REZONING APPLICATION TO PUD-RES

Located in:

Montgomery County, Virginia

Project Number: 3246.0

Date: November 1, 2023 Revised: December 21, 2023 **Revised: January 3, 2024**



1260 Radford Street · Christiansburg, Virginia 24073 540.381.6011 office · 540.381.2773 fax www.foresightdesignservices.com

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REZONING APPLICATION



Rezoning Application Form

Rezoning, Conditional Zoning, Proffer Amendment Montgomery County, Virginia 755 Roanoke St. Suite 2A, Christiansburg, VA 24073 540-394-2148 | mcplan@montgomerycountyva.gov

Application Request: (Please check one)
Conditional Rezoning Rezoning Amend Proffers

Applicant Information: (PLEASE PRINT - if additional owners, please attach additional sheets)

Owner of Record (attach separate page for add'I owners):	Address:
SHAH Development, LLC	P.O. Box 1499, Christiansburg, VA 24068
Telephone:	Email:
(540) 381-8429	kconner@shahllc.com

Applicant Name: Owner	Contract Purchaser/Lessee	Address:	
SHAH Development, LLC		P.O. Box 1499, Christiansburg, VA 24068	
Telephone: (540) 381-8429		Email: kconner@shahllc.com	
Representative Name and Co Foresight Design Services		Address: 1260 Radford Street, Christiansburg, VA 24073	
Telephone: (540) 381-6011	*	Email: info@foresightdesignservices.com	

Property Description:

Location or Address: (Describe in relation to neared	st intersection)	
Property lies east of the intersection of Houchins Re	oad and Crosscreek Drive	
Parcel ID Number(s): 018437, 018441	Acreage: 26.718 total (21.148 RM/5.57 C-1	Existing Zoning: M1/C1
Comprehensive Plan Designation: Urban Expansion Area	Existing Use: Vacant Lot/ Wooded area	

Description of Request: (Please provide additional information on attached sheet if necessary)

Proposed Zoning (Include Acreage): PUD-RES

Proposed Use:

Single Famly Homes, Townhomes and Duplex

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.

If signing on behalf of a corporation, Partnership, or LLC, please specify your title with the entity and provide documentation clarifying your authority to sign on behalf of the entity.

Owne Signat

Owner 2 Signature (for add'l owners please attach separate sheet)

Applicant Signatu

Representative/Agent Signature

16.27-23 Date

Date

10.27-Date

Date

REZONING APPLICATION JUSTIFICATION

Rezoning Justification

The applicant for rezoning shall provide a statement of justification to address the following items in the application materials to demonstrate what impact the proposed request will have on the County's resources and how the request complies with Montgomery County's Comprehensive Plan.

Section 10-54(1)(k)(4), Montgomery County Zoning Ordinance

4. Zoning Map Amendments. If the application is for a reclassification of property to a different zoning district classification on the Zoning Map, the applicant shall address all the following in its statement of justification or plat unless not applicable. The Planning Commission shall give reasonable consideration to the following matters:

- a. Whether the proposed zoning district classification is consistent with the Comprehensive Plan.
 Response: PUD-RES is consistent with the Urban Expansion designation for the Comprehensive Plan. Urban Expansion per the Comprehensive Plan is for the development of residential and non-residential projects. In particular, the providing of multiple potential housing types close to the existing Industrial Park and the Interstate Interchange is an ideal proposal for efficient/sustainable development of a parcel designated as Urban Expansion.
- b. Whether there are any changed or changing conditions in the area affected that make the proposed rezoning appropriate.
 Response: With Phase III of Walnut Creek approved and ready to build, the current site will compliment Walnut Creek and provide further expansion with additional residential housing in this 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.
 Response: The PUD-RES zoning for residential is similar to the adjacent Walnut Creek Planned Unit Development. We are adding the option of developing some duplex house types to provide a different housing option for people who want to live in the area.
- 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.
 Response: All utility, water, sewer, transportation and schools are available for the proposed rezoned property.
- e. The effect of the proposed rezoning on the County's ground water supply. **Response: There are no effects to ground water sources.**

f. The effect of uses allowed by the proposed rezoning on the structural capacity of the soils.

Response: There is no expected impact on the structural capacity of the soils on site.

- 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. Response: The proposed rezoning provides traffic generation less than any of the thresholds for tripping a Traffic Impact Analysis by VDOT or Montgomery County. Regardless, Shah Development performed a Traffic Impact Analysis illustrating the impacts of the project on the surrounding road network. The addition of this project will increase the traffic on Houchins Road and the delay time for left turns from Houchins Road onto Roanoke Street. Due to the intersection of Houchins Road with Roanoke Street being within the Town of Christiansburg, Shah Development approached Montgomery County and the Town of Christiansburg to propose the design and construction of a VDOT standard 'porkchop' that would prohibit left turns from Houchins Road onto Roanoke Street thereby increasing the safety and operations of the intersection. These improvements were proposed to VDOT, the Town of Christiansburg, and Montgomery County on May 30, 2023. The Town of Christiansburg declined the proposal on July 7, 2023, and noted that they would be studying the Roanoke Street corridor. It should also be noted that with the current zoning of the large majority of the parcel as M1 – Manufacturing that the proposed residential scale traffic is more compatible with the existing street network and existing traffic on Houchins Road. The integration of industrial scale traffic under a by right scenario could have significantly larger negative impacts than the proposed residential rezoning.
- h. Whether a reasonably viable economic use of the subject property exists under the current zoning.

Response: The current zoning does provide for industrial use of the existing site; however, to match the adjacent growth of the area and the increase in housing along Houchins Road, the residential aspect of the proposed rezoning compliments the Urban Expansion as well as ties into the existing nearby subdivisions. The existing residential traffic on Houchins Road as well as the topography of the subject property does not economically lend itself to an industrial use.

- The effect of the proposed rezoning on environmentally sensitive land or natural features, wildlife habitat, vegetation, water quality and air quality.
 Response: The proposed subdivision will replace a majority of existing wooded area and will have construction activity that will create noise, air pollutants from construction equipment, and removed trees and vegetation from the area. However, once the subdivision is complete, stormwater bioretention facilities will preserve the water quality, street trees and buffer trees will be planted to restore some of the possible habitat lost as well as help with air quality. As much of the existing woods on the north end of the property as possible will be preserved.
- 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.

Response: The proposed rezoning will provide residential housing per the Urban Expansion area designated in the Comprehensive Plan. This will help to increase the population and taxbase and provide residential housing for a workforce to be close to jobs and transportation infrastructure.

- Whether the proposed rezoning considers the needs of agriculture, industry, and businesses in future growth.
 Response: The proposed rezoning seeks to match the trend of residential housing in the expansion area that will provide additional growth for businesses in the area.
- I. 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.

Response: Per the Comprehensive Plan, the urban expansion need for the area is residential and nonresidential. The zoning for this area is typically either industrial or residential along the Town of Christiansburg corporate line. Therefore, by providing residential housing the current and future requirements of the urban expansion area are met.

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.

Response: The proposed rezoning tends to focus on the appropriate use for expansion and growth in this area of Montgomery County per the Comprehensive Plan. Providing additional housing within the urban expansion area will serve to lessen the pressure for development in areas of the County that are more rural in nature and lack services such as water and sewer.

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.

