

MONTGOMERY COUNTY PLANNING COMMISSION
March 16, 2011 @ 7:00 P.M.
Board Room, Government Center

AGENDA

CALL TO ORDER:

DETERMINATION OF A QUORUM:

APPROVAL OF AGENDA:

APPROVAL OF CONSENT AGENDA:

PUBLIC ADDRESS:

PUBLIC HEARINGS:

1. A request by **Montgomery County** for rezoning of approximately 0.105 acres from Agriculture (A1) to General Business (GB), with possible proffered conditions, to allow retail sales. The property is located at 1870 Big Spring Drive and is identified as Tax Parcel No. 59A-A-31(Acct # 070714) in the Shawsville Magisterial District (District C). The property currently lies in an area designated as Village Expansion in the 2025 Comprehensive Plan and further described as Mixed Use within the Elliston-Lafayette Village Plan.
 - A. Staff Presentation (Steven Sandy)
 - B. Applicant Presentation
 - C. Public Comment
 - D. Discussion/Action

2. A request by **Kim Taylor & Kenneth Ford (Agent: MVC Foundation)** for rezoning of approximately 0.12 acres from Agriculture (A1) to General Business (GB), with possible proffered conditions, to allow retail sales and approximately 0.494 acres from Agriculture (A1) to Residential (R-3), with possible proffered conditions, to allow a single or two-family dwelling. The property is located at 1860 Big Spring Drive and is identified as Tax Parcel No. 59A-A-4-2* (Acct # 008389) in the Shawsville Magisterial District (District C). The property currently lies in an area designated as Village Expansion in the 2025 Comprehensive Plan and further described as Mixed Use within the Elliston-Lafayette Village Plan.
 - A. Staff Presentation (Steven Sandy)
 - B. Applicant Presentation
 - C. Public Comment
 - D. Discussion/Action

3. A request by **Martin Investments (Agent: Dewayne Martin)** for a special use permit on 0.78 acres in an Agricultural (A-1) zoning district to allow a private campground and recreational vehicle park. The property is located at 2611 Big Falls Road and is identified as Tax Parcel No. 035-7-1 (Acct # 010426) in the Prices Fork Magisterial District (District E). The property currently lies in an area designated as Rural in the 2025 Comprehensive Plan.
 - A. Staff Presentation (Dari Jenkins)
 - B. Applicant Presentation
 - C. Public Comment
 - D. Discussion/Action

4. A request by **Huckleberry Ridge, LLC (Agent: Bluestone Land, LLC)** for rezoning of approximately 48 acres from Agriculture (A1) to Residential Multi-family (RM-1) to allow 388 multi-family residential dwellings and approximately 15 acres from Agriculture (A1) to Residential (R3), with possible proffered conditions, to allow 40 lots for single/two-family residential dwelling units. The property is located south east of the intersection of Merrimac Road (Rte.657) and Hightop Road (Rte. 808) and is identified as Tax Parcel Nos. 66-A-91, 92, 67-A-229, & 067-A-42 (Acct # 010584, 010585, 035616, & 010583) in the Prices Fork Magisterial District (District E). The property currently lies in an area designated as Urban Expansion in the Comprehensive Plan with a gross density of four (4) dwelling units per acre.
- A. Staff Presentation (Steven Sandy)
 - B. Applicant Presentation
 - C. Public Comment
 - D. Discussion/Action

OLD BUSINESS:

NEW BUSINESS:

WORKSESSION:

- Urban Development Areas (UDA) Updates (Steven Sandy)

MEETING ADJOURNED:

UPCOMING MEETINGS:

- | | |
|----------------|---|
| April 13, 2011 | Planning Commission Public Hearing (7:00 pm) |
| April 20, 2011 | Planning Commission Site Visits (To be determined)
Planning Commission Regular Meeting |
| April 27, 2011 | Planning Commission Annual Training Event
NRV Planning District Commission, Fairlawn (6:00-9:00pm) |

AT A MEETING OF THE MONTGOMERY COUNTY PLANNING COMMISSION ON JANUARY 12, 2011 IN THE BOARD ROOM, SECOND FLOOR, COUNTY GOVERNMENT CENTER, CHRISTIANSBURG, VIRGINIA:

CALL TO ORDER:

Mr. Rice, Chair called the meeting to order.

DETERMINATION OF A QUORUM:

Mr. Thum established the presence of a quorum.

Present: Bryan Rice, Chair
Ryan Thum, Secretary
Joel Donahue, Member
Walt Haynes, Member
Malvin Wells, Member
Robert Miller, Member
John Tuttle, Member
John Muffo, Board of Supervisors Liaison
Marty McMahan, County Attorney
Steve Sandy, Planning Director
Dari Jenkins, Planning & Zoning Administrator
Jamie MacLean, Development Planner
Brea Hopkins, Planning & Zoning Technician

Absent: William Seitz, Member
Frank Lau, Member

APPROVAL OF AGENDA:

On a motion by Mr. Miller, seconded by Mr. Haynes, and unanimously carried the agenda was approved.

APPROVAL OF CONSENT AGENDA:

On a motion by Mr. Miller, seconded by Mr. Wells, and unanimously carried the consent agenda was approved.

PUBLIC ADDRESS:

Mr. Rice opened public address; however, there being no speakers the public address was closed.

PUBLIC HEARING:

A request by William Mark King, II & Carolyn D. King for a special use permit on 7.217 acres in an Agricultural (A-1) zoning district to allow a contractor's storage yard. The property is located at 3070 Seven Mile Tree Road and is identified as Tax Parcel No. 104-1-12 (Acct # 023225) in the Riner Magisterial District (District D). The property currently lies in an area designated as Rural in the 2025 Comprehensive Plan.

Mr. Rice introduced the request.

Mrs. MacLean presented maps, video, and photos of the property. The applicant is requesting a contractor's storage yard to allow an excavation business. Customers do not visit the site. The business generates approximately four (4) trips per day and thereby does not require 527 review. VDOT has indicated no entrance upgrades would be necessary at this point. The site is served by PSA water and private septic. The property lies within a Rural area of the comprehensive plan. The King's residence is located on the property. There is an existing garage and two storage trailers that are used for Boy Scout activities. A notice of violation was issued for the contractor's storage yard. The owners resolved the violation in a timely manner and have submitted the application for a special use permit. There is an existing mature evergreen screen on the property and a fence has been constructed to complete that screen. The applicants do not anticipate the business growing beyond four (4) employees. They do anticipate two (2) additional storage structures to be constructed; however, that is not within the immediate future and would not exceed 1200

sq. ft. There are not changes to the lighting proposed. A couple of adjoining owners contacted the office and one letter was received immediately prior to the meeting.

Mr. Rice opened the public hearing.

Mr. King stated that he had some concerns about the staff condition limiting hours to 9 pm. He stated that there may be very few instances, such as if there is inclement weather, when equipment would need to be moved after 9:00 pm. He noted he made all attempts to be in compliance and was not aware a special use permit was required.

Ms. Candi Harris, 3054 Seven Mile Tree Road, stated she is the current occupant of property owned by Ms. Cupp and is most affected by the request. Concerns include trash and debris creating areas for rats and snakes to habit, previous storing of port-a-johns which caused odor issues, and various businesses that have operated on the property over the years. She noted that a fence has been erected to help mitigate the visual impacts of the business and trash blowing onto the property. Noise from the business is also a concern and the area property values could decline. She requested the Planning Commission consider these issues prior to approving a permit.

Mr. King stated the port-a-johns placed on the property were related to the Boy Scout operations and were empty. They have been relocated. Diesel smells and noise comes from the interstate. There were never any complaints until now and there have never been rodent issues at the dwelling on the property.

Ms. Jenkins stated a complaint was received which prompted the investigation.

Mr. King submitted a petition of support. According to Mr. King, approximately 90% of neighbors were contacted and no objections were received. He noted he used to have a licensed vending business; however, that business is no longer in operation. All machines and business related equipment have been removed.

Mr. Tommy Reynolds, 1801 Mud Pike, stated he was the owner of a vacant lot that is currently for sale. He noted he was unsure of the exact location of the proposed storage yard; however, he would not want to build a house next to the proposed business.

Mrs. MacLean discussed the location proposed for the equipment yard.

Mr. Ken Kingrea, 3429 Mud Pike, stated his son was the owner of an adjacent lot. They are considering building on that property at a later date. He stated consideration needed to be given to future expansion of the business that may be visible from Mud Pike.

Ms. Harris noted the dwelling she lived in was elevated from the interstate so there is very little noise from that traffic.

There being no further comments, Mr. Rice closed the public hearing.

Mr. Rice asked if port-a-johns would be permitted on the property.

Ms. Jenkins stated there are items relating to Boy Scouting activities stored on the property. The porta-johns are not relating to the contractor's storage yard and it may not be possible to enforce their removal since they are related to the scout activities. It may be possible to restrict their location for storage.

Mrs. Maclean stated the request is for the location of the storage yard and would not exceed the proposed parameters. The plan indicates the limit of the storage yard.

Mr. Miller stated he was concerned when reading the letter from the adjoining owner; however, he did not realize the adjoining owner had never complained up to this point. The Phillips property is held in trust and at some point will have some form of development. Concerned that anytime a business is placed in an agricultural or rural area it will support further development that may not be desired. He noted he would abstain from voting since he owned property within a close proximity.

Mr. Haynes noted a similar request was recommended for denial on Mud Pike. It is important to be consistent with decisions and recommendations.

Mr. Rice stated conditions would provide plenty of protection for adjoining owners. There is a need for businesses to keep equipment.

Mr. Thum stated with the proposed conditions any impacts on adjoining properties have been mitigated. An extension of the vegetative buffer behind the Cupp property may be necessary. The applicant has installed the fence in good faith and worked hard to mitigate impacts to adjoining owners.

Mr. Donahue stated the recommended condition regarding impacts of noise, odor, etc. is too vague. It should be more explicit.

On motion by Mr. Thum, seconded by Mr. Wells and carried by a 5-0-2 (Haynes and Miller abstained) vote the Planning Commission recommended approval of the request by William Mark King, II & Carolyn D. King for a special use permit on 7.217 acres in an Agricultural (A-1) zoning district to allow a contractor's storage yard with the following conditions:

1. This special use permit authorizes use of the property for a contractor's storage yard and shall conform to the Site Plan included within application materials submitted October 28, 2010. No retail sales of any nature shall be permitted on the property.
2. No more than four (4) employee vehicles, associated with employees of the business who do not reside on the premises, shall be parked on the property at any given time.
3. The contractor's storage yard shall not be open to the public and shall create no exterior impacts including noise, vibration, glare, odors, or electrical interference, beyond limits allowed in Montgomery County Code.
4. Equipment and vehicles stored on the property shall be in good working condition at all times and shall be owned or leased by the property owner or property owner's excavation company. No more than fifteen (15) pieces of said equipment and/or vehicles associated with the business shall be on the property at any given time.
5. Hours of operation shall be limited to 6:00 am through 9:00 pm except for snow removal preparation and/or periods of inclement weather.
6. No trash, litter or debris shall accumulate or be stored on the property.
7. There shall be no outdoor storage of materials, tools, etc.
8. Storage of all excavation equipment and machinery shall be screened from view of adjacent properties.
9. Any lighting installed on the property shall be dusk to dawn, shielded fixtures to avoid glare onto adjacent properties and night sky, and shall comply with Montgomery County Zoning Ordinance 10-46(9) Performance Standards.
10. A buffer shall be maintained consisting of mature evergreen vegetation and existing privacy fence, on the south, west, and northern boundaries, as shown on the 2008 Montgomery County Aerial Photography and concept plan dated October 28, 2010 (aerial photo map attached). Replacement of buffer, if necessary, shall be completed within thirty (30) days (season permitting). Tree size associated with replacement of existing evergreen buffer shall be in compliance with zoning ordinance requirements.
11. A natural vegetative buffer shall be provided, consisting at a minimum of one row of White Pine (or equivalent evergreen screening tree) with a minimum of eight (8) trees, equal space apart, on the eastern boundary of the property to mitigate possible negative effects on the view shed for Interstate I-81, and property identified as tax map 105-A-16, account # 014448 (eastern boundary buffer map attached). Trees shall be a minimum of 6' tall at planting, and plantings shall be completed by May 15, 2011.

Mr. Haynes stated he had abstained from voting due to in-decision. There is a need for these businesses; however, it is not desirable to have it in your back yard.

An Ordinance amending Article IV, Chapter 8 entitled Subdivision of the Code of the County of Montgomery, Virginia, Sections 8-111, 8-136, 8-137, 8-150, 8-152, 8-153, 8-171, 8-173, 8-174 and 8-201, respectively, by amending the definition of remainder, family subdivision and subdivision major; by requiring additional fees for

the review of plats; by requiring planning commission and board of supervisor approval of exterior boundary line changes that could result in additional lots; by decreasing the amount of surety for bonding subdivision improvements; by requiring VDOT review and approval of any plat showing a private access easement serving more than two lots; by requiring where private on-site sewage disposal systems in family and minor subdivisions may be located; by amending when a subdivision does not require a survey and what information is required on the sketch which is provided in lieu of the survey; by increasing the number of copies of a preliminary plat to be submitted and by adding additional information to be noted on preliminary and final plats; by increasing the time period a preliminary plat is valid; by requiring the submission of a digital copy of the final plat; and by incorporating the county street naming policy into the subdivision ordinance.

Mr. Rice introduced the request.

Mrs. MacLean discussed the proposed changes to the subdivision ordinance. These amendments were reviewed at the last meeting. Amendments include: define "family", clarify major subdivision requirements, incorporate street naming and signage fees, require planning commission approval for exterior boundary line adjustments to major subdivision, reduce surety bonding per state code, require VDOT approval for easements serving 2 or more tracts, require the location of septic systems to be specified, clarify survey and sketch requirements, enforce street naming policy and minor changes to plat requirements.

Mr. Miller spoke in regard to correspondence received from Gay & Neel, Inc. and noted it is necessary to protect conservation easements.

Mr. Sandy confirmed that staff could verify if a conservation easement was onsite and explained why the septic field requirements were different between major and family/minor subdivisions.

Mr. Rice opened the public hearing.

Mr. Ralph Clements, Gay & Neel, stated that as of the date research is conducted all conservation easements can be determined; however, if the easement is recorded during the process it may not be known. He expressed his appreciation for the opportunity to comment on the proposed changes.

There being no further comments the public hearing was closed.

Mr. Rice discussed the twenty acre vs. fifty acre requirement for remainders. If farmer has 45 acre tract and wanted to divide 1 acre for family subdivision then all 45 acres would have to be surveyed, it seems like a burden to the owner.

Mr. Miller noted that any acreage requirement will be arbitrary.

Mr. Thum stated he did not want to create a financial burden on property owners. A 30 acre increase is too much.

Mr. Rice asked if a survey of the road frontage could be performed to verify other requirements are being met.

Mr. Clements stated it could be done. He noted if larger surveys were required, the records of the county would be more accurate.

It was the consensus of the Planning Commission to advertise the proposed subdivision amendments and to use 35 acres as a basis for surveying remainder tracts.

OLD BUSINESS:

None

NEW BUSINESS:

2010 Annual Report

Mr. Sandy stated the annual report was available and would be forwarded to the Board of Supervisors. This is a combination report for the Department, Planning Commission, and Board of Zoning Appeals. If there are any comments please submit them to staff.

2011 Work Program

Mr. Sandy presented the 2011 Work Program. He discussed the major and ongoing projects including, the UDA grant, redistricting, and LDO implementations. The work program will be forwarded to the Board of Supervisors.

WORKSESSION:

LIAISON REPORTS:

Board of Supervisors

Mr. Muffo stated the Board of Supervisors appointed Jim Politis as Chairman.

Agriculture & Forestal District

No report.

Blacksburg Planning Commission

No Report

Christiansburg Planning Commission

Mr. Rice stated the Christiansburg Planning Commission discussed historical districts and scheduled work sessions due to new membership.

Economic Development Committee

No report.

Public Service Authority

Mr. Wells stated the PSA met and adopted agreement with Christiansburg for water and sewer.

Parks & Recreation

No report.

Radford Planning Commission

Mr. Miller stated he attended the VDOT presentation regarding the proposed Tyler Ave and East Main Street routes. The first phase is funded and ready to begin. The project is anticipated to open additional development opportunities.

School Board

No report.

Transportation Safety Committee

Mr. Wells stated the committee met and discussed VDOT snow removal. The contractors are working well. There is a problem area on 603 N. Fork Road with tractor trailer traffic. Three (3) tractor trailers have overturned. The bridge on Alleghany Spring is going to be replaced and will be closed for five (5) days. There was also brief discussion regarding a third lane up Christiansburg Mountain which will require the replacement of two (2) bridges.

Planning Director's Report

None

There being no further business the meeting was adjourned.

AT A MEETING OF THE MONTGOMERY COUNTY PLANNING COMMISSION ON FEBRUARY 9, 2011 IN THE COUNTY ADMINISTRATION CONFERENCE ROOM, SECOND FLOOR, COUNTY GOVERNMENT CENTER, CHRISTIANSBURG, VIRGINIA:

CALL TO ORDER:

Mr. Rice, Chair called the meeting to order.

DETERMINATION OF A QUORUM:

Mrs. Hopkins established the presence of a quorum.

Present: Bryan Rice, Chair
Joel Donahue, Member
Walt Haynes, Member
Malvin Wells, Member
Robert Miller, Member
William Seitz, Member
Frank Lau, Member
John Tuttle, Member
John Muffo, Board of Supervisors Liaison
Marty McMahan, County Attorney
Steve Sandy, Planning Director
Dari Jenkins, Planning & Zoning Administrator
Jamie MacLean, Development Planner
Brea Hopkins, Planning & Zoning Technician

Absent: Ryan Thum, Secretary

APPROVAL OF AGENDA:

On a motion by Mr. Miller , seconded by Mr. Haynes, and unanimously carried the agenda was approved.

PUBLIC ADDRESS:

Mr. Rice opened public address; however, there being no speakers the public address was closed.

PUBLIC HEARING:

None.

OLD BUSINESS:

Subdivision Ordinance Amendments Update

Mrs. MacLean discussed the revisions that had been made to the ordinance amendments since the last discussion held by the Planning Commission.

On a motion by Mr. Haynes, seconded by Mr. Miller and carried by an 8-0 vote (Thum absent) the planning commission recommended approval of an Ordinance amending Article IV, Chapter 8 entitled Subdivision of the Code of the County of Montgomery, Virginia, Sections 8-111, 8-136, 8-137, 8-150,8-152, 8-153, 8-171, 8-173, 8-174 and 8-201, respectively, by amending the definition of remainder, family subdivision and subdivision major; by requiring additional fees for the review of plats; by requiring planning commission and board of supervisor approval of exterior boundary line changes that could result in additional lots; by decreasing the amount of surety for bonding subdivision improvements; by requiring VDOT review and approval of any plat showing a private access easement serving more than two lots; by requiring where private on-site sewage disposal systems in family and minor subdivisions may be located; by amending when a subdivision does not require a survey and what information is required on the sketch which is provided in lieu of the survey; by increasing the number of copies of a preliminary plat to be submitted and by adding additional information to be noted on preliminary and

final plats; by increasing the time period a preliminary plat is valid; by requiring the submission of a digital copy of the final plat; and by incorporating the county street naming policy into the subdivision ordinance.

The Planning Commission recommendation will be forwarded to the Board of Supervisors for their public hearing to be held on February 28, 2011.

Regional Hazard Mitigation Plan Discussion

Mr. Sandy stated information was sent previously regarding the plan. Any questions or comments can be submitted to staff.

NEW BUSINESS:

None

WORKSESSION:

On a motion by Mr. Haynes, seconded by Mr. Seitz and unanimously carried the planning commission entered into worksession.

Urban Development Areas (UDA) Updates with County Consultant (Renaissance Planning)

Mr. Sandy stated the consultants would be discussing the following topics:

- o Recommendations for Comprehensive Plan Amendments
- o Recommendations for Zoning Ordinance Amendments
- o Route 177 Gateway Area Plan

Two meetings were held earlier in the day with staff members and property owners to discuss plans for the Route 177 Gateway Area. There was good dialogue in both meetings.

Mr. Donahue noted that based on the new Census data, the Town of Christiansburg would be required to designate UDA areas due to their growth in population.

Mr. Miller stated that the Tyler Rd connector should also be considered while evaluating the Route 177 plan.

Mr. Vlad Gavrilovic discussed the UDA legislation requirements including deadlines and minimum density requirements.

Ms. Amanda Poncy discussed the language required for Comprehensive Plan Compliance with the UDA Legislation. She reviewed the proposed UDA boundaries for Mid County and Route 177 and the impact of the new census data on the boundaries. Comprehensive plan amendments include: language to explain the UDA areas, revised future land use map, addition of a new policy "UDA" and associated language, incorporate additional principles of TND, financial incentives, and regional cooperation regarding UDA.

