

MONTGOMERY COUNTY PLANNING COMMISSION

**May 21, 2008 @ 7:00 P.M.
Board Room, Government Center
Regular Meeting**

AGENDA

CALL TO ORDER:

DETERMINATION OF A QUORUM:

APPROVAL OF AGENDA:

PUBLIC HEARING:

1. An Ordinance requested by Kelly L. Burdette (Agent: Balzer & Associates, Inc.) rezoning approximately 1.992 acres of 6.50 acre tract(s) from Agriculture (A-1) to General Business (GB) with a maximum floor area ratio of 0.40 and possible proffered conditions, to allow a medical office facility. The property is located at 929 Hightop Road, identified as Tax Parcel No(s). 67-A-48, 67-A-49, (Acct Nos. 005757, 005760), in the Prices Fork Magisterial District. The property currently lies in an area designated as Urban Expansion in the Comprehensive Plan.

OLD BUSINESS:

NEW BUSINESS:

WORK SESSION:

1. Village of Elliston Future Land Use Map Revisions

MEETING ADJOURNED:

UPCOMING MEETINGS:

- | | |
|---------------|--|
| June 11, 2008 | Planning Commission Public Hearing (7:00 pm) |
| June 18, 2008 | Planning Commission Site Visits
Planning Commission Regular Meeting (7:00 pm) |

**REZONING APPLICATION
FOR
DAVIS STREET MEDICAL OFFICE**

**TAX PARCELS
067- A48
067- A49**

April 1, 2008

PREPARED FOR: C.C. & B. DEVELOPMENT, L.L.C.

PREPARED BY: BALZER & ASSOCIATES, INC.



Application to Planning Commission and Board of Supervisors

Application For: (check appropriate boxes)

Rezoning

Rezoning & Special Use Permit

Special Use Permit

Comprehensive Plan Amendment

Applicant Information:

Property Owner: KELLY L. BURDETTE Agent: BALZER & ASSOCIATES, INC

Address: 3212 LAUREL DRIVE Address: 448 PEPPERS FERRY RD NW
BLACKSBURG, VA 24060 CHRISTIANSBURG, VA 24073

Phone 1: 540-382-5042 Phone 1: 540-381-4290

Phone 2: 540-239-5733 Phone 2: 540-641-0328

Email: _____ Email: ssemons@balzer.cc

Location of Property: WEST OF DAVID ST. & SOUTH OF HIGHTOP ROAD

Legal Record of Property: Total Area: 1.992 Acres ^{6.60 ACRES EX.} Magisterial District PRICES FORK

Account ID: 005757/005760 Tax Parcel Number(s): #067-A48 & #067-A49

Rezoning Details: Current Zoning District: A1 Requested Zoning District: GB

Desired Use(s): MEDICAL OFFICE - SEE ATTACHMENT

Special Use Permit: Current Zoning District _____ Total Area: _____ Acres

Desired Use(s): N/A

Comprehensive Plan Amendment(Description): N/A

I certify that the information supplied on this application and on the attachments provided (maps or other information) is accurate and true to the best of my knowledge. In addition, I hereby grant permission to the agents and employees of Montgomery County and State of Virginia to enter the above property for the purposes of processing and reviewing the above application.

Kelly Burdette 3/31/08
Property Owner's Signature Date

[Signature] 3/31/08
Agent's Signature Date

FOR OFFICE USE ONLY

Date Received: _____ Fee Paid: _____ Reviewed by: _____

COMPLETE request. Schedule for _____ Planning Commission Meeting.

INCOMPLETE request. Applicant has until _____ to re-submit application to be considered for _____ meeting.

DAVIS STREET MEDICAL OFFICE
REZONING PROFFER STATEMENT

Dated: April 1, 2008

Proffer Statement for a requested rezoning application of Tax Parcels #067-A48 and #067-A49 located off Davis Street.

The owner/applicant hereby voluntarily proffers that this property will be developed in accordance with the following conditions if and only if, approval of the proposed rezoning is granted. These proffers will be included in all future transactions of the property to all owners, their successors and assigns.

We hereby proffer the development of the subject property of this application shall be in strict accordance with the conditions set forth in this submission.

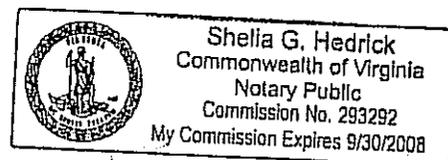
- 1) Property shall be developed in substantial conformance with the conceptual plan by Balzer and Associates, Inc. dated April 1, 2008.
- 2) Site shall be served by Town of Blacksburg public water and Montgomery County PSA sanitary sewer.
- 3) A detailed site plan/subdivision plan in conformance with 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 will be proposed on the west side of the property in accordance with all State and Local stormwater management standards.
- 5) All entrances onto Davis Street will be designed to Town of Blacksburg standards.