Response: This rezoning considers growth of the area and the needs for residential housing to help with population growth in 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.
 Response: The proposed development will provide housing opportunities for residents of Montgomery County and in particular the added housing capacity serves to provide movement among all different economic categories through 2nd or 3rd order impacts.
- p. The effect of the rezoning on natural, scenic, archaeological, or historic features of significant importance.
 Response: No known features will be impacted.

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Comprehensive Plan Justification

Introduction:

Any development within Montgomery County is viewed by the Board of Supervisors, Planning Commission, County Staff, and Citizens through the prism of the comprehensive plan. The following narrative and analysis will address points within the comprehensive plan and discuss how the proposed use aligns with the vision, goals, and objectives of the comprehensive plan. Please note that below are excerpts from the adopted 2025 Comprehensive Plan and one should refer to the Plan for the full text.

The subject property is identified in the Comprehensive Plan as part of the Urban Expansion Area. The text below is from the Comprehensive Plan, with the bold text demonstrating how the proposal meets the guidelines. Additional comprehensive references are included within the narrative.

Overview:

The project proposes to allow for 26.718 acres of land to be developed into residential housing located north of the Town of Christiansburg Industrial Park near the Walnut Creek Subdivision area in Montgomery County. The entirety of the 26.718 acres is vacant and wooded terrain which is located along Houchins Road. The western area is bounded by Houchins Road and Industrial areas of the Town as well as the Walnut Creek Subdivision. To the north are residential properties, the east by woods, and the south is the corporate limits for the Town as well as industrial properties. The subdivision will consist of a mixture of townhomes, single family residences, and possibly duplexes. The subdivision will also be provided with recreational open space amenities, bus access, sidewalks, trails, private roadways as well as utilities infrastructure and stormwater management facilities. Stormwater management will be achieved through the use of an onsite detention facility. Stormwater quality will be handled by the dedication of open space on the site, bio retention cells, and the purchase of nutrient credits.

Policy Chapters:

Planning and Land Use

PLU 1.8.3 Urban Expansion Area Land Use:

a. Urban Expansion Areas are the preferred location for new residential and nonresidential development occurring in the unincorporated areas of Montgomery County.
 Discussion – This proposed rezoning will meet the preferred location for residential development.

PLU 1.8.5 Urban Expansion Area Facilities and Utilities:

a. Urban Expansion Areas are or will be served by public sewer and water services provided by the County or by the towns and the city, by mutual agreement.
 Discussion – The subdivision will be connected to both water and sewer services through coordination efforts with the Town and Christiansburg and the Montgomery County PSA.

Conclusion:

The McClane Heights Subdivision fits within the Comprehensive Plan for Montgomery County's Urban Expansion Areas by providing residential housing with utilities from both the County and Town.

Rezoning Narrative

Section 1: Project Background

Rezoning Request:

The property owner, Shah Development, requests to rezone property identified as Tax Parcel Numbers 080-A-44 and 080-A-46 to PUD-RES for the development of McClane Heights. Currently, the property is zoned Manufacturing (M1), with a small portion of the site zoned Conservation (C1). Note that this portion of the property was brought into the County from the Town. Originally 5.57 acres of land zoned I-2 was shifted from the Town to the County. However, this shift automatically rezoned the property from General Industrial I-2 to Conservation (C1) per county code. Though zoned C1 after the shift, the original property zoning is consistent with the Urban Expansion.

The rezoning request will propose a mixture of townhomes, single family residences, and possibly duplexes. In addition to residential housing, the project includes construction of new private roads, sidewalks, trails, utility infrastructure, stormwater management facilities, and recreational amenities.

The subject property is identified in the Comprehensive Plan as a future land use of Urban Expansion as well as the property is located adjacent to the corporate limits of the Town of Christiansburg. The property rezoning would support the Comprehensive Plan for expansion and provide residential housing to the area.

Zoning Details:

- Area: Approximately 26.718 acres total
- Address: Houchins Road, Christiansburg, VA
- Parcel ID: 018437 and 018441
- Tax Parcel Numbers: 080-A-44 and 080-A-46
- Magisterial District: Shawsville
- Current Zoning: M1/C1

- Maximum Density: (gross density of 12 townhomes per acre for the area designated as RM-1 Base district and gross density of 5 units per acre for the area designated as R3 Compact Base District) -- See Concept Plan
- Maximum Number of Units: 88 Single Family Attached/Two-Family Dwellings (44 Duplexes) 20 Townhomes
- Future Land Use: Urban Expansion Area
- Flood Zone: Entire property is located outside of the FEMA 100-year flood zone
- Open Space: See Open Space/Landscaping/Buffer Yard Plan

Property History:

In 2021, the property was purchased by Shah Development, which was owned by the Sawyers Family who own and operate Sawyers Bus Sales.

Existing Property Conditions:

As can be seen in the following photographs, the existing property is vacant wooded land though zoned M1/C1, it has not been developed. The majority of the site is wooded and is in close proximity to the Town of Christiansburg corporate limits and nearby residential developments, such as Walnut Creek. The property contains rolling topography that can easily accommodate residential development.

The Town of Christiansburg corporate limits makes up the southern property boundary. Undeveloped agricultural lands adjoin the property to the east. Residential homes and farmland are located to the north. Houchins Road along with industrial and residential development form the western property boundary.

PHOTOS



Proposed Entrance Facing South on Houchins.



Proposed Entrance Facing North on Houchins.



Internal wooded areas of site.



Internal timber areas previously cut.



Drainage swale near northeast corner of property.



View of entrance to Walnut Creek Subdivision from northwest end of property.

Section 2: McClane Heights PUD-RES Narrative

Rezoning Narrative

McClane Heights consists of a mixed residential development that includes single-family detached homes, two-family dwellings (duplexes), and single family attached (townhomes), as well as roads, sidewalks, trails, recreation areas, and open space to serve the residents of the development.

The requested PUD-RES rezoning will provide the flexibility needed to create a development that contains several different housing types, which will help Montgomery County achieve its long-term goals related to land development and housing. This PUD-RES rezoning includes a concept plan that depicts the location, quantity, and layout of the various elements to be included in McClane Heights.

Voluntary proffers are also included in this rezoning request to mitigate any impacts that are directly related to the development. The proffers are included as an exhibit.

The flexibility provided for in the PUD-RES zoning district allows this type of mixed residential development to occur, which results in a higher-quality neighborhood than could be typically built using traditional zoning districts.

<u>Utilities</u>

Public water and sewer are available to serve the property and there are capacity and connections available to serve the development. Each residential lot will be connected to the public water and sewer system. The water and sewer systems will be designed and built to Montgomery County PSA standards. The property owner will be responsible for all costs associated with the design and construction of the water and sewer infrastructure.

The Montgomery County Public Service Authority has verified that the existing water and sewer system has the capacity and connections for the development. A copy of the PSA letter has been included as an exhibit.

Section 4: McClane Heights Concept Plan Details

Concept Plan

Two concept plans have been provided for the McClane Heights PUD-RES illustrating the alternative development of the R3 Compact base zoning district area. Once approved by the Montgomery County Board of Supervisors, McClane Heights will be developed in general conformance with the Concept Plan and this narrative.

Land Uses and Land Development Standards

McClane Heights will include a variety of housing types and two base zoning districts, as follows:

Lot Type/ Use	Base Zoning District		
Duplex/ Single-family Lots	R-3 Compact		
Townhome Lots	RM-1		

Specific modifications to the base zoning districts are included in this narrative.