Mr. Milt Herd discussed zoning ordinance principles that should be considered. The current proposal is for the creation of two (2) new districts: PUD-TND & TND Infill. He discussed the proposed qualifying lands, minimum sizes, allowable uses, density requirements, and intensity for each of the new districts. In addition to the new districts, revisions to the existing Residential (R2) and (R3) districts are proposed.

Mr. Gavrilovic discussed preparing illustrations for inclusion in the zoning ordinance.

Mr. Sandy stated the potential zoning ordinance amendments would be discussed at the next Commission's meeting.

Mr. Gavrilovic discussed the area plans and what they will include such as access management standards. The development of the Route 177 Area Plan began earlier with the meetings held with staff and property owners. He discussed some of the comments received from those meetings.

On a motion by Mr. Haynes, seconded by Mr. Seitz, and carried by a 8-0 vote the planning commission closed the work session.

There being no further business the meeting was adjourned at 8:20 p.m.

AT A MEETING OF THE MONTGOMERY COUNTY PLANNING COMMISSION ON FEBRUARY 16, 2011 IN THE BOARD ROOM, SECOND FLOOR, COUNTY GOVERNMENT CENTER, CHRISTIANSBURG, VIRGINIA:

CALL TO ORDER:

Mr. Rice, Chair called the meeting to order.

DETERMINATION OF A QUORUM:

Mr. Thum established the presence of a quorum.

Present: Bryan Rice, Chair
Ryan Thum, Secretary
William Seitz, Member
Joel Donahue, Member
Walt Haynes, Vice Chair
Malvin Wells, Member
Robert Miller, Member
John Tuttle, Member
John Muffo, Board of Supervisors Liaison
Marty McMahon, County Attorney
Steve Sandy, Planning Director
Dari Jenkins, Planning & Zoning Administrator
Jamie MacLean, Development Planner
Brea Hopkins, Planning & Zoning Technician

Absent: Frank Lau, Member

APPROVAL OF AGENDA:

On a motion by Mr. Miller, seconded by Mr. Haynes, and unanimously carried the agenda was approved as amended with the removal of the conflict of interest discussion.

APPROVAL OF CONSENT AGENDA:

On a motion by Mr. Miller, seconded by Mr. Wells, and unanimously carried the consent agenda was approved.

PUBLIC ADDRESS:

Mr. Rice opened public address; however, there being no speaker the public address session was closed.

PUBLIC HEARING:

NEW BUSINESS:

Water Supply & Drought Ordinance

Mr. Sandy stated the NRV PDC has been developing the Water Supply & Drought Ordinance in coordination with New River Valley localities. In 2005, State regulations required localities adopt a water supply plan and drought ordinance by Nov. 2, 2011. In the next couple of months additional information will be presented for recommendation by the Planning Commission. This plan is in addition to the Hazard Mitigation Plan.

WORKSESSION:

On a motion by Mr. Donahue, seconded by Mr. Thum and unanimously carried the planning commission opened the worksession.

Urban Development Areas (UDA) Updates (Steven Sandy)

Mr. Sandy stated he would like to discuss the consultants information that was presented at the last planning commission meeting.

- Recommendations for Comprehensive Plan Amendments

The plan will be updated to reflect the new 2010 Census data and by adding the UDA areas.

Mr. Rice asked if the defined UDA area would prevent development of other areas.

Mr. Sandy stated this would be in addition to the existing areas, so development in other areas would not be limited. The UDA areas would qualify for additional grants.

- Recommendations for Zoning Ordinance Amendments

Two (2) new districts, PUD-TND & TND Infill are proposed. PUD-TND is for larger areas to be developed. The TND Infill is for areas like the Riner and Shawsville Villages, which already have a mixture of uses.

The planning commission discussed the TND Infill ordinance and the possibility of no rezoning fee or minimal fees to encourage development. After staff review, it does appear a survey may be necessary.

- Route 177 Gateway Area Plan

Additional meetings will be held on March 9th. Any changes to corridor plan will require approval from the City of Radford.

Sign Ordinance Amendment (Off-Premise Signs) Discussion

Ms. Hopkins stated sign ordinance amendments had been discussed in the past. Staff has been identifying issues that need to be resolved and would like to gather some comments or suggestions from the Planning Commission regarding the following:

Route 177 Corridor and/or I-81 signage allowances

Off Premise signs in Agricultural (A1) districts

Multiple Tenant/Business Park/Shopping Center sign allowances

LED signs

The planning commission discussed the need to keep signage attractive, especially within the Route 177 corridors, and asked staff to obtain additional information from other localities regarding LED signs. They noted that the ordinance should be flexible given the variety of properties within the county.

On a motion by Mr. Donahue, seconded by Mr. Seitz and unanimously carried the Planning Commission closed the worksession.

LIAISON REPORTS:

Board of Supervisors

Mr. Muffo stated the Board of Supervisors voted in favor of all the Planning Commission's recent recommendations including the contractor storage yard for Mr. King. In addition, Mr. Marrs announced he will not seek re-election.

Agriculture & Forestal District

No report.

Blacksburg Planning Commission

No Report

Christiansburg Planning Commission

Mr. Rice stated a joint meeting with the town council was held to discuss public hearings. One of those hearings is related to a request for a conditional use permit on Route 114 adjacent to county.

Economic Development Committee

Mr. Tuttle stated the committee met and discussed school issues. The regional announcements included seven (7) different job creation announcements.

Public Service Authority

Mr. Wells stated the PSA met and appointed the following officers for 2011: Mr. Creed Chair, Mr. Muffo vice chair, and Ms. Biggs, secretary. Mr. Wayne Clark appeared before the board to dispute a \$5,000 bill for the vacant restaurant on his property. The Board agreed to remove the meters until needed and reduce the bill to \$1000.

Parks & Recreation

No report.

Radford Planning Commission

No report.

School Board

No report.

Transportation Safety Committee

No report.

Planning Director's Report

No report.

There being no further business, the meeting was adjourned at 8:05 pm.



MONTGOMERY COUNTY PLANNING COMMISSION

755 ROANOKE STREET, SUITE 2A, CHRISTIANSBURG, VIRGINIA 24073-3177

MEMORANDUM

TO: Planning Commission

FROM: Planning Staff *gms/jsm*

DATE: March 8, 2011

RE: **Staff Analysis (RZ-2011-08562)**

A request by **Kim Taylor & Kenneth Ford (Agent: MVC Foundation)** for rezoning of approximately 0.12 acres from Agriculture (A1) to General Business (GB), with possible proffered conditions, to allow retail sales and approximately 0.494 acres from Agriculture (A1) to Residential (R-3), with possible proffered conditions, to allow a single or two-family dwelling. The property is located at 1860 Big Spring Drive and is identified as Tax Parcel No. 59A-A-4-2* (Acct # 008389) in the Shawsville Magisterial District (District C). The property currently lies in an area designated as Village Expansion in the 2025 Comprehensive Plan and further described as Mixed Use within the Elliston-Lafayette Village Plan.

I. NATURE OF REQUEST

The applicants, Kim Taylor and Kenneth Ford, are requesting rezoning of approximately 0.12 acres from Agriculture (A1) to General Business (GB), with possible proffered conditions, to allow a parking area for retail sales and approximately 0.494 acres from Agriculture (A1) to Residential (R-3), with possible proffered conditions, to allow a single or two-family dwelling.

II. LOCATION

The subject property is located at 1860 Big Spring Drive and is identified as Tax Parcel No. 59A-A-4-2* (Acct # 008389) in the Shawsville Magisterial District (District C). There is currently a General Business (GB) district to the northeast of Big Spring Drive (Route 745), where the Elliston Post Office is located. The property which directly adjoins the parcel on the northeastern side is currently zoned A-1. However the property identified as tax parcel no. 59A-A-31(Acct # 070714) is currently owned by Montgomery County and is being reviewed concurrently with this application.

The property is bordered on the southeast by Roanoke Rd. (Route 11/460). The southwest boundary adjoins a property which is zoned A-1, and the subject property adjoins Big Spring Drive (Route 745) to the northwest.

III. BACKGROUND

In conjunction with this request, Montgomery County, has requested rezoning of approximately 0.105 acres from Agriculture (A1) to General Business (GB), with possible proffered conditions, to allow retail sales.

Mountain Valley Charitable Foundation has stated their interest to establish a YMCA Thrift Store on the County-owned parcel. Mountain Valley Charitable Foundation has planned extensive renovation to the structure; a schematic of the proposed renovation, dated October 21, 2011, is attached for review. However, parking required for such a use cannot be accommodated on this parcel. The Foundation has expressed an interest in acquiring the property from the County.

Because the required parking area for a retail sales establishment cannot be accommodated on the adjoining parcel, the Foundation has entered into an agreement with Mr. Ford and Mrs. Taylor for rezoning of 0.12 acres from Agriculture (A-1) to General Business (GB) so that the boundary line between the two properties identified as tax parcel no. 59A-A-4-2* (Acct # 008389) currently owned by Kenneth Ford and Kim Taylor and tax parcel no. 59A-A-31(Acct # 070714), currently owned by Montgomery County can be adjusted to allow an area for parking to accommodate the proposed retail sales establishment (thrift store). The additional parking area which will encompass approximately 0.12 acres is planned to accommodate 16 spaces to be used by customers of the proposed retail sales establishment.

Mr. Ford and Ms. Taylor have requested that the remaining 0.494 acres of tax parcel no. 59A-A-4-2, be rezoned from Agriculture (A1) to Residential (R-3), to allow a single or two-family dwelling. The rezoning from A-1 to R-3 will ensure that a nonconforming lot is not created by the decrease in the remaining acreage, as A-1 requires newly created lots to be a minimum of 1 acre.¹ The R-3 zoning district allows a minimum lot size of 10,000 square feet (or approximately 0.23 acres)². The existing singlewide home will remain on the property but will be moved to meet the required side yard setback from the new property line.

IV. IMPACTS

The impacts associated with rezoning the property are discussed below. The proposed use of the property, if the rezoning application is granted, is to allow the operation of a retail sales establishment by providing additional area to accommodate parking and to allow a single or two-family dwelling on the remaining 0.494 acres.

Transportation

According to Virginia Department of Transportation Daily Traffic Volume Estimates 2008, the annual average daily traffic (AADT) volume estimates for this section of Roanoke Rd. (11/460) is approximately 8,100 vehicles per day. The AADT estimate for Big Spring Drive (745) is approximately 1,300 vehicles per day. These estimates are based on typical daily traffic on a road segment for all days of the week, Sunday through Saturday, over a period of one year.

¹ 10-21(5)(a) of the Montgomery County Code

² 10-26(5)(a) of the Montgomery County Code

The proposed retail establishment can be expected to generate an increase in traffic; however the increase will not generate enough additional vehicle trips per hour to require a review under the Virginia Department of Transportation (VDOT) Chapter 527 Regulation. The subject property has no direct access to Roanoke Rd. (Route 11/460). The retail establishment and associated parking for the adjoining parcel will be accessed off of Big Spring Drive (Route 745). The remainder of the property to be used for residential purposes will continue to be accessed off of Big Spring Drive (Route 745). No increase in traffic is projected by the continued residential use of the remaining 0.494 acres.

During plan review meeting(s) on February 17, 2011, John Thompson, VDOT Land Use Engineer stated that the entrance currently used to access the property could continue, unless the use and intensity of use of the property was further changed.

Infrastructure

The property is currently served by PSA water and private onsite sewage disposal. According to a letter from Mr. Bob Fronk, PSA Director, dated February 14, 2011 (see attached), sanitary sewer service can be provided; however, the applicants have not expressed the intent to modify the existing on-site sewage disposal service.

Schools

The applicant is proposing no impact to the school system as the property is intended to be used for commercial purposes. Therefore, no comments have been received from Montgomery County Public Schools.

Impact Summary

It appears that the range of uses associated with the proposed rezoning to General Business (GB) and Residential (R-3) would be compatible with the use of surrounding parcels, and that appropriate infrastructure is in place to support the proposed uses.

V. COMPREHENSIVE PLAN

The subject property is in an area designated "Village Expansion" on the future policy map of the comprehensive plan and "Mixed Use" on the future land use map of the Village of Elliston.

Village Expansion

According to section PLU 1.6.3 of the Montgomery County Comprehensive Plan:

Village Expansion Areas are intended to provide an alternative to scattered rural residential development and to provide an opportunity to enhance the vitality of existing villages by providing for compatible expansions of residential and employment uses. Village expansion areas are adjacent to existing villages where appropriate new development can be accommodated while retaining the viability and character of the historic village core.

Furthermore, ELV 1.2 "Village and Village Expansion Land Use Designations" encourages the County to:

Establish preferred development patterns for the Villages of Elliston and Lafayette and the Elliston-Lafayette Expansion Area in order to 1) focus growth where it can be supported by infrastructure improvements; 2) maintain existing community character by promoting the use, redevelopment, and revitalization of existing historic districts and areas of development, and promoting the use of traditional neighborhood design (TND) approaches which stress pedestrian orientation, mixed use, and variable place-specific site, bulk, and density requirements.

Comprehensive Plan Summary

The applicant has proposed that a 0.12 acre portion of the subject parcel be rezoned to a higher intensity land use from Agriculture (A-1) to General Business (GB). The applicant has prepared a concept plan that shows growth in an area where it can be supported by infrastructure improvements, while maintaining the existing community character and aiding in the redevelopment of a currently vacant structure.

The applicant has proposed that the remaining 0.494 acres of the subject parcel be rezoned to a higher intensity land use from Agriculture (A-1) to Residential (R-3). The rezoning will allow a smaller lot size which is more consistent with the promotion of mixed use and variable place-specific site and density requirements.

The proposal is consistent with the Planning and Land Use chapter of the Montgomery County 2025 Comprehensive Plan as well as the Elliston Lafayette Village Plan. As proposed, this development meets the goals and objectives of the future land use for this area and does qualify for consideration of rezoning from Agriculture (A-1) to General Business (GB) and Residential (R-3). Furthermore, it appears that the property could achieve a more intense use through the proposed rezoning and increase compliance with the vision expressed in the comprehensive and village plans by rezoning to General Business (GB) and Residential (R-3).

VI. ANALYSIS

The subject parcel qualifies for rezoning to General Business (GB) per 10-28 of the Montgomery County Code. Furthermore, "retail sales and service" and associated parking are permitted as a by-right use in General Business zoning districts, according to section 10-28(3)(jj) of the zoning ordinance. Additionally, the parcel also qualifies for rezoning to Residential (R-3) per 10-26(2) of the zoning ordinance.

The proposed zoning changes will not present a significant change in land use compared to the existing surrounding community uses and will not represent an increase in intensity as compared to the previous use as a fire station.

VII. STAFF RECOMMENDATION

Staff recommends **approval** of the the proposed rezoning of 0.12 acres from Agriculture (A-1) to General Business (GB) and approximately 0.494 acres from Agriculture (A1) to Residential (R-3).

At the time this report was issued, the Planning and GIS Services office had been contacted regarding this request by one (1) adjoining property owner on March 3, 2011, requesting additional information on the request. Adjoining property owners were notified in accordance with Montgomery County Code Section 10-52(3). However, consideration should be given to adjacent property owners or other interested citizens attending the public hearing to express their views regarding this request.

Enclosures: Aerial Map
 Zoning Map
 Physical Improvement Survey, dated March 9, 2010
 Elliston Fire Station Renovation Schematic, dated October 21, 2009
 Letter from Bob Fronk, Montgomery County PSA, dated February 14, 2011
 Email from Ray Epperly, dated March 3, 2011



MONTGOMERY COUNTY PLANNING COMMISSION

755 ROANOKE STREET, SUITE 2A, CHRISTIANSBURG, VIRGINIA 24073-3177

MEMORANDUM

TO: Planning Commission

FROM: Planning Staff *SMG/JRM*

DATE: March 21, 2011

RE: **Staff Analysis (RZ-2011-08576)**

A request by **Montgomery County** for rezoning of approximately 0.105 acres from Agriculture (A1) to General Business (GB), with possible proffered conditions, to allow retail sales. The property is located at 1870 Big Spring Drive and is identified as Tax Parcel No. 59A-A-31(Acct # 070714) in the Shawsville Magisterial District (District C). The property currently lies in an area designated as Village Expansion in the 2025 Comprehensive Plan and further described as Mixed Use within the Elliston-Lafayette Village Plan.

I. NATURE OF REQUEST

The applicant, Montgomery County, is requesting rezoning of approximately 0.105 acres from Agricultural (A-1) to General Business (GB), with possible proffered conditions, to allow a retail sales establishment.

Mountain Valley Charitable Foundation has stated their interest to establish a YMCA Thrift Store in the existing structure. The Foundation has planned extensive renovation to the structure; a schematic of the proposed renovation, dated October 21, 2011, is attached for review. However, parking required for such a use cannot be accommodated on this parcel. The Foundation has expressed an interest in acquiring the property from the County.

II. LOCATION

The subject property is the former Elliston Fire Department located at 1870 Big Spring Drive, and is identified as Tax Parcel No. 59A-A-31(Acct # 070714) in the Shawsville Magisterial District (District C). There is currently a General Business (GB) district to the east of the subject property, where the Elliston Post Office is located. The property is bordered on the southeast by Roanoke Rd. (Route 11/460). The southwestern boundary adjoins a property which is currently zoned A-1 and is currently used for residential purposes; however the adjoining property identified as Tax Parcel No. 59A-A-4-2* is subject of a rezoning to be reviewed concurrently with this application. The property adjoins Big Spring Drive (Route 748) on the northern boundary.

The property is limited in size (see survey dated, March 9, 2010). Two portions of the existing building are within VDOT right-of-way. Therefore, there are limited development and parking opportunities on the parcel. County Staff has begun the process to acquire the right-of-way for this parcel.

III. BACKGROUND

In conjunction with this request a rezoning of the property located to the southwest has been requested for approximately 0.12 acres to rezone from Agriculture (A1) to General Business (GB), with possible proffered conditions, to allow retail sales. The stated intent for the rezoning of 0.12 acres is to adjust the boundary line between the properties identified as tax parcel no. 59A-A-4-2* (Acct # 008389) currently owned by Kenneth Ford and Kim Taylor and tax parcel no. 59A-A-31(Acct # 070714), currently owned by Montgomery County to allow an area for parking to accommodate the proposed retail sales establishment (thrift store).

The remaining 0.494 acres of tax parcel no. 59A-A-4-2, owned by Kenneth Ford and Kim Taylor, are proposed to be rezoned from Agriculture (A1) to Residential (R-3), to allow a single or two-family dwelling. The rezoning from A-1 to R-3 will ensure that a nonconforming lot is not created by the decrease in the remaining acreage, as A-1 requires newly created lots to be a minimum of 1 acre.¹ The R-3 zoning district allows a minimum lot size of 10,000 square feet (or approximately 0.23 acres)². The additional parking area which will encompass approximately 0.12 acres is planned to accommodate 16 spaces to be used by customers of the proposed retail sales establishment.

While the subject property is currently zoned A-1, the property and structure located at 1870 Big Spring Drive were used prior to 2006 as a fire and rescue station. The fire station was an existing nonconforming use in an Agricultural A-1³ zoning district. The previous use as a fire station was consistent with the uses currently permitted in General Business (GB) zoning districts⁴.

IV. IMPACTS

The impacts associated with rezoning the property identified as tax map 59A-A-31(Acct # 070714) are discussed below. The proposed use of the property, if the rezoning application is granted, is to allow the operation of a retail sales establishment.

Transportation

According to Virginia Department of Transportation Daily Traffic Volume Estimates 2008, the annual average daily traffic (AADT) volume estimates for this section of Roanoke Rd. (11/460) is approximately 8,100 vehicles per day. The AADT estimate for Big Spring Drive (745) is

¹ 10-21(5)(a) of the Montgomery County Code

² 10-26(5)(a) of the Montgomery County Code

³ 10-47(2) of the Montgomery County Code

⁴ 10-21(3)(i) of the Montgomery County Code

approximately 1,300 vehicles per day. These estimates are based on typical daily traffic on a road segment for all days of the week, Sunday through Saturday, over a period of one year.

The retail establishment can be expected to generate an increase in traffic; however the increase will not generate enough additional vehicle trips per hour to require a review under the Virginia Department of Transportation (VDOT) Chapter 527 Regulation. This property has no direct access to Roanoke Rd. (Route 11/460). The retail establishment is proposed to be accessed off of Big Spring Drive (Route 745) with the additional parking areas.

During plan review meeting(s) on February 17, 2011, John Thompson, VDOT Land Use Engineer stated that the entrance currently used to access the property could continue, unless the use and intensity of use of the property was further changed.

Infrastructure

The property is currently served by PSA water and sewer. According to a letter from Mr. Bob Fronk, PSA Director, dated February 22, 2011 (see attached), public water and sanitary sewer are currently provided for 1870 Big Spring Drive, tax map 59A-A-31 by a 5/8" water meter service. Increased or additional water and sewer service can be provided by additional connections and payment of fees.