C.C. & B. DEVELOPMENT, L.L.C.- Applicant 4.1.08 Date

Commonwealth of Virginia
County of Montgomery

The foregoing instrument was acknowledged before me this 1st day of April 2008 by:
Jeannette H. Stasser of Montgomery County.


Notary Public
My commission expires 9.30.08



Kelly Burdette

4-1-08

Kelly L. Burdette - Owner

Date

Commonwealth of Virginia
County of Montgomery

The foregoing instrument was acknowledged before me this 1st day of

APRIL 2008 by:

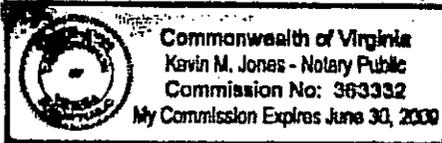
KEVIN M. JONES

of Montgomery County.

Kevin M. Jones

Notary Public

My commission expires 6-30-09



DAVIS STREET MEDICAL OFFICE COMPREHENSIVE PLAN JUSTIFICATION

The property described in the Rezoning application is currently zoned Agricultural A-1. The parent parcels of the area requested for rezoning currently exist as two parcels with a total acreage of approximately 6.50 acres. Parcel #067-A48 is currently vacant and sparsely vegetated. Parcel #067-A49 has one dwelling unit located at the northwest corner of the property. The rezoning proposes for a lot line adjustment that would split the overall 6.5 acres in a north/south direction as opposed to the existing east/west direction. The property area requested for rezoning is the new proposed eastern property which would be approximately 1.992 acres. This new parcel will be utilized in combination with Tax Parcel #376-1 4 in the Town of Blacksburg for the development. This would allow for the project direct access to Davis Street.

The requested zoning change to GB General Business would allow for a future land use that is in keeping with the Montgomery County Comprehensive Plan which designates this area as Urban Expansion. Urban Expansion areas are areas which have been designated as preferred locations for new residential and nonresidential development. These areas are adjacent to the Town boundaries and are intended for growth due to existing population, transportation access and accessible public utilities. The Urban Expansion areas also allow for development that will be compatible to existing development within the corporate limits.

The development is proposed to be a medical office building project. This proposed plan specifically addresses the needs of the 2025 Comprehensive Plan for addressing new commercial uses within the areas designated as Urban Expansion. The use shown as a medical office is consistent with the other parcels accessed off of Davis Street and the Hospital property. The building will be constructed and graded to work in with the existing topography and to try to minimize excessive land disturbance. There is one entrance shown as well as a future right of way to allow access for future development to the west.

The elements that directly conform to the issues stated in the comprehensive plan are the following:

- 1) PLU 2.1a – The proposed development is located within an area designated Urban Expansion.
- 2) PLU 1.8.5.a,c – The development will have public utilities, and will allow for effective transportation strategies.
- 3) PLU 2.1.f – The development will provide safe pedestrian walkways to land uses.
- 4) PLU 2.1.c,e, TRN 1.3.2 – The proposed site access and reserved right of way will allow for future interconnections with adjacent properties.
- 5) ENV 3.2.4 – The development will minimize any negative effect on water quality.
- 6) ENV 5.6 – The development will provide for stormwater management and is located in an area where public water and sewer service exists.
- 7) ENV 6.5 – The proposed development is maintaining existing drainage patterns for: stormwater management.

- 8) ENV 7.0 – The proposed development is maintaining water quality and protecting downstream properties with stormwater management techniques.
- 9) TRN 1.4.2 – Access to the property is through a larger facility/land use (Hospital) as opposed to accessing off of a major thoroughfare.
- 10) TRN 4.2 – Sidewalks will be installed along road frontage for pedestrian access.
- 11) UTL 4.1.2 – The project could allow for regional stormwater management facility.

Water & Sewer Service

The proposed rezoning area is on the west side of Davis Street, behind Montgomery Regional Hospital, and currently has public water and public sewer service available to it. The sewer will be maintained by the Montgomery County Public Service Authority (PSA). The sewer service will be accessed from an existing 8" sewer line located to the west of the subject property. The water service will be maintained by the Town of Blacksburg. The water service will be off of the existing 8" main water line that is located along Davis Street. As future properties to the west develop, there will be several places throughout the project where future looping of water systems can occur. Based on Virginia Department of Health Standards, an average daily flow is estimated as follows:

- 500 gallons per day per 1,000 s.f. of medical use

Total estimated average flow = 10,500 gpd

As stated earlier, the subject area also provides for existing gravity sewer service for the development. Based on the topography, the developed portion of the property rezoned will drain towards the northwest corner of the adjacent property where an existing 8" sanitary sewer line lies. A sewer application has been made to the PSA to determine the capacity of the existing utility services and pump station.