Trash Collection

Each single-family home, duplex dwelling, and townhome will have trash cans for weekly roadside collection.

Parking

Overall, there will be a minimum of 2 parking spaces per duplex, single-family home, and townhome in McClane Heights.

Open Space

Open space for the project will include various sidewalk/trail options, landscaped areas, stormwater management facilities, active open space, active recreation space, and other undeveloped property. Outdoor open space that connects people with nature and natural systems is important for mental and physical health reasons, especially for children. Many studies have shown how interacting with the natural environment positively impacts depression, anxiety, ADHD, low self-esteem, and other physical illnesses and mental health disorders in children and adults.

The entrance into the property will include landscaped areas with an attractive monument sign. This beautified entrance will help not only provide a sense of place for the development, but also enhance the experience of driving down Houchins Road. The areas designated as Duplex/Single-Family Homes depicted on the Concept Plan shall be based on the R-3 Compact District, with the following modifications:

Sec. 10-26. - R-3 Residential District: Compact

(1) *Purpose.* The R-3 Residential District is intended to accommodate moderate density suburban residential uses to be served by public water and sewer facilities. The regulations for this district are designed to stabilize and protect the essential characteristics of the district, to promote and encourage, insofar as compatible with the intensity of land use, a suitable environment for family life, and to permit certain compatible commercial uses of a character unlikely to develop general concentration of traffic, crowds of customers and general outdoor advertising.

To these ends, retail activity is sharply limited and this district is protected against encroachment of general commercial or industrial uses. Although this district is basically residential in character, certain compatible public and semipublic uses are permitted in the district.

- (2) Qualifying lands. Lands qualifying for inclusion in the R-3 zoning district shall be R-3 Residential on the date of adoption of this chapter and other lands within areas mapped as residential transition, village, village expansion, urban development area, or urban expansion in the comprehensive plan. The minimum area required to create a district shall be two (2) acres of total contiguous land.
- (3) Uses permitted by right. All uses as identified in Sec. 10-35 PUD-RES, subject to compliance with all approved plans and permits, development standards and performance standards contained in this chapter, and with all other applicable regulations:
- (4) Lot requirements.
 - (a) *Minimum lot area* (also refer to "lot coverage"). Five thousand (5,000) square feet.
 - (b) Lot access. Lots shall be accessed from a private street internal to the development.
 - (c) *Maximum lot coverage.* Lot coverage shall not exceed thirty (30) percent of gross site area. Impervious surfaces shall not exceed fifty (50) percent of gross site area.
 - (d) *Minimum width.* Fifty (50) feet at the setback line of front yard.
 - (e) Maximum length/width ratio. Five to one (5:1) for any lot less than two (2) acres.

- (5) Building requirements.
 - (a) Minimum yards.
 - 1. Front. Ten (10) feet.
 - 2. *Side.* Five (5) feet for each principal structure. For two family structures, the common or party line setback is Zero (0) feet, as the two structures are attached along one wall.
 - 3. Rear. Twenty-five (25) feet.
 - 4. *Accessory buildings.* Ten (10) feet to any side or rear lot line.
 - 5. *Yard lighting.* Each single-family home lot shall have a low level, eight (8) feet maximum height front yard for security purposes. There shall be no street lighting.
 - (b) *Maximum building height.* Up to thirty-five (35) feet in height from grade, except that:
 - The height limit for dwellings may be increased up to ten (10) feet, provided that there are two (2) side yards for each permitted use, each of which is fifteen (15) feet or more, plus one (1) foot or more of side yard for each additional foot of building height over thirty-five (35) feet.
 - 2. A public or semipublic building such as a school, church, library or hospital may be erected to a height of sixty (60) feet from grade, provided that required front, side and rear yards shall be increased one (1) foot for each foot in height over thirty-five (35) feet.
 - 3. No accessory building which is within ten (10) feet of any party lot line shall be more than one (1) story high. All accessory buildings shall be less than the main building in height.
- (6) Use limitations.
 - (a) *Public water and wastewater service.* Public water and wastewater services are required for all development in any R-3 district established after the date of adoption of this chapter.
 - (b) Keeping and raising horses and ponies. Shall not be permitted in the R-3 Compact District.
 - 1. Horses and ponies may only be kept for personal enjoyment and not for commercial purposes;
 - 2. A minimum of five (5) acres of open or forestal land is available for the horses and ponies; and
 - 3. No more than two (2) horses and ponies collectively (being one (1) horse and one (1) pony, two (2) horses, or two (2) ponies) shall be permitted per each five (5) acres with a maximum of four (4) horses and ponies collectively for parcels of land of ten (10) acres or more.
- (7) *Compact development option.* The purpose of the compact development option is to provide flexibility in site design in order to encourage:
 - Natural resource preservation.

- Pedestrian-friendly streetscapes.
- Cost-efficiency in providing infrastructure.
- Appropriate design solutions for unique site conditions.
- Transit supportive design.

(8) Streets.

- 1. Public streets. New streets as part of the compact development option shall be public and designed and constructed in accordance with the minimum standards of the Virginia Department of Transportation, except that the surface pavement layer shall be asphalt concrete.
- 2. Private streets. The board of supervisors may permit construction of private streets so long as such streets are not likely to inhibit future development of adjacent land consistent with the standards set forth in Section 8-152.
- 3. Street patterns shall form a broadly rectilinear network, with variations as needed for topographic, environmental and other design considerations, in accordance with the minimum standards required by VDOT.
- 4. Streets shall be designed to:
 - a. Parallel and preserve existing fence lines, tree lines, hedgerows, stone walls and watercourses; and
 - b. Minimize alteration of natural, cultural or historic site features; and
 - c. Promote pedestrian movement.
- 5. All streets shall be designed to promote pedestrian circulation. Pedestrian circulation shall be designed with respect to topography, integration with surrounding streets, connection to existing or future pedestrian ways and transit stops, interior circulation and the separation of pedestrians from vehicles. Sidewalks, informal walkways and footpaths shall be no less than five (5) feet wide. Paths in open space shall be constructed using mulch or stone. The compact development option shall create a completely linked neighborhood of walkways connecting all uses with parks and other open space areas.
- (9) *Maximum density.* The density of development under the compact development option shall be no greater than five (5) dwelling units per gross acre.

The areas designated as Duplexes, Townhomes, and Multifamily (apartments) on the Concept Plan shall be based on the RM-1 District, with the following modifications:

Sec. 10-27. - RM-1 Multiple-Family Residential District.

- (1) Purpose. The regulations set forth in this section, or set forth elsewhere in this chapter when referred to in this section, are the regulations in the Multiple-Family Residential, RM-1 district. This district 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.
- (2) Qualifying lands. Lands qualifying for inclusion in the RM-1 zoning district shall be RM-1 Residential on the date of adoption of this chapter and other lands within areas mapped as urban expansion, village, village expansion, or urban development area in the comprehensive plan. The minimum area required to create a district is one (1) acre of total contiguous land.
- (3) Uses permitted by right. All uses as identified in Sec. 10-35 PUD RES, subject to compliance with all approved plans and permits, development standards and performance standards contained in this chapter, and with all other applicable regulations:
- (4) Lot requirements.
 - (a) Minimum lot area.
 - 1. *For homes:* Five thousand (5,000) square feet minimum lot area. Fifty (50) feet minimum lot width.
 - 2. *For single-family attached (townhouse) units:* Two thousand (2,000) square feet minimum lot area. Sixteen (16) feet minimum lot width.
 - 3. For all other uses: Six thousand (6,000) square feet minimum lot area.
 - (b) Lot access. Lots shall be accessed from a road in the Virginia Department of Transportation (VDOT) system or from a hard-surfaced road designed by a professional engineer to accommodate projected volumes, loads and vehicle types and approved by the zoning administrator.
 - (c) Maximum lot coverage.
 - 1. Forty (40) percent of gross site area.
 - Gross development density of single-family attached units shall not exceed twelve (12) dwellings per acre;
 - 3. Gross development density of multifamily units shall not exceed twelve (12) dwellings per acre;
 - 4. Impervious surfaces shall not exceed eighty (80) percent of the gross site area.
 - (d) *Minimum width.* Sixty-four (64) feet at the setback line of the front yard for multifamily structures; sixteen (16) feet for townhouse units.