Furthermore, public water for building fire protection can be provided by connection to the 4" water main located along the near side of Roanoke Rd. adjacent to this property. Water service could also be provided by connection to the 6" water main located along the opposite side of Big Spring Drive to the east of the property.

Schools

The applicant is proposing no impact to the school system as the property is intended to be used for commercial purposes. Therefore, no comments have been received from Montgomery County Public Schools.

Impact Summary

It appears that the range of uses associated with the proposed rezoning to General Business would be compatible with the use of surrounding parcels, and that appropriate infrastructure is in place to support the proposed use.

V. COMPREHENSIVE PLAN

The subject property is in an area designated "Village Expansion" on the future policy map of the comprehensive plan and "Mixed Use" on the future land use map of the Village of Elliston.

Village Expansion

According to section PLU 1.6.3 of the Montgomery County Comprehensive Plan:

Village Expansion Areas are intended to provide an alternative to scattered rural residential development and to provide an opportunity to enhance the vitality of existing villages by providing for compatible expansions of residential and employment uses. Village expansion areas are adjacent to existing villages where appropriate new development can be accommodated while retaining the viability and character of the historic village core.

Furthermore, ELV 1.2 "Village and Village Expansion Land Use Designations" encourages the County to:

Establish preferred development patterns for the Villages of Elliston and Lafayette and the Elliston-Lafayette Expansion Area in order to 1) focus growth where it can be supported by infrastructure improvements; 2) maintain existing community character by promoting the use, redevelopment, and revitalization of existing historic districts and areas of development, and promoting the use of traditional neighborhood design (TND) approaches which stress pedestrian orientation, mixed use, and variable place-specific site, bulk, and density requirements.

Comprehensive Plan Summary

The applicant has proposed that the parcel be rezoned to a higher intensity land use from Agriculture (A-1) to General Business (GB). The applicant has prepared a concept plan that shows growth in an area where it can be supported by infrastructure improvements, while maintaining the existing community character and promoting redevelopment of a currently vacant structure.

The proposal is consistent with the Planning and Land Use chapter of the Montgomery County 2025 Comprehensive Plan as well as the Elliston Lafayette Village Plan. As proposed, this development meets the goals and objectives of the future land use for this area and does qualify for consideration of rezoning from Agriculture (A-1) to General Business (GB). Furthermore, it appears that the property could achieve a more intense use through the proposed rezoning and increase compliance with the vision expressed in the comprehensive and village plans by rezoning to General Business (GB).

VI. ANALYSIS

The subject parcel qualifies for rezoning to General Business (GB) per 10-28 of the Montgomery County Code. Furthermore, "retail sales and service" are permitted as a by-right use in General Business zoning districts, according to section 10-28(3)(jj) of the zoning ordinance. Any change in the use of the structure will require a site plan to ensure compliance with the zoning ordinance.

The proposed zoning change will not present a significant change in land use compared to the existing surrounding community uses and will not represent an increase in intensity as compared to the previous use as a fire and rescue facility.

The Village of Elliston has seen significant changes in the last decade. A new fire and rescue station was completed in 2006, and new elementary school was built and completed in 2010. Adding a retail sales establishment in an existing structure would provide an opportunity for redevelopment and provide additional growth opportunities within the Village boundaries. Furthermore, the addition of a retail and sales establishment will provide employment and shopping opportunities for citizens in eastern Montgomery County.

VII. STAFF RECOMMENDATION

Staff recommends **approval** of the the proposed rezoning of 0.105 acres from Agriculture (A-1) to General Business (GB).

At the time this report was issued, the Planning and GIS Services office had been contacted regarding this request by one (1) adjoining property owner on March 3, 2011, requesting additional information on the request. Adjoining property owners were notified in accordance with Montgomery County Code Section 10-52(3). However, consideration should be given to adjacent property owners or other interested citizens attending the public hearing to express their views regarding this request.

Enclosures: Aerial Map
 Zoning Map
 Physical Improvement Survey, dated March 9, 2010
 Elliston Fire Station Renovation Schematic, dated October 21, 2009
 Letter from Bob Fronk, Montgomery County PSA, dated February 22, 2011
 Email from Ray Epperly, dated March 3, 2011



**Montgomery County, Va
Request for Rezoning**

**Old Elliston Fire Station
and
TaylorFord Property**

Legend

- State Route
- Interstate Highway
- Private Road (Planned)
- Planned Highway
- Railroad
- Utility/Toll
- Highway
- Tax Parcel
- Subject Property (Old Elliston Fire Station)
- Proposed Zoning
- To Be Rezoned to GB
- To Be Rezoned to R3

**Parcel ID(s): 070714
008389**



Montgomery County, Virginia
GIS Services

MAP INFORMATION SHOULD BE USED TO OBTAIN
FOR REGULATORY PURPOSES ONLY. THE
MONTGOMERY COUNTY GIS SERVICES DEPARTMENT
ACCEPTS NO LIABILITY FOR ANY ERRORS OR
OMISSIONS. THE USER ASSUMES ALL RISK FOR
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THE INFORMATION SHOWN HEREON
WAS OBTAINED FROM AERIAL PHOTOGRAPHS
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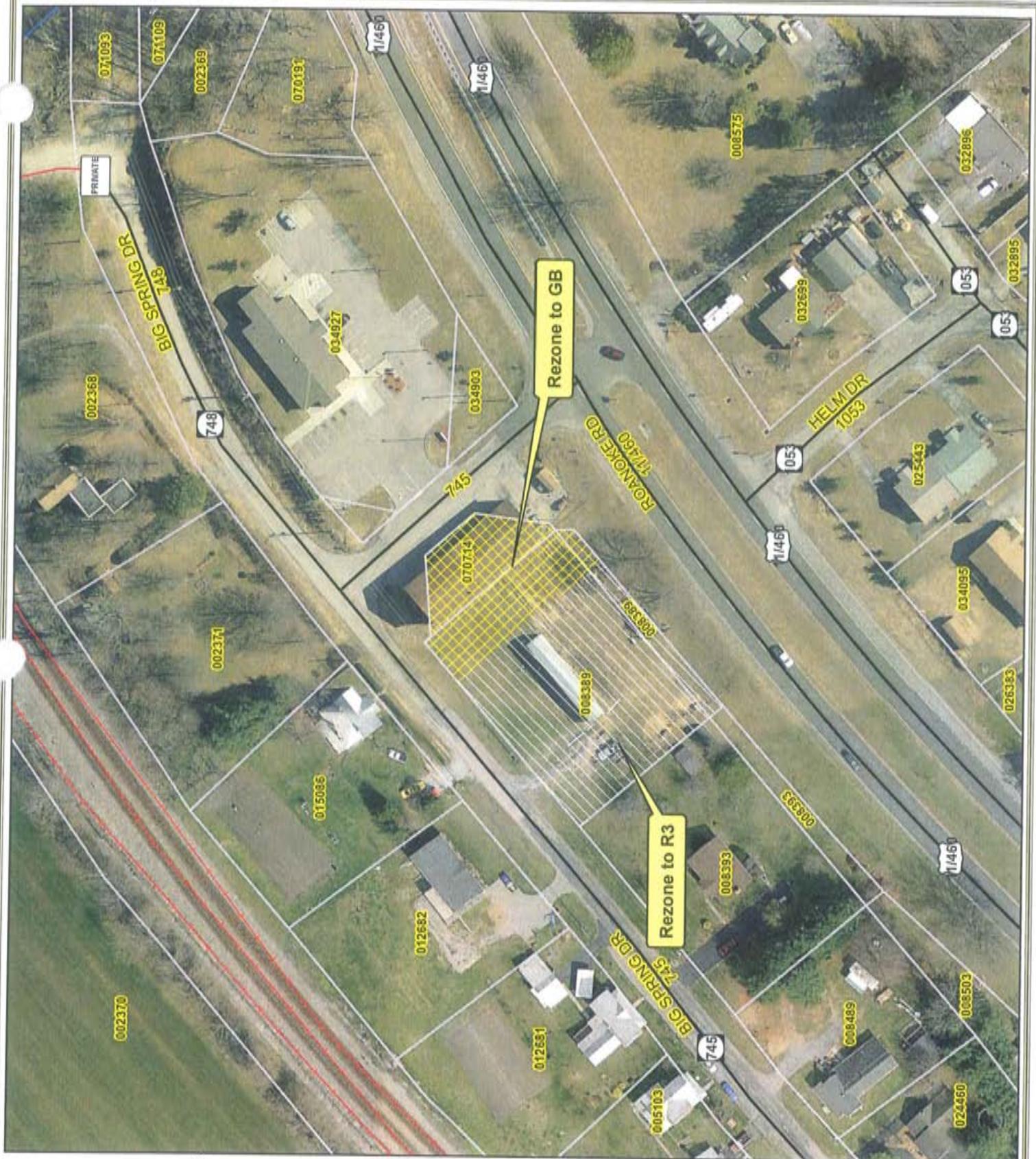
THE LOCATION OF ANY PUBLIC LAND
OR OTHER LAND OWNED BY THE STATE OF
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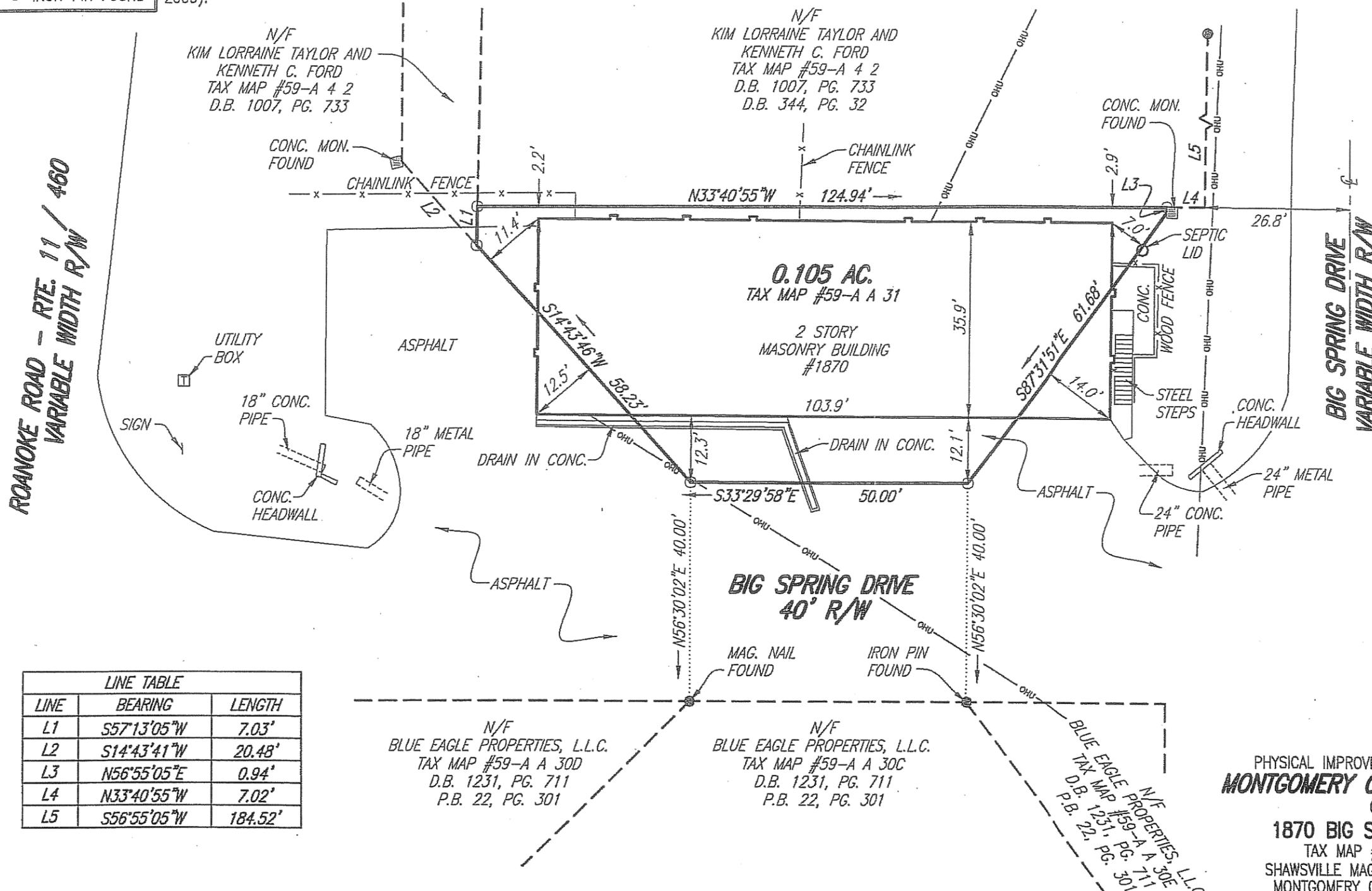
Prepared by Montgomery County, Va
Planning & GIS Services, 2/24/2011



LEGEND

- IRON PIN SET
- IRON PIN FOUND

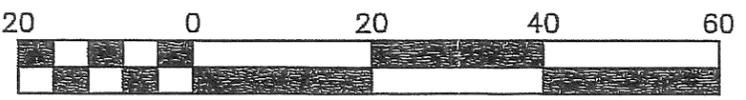
THIS IS TO CERTIFY THAT AN ACTUAL FIELD SURVEY OF THE PREMISES SHOWN HEREON HAS BEEN PERFORMED UNDER MY SUPERVISION; THAT ALL IMPROVEMENTS AND VISIBLE EVIDENCE OF EASEMENTS ARE SHOWN HEREON, AND THAT THERE ARE NO ENCROACHMENTS BY IMPROVEMENTS EITHER FROM ADJOINING PREMISES OR FROM SUBJECT PREMISES OTHER THAN SHOWN HEREON. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT AND IS SUBJECT TO INFORMATION WHICH MAY BE DISCLOSED BY SUCH. PROPERTY IS IN F.E.M.A. DEFINED ZONE X (UNSHADED) AS SHOWN ON FIRM COMMUNITY PANEL NUMBER 51121C0176C (EFFECTIVE DATE: SEPTEMBER 25, 2009).



LINE TABLE		
LINE	BEARING	LENGTH
L1	S57°13'05\"W	7.03'
L2	S14°43'41\"W	20.48'
L3	N56°55'05\"E	0.94'
L4	N33°40'55\"W	7.02'
L5	S56°55'05\"W	184.52'

- NOTES:
- OWNERS OF RECORD: MONTGOMERY COUNTY ELLISTON FIRE DEPARTMENT
 - LEGAL REFERENCE: D.B. 209, PG. 376; P.B. 22, PG. 301; D.B. 344, PG. 32 VDOT HIGHWAY PLANS PROJECT NUMBER F.1.317(15), RTE. 11 SHEET 10, REVISED 10-24-49
 - TAX MAP NUMBER: 59-A A 31
 - UNDERGROUND UTILITY SERVICES LINES

DRN: KMJ
CHK: JRM



Scale 1" = 20'

PHYSICAL IMPROVEMENT SURVEY FOR
MONTGOMERY COUNTY, VIRGINIA
OF
1870 BIG SPRING DRIVE
TAX MAP #59-A A 31
SHAWSVILLE MAGISTERIAL DISTRICT
MONTGOMERY COUNTY, VIRGINIA
SURVEYED: FEBRUARY 16, 2010
REVISED: MARCH 9, 2010 (ADJOINING PARCEL)
JOB #B1010013.00
SCALE: 1" = 20'

TEL: 540-381-4290 FAX: 540-381-4291
PLANNERS ARCHITECTS ENGINEERS SURVEYORS
Balzer & Associates, Inc. 448 Peppers Ferry Road, NW Christiansburg Va. 24073



- PLANNERS
- ARCHITECTS
- ENGINEERS
- SURVEYORS



FRONT ELEVATION

3/32" = 1'-0"

ELLISTON FIRE STATION RENOVATION

10/21/09

ELLISTON, VA





**MONTGOMERY COUNTY
PUBLIC SERVICE AUTHORITY**

**Government Center
Suite 2I
755 Roanoke Street
Christiansburg, VA 24073-3185**

Gary D. Creed, Chair
John A. Muffo, Vice-Chair
Mary W. Biggs, Secretary-Treasurer
Annette S. Perkins, Member
William H. Brown, Member
James D. Politis, Member
Douglas W. Marrs, Member

Robert C. Fronk, PE
PSA Director

February 14, 2011

Ms. Kim Taylor
P.O. Box 553
Elliston, VA 24087

RE: Availability No. 09-84A
1860 Big Spring Drive
Tax Map No. 059-A 4
Tax ID 008389
Water/Sewer

Dear Ms. Taylor:

Public sewer is available to this property at 1860 Big Spring Drive, Tax Map No. 059-A 4. Our records indicate that this property is currently served by public water.

Public sewer service can be provided by a service connection to the sewer main on the same side of Big Spring Drive adjacent to the subject property. You must verify that there is a minimum of two feet of fall from the building service elevation to the top of the sewer main. If adequate vertical separation does not exist, you will be required to install an individual sewer pump and force main with a connection to the sewer cleanout per PSA construction standards. Be advised that this facility will discharge into a sewer system served by a public sewer pump station requiring a Sewer Pump Station Facility Fee. You will be responsible for a sewer facility fee of \$3,000.00, sewer connection fee of \$750.00 and Sewer Pump Station Facility fee of \$750.00 for a total cost of \$4,500.00. The fees include the connection to the sewer main and sewer cleanout at the road right-of-way/property line. The owner would be responsible for the complete installation of the sewer lateral from the building to the sewer cleanout at the property line.

Please be advised that this property would discharge to the Elliston-Lafayette Regional Wastewater Collection and Treatment System which requires the installation of a septic tank on the subject property at the owner's expense. The owner would also be required to execute a User Agreement prior to discharging to this system. A copy of the User Agreement is attached for your information.

The sewer lateral inspection fee is for inspection of the sewer service line between the sewer cleanout at the property line and the building. This inspection must be completed and approved prior to initiation of sewer service. You should coordinate the inspections with the PSA prior to installation of the sewer service line.

You must submit another application for water and sewer service if you plan to subdivide this property. Please be advised that water and sewer fees would be charged for each residential unit such that a duplex would be considered as two residential units.

**ADMINISTRATIVE OFFICES: (540) 381-1997
BILLING & COLLECTIONS: (540) 382-6930
FAX NO. (540) 382-5703**

Page Two
Ms. Kim Taylor
February 14, 2011

Please be advised that all PSA water and sewer systems have a fixed number of available connections. Connections are reserved by payment of facility and connection fees, provided service is currently available to the subject property.

If the owner wants to proceed with this service, please make application and pay the appropriate fees at the Finance Office in the Montgomery County Government Center at 755 Roanoke Street.

This letter and stated fees are only valid to March 1, 2012.

If you should have questions or need additional clarification of the above information, please call me at 381-1997.

Sincerely,



Robert C. Fronk, PE
PSA Director

cc: Mr. Michael Hemphill, MVC Foundation
Montgomery County Planning Dept.



**MONTGOMERY COUNTY
PUBLIC SERVICE AUTHORITY**

**Government Center
Suite 2I
755 Roanoke Street
Christiansburg, VA 24073-3185**

Gary D. Creed, Chair
John A. Muffo, Vice-Chair
Mary W. Biggs, Secretary-Treasurer
Annette S. Perkins, Member
William H. Brown, Member
James D. Politis, Member
Douglas W. Marrs, Member

Robert C. Fronk, PE
PSA Director

February 22, 2011

Mr. Michael Hemphill
MVC Foundation
P.O. Box 532
Shawsville, VA 24162

RE: Availability No. 10-63B
1870 Big Spring Drive
Tax Map No. 059-A A 31
Parcel ID 070714
Water/Sewer

Dear Mr. Hemphill:

Public water and sanitary sewer are currently provided to this property at 1870 Big Spring Drive, Tax Map No. 059-A A 31 by a 5/8" water meter service. Increased or additional water and sewer service can be provided by additional connections and payment of appropriate fees. ***This letter is being revised to correct the previous letter dated February 14, 2011 which listed an incorrect address and Tax Map Number in the first paragraph.***

Public water service for building fire protection can be provided by connection to the 4" water main located along the near side of Roanoke Road adjacent to this property. Water service could also be provided by connection to the 6" water main located along the opposite side of Big Spring Drive to this east of this property. The flow conditions recorded in August 2009 from fire hydrant CE1210 to the east of this property are static pressure of 100 psi and flow of 1140 gpm with a residual pressure of 60 psi. The fire protection service and installation must meet all PSA requirements and all costs associated with the fire service would be the owner's responsibility.