The subject property is identified in the Montgomery County Comprehensive Plan as Urban Expansion. The Comprehensive Plan identifies Urban Expansion areas as those which have public utilities available to them (PLU 1.8.5a).

Applicant will construct or cause to be constructed at no expense to the County or Town all water/sewer mains and appurtenances on the Property and will connect the water/sewer mains to publicly owned water/sewer mains. All water mains and sewer mains will be constructed to the standards of the County or Town and will comply with the regulations and standards of the County and Town and will comply with the regulations and standards of all other applicable regulatory authorities. All water mains and appurtenances and sewer mains will be dedicated to public use.

Roads

The proposed development conceptual plan indicates that there will be one entrance /access point into the property. The main entrance will serve the facility and provide access to the first and second floor of the building. All entrances and any necessary road improvements will be designed and constructed to Town of Blacksburg standards. All private drives and parking lots are to be maintained by the property owner.

The project also provides for a future right of way that could extend from Davis Street to adjacent parcels to the west. The future right of way is shown on the conceptual plan at a 50' width. This future right of way and parcel interconnectivity would help to mitigate future traffic impacts on existing adjacent roads as future projects are developed.

Project Phasing

The development of the project is planned to be constructed at one time. There is currently no phasing planned. By being developed at one time, all improvements including buildings, roads, infrastructure, and stormwater will be installed at one time as well.

Landscaping/Buffering

Landscaping will be provided as specified in the Montgomery County Zoning Ordinance based on the land use buffer matrix. The landscaping along the frontage adjacent to Davis Street is shown as peripheral parking lot landscaping as required by Montgomery County. However, this will be coordinated with the Town of Blacksburg Planning Department since the frontage is located within Town limits. The sideyards are shown with a Type 3 Buffer as required. These buffers should provide adequate screening for the property from adjacent properties.

Housing Resources

The project being proposed is a commercial development and will have no impact on the housing resources.

Water Quality & Stormwater Management Standards

The overall property currently drains naturally to one drainageway to the west which is a tributary of Slate Branch. A pond currently exists on the property and the stormwater management plan would incorporate the existing pond into the design to maintain a high standard for water quality. This proposed stormwater management facility could also be utilized as a small regional facility for future development in the watershed. The proposed development will be constructed in accordance with Virginia Erosion and Sediment Control Practices as well as Army Corps of Engineers' standards for wetland mitigation if necessary. At a minimum, the 2-Year and 10 Year post-development runoff rates will be less than or equal to the 2-Year and 10-Year pre-development runoff rates. With these design measures in place there should be no negative impact on the groundwater supply for any adjacent well users.

Public School Impacts

The proposed project is a commercial development and will have no impact on the public school system.

Sec. 10-28. GB General Business.

(1) *Purpose.* This district covers that portion of the community intended for the conduct of general business to which the public requires direct and frequent access. It is intended for the orderly growth of business within the unincorporated territory of the county and most often abuts the incorporated urban areas along primary highways. Activities in GB districts shall have limited traffic and other impacts on uses in other districts through proper location on major streets, preference for locations adjoining concentrations of existing commercial or industrial uses and zoning, and provision of space and physical buffers as prescribed. Areas designated for commercial use are best suited for rezoning to this district.

(2) *Qualifying lands.* Lands qualifying for inclusion in the district shall be those within the current GB district on the date of adoption of this chapter, or other lands within areas mapped as village, village expansion, or urban expansion in the comprehensive plan which are served by or planned for connections to public sewer and water. The minimum area required to create a district shall be five (5) acres of total contiguous land.

(3) *Uses permitted by right.* The following uses are permitted by right, subject to compliance with all approved plans and permits, development standards and performance standards contained in this chapter and with all other applicable regulations:

- (a) Apartment as accessory use, maximum of two (2) per business structure.
- (b) Assembly of electrical, electronic devices, less than three thousand (3,000) square feet floor area.
- (c) Automotive, light truck, sales, service, rental and repair, excluding motor fuel sales.
- (d) Building material sales.
- (e) Business or trade school.
- (f) Cabinet shop, furniture, upholstery, craft industry of less than three thousand (3,000) square feet.
- (g) Cemetery.
- (h) Church.
- (i) Civic club.
- (j) Conference or training center.
- (k) Crematorium.
- (l) Custom meat cutting, processing and sales (excluding slaughtering).
- (m) Day care center.
- (n) Equipment sales and service.
- (o) Financial services.
- (p) Fire, police, rescue facility.
- (q) Funeral home.
- (r) General store, convenience store without motor fuel sales.
- (s) Homeless shelter.
- (t) Hotel, motel.
- (u) Laundromat.
- (v) Library.
- (w) Medical care facility.
- (x) Motor vehicle rentals.
- (y) Office, administrative, business or professional.
- (z) Park.
- (aa) Park and ride lot.
- (bb) Pet, household.
- (cc) Post office.
- (dd) Printing service.
- (ee) Public utility lines, other distribution or collection facility.