- (5) Building requirements.
 - (a) Minimum yards.
 - 1. Front. Twenty (20) feet.
 - 2. Side. Twenty (20) feet.
 - a. Between townhouse groups: Ten (10) feet.
 - b. Between end townhouse unit and lot line: Twenty (20) feet.
 - c. Between multifamily structures: Fifteen (15) feet.
 - d. Between multifamily structures and the lot line: Twenty-five (25) feet.

All required side yard dimensions in between townhouse groups and between multifamily structures set forth above are the minimum dimensions that must be clear of other structures such as air handling units and storage units, so as to allow passage of emergency vehicles.

- 3. Rear. Twenty-five (25) feet.
- 4. Accessory buildings. Ten (10) feet to any side or rear lot line.
- (b) *Maximum building height*. Thirty-five (35) feet in height from grade, except that:
 - The height limit for dwellings may be increased up to ten (10) feet, provided that there are two (2) side yards for each permitted use, each of which is fifteen (15) feet or more, plus one (1) foot or more of side yard for each additional foot of building height over thirty-five (35) feet.
 - 2. A public or semipublic building such as a school, church, library or hospital may be erected to a height of sixty (60) feet from grade, provided that required front, side and rear yards shall be increased one (1) foot for each foot in height over thirty-five (35) feet.
 - 3. No accessory building which is within ten (10) feet of any party lot line shall be more than one (1) story high. All accessory buildings shall be less than the main building in height.
- (c) *Groups of single-family attached dwellings (townhouses).* No more than eight (8) and not less than three (3) single-family attached dwellings (townhouses) shall be included in one (1) connected group.
- (6) Use limitations.
 - (a) *Public water and wastewater service.* Public water and wastewater services are required for all development in the RM-1 district.

APPENDICES

APPENDIX A: VOLUNTARY PROFFERS

McClane Heights PUD-RES PROFFER STATEMENT

November 1, 2023 Revised: December 21, 2023 Revised: January 3, 2024

Proffer Statement for the Rezoning Application for Tax Parcels 080-A 44 and 080-A-46 (the "Property") from Industrial Manufacturing (M-1)/Conservation (C-1) to Planned Unit Development - Residential (PUD-RES).

Pursuant to Section 10-54(1) 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 is granted, and the property is rezoned as requested. This Proffer Statement shall replace in its entirety any Proffer Statement previously approved for the Property. The Applicant, the Owners, their Successors and Assigns, voluntary proffer the following conditions for the Property as follows:

1. <u>Conceptual Layout</u>

The Property shall be developed in general conformance with one of or a mixture of the submitted Concept Plans prepared by Foresight Design Services, dated November 1, 2023 and revised December 21, 2023 (the "Concept Plan").

2. Maximum Number of Units

A maximum of 88 single family detached homes (44 duplexes or some combination of duplexes and single family detached not exceeding 88 total dwelling units) and a maximum of 20 single family attached homes (townhomes) shall be constructed.

3. <u>Utilities</u>

The Property shall be served by Town of Christiansburg Public Water and Montgomery County Public Service Authority sanitary sewer.

4. Property Management

A property management company and/or homeowner's association shall maintain all community owned grounds, including but not limited to landscaped areas, recreational areas, parking and paved areas, sidewalks, and stormwater management areas.

5. Bus Shelter

Bus shelter shall be a minimum of 5' X 10' in size, constructed of durable, architecturally sound materials that will withstand continual exposure to the elements along Houchins Road. Specific locations, style, and size to be determined in conjunction with the final site plan and coordinated with Montgomery County Public School staff. Coordination with VDOT will be required to provide suitable bus access to the shelter.

6. Exterior Lighting

Each single-family detached home lot and each dwelling unit of a two family dwelling shall have a low level, eight (8) feet maximum height front yard light for security purposes. There shall be no street lighting in front of single family and two family homes. End units of townhouse groupings shall have a low level, eight (8) feet maximum height yard light. There shall be no street lighting in front of townhouses.

-Signature Page to Follow-

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.

SHAH Development, LLC

By:_____ Name: David Hagan its:_____

Commonwealth of Virginia County of Montgomery

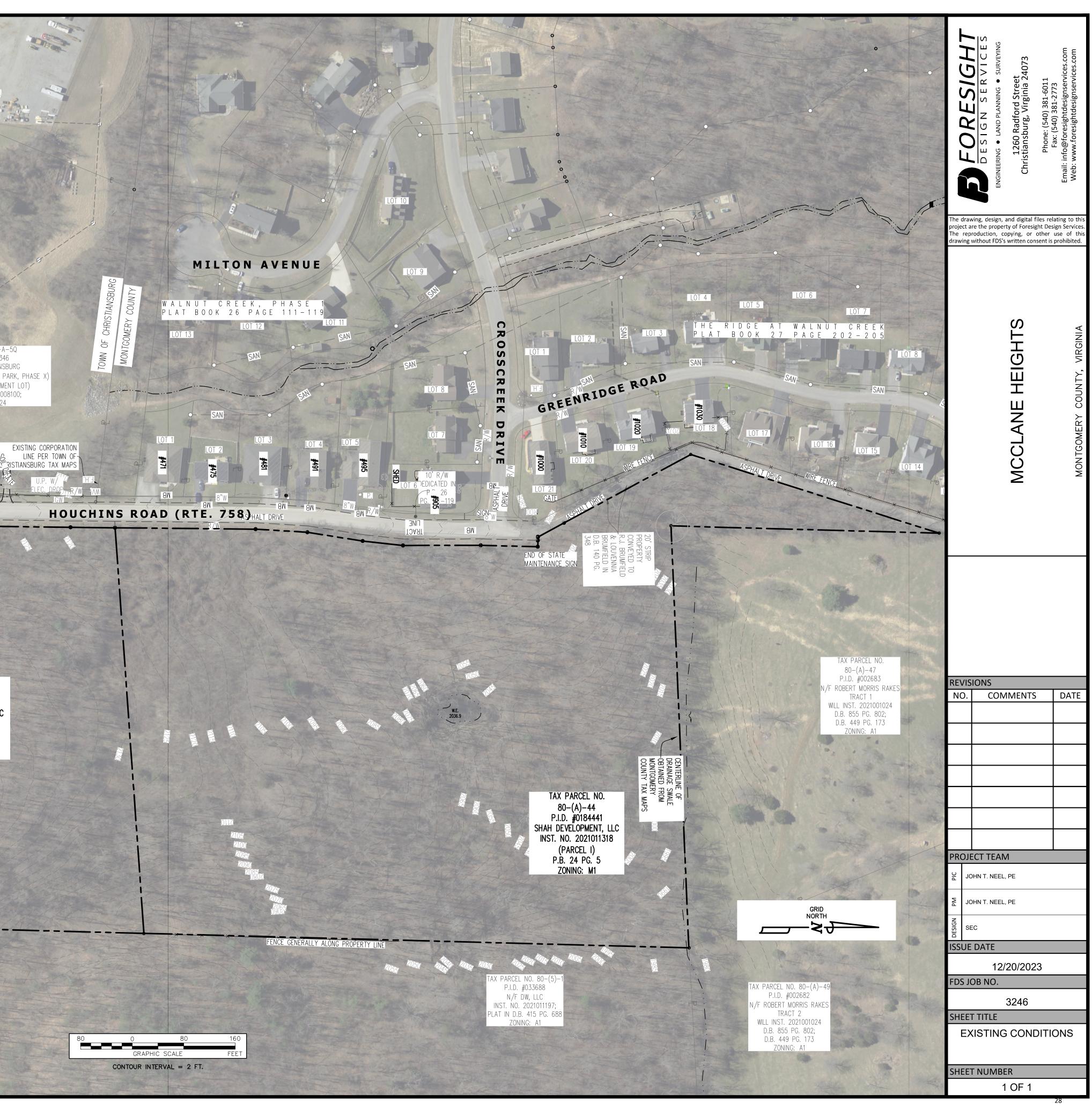
The foregoing instrument was acknowledged before me this _____ day of _____