Please be advised that fire services are billed at a monthly rate according to the size of the service line. The fire service rates are as follows:

2" Meter/Service Line: \$32.00 / month	3" Meter/Service Line: \$60.00 / month
4" Meter/Service Line: \$100.00 / month	6" Meter/Service Line: \$200.00 / month

The water facilities must be designed to PSA standards by an engineer and approved by the PSA prior to construction. The owner would be responsible for the cost of the water main tap, highway crossing, any necessary water system appurtenances, highway permits and any other associated requirements. The design should be incorporated into the site development plans for this development and submitted to the PSA for review. The PSA must inspect the water laterals between the water meter and the building. You should coordinate the inspection of the lateral with the PSA prior to installation.

Page Two
Mr. Michael Hemphill
February 22, 2011

Also be advised that this development must also meet all Montgomery County Planning Department requirements. The availability of water and sanitary sewer facilities does not by itself authorize the development of this property.

If the owner wants to proceed with this service, please have your engineer contact me for details.
This letter and stated fees are only valid to March 1, 2012.

Please be advised that all PSA water and sewer systems have a fixed number of available connections. Connections are reserved by payment of facility and connection fees, provided service is currently available to the subject property.

If you should have questions or need additional clarification of the above information, please call me at 381-1997.

Sincerely,



Robert C. Fronk, PE
PSA Director

cc: Montgomery County Planning Dept.

Jamie R. MacLean

From: Jamie R. MacLean
Sent: Tuesday, March 08, 2011 10:03 AM
To: 'Ray Epperly'
Cc: Steve Sandy
Subject: RE: rezoning of 1860,1870 property at Elliston

Mr. Epperly,

I have spoken with the PSA Director, and verified the location of a public sewer main behind the old firehouse. This sewer main is within a public easement and as such, the proposed development is limited in any work it can do within the easement. The rezoning should not impact the sewer or easement. Any proposed work will require preparation and submission of a site plan for review and comment by the PSA as well as Planning & Zoning.

Please let me know if you have any additional questions.

Thank you for your important comments!

Sincerely,

Jamie Rogers MacLean, CZO, CFM
Development Planner
Montgomery County Planning and GIS
755 Roanoke Street, Suite 2A
Christiansburg, VA 24073
acleanjr@montgomerycountyva.gov
(540)394-2148 (phone)
(540)381-8897 (fax)

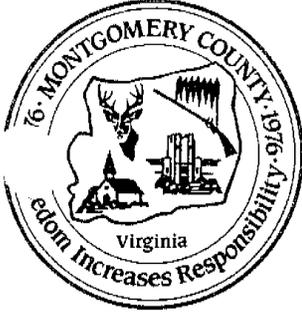
P Please consider the environment before printing this e-mail

-----Original Message-----

From: Ray Epperly [mailto:repperly@verizon.net]
Sent: Thursday, March 03, 2011 9:40 AM
To: Jamie R. MacLean
Subject: rezoning of 1860,1870 property at Elliston

In response to your letter dated 3-1-11. Please be advised that there is a sewer line across the property behind the old firehouse which must remain accessible for future maintenance. There is no note of this on the plan shown on your drawing. If access is not restricted then I have no opposition to the property division and rezoning.
Please respond.

Thanks
Ray Epperly



MONTGOMERY COUNTY DEPARTMENT OF
PLANNING & GIS SERVICES

PLANNING
GIS & MAPPING

755 ROANOKE STREET, SUITE 2A, CHRISTIANSBURG, VIRGINIA 24073-3177

MEMORANDUM

TO: Planning Commission
FROM: Planning Staff *TJG*
DATE: March 7, 2011
RE: **Staff Analysis (SU-2011-08565)**

A request by **Martin Investments (Agent: Dewayne Martin)** for a special use permit on 0.78 acres in an Agricultural (A-1) zoning district to allow a private campground and recreational vehicle park. The property is located at 2611 Big Falls Road (Rte. 625) and is identified as Tax Parcel No. 035-7-1 (Acct # 010426) in the Prices Fork Magisterial District (District E). The property currently lies in an area designated as Rural in the 2025 Comprehensive Plan.

I. Nature of Request

The applicant is requesting a Special Use Permit (SUP) on approximately 0.78 acres zoned Agriculture (A-1) to allow a private recreational vehicle park and campground for family use.

II. Location

The property is located at 2611 Big Falls Road and is identified as Tax Parcel No. 035-7-1 (Acct # 010426) in the Prices Fork Magisterial District (District E).

The property currently lies in an area designated as Rural in the 2025 Comprehensive Plan. The subject property is zoned Agricultural (A-1) and is bordered to the north by the New River and to the east, south and west by properties zoned Agricultural (A-1). Properties located to the east and south appear to be primarily single-family residential uses. To the west, the subject parcel lies adjacent to properties known as the "New River Junction", owned by Bernadette Mondy.

III. Impacts

This Special Use Permit is requested by the applicant to allow a private recreational vehicle park and campground for family use.

A. Transportation

The applicant has stated the five (5) recreational vehicle sites will be used only from May to November with approximately two vehicles per camp site. The proposed use would not generate enough vehicle trips per hour to require a review under the Virginia Department of Transportation (VDOT) Chapter 527 Regulation. The applicant intends to utilize the existing entrance to the site from Big Falls Rd. (Rt. 625).

During plan review meeting(s) on February 17, 2011, John Thompson, VDOT Land Use Engineer, stated that the entrance currently used to access the property could continue, unless the use and intensity of use of the property was further changed.

B. Infrastructure

The property is currently served by a private well and private on-site sewage disposal. No changes to the existing services are proposed as a result of this special use permit application. Copies of the final approvals from Virginia Department of Health (VDH) are enclosed for review.

C. Schools

The applicant is proposing no impact to the school system as he intends to use the property for recreational purposes. Therefore, no comments have been received from Montgomery County Public Schools.

IV. Comprehensive Plan

The site is located within an area designated as *Rural* on the future policy map of the comprehensive plan. The comprehensive plan defines Rural as areas of the County as those areas not generally served by public utilities, where agricultural and rural residential uses are predominant and should be preserved and stabilized. These areas include low-density rural residential subdivisions and active agriculture on secondary agricultural soils. Agricultural uses in these areas are often fragmented and subject to encroaching rural residential development.

The Rural Area Land Use policy (1.3.1-a) states the preferred land uses in Rural Areas are rural residential development and agriculture. Rather than promoting new rural residential development in Rural Areas, the County seeks to maintain the rural character of existing rural residential developments. The County also seeks to maintain existing agricultural uses in Rural Areas.

The proposed use is compatible with the surrounding uses and if approved, conditions on the proposed use should be considered to ensure that the use is compatible in scale and intensity to surrounding uses.

V. Analysis

This Special Use Permit is requested by the applicant to bring an existing use into compliance.

In response to a complaint received by planning staff, the Zoning Administrator visited the subject property on May 12, 2010 and observed the property was being used as a "recreational vehicle park".

Section 10-61 of the Zoning Ordinance defines "recreational vehicle park" as:

***Recreational vehicle park:** A plot of land upon which two (2) or more recreational vehicles are located, established or maintained, temporarily or otherwise, as temporary living quarters for recreation, leisure, camping or travel purposes (also see "Campground").*

A recreational vehicle park is allowed within the Agriculture (A-1) Zoning District; however a Special Use Permit (SUP) is required. Since a SUP was not obtained for this use, the Zoning Administrator determined that the property owners were in violation of Section 10-21, Agricultural (A-1) District, of the Montgomery County Code. The property owners were advised to remedy the violation within thirty (30) days or appeal the Zoning Administrators' decision. The property owners brought the property into compliance with all county ordinances in a timely fashion, and applied for an SUP on February 1, 2011.

The applicants wish to utilize the property as a recreational vehicle park and private campground for the enjoyment of the family. The site sketch prepared by Berckman Land Surveying, Inc., dated January 31, 2011, indicates the location of an existing 16' x 24' block bath house and picnic shelter. A building permit was obtained for this structure on November 19, 2008. The applicants are working with the Building Official to determine what modifications may be necessary to the structure to meet the building code requirements for use within the campground.

Also located on the site sketch is the proposed location for five (5) recreational vehicles. Section 10-37, Article VI, Definitions, provides a specific definition of "recreational vehicle" for use only with the "Flood Damage Prevention Overlay" and is shown below:

Recreational vehicle. A vehicle which is:*

1. Built on a single chassis;
2. Four hundred (400) square feet or less when measured at the largest horizontal projection;
3. Designed to be self-propelled or permanently towable by a light duty truck; and,
4. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational camping, travel, or seasonal use.

Since a significant portion of this property is situated within the Floodway District as designated on the enclosed aerial photo, the recreational vehicles will not qualify for permanent placement on the site or for installation as manufactured homes. Section 10-37(3.4)(c) of the Montgomery County Code specifically prohibits the placement of manufactured homes within the Floodway District. In addition, Section 10-37((3.3)(e) requires the recreational vehicles be kept ready for highway use at all times as indicated by the following:

Recreational Vehicles. *All recreational vehicles placed on sites must either be on the site for fewer than one hundred eighty (180) consecutive days; be fully licensed and ready for highway use (a recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices and has no permanently attached additions); or meet all the requirements of manufactured homes in Article III, Section 3.3(d).*

While there are several mature hardwood trees along the side property lines, there is very little existing screening on the site. A site plan will be required for review and approval should the Special Use Permit be approved.

The Martin site lies immediately west of "New River Junction", a campground and water sports business. The Martin campground should generate significantly less intensive activity since there are only five recreational vehicle sites proposed for this campground.

No signage for the property currently exists, and no addition of signage has been proposed. The applicants have stated that signage is not necessary. County staff requested the 911 address be posted in a visible location to assist with emergency response to the campground if needed.

The site is served by one entrance along Big Falls Road (Rt. 625) and VDOT officials have indicated that no entrance upgrades would be required unless additional changes were made to the site.

Currently, no additional lighting on the site has been proposed. There is an existing dusk to dawn light on the site to which no changes have been proposed. The applicant states the location of the dusk to dawn light is on the southern side of the existing structure. There are also motion lights on the mounted on the exterior of the building to provide light at the entrance to the bathrooms. While no additional lighting has been proposed, attention should be given to future exterior lighting in order to preserve nighttime skies. A condition addressing lighting will be recommended in the staff recommendation portion of the analysis. Attention will be given toward lighting when site plans are submitted for this site.

According to section 10-21(4)(i)(d) of the Montgomery County Code, the subject parcel meets the criteria required to be considered for a special use permit for a "campground". The proposed intensity of the use appears to be compatible with the surrounding area, and appears to be consistent with the regulations set forth in the zoning ordinance.

All adjoining property owners were notified in compliance with the Code of Virginia and Section 10-52(3) of the Montgomery County Code. At the time this report was issued, staff had not received any comment on this request. However, consideration should be given to adjacent property owners or other interested citizens attending the public hearing to express their views regarding this request.

VI. Staff Recommendation

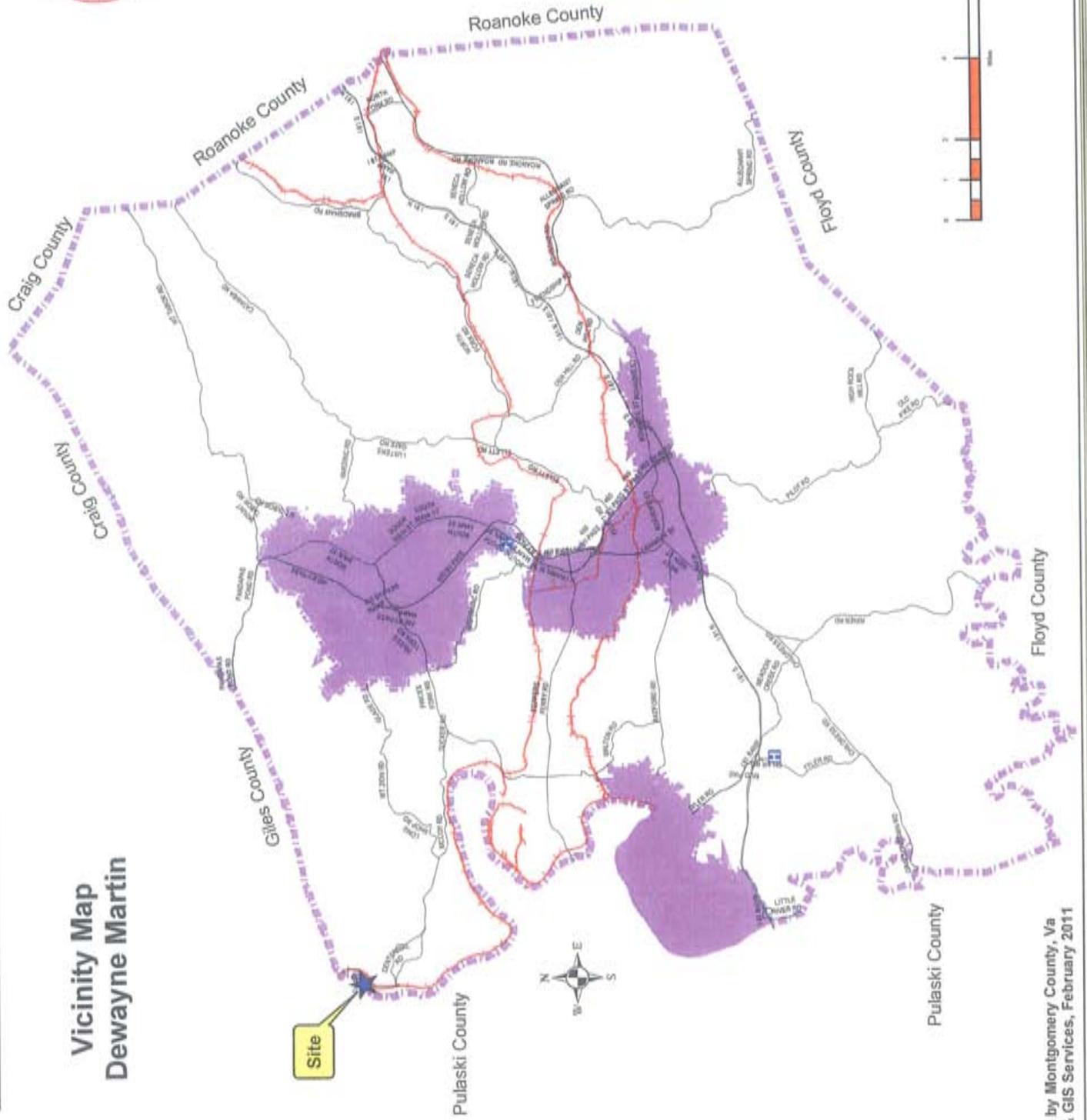
Staff preliminarily recommends approval of this request as submitted by Martin Investments Special Use Permit to allow a private Recreational Vehicle Park and Campground with the following conditions:

1. This special use permit authorizes use of the property for a private recreational vehicle park and campground which shall not be open to the public and shall conform to the Concept Plan included within application materials submitted February 1, 2011.
2. This special use permit authorizes no more than five (5) recreational vehicles and/or tents on site at any one time.
3. Recreational vehicles parked on site shall meet the following requirements per Section 10-37, Article VI, Definition.
 - Recreational vehicle.*** A vehicle which is:
 - Built on a single chassis;
 - Four hundred (400) square feet or less when measured at the largest horizontal projection;
 - Designed to be self-propelled or permanently towable by a light duty truck; and,
 - Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational camping, travel, or seasonal use.
4. All recreational vehicles placed on site shall be on the site for fewer than one hundred eighty (180) consecutive days and be fully licensed and ready for highway use (a recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices and has no permanently attached additions) per Section 10-37((3.3)(e).
5. A site plan shall be submitted for review and approval prior to use of the private recreational park and campground.
6. All required zoning permits, building permits and/or change of use and occupancy approvals, or any other required permits shall be obtained prior to use of the property as a recreational park and campground.
7. No off-site parking shall be allowed.
8. No trash, litter or debris shall accumulate or be stored on the property.
9. Any lighting installed on the property shall be dusk to dawn, shielded fixtures to avoid glare onto adjacent properties and night sky, and shall comply with Montgomery County Zoning Ordinance 10-46(9) Performance Standards.
10. Storage of all water sports equipment shall be screened from view of adjacent properties.

Enclosures: Aerial Photo Map
 Current Zoning Map
 Application Materials
 VDH Approvals
 Photos



Vicinity Map Dewayne Martin





Dewayne Martin
Request For
Special Use Permit
(Family Campground)

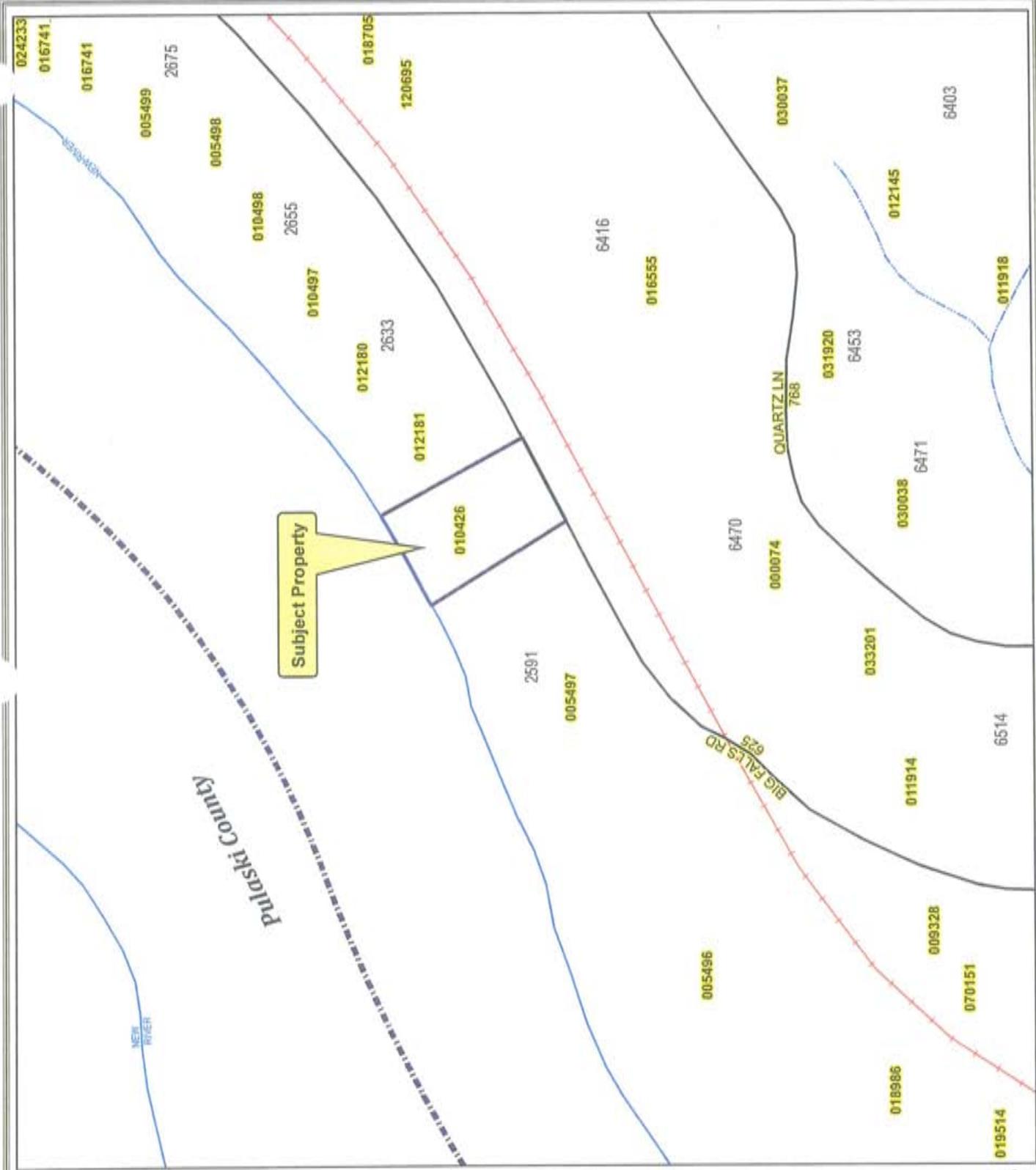
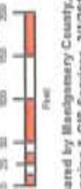
Legend

- Corporate Line
 - State Roads
 - Interstate Highway
 - Private Roads (Named)
 - Planned Highway
 - Blackburg Roads
 - Railroad
 - Hydrology
 - Tax Parcels
 - Subject Property (Martin)
 - A1 - Agriculture
- All Surrounding Properties**
Zoned A-1

Parcel ID(s): 010426



Map Accuracy
 This map was prepared using the most current data available to the Planning & GIS Services, 2/10/2011. The map is not intended to be used for any purpose other than the one for which it was prepared. The map is not a warranty, representation, or agreement of any kind, and it should not be used to make any decisions. The map is provided as a service to the public and is not intended to be used for any purpose other than the one for which it was prepared.