- (ff) Public utility lines, water or sewer.
- (gg) Radio station; excluding tower.
- (hh) Restaurant.
- (ii) Retail sales and services.
- (jj) School.
- (kk) Shopping center.
- (ll) Telecommunication tower, attached.
- (mm) Veterinary practice, animal hospital.
- (nn) Garden center.

(4) *Uses permissible by special use permit.* The following uses may be permitted by the board of supervisors as special uses, subject to the requirements of this chapter and with all other applicable regulations:

- (a) Assembly of electrical, electronic devices, greater than three thousand (3,000) square feet floor area.
- (b) Truck, trailer, heavy equipment sales, service, rental and repair.
- (c) Building greater than fifty (50) feet in height.
- (d) Farm machinery sales and service.
- (e) Feed and seed store and mill.
- (f) General store, convenience store with motor fuel sales.
- (g) Golf driving range, miniature golf and similar outdoor recreation.
- (h) Kennel, commercial.
- (i) Livestock market.
- (j) Mini-warehouse.
- (k) Outpatient mental health and substance abuse center.
- (l) Public utility plant, other.
- (m) Public utility substation.
- (n) Public utility plant, water or sewer.
- (o) Recreation establishment.
- (p) Recycling facility.
- (q) Service station.
- (r) Shooting range, indoor.
- (s) Telecommunication tower, freestanding.
- (t) Night club.
- (u) Stone engraving and sales.

(5) *Lot requirements.*

(a) *Minimum lot area.* Twenty thousand (20,000) square feet for lots sharing access with another lot, one (1) acre otherwise, except for public utility or public water or sewer installations which shall be in accordance with the Montgomery County Subdivision Ordinance.

(b) *Lot access.* Lots shall be accessed from a shared access drive connected to a road in the VDOT system wherever possible. Access roads shall be hard-surfaced roads designed by a professional engineer to accommodate projected volumes, loads and vehicle types and approved by the zoning administrator and the fire marshal. Lot access for GB uses shall avoid impacting residential subdivisions with primary access and through traffic.

(c) *Minimum width.* Seventy-five (75) feet for lots sharing access with another lot, one hundred fifty (150) feet otherwise. Width requirements for public utility or public water or sewer installations which shall be in accordance with the Montgomery County Subdivision Ordinance.

(d) *Maximum floor area ratio.* 0.40.

(e) *Maximum coverage by buildings.* Forty (40) percent.

(f) *Total impervious surface.* The total impervious surface located on a lot shall not exceed eighty-five (85) percent of the gross site area.

(6) *Building requirements.*

(a) *Minimum yards.*

1. *Front.* Fifty (50) feet when opposing street frontage is residential district; thirty-five (35) feet otherwise.

2. *Side.* Forty (40) feet when adjacent lot is residential district; ten (10) feet otherwise.

3. *Rear.* Forty (40) feet when adjacent lot is residential district; ten (10) feet otherwise.

(b) *Maximum building height.* Fifty (50) feet (reference subsection (4) for exception).

(7) *Use limitations.*

(a) *Screening and landscaping.* Notwithstanding other buffer, landscaping and screening requirements of this chapter, outside storage areas for materials, equipment or trash are accessory uses, may not exceed forty (40) percent of building area, must be located in side or rear yards adjacent to building, and must be screened from view of adjacent streets or adjacent land.

(b) *Off-street parking and loading.*

1. Off-street parking permitted in required setback.

2. Must be provided in accordance with section 10-44.

(c) *Indoor/outdoor operations.* All repair and service operations must take place within a completely enclosed building, unless permission for outside operations is specifically granted by the board of supervisors in a special use permit.

(Ord. No. 1999-12, §§ 2-800--2-807, 12-13-99; Ord. No. 2001-03, 2-12-01; Ord. No. 2001-08, 6-11-01; Ord. No. 2003-07, 6-9-03; ORD-FY-05-19, 12-13-04; ORD-FY-05-21, 4-11-05)