Notary Public (Seal)

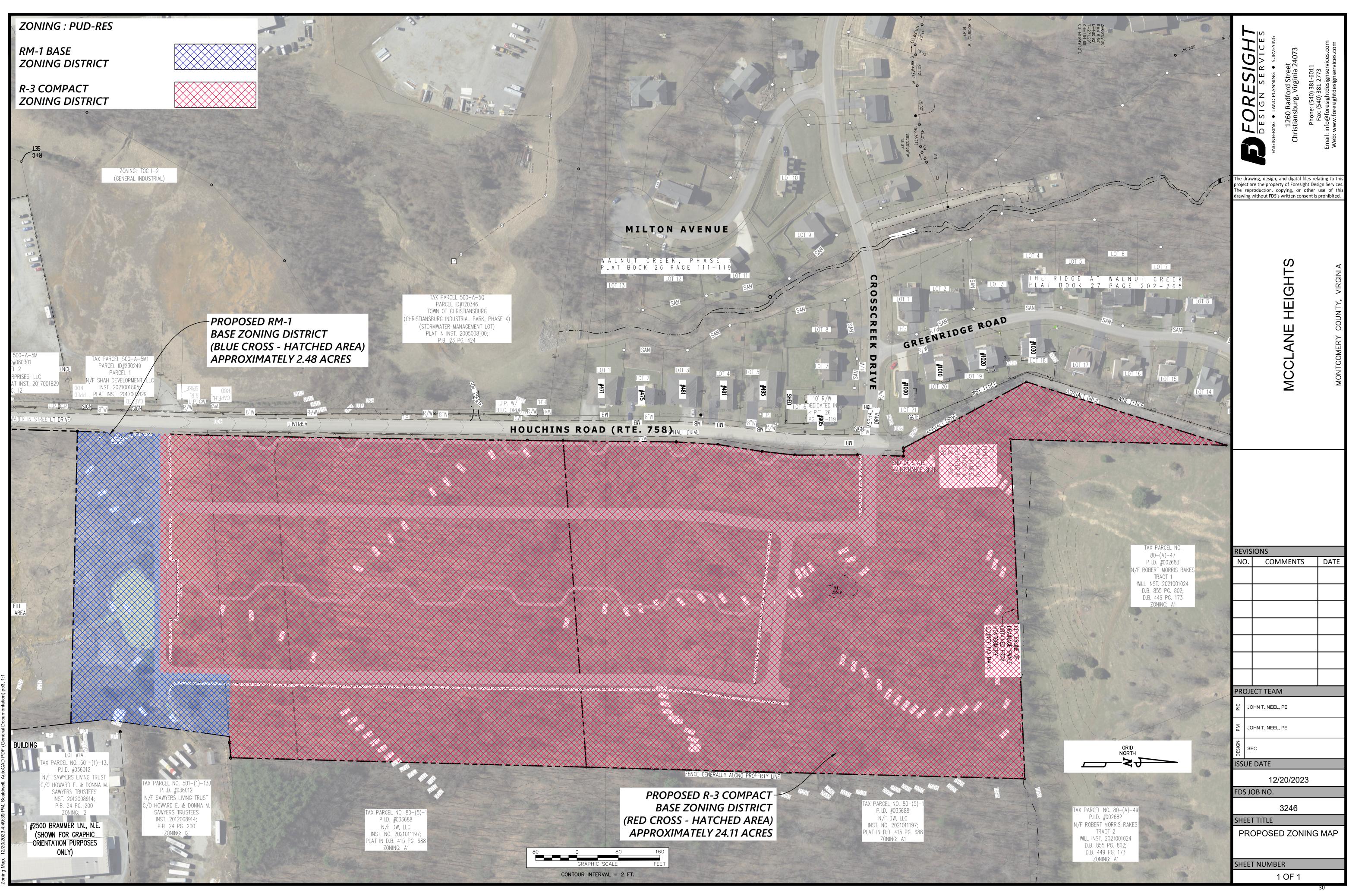
My commission expires _____

APPENDIX B: EXISTING CONDITIONS

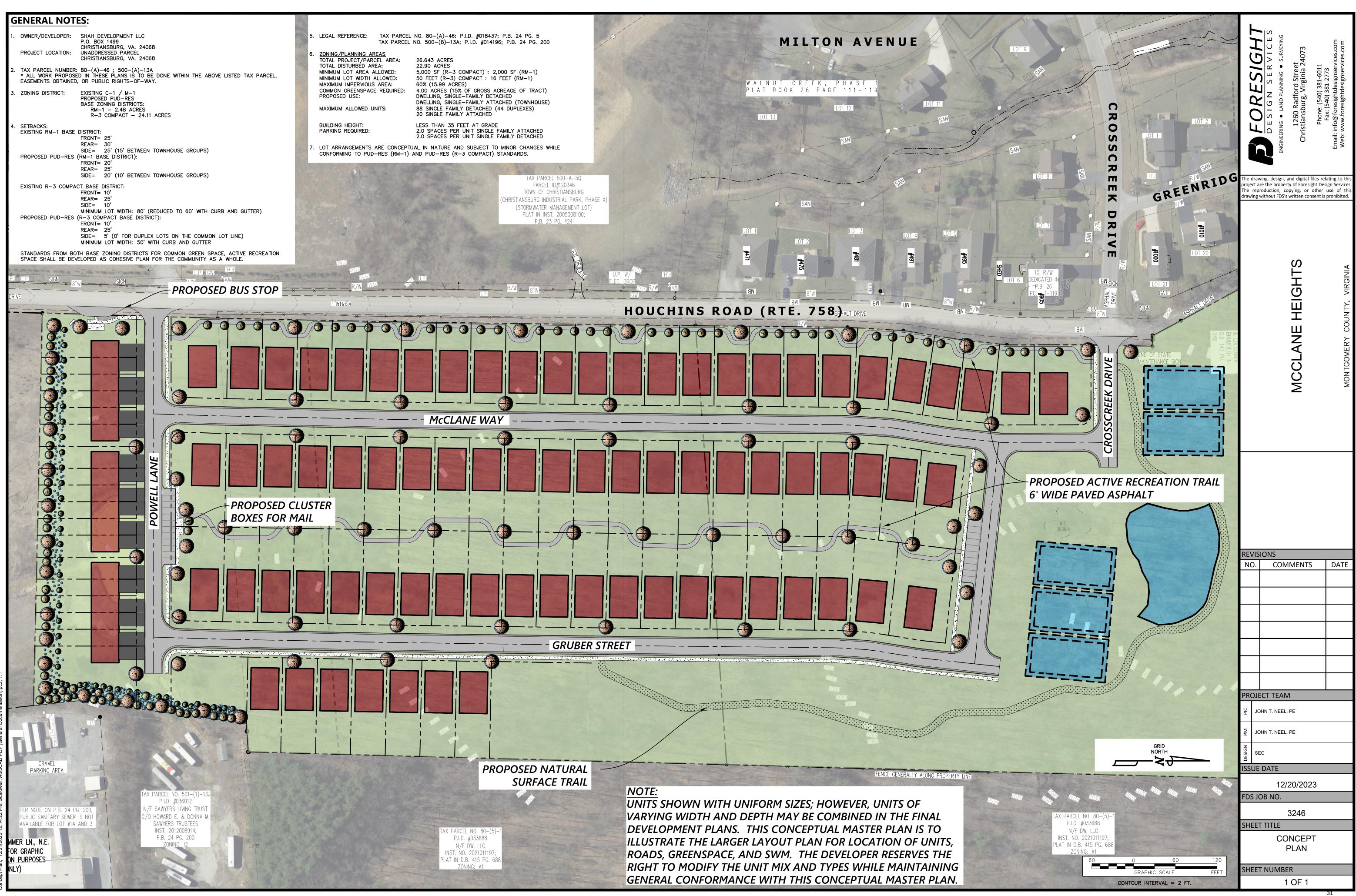
		SHAH DEVELOPMENT LLC P.O. BOX 1499 CHRISTIANSBURG, VA. 24068 UNADDRESSED PARCEL CHRISTIANSBURG, VA. 24068		
	* ALL WORK PROPOSE	80-(A)-46 ; 500-(A)-13A D IN THESE PLANS IS TO BE DONE WITHIN THE ABOVE LISTED TAX PARCEL, OR PUBLIC RIGHTS-OF-WAY.		
	ZONING DISTRICT:	EXISTING C-1 / M-1 PROPOSED PUD-RES BASE ZONING DISTRICTS: RM-1 - 2.48 ACRES R-3 COMPACT - 24.11 ACRES		
	SETBACKS: EXISTING RM-1 BASE		1 - Aller	
	PROPOSED PUD-RES	REAR= 30' SIDE= 25' (15' BETWEEN TOWNHOUSE GROUPS) (RM-1 BASE DISTRICT): FRONT= 20' REAR= 25'		
	EXISTING R-3 COMPA	FRONT= 10'		
	PROPOSED PUD-RES	REAR= 25' SIDE= 10' MINIMUM LOT WDTH: 80' (REDUCED TO 60' WITH CURB AND GUTTER) (R-3 COMPACT BASE DISTRICT): FRONT= 10' REAR= 25'		
	STANDARDS FROM BO	SIDE= 5' (O' FOR DUPLEX LOTS ON THE COMMON LOT LINE) MINIMUM LOT WDTH: 50' WITH CURB AND GUTTER TH BASE ZONING DISTRICTS FOR COMMON GREEN SPACE, ACTIVE RECREATION SPAC		
	SHALL BE DEVELOPED	AS COHESIVE PLAN FOR THE COMMUNITY AS A WHOLE. TAX PARCEL NO. 80–(A)–46; P.I.D. #018437; P.B. 24 PG. 5		. The