**Dewayne Martin
Request For
Special Use Permit
(Family Campground)**

- Legend**
- Corporate Line
 - State Roads
 - Interstate Highway
 - Private Roads (Named)
 - Planned Highway
 - Blacksburg Roads
 - Railroad
 - Hydrology
 - Tax Parcels
 - Subject Property (Martin)
- All Surrounding Properties
Zoned A-1**

Parcel ID(s): 010426



DISCLAIMER
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SCALE
0 12.5 25 50 75 100 Feet

Prepared by Monticountry County, Va
Planning & GIS Services, 2/1/2011



Montgomery County, Virginia
2025 Comprehensive Plan Map

Critical Features Map



Legend

- Historic Resources
 - Mines and Prospects
 - Karst
 - Cemeteries
 - Wetlands
 - Agricultural and Forestal Districts
 - Conservation Easements
 - Prime Farmland Soils
 - Threatened and Endangered Species
 - Hydrography
 - County Roads
 - Tax Parcels
 - Village Arterial
 - Public Lands
- FEMA Flood Hazard Area (Effective 9/15/09)
- Flood Zone 1
 - Flood Zone 2
 - Flood Zone AE
 - Flood Zone X
 - National Forest

Montgomery County, Virginia
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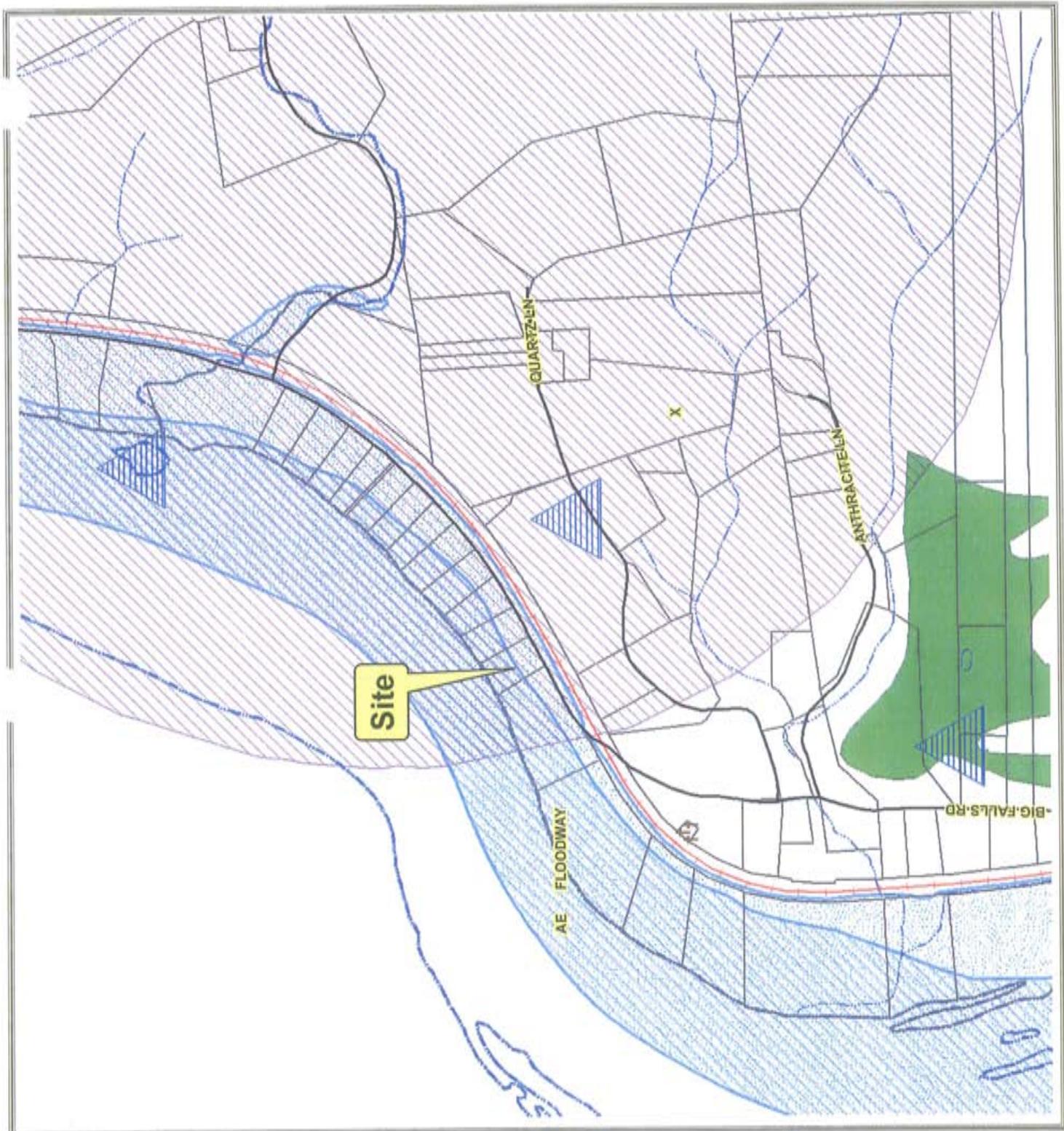
THE INFORMATION SHOWN HEREON IS TO BE USED FOR REFERENCE PURPOSES ONLY AND IS NOT TO BE CONSIDERED OR USED AS A LEGAL OPINION OR AS A SUBSTITUTE FOR PROFESSIONAL ENGINEERING, ARCHITECTURAL, OR SURVEYING SERVICES. THE USER SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF THE INFORMATION SHOWN.

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EXACT LOCATION OF FLOOD ZONE TO BE DETERMINED BY LICENSED SURVEYOR, ENGINEER, OR ARCHITECT.

0 100 200 300 400 500 Feet

Prepared by Montgomery County's Planning and GDS Services.





Montgomery County Health Department
210 Pepper Street, SW - Suite E
Christiansburg, Virginia 24073
(540) 381-7100 X117 Voice
(540) 381-7109 Fax

Record of Inspection - Nonpublic Well Class IIIB

Property Owner

Bob Martin
925 Cambria Street
Christiansburg, Virginia 24073
Phone:

Health Dept. ID: 08-160-0264
Tax Map: 35-7-1 (2611 Big Falls Rd.
Bburg)
GPIN: 010426
Locality: Montgomery

Property Location

Property Address: 2611 Big Falls Road
Subdivision: Big Falls Riverside Lot 1
Directions:

Well Driller: American Well Drilling and Septic, Inc.

Nonpublic well class: Class IIIB

Date construction started: February 10, 2009

Has water well completion report been filed as required by Sec. 12 VAC 5-630-440. Yes

Well Location / Distances from sources of pollution:

(See Table 3.1 and 12 VAC 5-630-380 of the Private Well Regulations)

Building Sewer feet; Pretreatment Unit feet; Conveyance System feet; Subsurface Soil Absorption System feet (nearest point); Property Line feet; Other: ---
>=50ft from currently known sources of pollution.

Construction, General: (See 12 VAC 5-630-400 and 410 of the Private Well Regulations)

Total depth of well 205 feet; Type of casing SDR 21 PVC WC; Depth of casing 50 feet; Diameter of casing 6.125 inches. Casing extends 18 inches above ground. Annular space was sealed with benonite to a depth of 50 feet, and was Pumped from bottom upward. Screens (if used) are constructed of ---. Well head and opening to the interior protected: ---. Type of well seal: approved well cap. Pitless adapter used: ---. If so, was it properly installed: ---; and properly vented: ---.
Health Department not present for grouting.
Blank fields indicate information not provided by well driller.

Quantity: Yield and drawdown determined by continuous pumping of 1 hours.

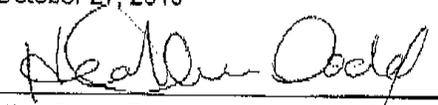
Yield: 10 GPM; Drawdown: feet; Static Water Level: 27 feet; Type of storage: ---.
Blank fields indicate information not provided by well driller.

Quality: Sample tap provided at entry into system: ---. Sample(s) collected: Yes. Result of samples: Satisfactory. Date of Sample: August 12, 2010

Satisfactory Construction: Yes on October 27, 2010

Well Approved for Use: Yes on October 27, 2010

Signed October 27, 2010


Heather Dodd, Environmental Health Specialist, Sr.



Montgomery County Health Department
210 Pepper Street, SW - Suite E
Christiansburg, Virginia 24073
(540) 381-7100 X117 Fax (540)
381-7109

Sewage Disposal System Operation Permit

Health Department ID Number: 08-160-0246
Tax Map Number: M 035-7 1
Type of Property: Non-Residential

Bob Martin
925 Cambria Street, Christiansburg, Virginia 24073
is hereby granted permission to operate a
ALTERNATIVE SEWAGE DISPOSAL SYSTEM

Design Capacity: 200 gallons per day

System Location: 2611 Big Falls Road, Blacksburg, Virginia 24060

Subdivision	Section	Lot
Big Falls Riverside		1

This permit is issued in accordance with the Provisions of Title 32.1, Chapter 6 of the Code of Virginia as Amended and Section 12 VAC 5-610-340 of *Sewage Handling and Disposal Regulations* of the Virginia Department of Health.

Special Conditions:

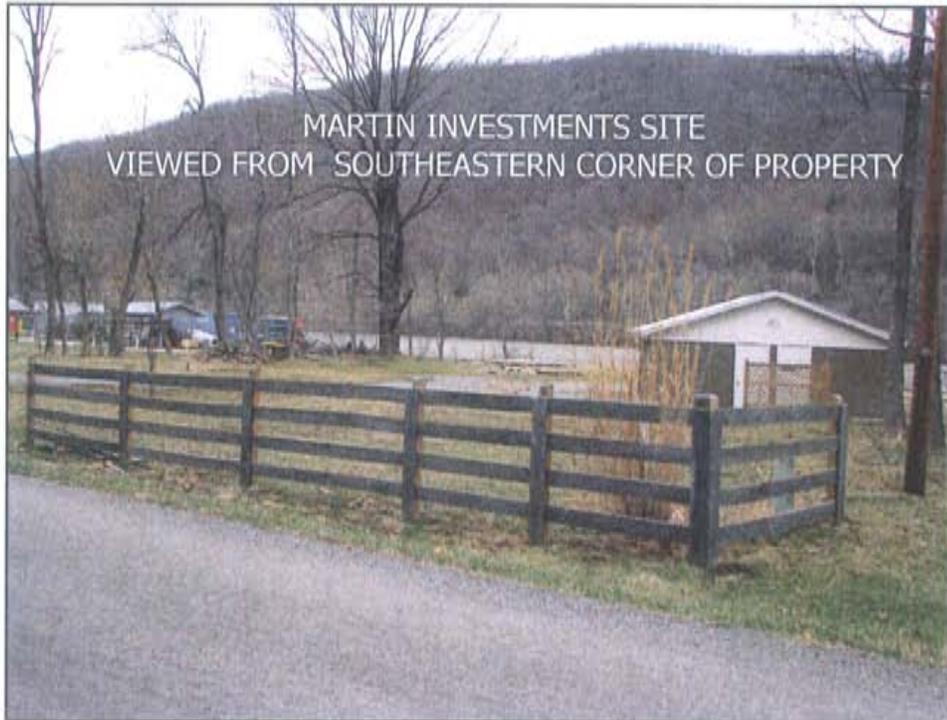
Until the promulgation of final regulations governing the operation and maintenance of alternative onsite sewage disposal systems pursuant to Chapters 892 and 924 of the Acts of Assembly of 2007, alternative onsite sewage systems shall be operated and maintained pursuant to such approved instructions, any applicable regulations or Guidance Memoranda and Policies adopted by the Board of Health, or any local operation and maintenance standards, whichever are more stringent. Owners are advised to be aware of the operation and maintenance instructions for their alternative onsite sewage system and to follow them. Copies of the operation and maintenance instructions can be found by contacting the local health department for the locality where the onsite sewage disposal system is located.

Effective Date: **February 28, 2011**

ENVIRONMENTAL HEALTH SPECIALIST

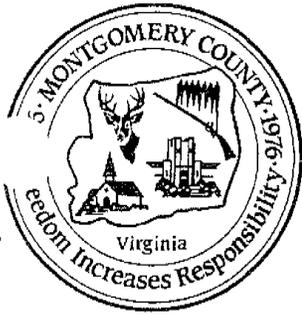
Heather Dodd

The issuance of an operation permit does not denote or imply any guarantee by the department that the sewage disposal system will function for any specified period of time. It shall be the responsibility of the owner or any subsequent owner to maintain, repair or replace any sewage disposal system that ceases to operate in accordance with the regulations.



MARTIN INVESTMENTS SPECIAL USE PERMIT
PHOTOS TAKEN: MARCH 8, 2011

SU-2011-08565



MONTGOMERY COUNTY DEPARTMENT OF
PLANNING & GIS SERVICES

PLANNING
GIS & MAPPING

755 ROANOKE STREET, SUITE 2A, CHRISTIANSBURG, VIRGINIA 24073-3177

MEMORANDUM

TO: Planning Commission

FROM: Planning Staff *stwe/bh*

DATE: March 9, 2011

RE: **Staff Analysis (RZ-2011-08574)**

A request by **Huckleberry Ridge, LLC (Agent: Bluestone Land, LLC)** for rezoning of approximately 48 acres from Agriculture (A1) to Residential Multi-family (RM-1) with possibly proffered conditions, to allow 388 multi-family residential dwellings and approximately 15 acres from Agriculture (A1) to Residential (R3), with possible proffered conditions, to allow 40 lots for single/two-family residential dwelling units.

I. NATURE OF REQUEST

The applicant is requesting rezoning of approximately 48 acres from Agriculture (A1) to Residential Multi-family (RM-1) with possibly proffered conditions, to allow 388 multi-family residential dwellings and approximately 15 acres from Agriculture (A1) to Residential (R3), with possible proffered conditions, to allow 40 lots for single/two-family residential dwelling units.

II. LOCATION

The property is located south east of the intersection of Merrimac Road (Rte.657) and Hightop Road (Rte. 808) and is identified as Tax Parcel Nos. 067-A-42, 66-A-91, 92, & 67-A-229 (Acct # 010583, 010584, 010585, & 035616) in the Prices Fork Magisterial District (District E). The Huckleberry Trail runs through the northern portion of the property. Forest Park and Oak Forest Mobile Home Parks are

adjacent to the property across Merrimac and Hightop Roads, respectively. Both of these parks are zoned Planned Mobile Home Residential (PMR). Most of the remaining area surrounding this property is zoned Agriculture (A-1). See attached zoning map.

III. BACKGROUND

In early 2006 this same property owner requested rezoning of this property from Agriculture (A-1) to Planned Unit Development Residential (PUD-Res) to allow 245 residential dwellings and up to 10% of the areas as commercial uses. This proposal included primary access to the site from Hightop Road and also across the Huckleberry Trail. After several months of review, the Planning Commission recommended denial of the request by a 5-3 vote. The primary concerns stated at that time were the at-grade crossing of the Huckleberry Trail and the lack of some proffers in being submitted in writing. After much deliberation, the Board of Supervisors ultimately denied the request on April 24, 2006 by a 5-1 vote stating in Resolution R-FY-06-161, "... [the proposed project] does not meet the requirement of public necessity, convenience, general welfare and good zoning practice because the existing road network that provides public access for this proposed development (Hightop Road and Merrimac Road) cannot adequately service the proposed density for this development in a safe and orderly fashion...".

IV. IMPACTS

The impacts associated with rezoning this property are discussed below. The proposed use of the property is to allow the construction of up to 388 multi-family residential dwellings and forty (40) one or two-family residential dwellings. The proposal also includes the construction of a community building and pool for use by the residents of the development.

Transportation

Since the proposed project has an anticipated traffic count that exceeds 100 vehicles per hour (vph), the applicant was required to prepare a traffic impact analysis (TIA) in accordance with VDOT's Chapter 527 regulations. The TIA was prepared by Anderson & Associates and is dated January 26, 2011. A copy of the TIA Executive Summary has been attached for your reference.

The report consisted of traffic counts that were gathered on January 19th and 20th. The purpose of the report is to evaluate the current traffic/road conditions and then re-analyze them again based upon normal growth and the addition of the proposed project. Specifically, the report reviewed five (5) intersections in the vicinity of the project.

1. Route 460 and Merrimac Road (Rte. 657)
2. Route 460 and Hightop Road (Rte. 808)
3. Merrimac Road (Rte. 657) and Hightop Road (Rte. 808)
4. Merrimac Road (Rte. 657) and Totem Lane/Access "A"
5. Merrimac Road (Rte. 657) and Access "B"

The analysis of these intersections showed that all intersections operate currently at a level of service "C" or better. Under the 2017 build-out scenario, all intersections continue to operate a level of service "C" or better. However, intersections #3 and #4 drop from level of service "A" to "B" as a result of the development. The TIA proposes no intersection improvements at any of the existing intersections. The TIA does recommend that both new entrances to the development be constructed with one ingress and two egress lanes. It is further recommended that Access "A" be installed with a right-turn taper along Merrimac Road.

On February 23, 2011, VDOT issued a comment letter after their review of the submitted TIA (copy attached). The review contained eight (8) comments pertaining to the report information and required resubmission of a revised report. As of the date of this analysis, no revised report had been received by this office.

Infrastructure

The property is currently in the Montgomery County PSA water and sewer service area. According to a letter from Mr. Bob Fronk, PSA Director, dated April 10, 2010 (see attached), public water and sanitary sewer can be provided by the PSA. Public water exists along Merrimac Road and can be extended into the development via an 8-inch water line extension. Public sewer can be provided to the property by a sewer main extension from the existing line that runs along the northern portion of the property along the Huckleberry Trail. This letter was issued based on 250 dwelling units not the current request of 468 units.

The PSA letter also points out that the current PSA water service area does not include the southern quarter of the subject property and unless the agreement is modified, water service would not be available to this area of the subject property. PSA Director Bob Fronk requested that the Town of Blacksburg modify this agreement by letter on July 22, 2010. Town Manager Marc Verneil stated that the Town would consider the modification upon submittal and review of a rezoning request by the property owner and after the public input process. A letter from the Town's Planning Commission letter dated March 1, 2011 only addresses this matter by saying, "Currently, Town policy has been not to provide water service outside of the Town boundary". Bob Fronk submitted an email to the Planning Director on March 5, 2011 to clarify the water issue related to this proposed project as follows, "Our request to realign the existing boundary of the existing back-up supply

service area that is only needed in the event that our usual water supplier cuts off supply due to seasonal limitations. The current boundary line of the existing agreement did not follow property lines but split the property in question. It is not realistic to consider this an additional water service area request as we are only requesting realignment of the boundary and nothing more". As of the date of this report, there has been no further resolution from the Town of Blacksburg concerning this needed service area modification.

Schools

Montgomery County Public Schools submitted a comment letter dated February 11, 2011 concerning the potential impact that this proposed development would have on the county school system. This letter has been attached to this report.

The letter indicates that children from residential dwellings in this proposed development would attend Kipps Elementary School, Blacksburg Middle School and Blacksburg High School. Kipps Elementary has a capacity of 500 students and has a current enrollment of 512 students. Blacksburg Middle School has a capacity of 1200 students and a current enrollment of 835 students. The new Blacksburg High School is being designed to accommodate 1400 students and has a current enrollment of 1065 students.

According to the letter, the project with a projected density of 468 units could potentially add 281 children to the school system or approximately 22 students in every grade level upon full build-out. The letter indicates that this potential number of additional students could further impact Kipps Elementary School. It goes on to state that the school system intends to perform some redistricting in the next year as a result of the new Prices Fork Elementary being completed. This redistricting may put this proposed development area into the new Prices Fork Elementary School rather than Kipps.

The private roads throughout the multi-family portion of the development will not be accessible by public school buses therefore; schoolchildren will have to go to the intersection with Merrimac Road in order to catch the bus. The school bus will be able to traverse the single-family portion of the development if the streets remain public as currently proposed.

Emergency Services

Montgomery County Emergency Services Director, Neal Turner, reviewed the proposed development and expressed concern with one-way in and one-way out to the development via Merrimac Road. He also expressed concern over adequate turning area for fire trucks within the development and requested that the development incorporate wider turning areas and more cut-through areas within parking lots. Because of topography of site there may be some challenges to provide optimal access for emergency service vehicles therefore, there may be a need to incorporate more fire hydrants within the development.

V. COMPREHENSIVE PLAN

The subject property is in an area designated Urban Expansion on the future policy map of the comprehensive plan. This area is also in an area that is under consideration for designation as an Urban Development Area (UDA) based on the State of Virginia mandate that the County must designate UDAs to accommodate 10-20 years of projected growth.

Urban Expansion

The County's Comprehensive Plan (PLU 1.8) identifies these as areas adjacent to the two towns and City of Radford that are planned for a broad range and mix of uses at urban development densities and intensities. These areas are to be served with public water and sewer and should serve as natural areas for uses occurring within the town and city boundaries.

PLU 1.8.3 states that Urban Expansion Areas are the preferred location for new residential and non-residential development occurring in the unincorporated areas of the County accommodating a full range of residential unit types and densities. Area wide densities in Urban Expansion Areas are projected to be no more than four (4) dwelling units per acre.

