STORMWATER REQUIREMENTS WITH THE COUNTY'S EROSION AND SEDIMENT CONTROL, FLOOD INSURANCE AND FLOOD PLAIN MANAGEMENT

BE IT ORDAINED, By the Board of Supervisors of the County of Montgomery, Virginia, the Board hereby adopts the following:

SEE TAB **D** for a copy of the Stormwater Management Ordinance.

ISSUE/PURPOSE: Establish the Stormwater Management Ordinance

JUSTIFICATION: See TAB **D** for a copy of the Ordinance.

B. SUBJECT: REZONING & SUP REQUEST – MONTGOMERY COUNTY (TAYLOR HOLLOW MANAGEMENT)

ORD-FY-14-
AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF APPROXIMATELY 3.328 ACRES FROM AGRICULTURAL (A1) TO TRADITIONAL NEIGHBORHOOD DEVELOPMENT INFILL (TND-I) INCLUDING A SUP TO ALLOW SENIOR HOUSING AND FARM MARKET IN TND-1 AND AMEND THE ZONING CLASSIFICATION OF APPROXIMATELY 5.00 ACRES FROM AGRICULTURAL (A1) TO MULTIPLE FAMILY RESIDENTIAL (RM-1) BOTH REZONINGS IN THE PRICES FORK MAGISTERIAL DISTRICT (DISTRICT E) LOCATED AT 4237 PRICES FORK RD. BLACKSBURG, VA, IDENTIFIED FURTHER AS TAX PARCEL NO. 052-A-50, PARCEL ID. NUMBER 070688

BE IT ORDAINED, By the Board of Supervisors of Montgomery County, Virginia that it hereby finds that the proposed rezoning and special use permit request is in compliance with the Comprehensive Plan and meets the requirement for public necessity, convenience, general welfare and good zoning practice and therefore approves the request to rezone approximately 3.328 acres from Agricultural (A1) to Traditional Neighborhood Development Infill (TND-I), including a Special Use Permit (SUP) in Traditional Neighborhood Development Infill (TND-I) to allow senior housing and a farm market, and 5.00 acres from Agriculture (A1) to Multiple Family Residential (RM-1) to allow multi-family residential, residential, and limited commercial uses with the following proffered conditions:

1) Property shall be developed in substantial conformance with the conceptual plan by Balzer and Associates, Inc. dated March 3, 2014.

2) The site shall be served by Montgomery County PSA sanitary sewer and water. The rezoning of the property does not allocate or reserve water and sewer capacity for the proposed development. Site plan approval for the development shall be conditioned upon adequate water and sewer capacity being available.

3) A detailed site plan in conformance with zoning ordinance requirements shall be submitted and approved by the zoning administrator and all other necessary local and state agencies prior to issuance of building permits for this development.

4) Stormwater management on the property shall be in accordance with all State and Local stormwater management standards.

5) The following uses will be prohibited in the TND Infill district and the RM-1 district: funeral home, cemetery, boarding or transition houses, and park and ride lot.

6) The applicant shall provide a trail connection at a mutually beneficial location on the eastern side of the property at the time a future trail system is identified and constructed by Montgomery County serving the property.

7) The applicant commits to coordinate with Montgomery County and the Virginia Department of Transportation in the future in regards to the dedication of additional right of way or easements to better facilitate pedestrian, bicycle or vehicular travel along the subject property's frontage on Prices Fork Road within the Prices Fork historic village area.

8) The applicant shall provide at a minimum a 5' x 14' covered bus shelter constructed of durable architecturally sound materials that will withstand continual exposure to the elements. The shelter shall be located at one of the proposed site entrances along the frontage of Prices Fork Road with the specific site to be determined at a later date. The shelter shall be completed prior to any CO's being issued in Phase II if Phase II is developed for any residential use other than senior housing or once the property is served by public transit, whichever occurs first.

9) Any additional building constructed in the TND Infill district as shown in Phase III will have an architectural style that is complimentary to the existing building.

10) Any structures located in Phase II will have a variety of exterior finishes, textures and styles that are in keeping with the Prices Fork Village Comprehensive plan principles including but not limited to masonry materials such as brick or stone, cementitous siding, and vinyl siding.

11) The project will incorporate the following sustainable design features:
    a. Maximize the walkability of the property with sidewalks and pedestrian paths.
    b. Maximize green space and limit hard paved surfaces.
    c. Residential units will be energy efficient and will meet Energy Star certification where applicable.

12) Prior to site plan approval of Phase II, the applicant agrees to submit the site plan to the Montgomery County Planning Commission for their review and comment on the proposed plan's compatibility with the approved zoning. The applicant further agrees to a work session meeting with the Planning Commission to discuss the site plan.

13) The applicant will investigate the opportunity to work with Montgomery County to obtain Community Development Block Grant or Home Consortium funds and other types of alternative financing for the development of Phase II.