	CLEMENTS, L.S. LIC. # PHOTOGRAMMETRIC MA VIRGINIA SURVEYOR P	TAX PARCEL NO. 500-(8)-13A; P.I.D. #014196; P.B. 24 PG. 200 JRVEY WAS COMPLETED UNDER THE DIRECT AND RESPONSIBLE CHARGE OF RALPH O 1864, FROM AN ACTUAL GROUND SURVEY MADE UNDER MY SUPERVISION AND FROM APPING PREPARED UNDER DIRECT AND RESPONSIBLE CHARGE OF JOSEPH M. KOVAC HOTOGRAMMETRIST LIC. NO. 56. THE IMAGERY AND ORIGINAL FIELD DATA WAS IE 2022 AND APRIL 2022 RESPECTIVELY; AND THAT THIS PLAT, MAP OR DIGITAL		TAX PARCEL 500– PARCEL ID#1203 TOWN OF CHRISTIAN (CHRISTIANSBURG INDUSTRIAL
7.	GEOSPATIAL DATA US THE SUBJECT PROPER	NG METADATA MEETS MINIMUM ACCURACY STANDARDS UNLESS OTHERWISE NOTED. TY LIES IN "ZONE 'X' — OTHER AREAS", AS DEFINED BY F.E.M.A. & AS SHOWN ON 1C0165C, EFFECTIVE DATE OF 09/25/2009. THIS DETERMINATION HAS BEEN MADE		(STORMWATER MANAGE) PLAT IN INST. 2005 P.B. 23 PG. 42
00	BY GRAPHIC METHODS	ONLY. NO ELEVATION STUDY HAS BEEN PERFORMED AS A PART OF THIS PROJEC TAX PARCEL 500-A-5M1 PARCEL ID#230249	т.	e stor
RI	AISES, LLC INST. 2017001829	PARCEL 1 N/F SHAH DEVELOPMENT, LLC N/F SHAH DEVELOPMENT, LLC N/F SHAH DEVELOPMENT, LLC N/F SHAH DEVELOPMENT, LLC		
		BIGN 8"W SIGN R/W R/W R/W R/W R/W		
AŢÈ	ÈR IN STREETLT DRIVE		HdSV	R/W× 8"W
1	TOWN OF CHRIS	MONTGOMER FERA		
ILL ARE	BURG	APPROXIMATELY 5.57 ACRES BROUGHT INTO MONTGOMERY COUNTY FROM TOWN OF CHRISTIANSBURG. DONED C-1 (CONSERVATION)		TAX PARCEL NO. 80-(A)-46 P.I.D. #018437 SHAH DEVELOPMENT, LLO INST. NO. 2021011318 (PARCEL II) P.B. 24 PG. 5 ZONING: M1