The Housing chapter of the comprehensive plan states that the County's goal is to promote affordable, safe, livable neighborhoods for all residents (HSG 1.0). Additional goals of encouraging planned, pedestrian and transit-friendly neighborhoods (HSG 1.3.1) and encouraging intra- and inter-connectivity of roads, bikeways and walkways in new residential developments in order to promote an increased sense of community and safety, while decreasing traffic concentration are also stated in this chapter.

The County is considering the designation of this area of Merrimac as a Urban Development Area (UDA). The draft comprehensive plan language for the UDA areas, based on legislative requirements, states that overall density in the UDA should be village-like in terms of scale and intensity, with a mixture of high density and intensity ranging from 8-12 du/acre at the core and 4-8 du/acre at the edges. The County must adopt UDAs by June 30, 2011.

Comprehensive Plan Summary

The intent of the proposal appears consistent with the Planning and Land Use and Housing chapters of the Montgomery County 2025 Comprehensive Plan. As proposed, this development meets the goals and objectives of the future land use for this area and does qualify for consideration of rezoning from Agriculture (A-1) to Residential

Multiple Family (RM-1) and Residential (R-3). However, there are many aspects and details of the proposed development that need to be considered and incorporated into the proposal to fully comply with the guidelines and goals of the Comprehensive Plan and zoning ordinance.

VI. ANALYSIS

The subject parcel qualifies for rezoning to Residential Multiple Family (RM-1) and Residential (R-3) based on the submittal requirements of the zoning ordinance. The proposed zoning change will present a significant change in land use and traffic patterns compared to the existing surrounding community uses and will represent an increase in intensity as compared to the existing uses in the community.

Traffic impacts and site design elements are major concerns for the County and surrounding property owners that have been identified during the review of this proposal. The submitted TIA addresses the major intersections surrounding the development and indicates that no improvements are needed. However, the intersection of Merrimac Road and Hightop Road is of significant concern. Revision of the traffic turning movements at this intersection is necessary to more accurately reflect the potential impact to this intersection at build out.

A project of this size and character should exhibit the characteristics of a walkable community as well as having access to other forms of mobility such as bicycling and transit. This proposal appears to have a lot of potential to achieve this desired outcome but will need some increased emphasis in the design and subsequently in the proffered conditions. For instance, sidewalks along all street frontages would be desirable but the concept plan and proffers do not indicate whether or not these items will be part of the development.

More information concerning the details of the development is needed to ensure that this project will represent the type of development that the County envisions for this area. Specifically, the applicant needs to address details concerning the following:

- a) Roads, streets and parking areas within the development.
- b) Interconnectivity with adjoining property, location, design.
- c) Interconnectivity of trails and sidewalks for pedestrians and bicycling.
- d) Incorporation of transit friendly design.
- e) Building and lighting design details.

The incorporation of these items will require amendments to the conceptual plan and proffered conditions. In addition, a community design book or similar resource may be necessary to adequately demonstrate compliance with various site and building design characteristics and details.

VII. STAFF RECOMMENDATION

Staff's preliminary recommendation is to **table** this request in order to allow the applicant additional time to address a number of the items and concerns expressed by VDOT and staff that have been outlined in this analysis. The applicant should address the following items before the Planning Commission makes a final recommendation to the Board of Supervisors on this request.

1. Applicant shall revise the TIA and resubmit to VDOT for additional comment. The revision of the report to address the VDOT comments is critical to ascertain the full impacts of the development on the existing road network. In particular, staff is concerned about the potential impacts at the intersection of Merrimac Road and Hightop Road.
2. Applicant shall develop a resolution to the existing back-up supply service area for water with the Town of Blacksburg.
3. Applicant shall revise and/or add to the submitted proffered conditions to mitigate impacts and concerns expressed such as intersection and/or roadway improvements per TIA and VDOT comments, inter and intra connectivity of roads, trail construction specifications, incorporation of transit, pedestrian and bicycling features, permitted density, architectural guidelines to ensure buildings are consistent with elevation drawings submitted, phasing schedule, etc. While this is not an exhaustive list, there are many details of the development that need to be addressed to ensure compliance with the County's Comprehensive Plan prior to any further action being considered by the County.
4. Applicant shall provide a metes and bounds survey of the proposed rezoning areas must be completed so the County can accurately depict the boundaries of the rezoned area.
5. Staff suggests that the County consider allowing the County's UDA consultant to review the proposal and determine if the project is compatible with proposed UDA designation and if not identify how the project could be modified to provide a more compatible development.

At the time this report was issued, the Planning and GIS Services office had been contacted regarding this request by several concerned citizens, requesting additional information on the request. Adjoining property owners were notified in accordance with Montgomery County Code Section 10-52(3). Consideration should be given to adjacent property owners or other interested citizens attending the public hearing to express their views regarding this request.

Enclosures: Aerial Map
Zoning Map
TIA Executive Summary dated January 26, 2011
Letter from Montgomery County Schools dated February 11, 2011
Letter from Blacksburg Planning Commission, dated March 1, 2011
Letter from VDOT, dated February 23, 2011



**Huckleberry Ridge LLC
Request For
Rezoning
(A-1 to R-3 & RM-1)**

Legend

- Corporate Line
- State Road
- Interstate Highway
- Private Road (Name)
- Proposed Highway
- Railroad
- Huckleberry Trail
- Hydrology
- Ten Parcels

Huckleberry Ridge LLC Parcels

- Parcel
- Proposed Zoning RM-1
- Proposed Zoning R-3

Parcel ID(s): 010583
010584
010585
035616

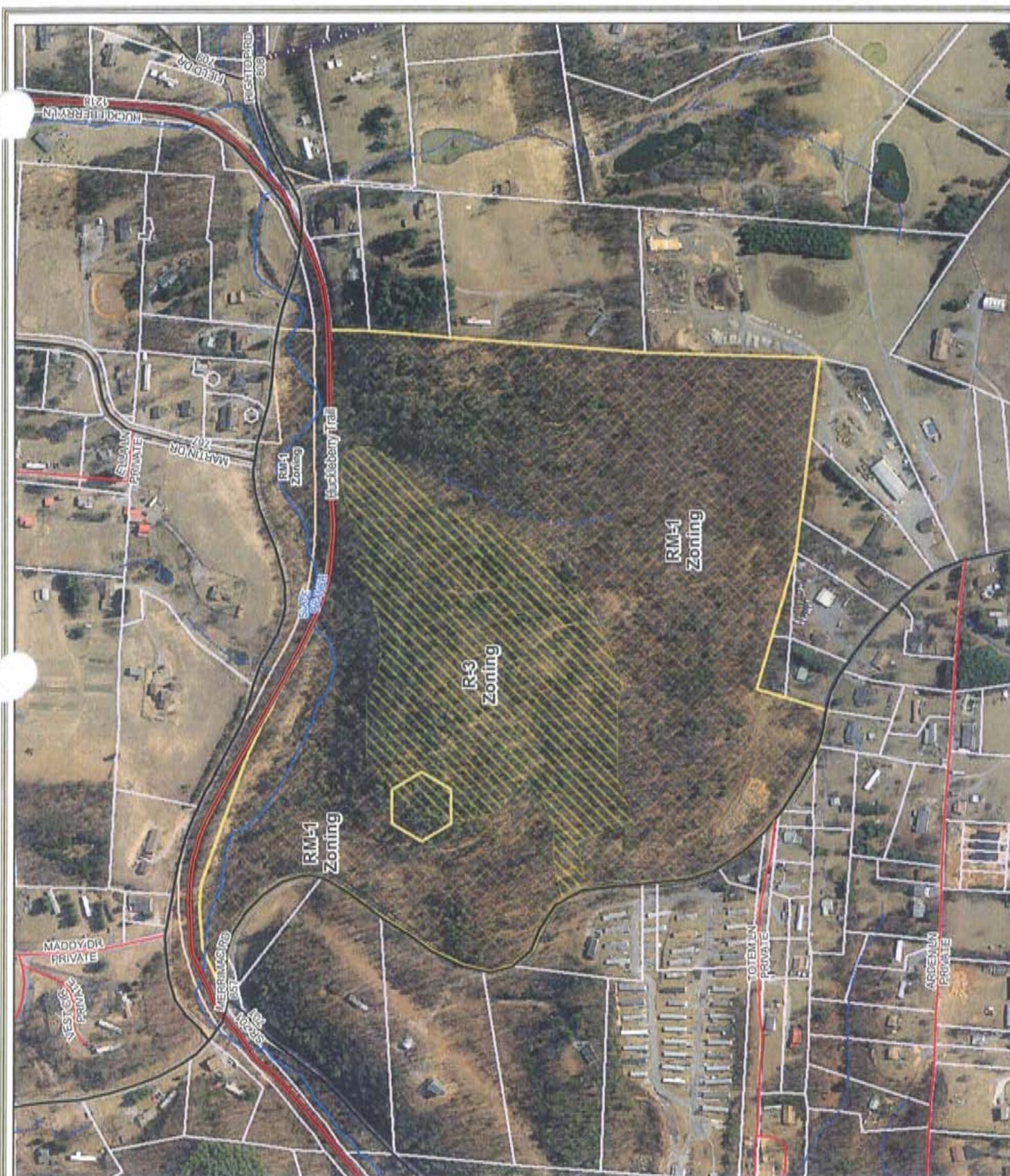


Montgomery County, Virginia
GIS Services

THE MONTGOMERY COUNTY BOARD OF SUPERVISORS HAS REVIEWED THE REQUEST FOR REZONING AND HAS APPROVED THE REQUEST FOR REZONING. THE BOARD OF SUPERVISORS HAS APPROVED THE REQUEST FOR REZONING AND HAS APPROVED THE REQUEST FOR REZONING. THE BOARD OF SUPERVISORS HAS APPROVED THE REQUEST FOR REZONING AND HAS APPROVED THE REQUEST FOR REZONING.



Prepared by Montgomery County, Va
Planning & GIS Services, 2/8/2011





Huckleberry Ridge LLC Request For Rezoning

(A-1 to R-3 & RM-1)

Legend

- County Line
- State Road
- Interstate Highway
- Private Road (Named)
- Planned Highway
- Railroad
- Huckleberry Trail
- Hydrology
- Tax Parcel

County Zoning

- Zoning Class
- A1 - Agriculture
- GB - General Business
- M1 - Manufacturing
- PMS - Planned Single Home Residential
- RM1 - Multi-Family Residential

Huckleberry Ridge LLC Parcels

- Parcel
- Proposed Zoning
- RM-1
- R-3

Parcel ID(s): 010583
010584
010585
035516



Prepared by Montgomery County, Va
Planning & GIS Services, 3/26/2011

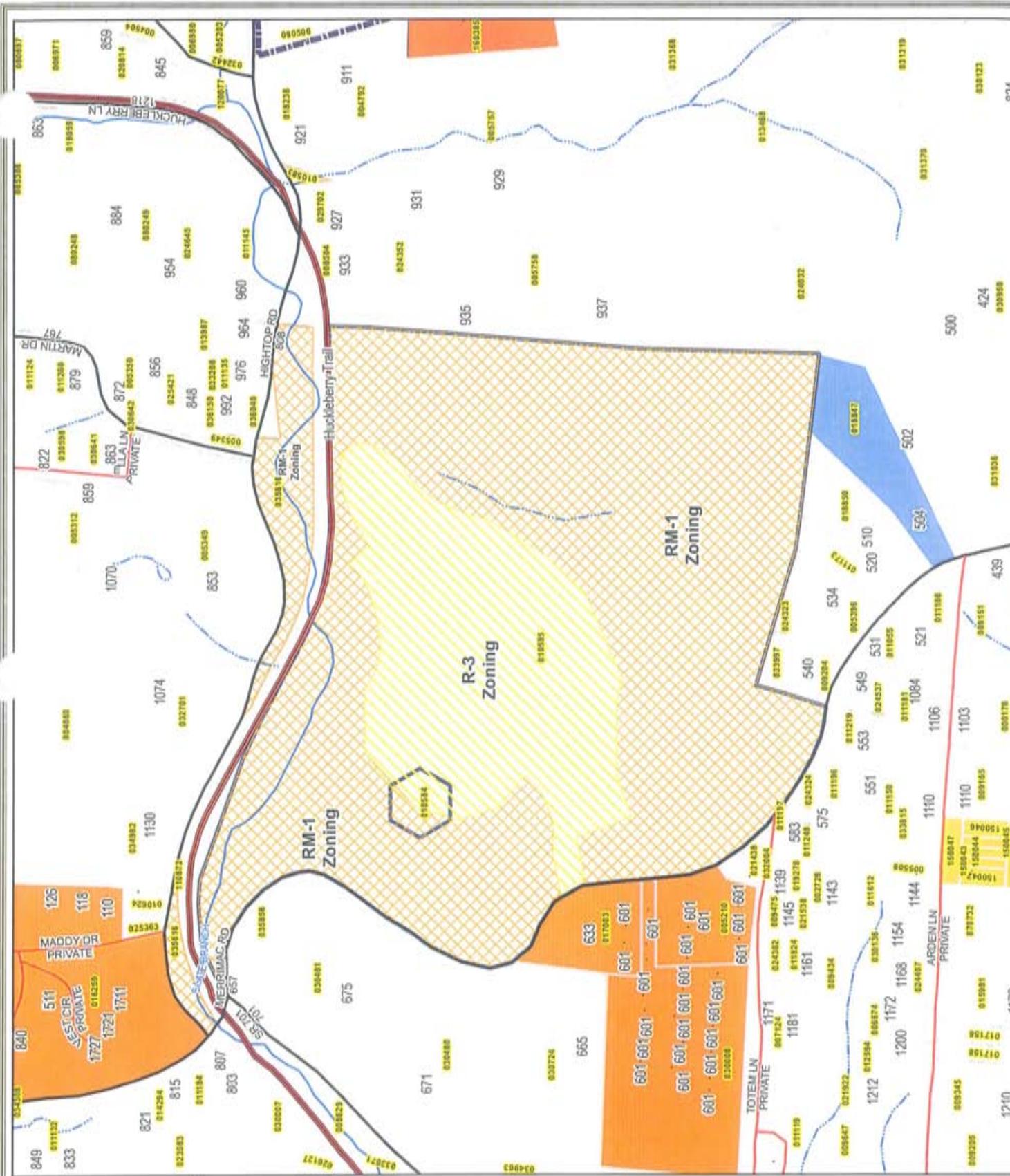
THE INFORMATION CONTAINED HEREIN IS FOR INFORMATIONAL PURPOSES ONLY. THE MONTGOMERY COUNTY BOARD OF SUPERVISORS AND ITS STAFF DO NOT WARRANT THE ACCURACY OF THE INFORMATION CONTAINED HEREIN. THE USER SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF THE INFORMATION CONTAINED HEREIN. THE INFORMATION CONTAINED HEREIN IS NOT TO BE USED FOR ANY PURPOSE OTHER THAN THAT FOR WHICH IT WAS PROVIDED. THE INFORMATION CONTAINED HEREIN IS NOT TO BE USED FOR ANY PURPOSE OTHER THAN THAT FOR WHICH IT WAS PROVIDED. THE INFORMATION CONTAINED HEREIN IS NOT TO BE USED FOR ANY PURPOSE OTHER THAN THAT FOR WHICH IT WAS PROVIDED.

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Executive Summary

The proposed site to be developed (approximately 63 acres) is located in the southeast quadrant of the intersection of Merrimac Road (VA 657) and High Top Road (VA 808) (Figure 1) in Montgomery County, VA. The site is currently undeveloped and zoned A1. This study is based on the proposed site layout developed by Fugleberg Koch. (Figure 2). The current site plan calls for a phased construction of 40 Single Family Homes and 380 Apartment Style structures and will require a rezoning to R-3 for the Single Family Homes and RM-1 for the Apartment Style structures. Site access is proposed at the following intersections:

- One proposed full movement access to Merrimac Road (VA 657) at Totem Lane (Access "A").
- One proposed, full movement access to Merrimac Road (VA 657) approximately 600' North of Access "A" (Access "B").

The projected build-out date for the site is 2017. This build-out date was used for the traffic study.

This study analyzes the existing and projected operation of the intersections and access points within the approved study area. The study includes the existing 2011 operations and 2017 Build-Out year operations with grown background volumes and added site volumes for the following intersections:

1. N. Franklin Street (Bus 460) & Merrimac Road (signalized)
2. S. Main Street (Bus 460) & High Top Road (VA 808)/Yellow Sulphur Road (VA 643) (signalized)
3. Merrimac Road (VA 657) & High Top Road (VA 808) (unsignalized)
4. Merrimac Road (VA 657) & Totem Lane/Proposed Access "A" (unsignalized)
5. Merrimac Road (VA 657) & Proposed Access "B" (unsignalized)

Trip generation for the proposed development was estimated using the rates provided in the Institute of Transportation Engineers, *Trip Generation Manual*, 7th Edition, 2003. Trip generation results indicate that the proposed residential development has a potential to generate 2,469 daily, 211 morning peak hour and 253 evening peak hour trips.

Under the 2011 Existing Conditions scenario, all existing intersections operate at a LOS "C" or better.

Under the 2017 No Build scenario, all existing intersections operate at a LOS "C" or better.

Under the 2017 Build Out scenario, all existing intersections operate at a LOS "C" or better. The levels of service for intersections 3 and 4 drop from LOS A to LOS B after the introduction of site traffic. The Proposed Access "B" operates at a LOS B or better during both AM and PM Peak Hours.

Conclusions

Based on this study, no improvements are recommended at any of the four existing intersections.

It is recommended that Proposed Access "A" and Proposed Access "B" to Merrimac Road be constructed with one ingress and two egress lanes. Turn lane warrants show a right-turn taper from Merrimac Road to Proposed Access "A"

The recommendations of this study are summarized in Figure 9. Queuing analysis results are included in the Appendix.

Montgomery County Public Schools

Facilities and Planning Department

1175 Cambria Street, Christiansburg, VA 24073

Telephone: 540-382-5141 Fax: 540-381-6118

February 11, 2011



BY:.....

Ms. Jamie MacLean
Development Planner
Montgomery County
755 Roanoke Street, Suite 2A
Christiansburg, VA 24073

Re: Rezoning Request by Huckleberry Ridge, LLC
48 Acres from A1 to RM-1
15 Acres from A1 to R3

Dear Ms. MacLean:

I am writing in response to your email dated February 10, 2011, regarding the subject rezoning requests.

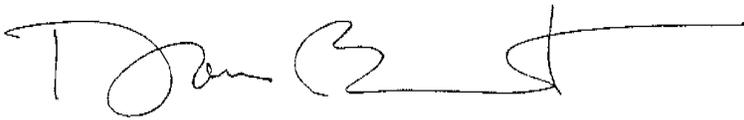
The referenced property is located in the Blacksburg Strand. Children from homes in this area attend Kipps Elementary School, Blacksburg Middle School, and Blacksburg High School. Kipps Elementary School has a capacity of 500 students and a current enrollment of 512. Blacksburg Middle School has a capacity of 1,200 students and a current enrollment of 835. The new Blacksburg High School that we are planning will have a capacity of at least 1,400 students. The high school's current enrollment is 1,065. Our planning consultant advises us that on average across the country, new family dwelling units have the potential to add .6 children each to the school system. Four hundred sixty eight additional units in this development could potentially add 281 students to our school system, or approximately 22 students in every grade level. This potential number of additional students could further impact Kipps Elementary School, which is using mobile classrooms. However, we do intend to do some redistricting in this coming year for when we open the new Price's Fork Elementary School. This redistricting may put this proposed development in the district that will attend the new Prices Fork Elementary School, versus Kipps Elementary School.

Page 2
February 11, 2011

Please consider the impact of this development in conjunction with other recent rezoning approvals that potentially add students to the schools. If the rezoning request is approved, please ensure that any new public roads servicing this development can accommodate large school busses.

Thank you for this opportunity to comment on the proposed developments.

Sincerely,

A handwritten signature in black ink, appearing to read "Dan Berenato", with a long horizontal line extending to the right.

Daniel A. Berenato
Director

cc: Walt Shannon
Rebecca Mummau

March 1, 2011

Mr. Bryan Rice, Chairman
Montgomery County Planning Commission
Montgomery County Government Center
755 Roanoke St. Ste. 2A
Christiansburg, VA 24073

Subject: Montgomery County Referral: Rezoning Request by Huckleberry Ridge, LLC; 48 acres from A1 to RM-1 and 15 acres from A1 to R-3 (62.368 acres off of Merrimac Road and Hightop Road)

Dear Mr. Rice:

At the Town of Blacksburg Planning Commission work session on February 15, 2011, we discussed the proposal to develop 388 multi-family units (244 units in Phase 1 and 144 units in Phase 2) and a 40-lot single family/two-family dwellings on 62.368 acres. We have adopted this letter as part of the Planning Commission's March 1, 2011 consent agenda. As always, we appreciate the opportunity to comment on land use applications coming before your Commission that are located in the Town's Extraterritorial Area.