14) Any daycare facility proposed for the project will be fully licensed and certified to meet all required Federal, State and Local guidelines governing daycare facilities.

The subject parcel is located at 4237 Prices Fork Rd, Blacksburg, Va. and identified as Tax Parcel No. 052-A-50, (Account No. 070688) in the Prices Fork Magisterial District (District E).

The property lies in an area designated as Village Expansion in the Comprehensive Plan and Mixed Use in the Prices Fork Village Plan.

This action was commenced upon the application of Montgomery County Board of Supervisors and Taylor Hollow Management (Agent: Balzer & Associates).

This ordinance shall take effect upon adoption.

ISSUE/PURPOSE: Rezoning and Special Use Permit.

JUSTIFICATION: Montgomery County Board of Supervisors and Taylor Hollow Management submitted an application for the Rezoning and Special Use Permit for the Former Prices Fork Elementary

School property. At their May 14, 2014 meeting, the Planning Commission recommended approval of the request (8-0 vote, Katz absent).

XIV. NEW BUSINESS

A. SUBJECT: LINE OF SITE EASEMENT AND MAINTENANCE AGREEMENT HUCKLEBERRY RIDGE, LLC

R-FY-14-

A RESOLUTION APPROVING THE LINE OF SIGHT EASEMENT AND MAINTENANCE AGREEMENT BETWEEN FOREST PARK OF VIRGINIA, LLC, COUNTY OF MONTGOMERY AND THE HIGHLANDS AT HUCKLEBERRY RIDGE, LLC

WHEREAS, The Highlands at Huckleberry Ridge, LLC ("Developer") is developing the Huckleberry Ridge residential subdivision ("Development") off Merrimac Road in Montgomery County, Virginia; and

WHEREAS, One of the conditions to develop, the County is requiring an emergency access road; and

WHEREAS, The emergency access road in the later phase of Development will be improved by the Developer into a new public street maintained by VDOT; and

WHEREAS, To improve safety at the proposed intersection of the emergency access road (later to be public road), VDOT has requested the Developer to arrange for a line of sight easement along Merrimac Road; and

WHEREAS, Forest Park of Virginia, LLC, has agreed to grant the line of sight easement to the County with the Developer agreeing to maintain the easement area until such time as the Emergency Access Road is improved and accepted by VDOT as a public road.

NOW THEREFORE, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that the Board of Supervisors hereby approves the Line of Sight Easement and Maintenance Agreement between Forest Park of Virginia, LLC, the County of Montgomery, Virginia and the Highlands at Huckleberry Ridge, LLC; and

BE IT FURTHER RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors hereby authorizes the Chair, William H. Brown, to execute the Line of Sight Easement and Maintenance Agreement and accept the dedication of the Line of Sight Easement on behalf of the County of Montgomery, Virginia; and execute any other documents required to close the transaction.

ISSUE/PURPOSE: Enter into a Line of Sight Easement and Maintenance Agreement.

JUSTIFICATION: See TAB **E** for a copy of the Agreement.

B. SUBJECT: SCHOOL CAPITAL PROJECTS FUND TRANSFER

A-FY-14-
SCHOOL CAPITAL PROJECTS FUND
TRANSFER FROM THE PRICES FORK ELEMENTARY SCHOOL PROJECT
TO THE SHAWSVILLE MIDDLE SCHOOL ANNEX DEMOLITION PROJECT

BE IT RESOLVED, That a transfer between projects of the School Capital Projects Fund was granted for the function and in the amount as follows:

FROM:
6616 Price's Fork Elementary School ($159,564)

TO:
6614 Shawsville Middle School Project $159,564

Said resolution transfers funds from the 2008 bond issuance for the Price's Fork Elementary School project to the Shawsville Middle School project for demolition of the Shawsville Middle School Annex.

ISSUE/PURPOSE: Transfer of School Capital Project funds.

JUSTIFICATION: The School Board requests a portion of the balance from the 2008 bond proceeds originally set aside for the Price's Fork Elementary School to be used for demolition of the Shawsville Middle School Annex. See the School Board's request in TAB **F .**

XV. COUNTY ATTORNEY'S REPORT

XVI. COUNTY ADMINISTRATOR'S REPORT

XVII. BOARD MEMBERS' REPORT

1. Supervisor Gabriele
2. Supervisor King
3. Supervisor Creed
4. Supervisor Perkins
5. Supervisor Biggs
6. Supervisor Tuck
7. Supervisor Brown

XVIII. OTHER BUSINESS

XIX. ADJOURNMENT

FUTURE MEETINGS

Adjourned Meeting
Monday, June 23, 2014
6:00 p.m. Closed Meeting
7:15 p.m. Regular Meeting

Regular Meeting
Monday, July 14, 2014
6:00 p.m. Closed Meeting
7:15 p.m. Regular Meeting

Adjourned Meeting
Monday, July 28, 2014
6:00 p.m. Closed Meeting
7:15 p.m. Regular Meeting