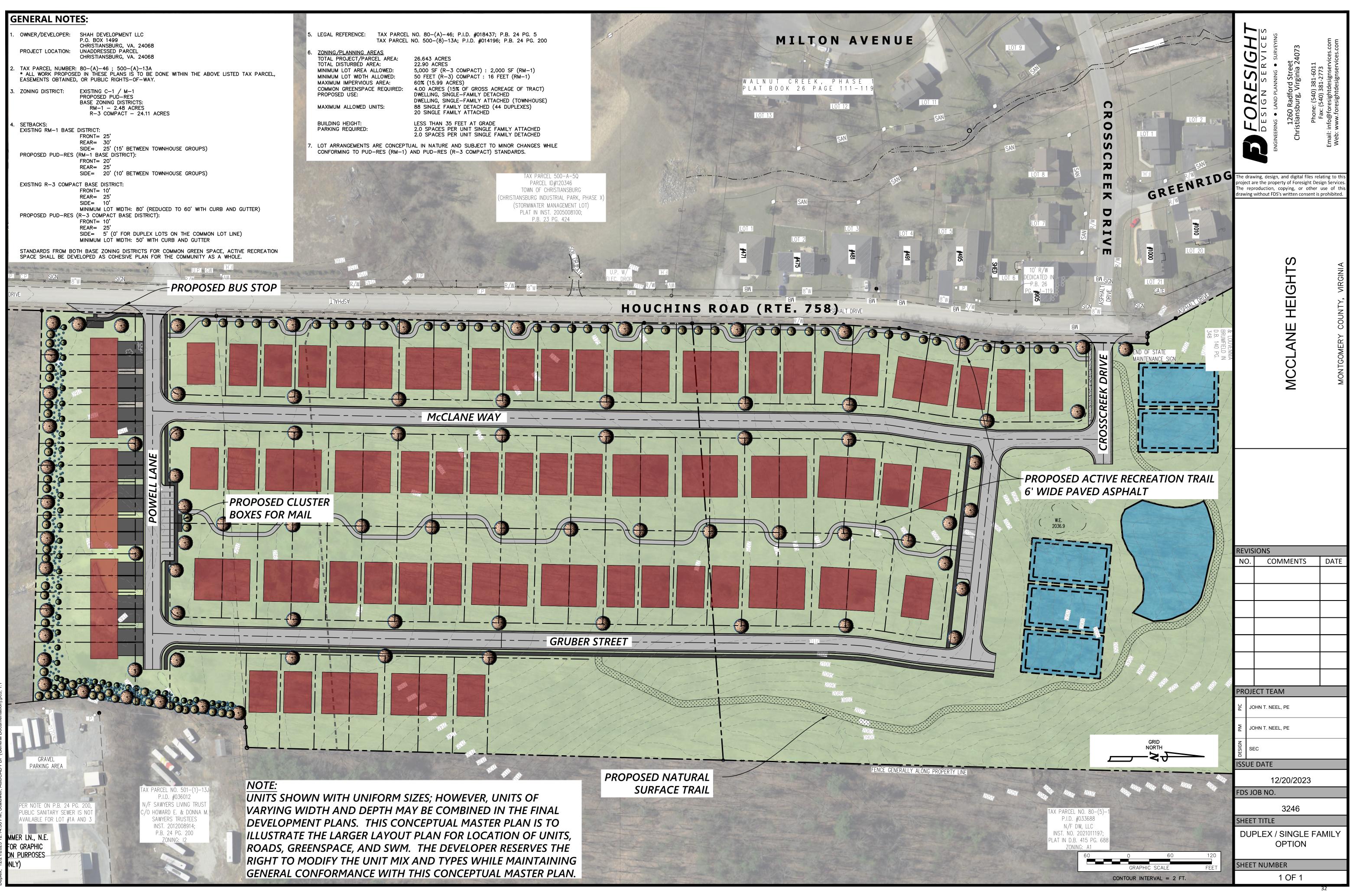


APPENDIX C: CONCEPT PLANS

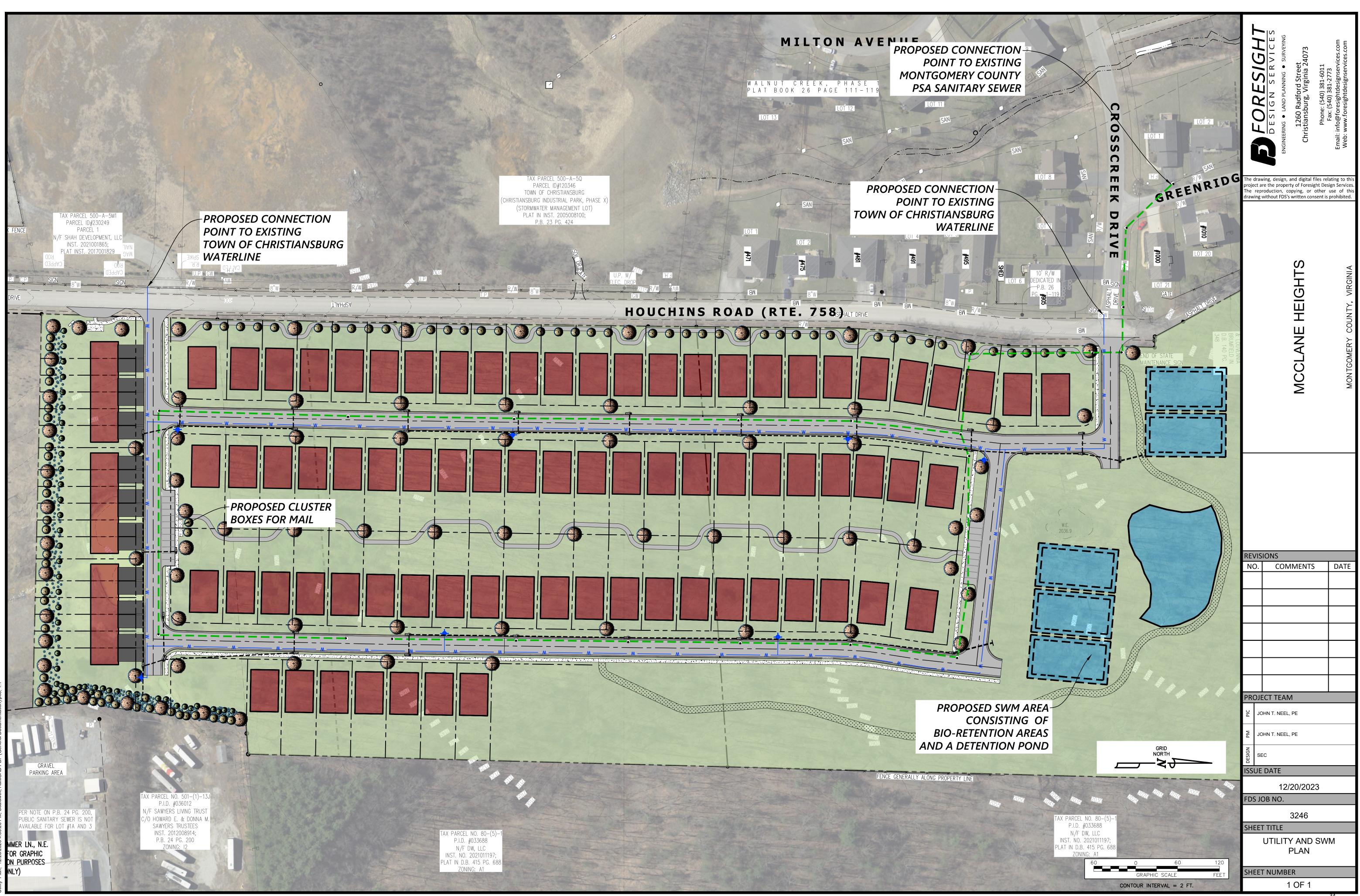


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