The Planning Commission is aware that agricultural areas proximate to the urban area including this parcel are designated as "Urban Expansion Areas" on the County's Comprehensive Plan and are targeted for urban development. We do have concerns, however, about the level of urban intensity proposed in the Huckleberry Ridge project and how the proposed development fits into any overall plans for coordinated and connected urban development in the designated Urban Expansion Area.

Based on the application, it appears that a maximum of 468 units are possible if duplexes are constructed in the 40 lot subdivision. Most of the density comes from the 388 multi-family units proposed. The County zoning code would allow 3 unrelated individuals in the proposed RM-1 zoning district which could result in a significant population increase and commensurate needs for services including water, sewer, roads, schools and emergency services.

In terms of the land use transition between the Town and the County in this area, the current zoning district for most Town properties along Hightop Road and Farmview Drive is RR-1, Rural Residential 1 which allows one unit per acre. The current proposal provides a much higher density than the Town's RR-1 district. There are other higher density residential developments existing in the County along Merrimac Road, thus the logic of designating these areas as an

Urban Expansion Area. There is certainly a way to bridge the transition with urban infill development that can reflect the County's goal of urban development and still be sensitive to the lifestyles of existing Town, or County residents. However, the Blacksburg Planning Commission questions if the current Huckleberry Ridge proposal is the right way to make this transition.

Given the level of development proposed, we are concerned about the adequacy of infrastructure and services to support the project. The Town of Blacksburg Comprehensive Plan emphasizes the important connection between the provision of utility services and the demand on missing or inadequate infrastructure or vulnerable recreational and environmental resources. "Water and sewer utility extensions and stormwater management throughout the area will contribute to development pressures on these mountainsides and on agricultural land. There is a strong linkage between the provision of water and sewer services, stormwater management, efficient land use, and the delivery of other vital municipal services. Extension of utilities without a strong and detailed plan to control and direct growth will contribute to the elimination of agricultural uses and the loss of the unique rural and scenic character of the region."

As noted in the application, "the current PSA water service area does not include the southern quarter of the subject property and unless the agreement is modified, water service would not be available to this area of the subject property." Blacksburg Town Council approval is needed to modify the agreement. Currently, Town policy has been not to provide water service outside of the Town boundary.

The existing road system and topography in this area also present development limitations. Hightop Road and Merrimac Road are narrow, winding two-lane roads with limited roadway shoulders and visibility issues. We are particularly concerned about the intersection of Merrimac Road and Hightop Road and recommend this intersection be evaluated for visibility according to current road design standards, and that any upgrades necessary to achieve that visibility be achieved as part of this development if approved. Sensitivity should be given to any improvements to ensure they do not negatively impact the Huckleberry Trail crossing in this area.

While two access points to Merrimac Road are proposed to serve the development, it appears that most of the traffic will be using only one access point. It is also not clear how access or circulation in this development may fit into an overall connectivity or circulation plan for the Urban Expansion Area. Are there opportunities that are being missed with an approval of this project? The proposed development may also impact the Town of Blacksburg if it is anticipated that a significant portion of the residents will commute to jobs within the Town of Blacksburg or attend the University. Individual commuting traffic is already heavy on the south end of the Town. It is important to note that there is no transit service to this site to meet resident needs, nor is any planned currently. Expansion of transit service will need to fit into overall transit development planning and have a funding source. If transit service is contemplated in the future, the development will logistically need to be able to accommodate the service.

The type and intensity of single-family/two-family development and multi-family development proposed would result in the clearing of a significant part of the overall site area. This level of density is difficult to support on a topographically-challenged lot without disturbing a good portion of the mountainside. The Town's Comprehensive Plan addresses mountain slopes in close proximity to the Town as a "development on mountain slopes, if any, should be in a conservation pattern where either very large lots retain natural forest cover and the subsequent clearing of individual properties is severely limited; or in a planned development where building sites are carefully chosen to minimize clearing and grading and large portions of the property are permanently preserved in their natural state, with greenway and trail connections."

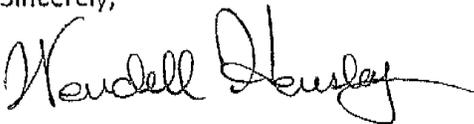
We do appreciate that the design of the project limits the area of disturbance around the creek and the Huckleberry Trail on the northern portion of the site compared to the previous 2006 proposal to develop the property. Many residents in this area are challenged to find a safe way to access the Huckleberry Trail given the nature of the topography and the safety of walking or biking on Merrimac Road. With the construction of a trail connection in this development, it is realistic to think that neighborhood residents will access the Huckleberry through this connection. Has any consideration been given to facilitate a more public trail access?

The applicant has provided information on the potential public school age population generated by the project and coordinated with the School Board regarding school capacity, particularly elementary school capacity. As you are aware, the current elementary school serving this area is Kipps Elementary School which is overcrowded. The School Board has acknowledged there are capacity issues with Kipps Elementary but that the pupils can be accommodated given that redistricting efforts are already planned.

Given the factors discussed above, the Town of Blacksburg's Planning Commission finds that the proposed Huckleberry Ridge rezoning would exacerbate identified critical issues of over development of a rural and environmentally-sensitive area with limited infrastructure. Therefore, the Planning Commission recommends the Montgomery County Planning Commission recommend denial of the Huckleberry Ridge rezoning application. If the Montgomery County Planning Commission recommends approval of this rezoning application, we strongly encourage that more measures be taken to limit the areas of disturbance of the site and provisions be required, if possible, to address the rural roadway visibility issues.

Again, thank you for the opportunity to review the application.

Sincerely,

A handwritten signature in black ink that reads "Wendell Hensley". The signature is written in a cursive style with a long, sweeping underline.

Mr. Wendell Hensley, Chairman
Town of Blacksburg Planning Commission



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION

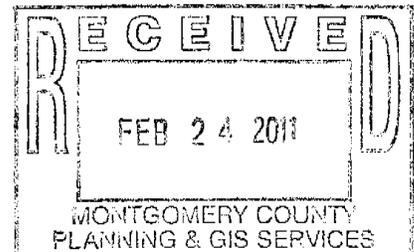
PO Box 3071
Salem VA 24153-0560

GREGORY A. WHIRLEY
COMMISSIONER

February 23, 2011

Mr. Steve Sandy
Montgomery County Planning
& Inspections Department
755 Roanoke Street, Suite 2A
Christiansburg, VA 24073-3177

RE: HUCKLEBERRY RIDGE
Montgomery County



Dear Mr. Sandy:

In accordance with §15.2-2222.1 of the Code of Virginia and the Virginia Traffic Impact Analysis Regulations, 24 VAC 30-155, a traffic impact analysis was prepared by Anderson & Associates, Inc. for re-zoning for the proposed Huckleberry Ridge development dated January 2011. This report was submitted for the site plan developed Fugleberg Koch and prepared for Bluestone Land, L.L.C. We have evaluated this traffic impact analysis for compliance with the above noted code and offer the following comments:

- Please clarify when the AM peak hour counts were taken. According to the text on page 5, the counts were taken from 7:00 AM to 9:00 AM. However the counts in the appendix show that the counts were taken from 6:00 AM to 8:00 AM. The counts need to be taken to 9:00 AM to capture the true peak hour for the location.
- The traffic counts were taken on January 18 and 19 (Tuesday and Wednesday) as stated in the summary. However, the counts were taken on January 19 and 20 as stated in the Appendix. Clarify which days the counts were taken.
- In Synchro, it appears that volume of 1 was assumed as a minimum for turning movements. This should be noted in the report.
- There are some conflicts in the land use and trip generation. The scoping says that LU-220 Apartments will be used. Table 3 shows LU-230 Residential Townhouses was used. Our understanding of the project is that the units will be "apartment style" townhouses. Does this mean they will be rentals? Typically townhouses are bigger than apartments. Also, typically rental units will generate more traffic than non-rental units. If the units

are intended to be rental units, LU-224 Rental Townhouse should be used. If they are to be owner occupied, LU-230 should be used. Also, check the number of units. The scoping form and the text in the Executive Summary indicate there will be 380 Townhouse units. The text on page 10 and table 3 indicates 388 units. The generated volumes for phase 3 are the volumes associated with 142 units, not 144. The text on page 10 indicates 2,469 daily trips while table 3 indicates 2,693 trips. Please clarify the land use type, number of units and generated volumes. Please note that the 8th edition of the ITE Trip Generation is available and has been out for while. The 7th edition can be used for this study, but the 8th edition should be used for future studies.

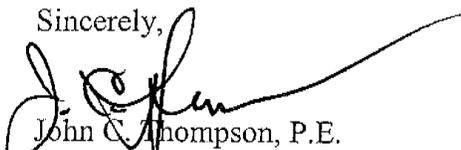
- The percentage of generated trips entering and leaving the network using Merrimac Road is very high for a road with very little non-residential land uses. This should be about 10% instead of 30%. If the townhouses are rentals, it would be reasonable the biggest destinations for the residents would be Blacksburg or Christiansburg with a little more heading to Blacksburg due to Virginia Tech. Please adjust your trip distribution accordingly.
- An analysis of the need for left and right turn lanes at the site entrances and at the intersection of High Top Road and Merrimac Road should be included in the report. See appendix F of the VDOT Road Design Manual.
- In the Analysis of each of the conditions the tables show that the results were derived from Synchro or the HCM analysis for the unsignalized intersections. The TIA should include the results for the SimTraffic analysis for each of the conditions. Ten random runs should be preformed in SimTraffic. The average of the ten runs should be reported for each intersection. This was mentioned in the text on page 5 but the SimTraffic results were not shown in the tables or the figures.
- For the figures 4, 5, 7 and 8, show the level of service for each movement and for the approach. It appears that the levels shown are for each lane.

The correction of these items requires resubmission of the report. We would be glad to meet with you and the engineer if that would be beneficial. Please let us know if you would like to schedule a time to meet on this project.

Finally, I ask that you arrange to have VDOT's summary of the key findings of the traffic analysis included in the official public records (meeting minutes, staff report) on the proposed project and to have this letter and the traffic impact analysis placed in the case file for the site plan application. VDOT will make these documents available to the general public through various means such as posting them on VDOT's website.

Should you have questions, please contact John Jones at (540) 381-7198.

Sincerely,



John C. Thompson, P.E.
Staff Engineer

JCJ/gat



Application to Planning Commission and Board of Supervisors

Application For: (check appropriate boxes)

Rezoning Rezoning & Special Use Permit Special Use Permit

Owner/Applicant Information: (Use current mailing/contact information for all property owners. An additional sheet may be attached for multiple owners.)

Property Owner: <u>Huckleberry Ridge LLC, Sean Beliveau, Operating Manager</u>	Agent: <u>Bluestone Land LLC, William N. Park, Manager</u>
Address: <u>111 Cohee Road</u> Blacksburg VA	Address: <u>1821 Avon St. Suite 200 Charlottesville VA 22902</u>
Phone 1: <u>540-449-3284</u>	Phone 1: <u>434-979-2900</u>
Phone 2: _____	Phone 2: <u>434-979-0001 (fax)</u>
Email: <u>seanbeliveau@yahoo.com</u>	Email: <u>wpark@pinnacleconstructionva.com</u>

Location of Property/ Site Address: Merrimac Rd

Legal Record of Property: Total Area: 62.368 Acres Magisterial District Prices Fork

Parcel ID: 010585; 010584; 010583; 035616 Tax Parcel Number(s): 066A-91; 066A-92; 067A-42; 067A-229

Rezoning Details: Current Zoning District: A1 Requested Zoning District: RM-1, R-3

Desired Use(s): [RM-1]: 2 phase multi-family residential development on +/- 48 acres. Phase 1: 244 units on +/- 18.6 acres,
Phase 2: 144 units on +/- 29.8 acres; [R-3]: Approx. 40 lot residential development (single-family/two-family dwelling units) on +/- 15 acres.

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

Desired Use(s): _____

Comprehensive Plan Designation: URBAN EXPANSION

Traffic Impact Analysis Required: Yes (payment enclosed) No

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.

<u>[Signature]</u>	<u>[Signature]</u>	February 1, 2011
Property Owner(s) Signature	Agent's Signature	Date
February 1, 2011		

FOR OFFICE USE ONLY

Date Received: _____ Application Number: _____

Traffic Impact Analysis and Payment Received: Yes No Date Submitted to VDOT: _____

Huckleberry Ridge PROFFER STATEMENT

February 1, 2011

Proffer Statement for the *Rezoning Application/or Tax Parcels* 066-A-91; 066-A-92; 067A-42; 067-A-229 (the "Property") from A-1 to R-3 and RM-1 in the Montgomery County Zoning Ordinance. Pursuant to Section 10-54-1.(i) of the Montgomery County Zoning Ordinance, the Owner hereby voluntarily proffers that the property which is the subject of this Rezoning Application will be developed in accordance with the following conditions, if and only if, approval of Ordinance is granted, and the property is rezoned as requested. The Applicant, the Owners, their Successors and Assigns, voluntarily proffer the following conditions for the property as follows:

1. *Zoning Regulations and Conceptual Layout*

The Property will be developed substantially in accordance with the Conceptual Layout prepared by Gay & Neel, dated 02/01/2011 (the "Conceptual Layout").

2. *Number of Units*

No more than 388 multi-family dwellings (apartment/condominiums) shall be constructed in the RM-1 District. No more than 40 single-family detached dwelling units, or 80 two-family attached dwelling units, or any combination of single-family and two-family dwellings shall be constructed in the R-3 District.

3. *Roads*

Public streets will be designed and constructed to VDOT's Subdivision Street Standards, latest edition. The proposed entrances will be constructed to allow for future widening of the existing road. All improvements shall be at the sole expense of the developer.

4. *Storm water*

Stormwater management practices will be designed to detain the post development peak flow rate to the predevelopment peak flow rates for the 10 year and 2 year storm events as required by state Erosion and Sediment Control Law. Stormwater quality will be in accordance with the regulations in effect at the time of rezoning and the developer will obtain a VSMP permit for construction.

5. *Open Space and Amenities*

A minimum of 25 (twenty-five) percent, 15.75 acres+, of the total gross area of the Property shall be reserved as common open space and/or recreational areas as shown on the Conceptual Layout. Furthermore, each individual phase shall meet the minimum open space requirements of the zoning district. Active recreation amenities may include, but not limited to walking/hiking trails, benches, picnic tables, community building w/ pool, common recreation pavilion(s)/gazebo(s), playground(s), and retention pond(s).

6. *Trails*

The Property will include a walking/nature trail system traversing portions of the dedicated open space as shown on the Conceptual Layout. The trail system will connect to the Huckleberry Trail. The foot trails within the open space will be constructed in conjunction with the phase that is the most geographically adjacent to the proposed trail.

7. *Homeowner's Association*

A homeowner's association or associations will be formed for R-3 district. The association or associations' documents will at a minimum address: Maintenance of open areas, alleys, buffers, trails, active recreation spaces, and stormwater management facilities; Enforcement of maintenance and all regulations set forth in the association documents.

8. *Water and Sanitary Sewer Service*

Huckleberry Ridge, LLC shall construct all water and sanitary sewer mains and appurtenances and will connect these mains to publicly owned mains. All mains and appurtenances will be dedicated to public use.

9. *Landscaping*

Huckleberry Ridge, LLC will preserve existing vegetation to the greatest extent possible. Extensive landscaping such as buffers and street trees will be provided as part of proposed development. A Type 2 Landscape Buffer shall be provided between Merrimac Road and the proposed multi-family dwelling area. Existing vegetation can be credited towards the buffer requirements. Buffer shall not impede sight distance at the proposed entrance.

I (we) hereby proffer that the development of the subject property of this application shall be in strict accordance with the conditions set forth in this submission.

Applicant

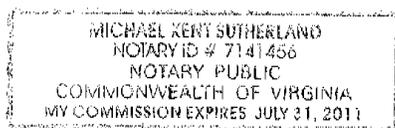
Owner:
Huckleberry Ridge LLC


Sean Believeau, Operating Manager

Commonwealth of Virginia
County of Montgomery

The foregoing instrument was acknowledged before me this 2nd day of February, 2011 by Sean Believeau.


Notary Public



Agent:
Bluestone Land LLC



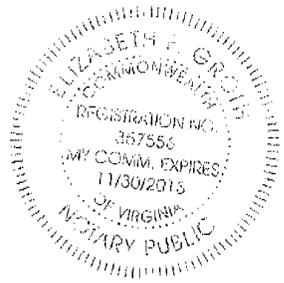
William N. Park, Manager

Commonwealth of Virginia
County of Richmond

The foregoing instrument was acknowledged before me this 7 day of February,
2011 by William N. Park



Notary Public



**Rezoning Justification
For the Property Located
Merrimac Rd/Hightop**

Tax Map #066A-91; 066A-92; 067A-42; 067A-229

Parcel ID#: 010585; 010584; 010583; 035616

1. Background

In accordance with the Montgomery County Zoning Ordinance, Huckleberry Ridge, LLC, the owners of property located at Merrimac Rd (S.R. 675)/Hightop Rd (S.R. 808), (consisting of approximately 62.3 acres) are seeking to rezone the property from A-1 to RM-1(+/- 47.3 acres) and R-3 (+/- 15.7 acres).

Bluestone Land, L.L.C.(William Park, its manager) is the contract purchaser and agent for the owner.

2. Concept Development Plan (see attached plan)

The site is undeveloped wooded land and partially cleared land. The Huckleberry Trail transects the northern portion of the property.

The Concept Development Plan for the proposed RM-1 zoning includes two phases. The first phase proposes a ten building 244-unit multi-family garden-style apartment complex with clubhouse and in-ground swimming pool. The second phase includes 144 multi-family garden-style units in six buildings. The proposed R-3 zoning proposes approximately 40 lots for single-family and/or two-family residential uses.

The RM-1 zoning designation *“provides for multiple-family residences and is for the purpose of accommodating the construction of townhouse developments and garden-type apartments in appropriate locations in order to provide convenient and compact residential neighborhoods, efficient provision of public facilities and services, and a range of housing prices, including moderate[ly] priced housing.”*

The R-3 zoning designation *“is intended to accommodate moderate density suburban residential uses to be served by public water and sewer facilities.”*

3. Comprehensive Plan Justification

The property is located within the area designated as Urban Expansion (PLU 1.8) in the 2025 Comprehensive Plan of Montgomery County.

“Urban Expansion Areas are the preferred location for new residential and nonresidential development occurring in the unincorporated areas of Montgomery County. These areas will accommodate a full range of residential unit types and densities.”

Additional items to be addressed:

- a. Compliance with required lot minimums, district minimums, and availability of water and sewer.

- The conceptual plan complies with required lot and district minimums for both R-3 and RM-1 zoning districts.
 - Located in the Urban Expansion designated area, public water and sewer are available to the property.
- b. Description of how rezoning request fits with land use policies included under the appropriate Land Use Policy Area.
- Urban Expansion Area Land Use
- The plan provides for new residential development in an unincorporated area of Montgomery County. PLU 1.8.3.a.
 - The plan, which allows single-family lots, two-family lots and multi-family units, provides for a range of unit residential types, price levels, and densities. PLU 1.8.3.b.
 - The plan provides high-quality residential design. PLU 1.8.3.b.
 - The plan provides a pedestrian and transit friendly community that has a strong connection between all sites and all uses. PLU 1.8.4.c
 - The plan provides for compact development while preserving open space resources. PLU 1.8.4.d.
 - The plan is compatible with and complimentary to development within corporate limits. PLU 1.8.4.e.
 - The development protects and preserves the existing natural features of the land by developing lots that have a natural buffer between the lots and existing streams, as well as utilizing existing trails for final trail and road development to reduce any unnecessary clearing of vegetated areas. PLU 1.8.5
- c. Transportation Impacts
- The plan provides for connectivity between the proposed phases of the property and allows for potential future connectivity to the east. TRN 1.3.2
 - New lots within the plan will abut streets meeting VDOT right-of-way standards. TRN 1.3.3
 - The plan provides for sidewalks and a pedestrian trail to connect with the Huckleberry Trail to the north of the property. TRN 1.3.5
 - Merrimac Rd is a secondary road , therefore provisions of this section regarding arterial and minor arterial roads are not applicable. TRN 1.4
- d. Environmental Resources
- The proposed design will minimize any negative effect on water quality. ENV 3.2.4
 - The development is within an area to be served by public water and sewer. TRN 6.5 and 5.6
 - Pre-development drainage patterns will generally be maintained in order to protect surface water quality and aquatic habitat vitality. ENV 6.5, ENV 7.0

- The proposed development enhances the diversity, recognizes the quality of life, social, and environmental issues and enables the development of a livable, sustainable community. RRS 1.0
- e. Housing Resources
- The proposed development promotes an affordable, safe, and livable neighborhood for all residents. HSG 1.0
 - The development will increase the availability of quality housing for moderate-income level residents. HSG 1.1
 - The plan provides for a range of residential uses with amenities, walkways, and trails to promote a sense of community and safety. HSG 1.3
- f. Educational Facility and Program Needs
- The proposed development provides for growth within the Urban Expansion area as planned by the County. The County anticipates “stable and fairly constant population growth” with the population of residents under 18 at approximately 17% of the total population. (Educational Resources p.112)
 - Multi-family rental units appeal to a number of households including singles, young couples, families and “empty-nesters.” Data from the HUD/Census Bureau American Housing Survey (2007) confirms that there *considerably fewer* children per unit in multi-family rental units as compared to the number in single-family detached units. For multi-family developments with 20 or more rental units, there are 22.8 children per 100 multi-family households, compared to 58.8 children per 100 single-family detached households. (See Multi-Family Market Outlook NAHB 1/29/2009)
- g. Specific Criteria included in PLU 2.1.
- a) *Location*: The property is located within an Urban Expansion Area.
 - b) *Public Utilities*: The proposed development can be served by public water and sewer (see letter from Montgomery County Public Service Authority dated April 16, 2010 attached) which confirms that public water and sanitary sewer can be made available to the property.
 - c) *Road Access*: The property has adequate and safe road access from Merrimac Road. Any necessary improvements will be provided by the applicant. Entrances onto existing public roads will be adequately spaced to provide safe access and maintain adequate capacity of the existing roadway. The applicant will dedicate any right-of-way necessary for future widening of such existing road.
 - d) *Public Facilities and amenities*: The concept development plan illustrates the entire property, showing future land uses, roads, walkways and trails, open spaces, public facility sites and the like.
 - e) *Inter-parcel access*: The concept plan shows one or more street connections to all adjoining properties that are not blocked by natural

barriers. The applicant shall construct these connections at the time such portion of the concept plan is developed.

- f) *Stewardship/Conservation*: The rezoning proposal includes provisions for pedestrian mobility within the site and safe and convenient connections for pedestrian traffic to adjacent sites and adjacent public roadways and trails.
- g) *Buffers*: Landscaped buffers will be provided at all edges of the site that abut existing or planned uses of lower intensities.

h. Section 10-54(1)(k)(4) Montgomery County Zoning Ordinance
Additional Rezoning Requirements

- a) Whether the proposed zoning district classification is consistent with the Comprehensive Plan.
 - Addressed under “3. Comprehensive Plan Justification”
- b) Whether there are any changed or changing conditions in the area affected that make the proposed rezoning appropriate.
 - Applicant is unaware of changing conditions in the area.
- c) Whether the range of uses in the proposed zoning district classification are compatible with the uses permitted on other property in the immediate vicinity.
 - The range of uses in the proposed zoning district are compatible with uses permitted on other property in the immediate vicinity. Current uses adjacent to the property include: single-family residential, mobile home park, a contracting company and vacant land.
- d) Whether adequate utility, sewer and water, transportation, school and other facilities exist or can be provided to serve the uses that would be permitted on the property if it were rezoned.
 - Adequate facilities exist to support the proposed uses of the site. Site usage will be phased to allow gradual absorption of lots and units.
- e) The effect of the proposed rezoning on the County's ground water supply.
 - As consistent with the Comprehensive Plan, the property is served by public water, and the proposed rezoning will not impact the County's ground water supply.
- f) The effect of uses allowed by the proposed rezoning on the structural capacity of the soils.
 - Applicant will provide a copy of soils report to County Planning and Development during the Site Plan review process.
- g) The impact that the uses that would be permitted if the property were rezoned will have upon the volume of vehicular and pedestrian traffic and traffic safety in the vicinity and whether the proposed rezoning uses sufficient measures to mitigate the impact of through construction traffic on existing neighborhoods and school areas.
 - Merrimac Rd and Hightop Rd are two-lane undivided VDOT-maintained rights of way. A traffic impact analysis is currently underway. Report will be provided to Montgomery County upon completion.

- There will be no construction traffic through existing neighborhoods.
 - Schools are located approximately 5.5 miles north of the property, and no traffic impacts to the schools are anticipated.
- h) Whether a reasonably viable economic use of the subject property exists under the current zoning.
- Due to existing land features, Owner/applicant has been unable to make a reasonably viable economic agricultural use of the property.
- i) The effect of the proposed rezoning on environmentally sensitive land or natural features, wildlife habitat, vegetation, water quality and air quality.
- A Phase 1 Environmental Site Assessment conducted in August 2010 concluded that there were no environmental concerns on the proposed site.
 - Applicant plans to minimize impacts on natural features by phasing development of the property and limiting construction to approximately 45 acres.
- j) Whether the proposed rezoning encourages economic development activities in areas designated by the Comprehensive Plan and provides desirable employment and enlarges the tax base.
- The proposed rezoning encourages economic development by enlarging the tax base with 388 multi-family units and approximately 40 single-family lots or 80 two-family attached lots, or combination thereof. These units will provide housing for residents (in a range of income levels) who work and shop in the community.
- k) Whether the proposed rezoning considers the needs of agriculture, industry, and businesses in future growth.
- The proposed rezoning is for residential development consistent with the Comprehensive Plan.
- l) Whether the proposed rezoning considers the current and future requirements of the community as to land for various purposes as determined by population and economic studies.
- The proposed plan is consistent with the land use goals of the Comprehensive plan.
- m) Whether the proposed rezoning encourages the conservation of properties and their values and the encouragement of the most appropriate use of land throughout the County.
- The proposed rezoning is consistent with the goals of the Comprehensive Plan.
- n) Whether the proposed rezoning considers trends of growth or changes, employment, and economic factors, the need for housing, probable future economic and population growth of the county.
- The proposed rezoning considers these trends and is designed to meet the need for moderate-income rental housing in the unincorporated areas of Montgomery County.

o) The effect of the proposed rezoning on the provision of moderate housing by enhancing opportunities for all qualified residents of Montgomery County.

- The plan enhances the opportunities for quality moderate-income housing for County residents.

p) The effect of the rezoning on natural, scenic, archaeological, or historic features of significant importance.

- The plan reduces impacts on natural and scenic features by limiting development away from the Huckleberry Trail. The Phase 1 Environmental Assessment concluded that no archeological or historic features of significant importance exist on the property.

4. Evidence of water supply and sewage disposal

As consistent with the Comprehensive Plan, the property is served by public water and sewer. See letter from Montgomery County Public Service Authority dated April 16, 2010 which confirms that public water and sanitary sewer can be made available to the property. (Copy attached)

5. Transportation Impacts

- A traffic impact analysis is currently underway. Report will be provided to Montgomery County upon completion.
- The proposed development will have two approved entrance designs in accordance with VDOT standards. Access to the site will be from Hightop Road, which is currently a VDOT maintained public Right-of-Way. The proposed development may have a combination of both public and private streets. Public streets will be designed and constructed to VDOT's Subdivision Street Standards, latest edition.
- The road network intends to promote pedestrian friendly design and low impact development by utilizing reduced pavement widths and right-of-way widths in accordance with VDOT standards.
- The overall design will accommodate and slow traffic, while providing a pleasing pedestrian environment.

6. Conditional Rezoning Statement

See attached Proffer Statement.



**MONTGOMERY COUNTY
PUBLIC SERVICE AUTHORITY**

**Government Center
Suite 2I
755 Roanoke Street
Christiansburg, VA 24073-3185**

Gary D. Creed, Chair
James D. Politis, Vice-Chair
Mary W. Biggs, Secretary-Treasurer
Annette S. Perkins, Member
William H. Brown, Member
John A. Muffo, Member
Douglas W. Marrs, Member

Robert C. Fronk, PE
PSA Director

April 16, 2010

Mr. Sean Beliveau
111 Cohee Road
Blacksburg, VA 24060

RE: Availability No. 10-32
Residential Development
Hightop & Merrimac Roads
Tax Map No. 66-A 91, 66-A 92 & 67-A 229
Parcel ID 010585, 010584 & 035616
Water/Sewer

Dear Mr. Beliveau:

Public water and sanitary sewer can be made available to this proposed 250-lot residential subdivision at the corner of Hightop & Merrimac Roads, Tax Map No. 66-A 91, 66-A 92 & 67-A 229.

Public water service would require a minimum eight-inch water line extension to a point adjacent to all lots of this proposed development from the existing twelve-inch water main located along the opposite side of Merrimac Road adjacent to the subject property and/or the existing eight-inch water line on the opposite side of Hightop Road adjacent to the northeastern property corner of the subject property. The hydraulic grade line of the water system is 2284 feet MSL. The water facility fee would be \$2,500.00, the connection fee would reduce to the meter cost of \$225.00 and the water service inspection fee is \$25.00 for total water connection fee of \$2,750.00 per each residential unit. ***Please be advised that the current PSA water service area does not include the southern quarter of the subject property and unless the agreement is modified, water service would not be available to this area of the subject property.***

Sanitary sewer service will require a sewer main extension to a point adjacent to all lots of this proposed development from the existing public sewer located within a public easement along the Huckleberry Trail and northern property line of the subject property. The sewer facility fee would be \$3,000.00 and sewer service inspection fee is \$25.00 for total sewer connection fee of \$3,025.00 per each residential unit.

The water and sewer facilities must be designed to PSA standards by an engineer and approved by the PSA prior to construction. The owner would be required to obtain public easements for all portions of the water and sewer line extensions in private property. The owner would be responsible for the cost of the water and sewer line extensions, any necessary water system appurtenances, public easements, highway permits, and any other associated requirements. These designs should be incorporated into the site development plans for this development and submitted to the PSA for review. Payment of twenty-five percent of the water and sewer facility fees for all units of the development would be required prior to approval of the site plan.

**ADMINISTRATIVE OFFICES: (540) 381-1997
BILLING & COLLECTIONS: (540) 382-6930
FAX NO. (540) 382-5703**

Page Two
Mr. Sean Beliveau
April 16, 2010

This letter and stated fees are only valid to May 1, 2011.

Please be advised that all PSA water and sewer systems have a fixed number of available connections. Water and sewer capacity is reserved by payment of facility fees, provided service is currently available to the subject property.

Also be advised that this development must also meet all Montgomery County Planning and Zoning Department requirements. The availability of water and sanitary sewer facilities does not by itself authorize the development of this property.

If you have questions or need additional clarification on the above information, please contact me at 381-1997.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Fronk', with a stylized, cursive script.

Robert C. Fronk, PE
PSA Director

cc: Utility Billings
Montgomery Co. Planning Dept.

MultiFamily Market Outlook - 01/29/2009 (Plain Text Version)

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[2009 Economic Strife Could Make Record History](#)
[MFSI in Negative Territory Three Months in a Row](#)

New Data Confirms Low Number of School-Aged Children in Multifamily

Building new multifamily housing tends to increase local demand for public education, but the real question is by how much. Results published in NAHB's Multifamily Market Outlook in 2004 showed that there were, at that time, considerably fewer children per unit in multifamily housing compared to the number in single family detached units.

Those results were based on the HUD/Census Bureau American Housing Survey (AHS). It's now possible to revisit this issue and see if the single family/multifamily results can be replicated using a new data source—the American Community Survey (ACS), an ongoing annual survey conducted by the Census Bureau that is designed to replace the long form decennial Census questionnaire. Compared to the AHS, the ACS produces data more frequently (every year instead of every other year) and is based on a much larger sample. The weakness of the ACS is that it contains relatively little information on specific characteristics of multifamily and other types of housing units.

Nevertheless, the ACS contains enough information that it can be used to investigate the number of school-aged children in different categories of housing of units. Results from the most recent ACS data available (2007) are consistent with the AHS results reported in 2004. Per unit, households living in multifamily buildings tend to have fewer children than other types of housing structures, and the number of school-age children tends to be particularly low in larger multifamily structures, and in multifamily condominiums.

The Public Education Budget

Education generally accounts for the largest share of local government budgets. Across all local governments in the U.S., the expenditure on public education is about \$433 billion—far more than other major categories such as social services, utilities, public safety, and transportation, etc., according to the 2002 Census of Governments (Figure 1). During the fiscal year 2001 to 2002, local governments in the U.S. spent a little over 1.1 trillion in total, and the largest share is on public education. Among the \$433 billion on education, \$407 billion is spent on elementary and secondary schools. Even the second largest budget item—social services—only account for \$120 billion dollars. In contrast, only \$28 billion is spent on housing and community development.



Although residential development has an impact on the demand for public education, it is important to remember that school enrollment can also rise as a result of natural population growth or households with different numbers of school-age children moving into and out of existing units. Moreover, there are many other factors that tend to mitigate the impact of new residential construction on local school system. For one, in most parts of the country, when new households move into an area, school districts usually receive additional state and federal government aid.

Also, some parents choose to send their children to private schools. According to the National Center for Education Statistics (NCES), there are about 11% children enrolled in private elementary and secondary schools nationally in 2005, and this percentage is projected to be quite stable in 2006 and 2007 as well. Since local

governments rarely subsidize private schools, this tends to further reduce public school expenses, although the extent to which that occurs varies from place to place. There were about 2.2% school-age children receiving home schooling in 2003 according to the NCES statistics.

Finally, if there is excess capacity in the school system or economies of scale exist, cost per pupil goes down as enrollment rises.

Fewer Children in Multifamily

As shown by the 2007 ACS, there are 50.9 school-age children (age 5 to 18) for every 100 households in the U.S., illustrated in Table 1. However, the average number of school-age children varies substantially across structure types.

Table 1. Average Number of School-Aged Children per 100 Households By Structure Type

	Type of Structure			
	All	Single Family Detached	Single Family Attached	Manufactured Housing
All Occupied Units				
All Households	50.9	58.8	42.8	50.2
Recent Movers	47.5	57.9	47.5	53.1
Into New Construction	53.3	58.0	32.4	48.4
Into Existing Units	47.1	57.9	49.5	53.3
Non-Movers	51.4	57.9	42.1	46.8
Owner Occupied Units				
All Households	51.9	58.9	32.0	46.1
Recent Movers	50.5	57.9	29.3	39.9
Into New Construction	54.2	52.9	17.1	38.5
Into Existing Units	49.9	57.0	32.0	40.1
Non-Movers	53.0	58.9	32.3	45.6
Renter Occupied Units				
All Households	48.9	77.6	66.8	62.3
Recent Movers	45.4	80.4	58.8	62.5
Into New Construction	51.9	90.9	66.4	74.5
Into Existing Units	45.1	79.9	58.9	62.1
Non-Movers	50.0	76.9	68.9	62.2

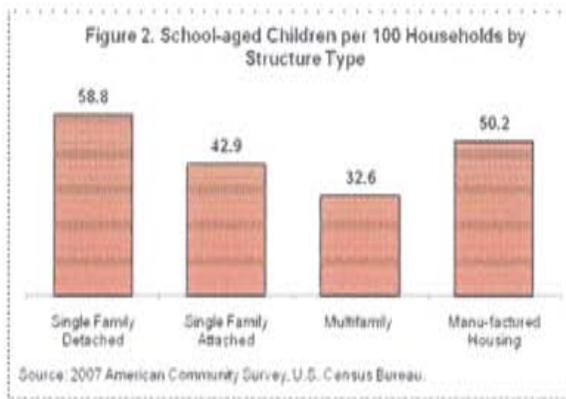
Source: 2007 ACS, U.S. Census Bureau

Table 1 (Cont'd). Average Number of School-Aged Children per 100 Households By Structure Type

	Type of Structure			
	Multifamily (All)	2-4 Unit Multifamily	5-19 Unit Multifamily	20+ Unit Multifamily
All Occupied Units				
All Households	32.6	43.1	30.1	20.8
Recent Movers	30.5	41.9	30.2	19.9
Into New Construction	28.7	49.4	25.5	17.4
Into Existing Units	30.6	41.5	30.2	19.9
Non-Movers	33.3	42.5	34.5	21.5
Owner Occupied Units				
All Households	21.7	34.9	14.3	10.7
Recent Movers	18.4	29.2	14.1	7.2
Into New Construction	16.1	37.1	19.3	3.2
Into Existing Units	19.5	29.5	13.5	7.7
Non-Movers	22.2	35.3	14.2	11.0
Renter Occupied Units				
All Households	34.5	49.1	39.4	22.8
Recent Movers	31.2	42.5	30.9	19.7
Into New Construction	21.5	51.0	31.1	19.7
Into Existing Units	21.2	42.2	30.9	19.7
Non-Movers	35.0	45.2	37.9	22.9

Source: 2007 ACS, U.S. Census Bureau

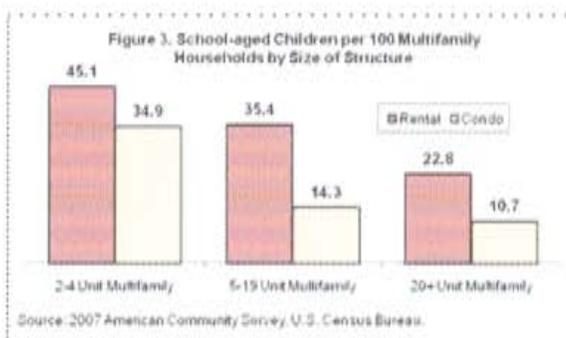
As illustrated in Figure 2, there are 32.6 school-age children per 100 households in multifamily structures, compared to 58.8 in single family detached homes, 42.9 in single family attached homes, and 50.2 in manufactured housing units. A traditional explanation for the differences is that families with children have a preference toward homes with back yards that the children can play in.



Within the category of multifamily housing, larger apartment buildings tend to have fewer number of school-age children on average than small, garden-style apartments. There are about 43.1 school-age children per 100 households in structures with 2 to 4 units, compared to 33.1 in multifamily structures with 5 to 19 units, and 20.8 in 20+ unit structures.

Renters Compared to Owners

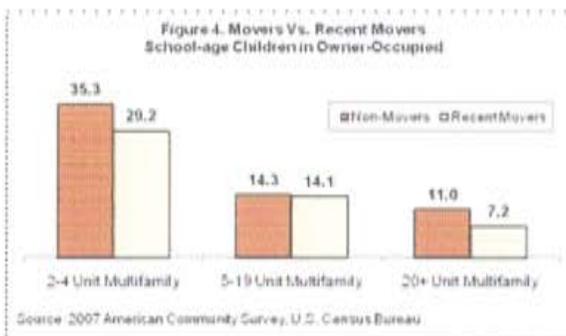
Within a given structure type, renters have more children than owners, but the magnitude of the difference varies by structure type (Figure 3). In multifamily buildings with 2 to 4 units, there are 45.1 school-age children per 100 renter households and only 34.9 per 100 owner households. In multifamily buildings with 5 to 19 units, these numbers become 35.4 per 100 renter households versus 14.3 per 100 owner households. Fewer numbers of school-age children exist in 20+ unit multifamily buildings. A similar pattern is observed in other structure types such as single family detached, single family attached and manufactured housing.

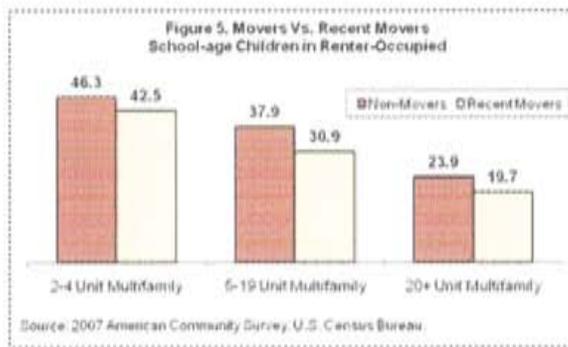


As noted above, there tends to be fewer children per household in larger apartment buildings. If this is combined with the effect of ownership status, it produces an even larger spread between 45 children per 100 renters in 2 to 4 unit multifamily buildings and fewer than 11 per 100 owners of condos in 20+ unit buildings.

Recent Movers

In multifamily structures, households who stay put tend to have more school-age children than households that have moved in recently (Figures 4 and 5). This is not generally true for other structure types, however. Recent movers into single-family detached homes have, on average, 67.9 school-age children, which is much larger than 57.9 per 100 non-movers in single family detached homes.





In Table 1, the highest number of children per 100 households is 90.8, and this is for households who have recently moved into newly constructed single-family detached rental units. The lowest number is 3.2 for newly constructed 20+ unit condominiums.

Conclusion

On average, there are fewer school-age children in multifamily structures than in other residential structure types. There are even fewer in particular types of multifamily structures—such as condos, or buildings with more than 20 units. Therefore, when local governments make plans for new residential development, it is important that they take these factors into consideration when estimating the impact on their education budgets.

To get a complete picture of the budgetary impacts, local governments should also take the benefits of new construction—including income and jobs for local residents, as well as increased taxes and other forms of government revenue—into account. Estimates of these local economic benefits for general multifamily housing in a typical metropolitan area were last published in the October 2005 issue of *Multifamily Market Outlook*. Estimates of the benefits of tax-credit multifamily development were last published in the October 2007 issue.

For more information or to contact us directly, please visit www.NAHB.org | ©2009, National Association of Home Builders