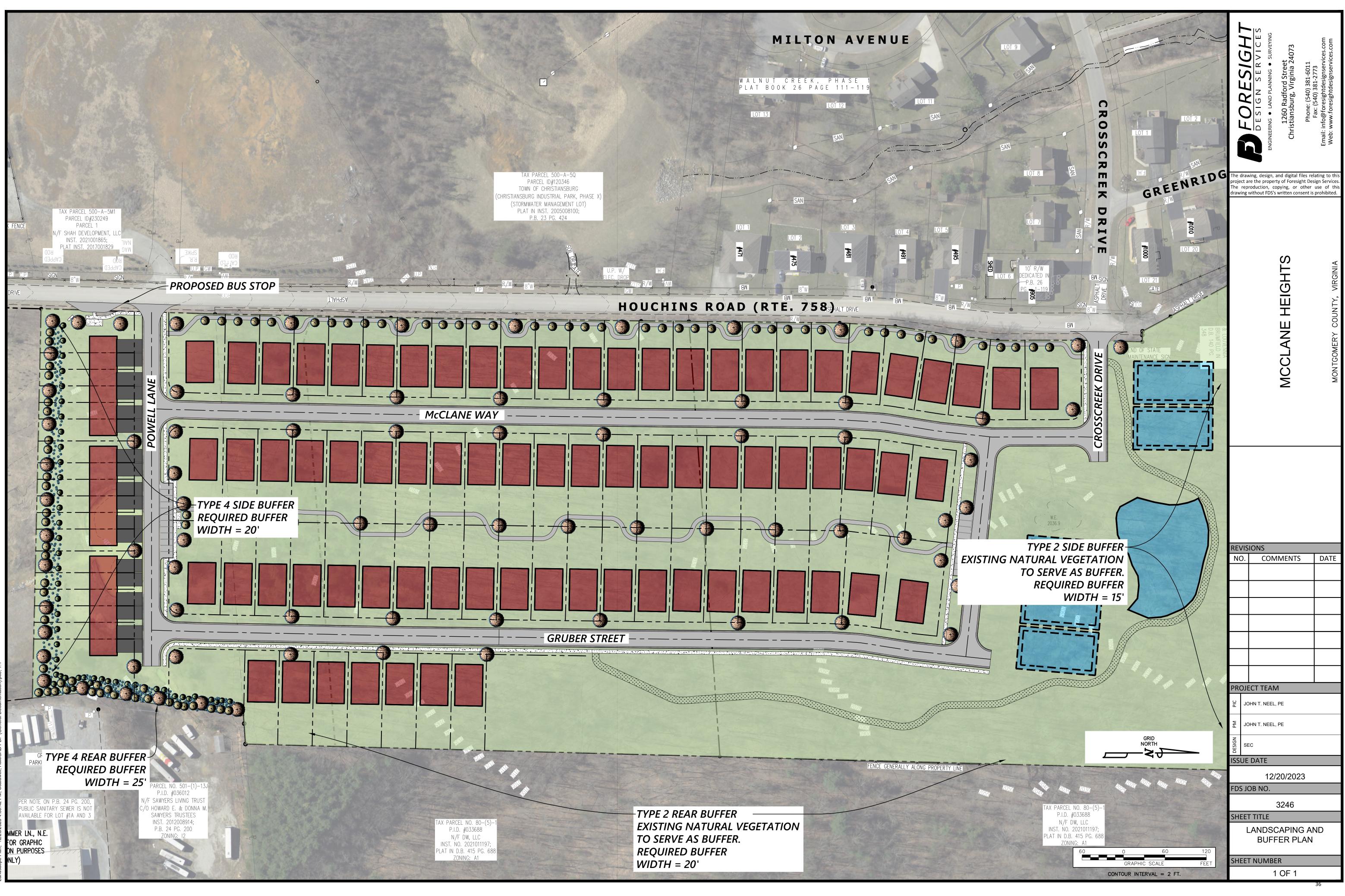


APPENDIX D: UTILITIES AND SWM PLAN



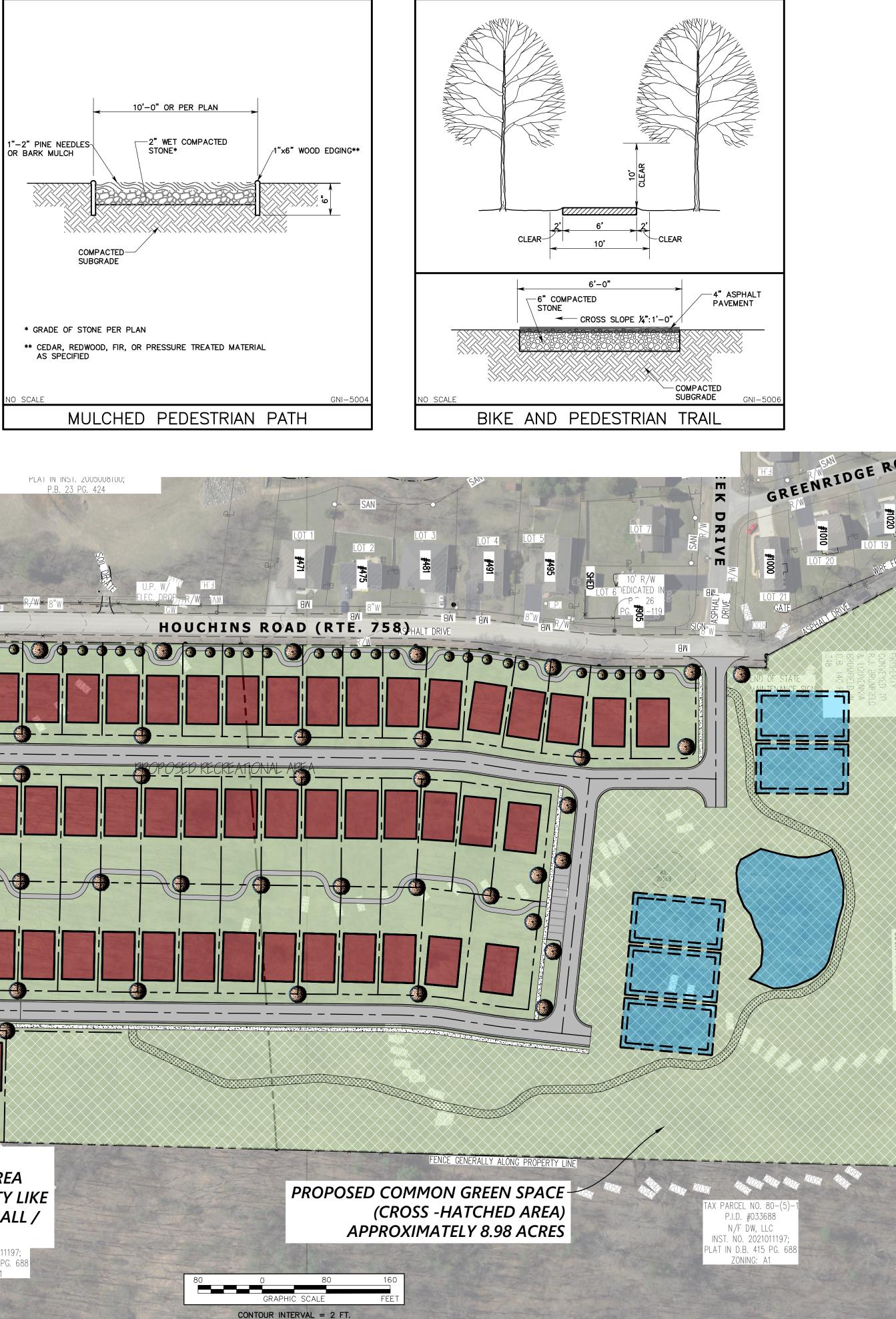
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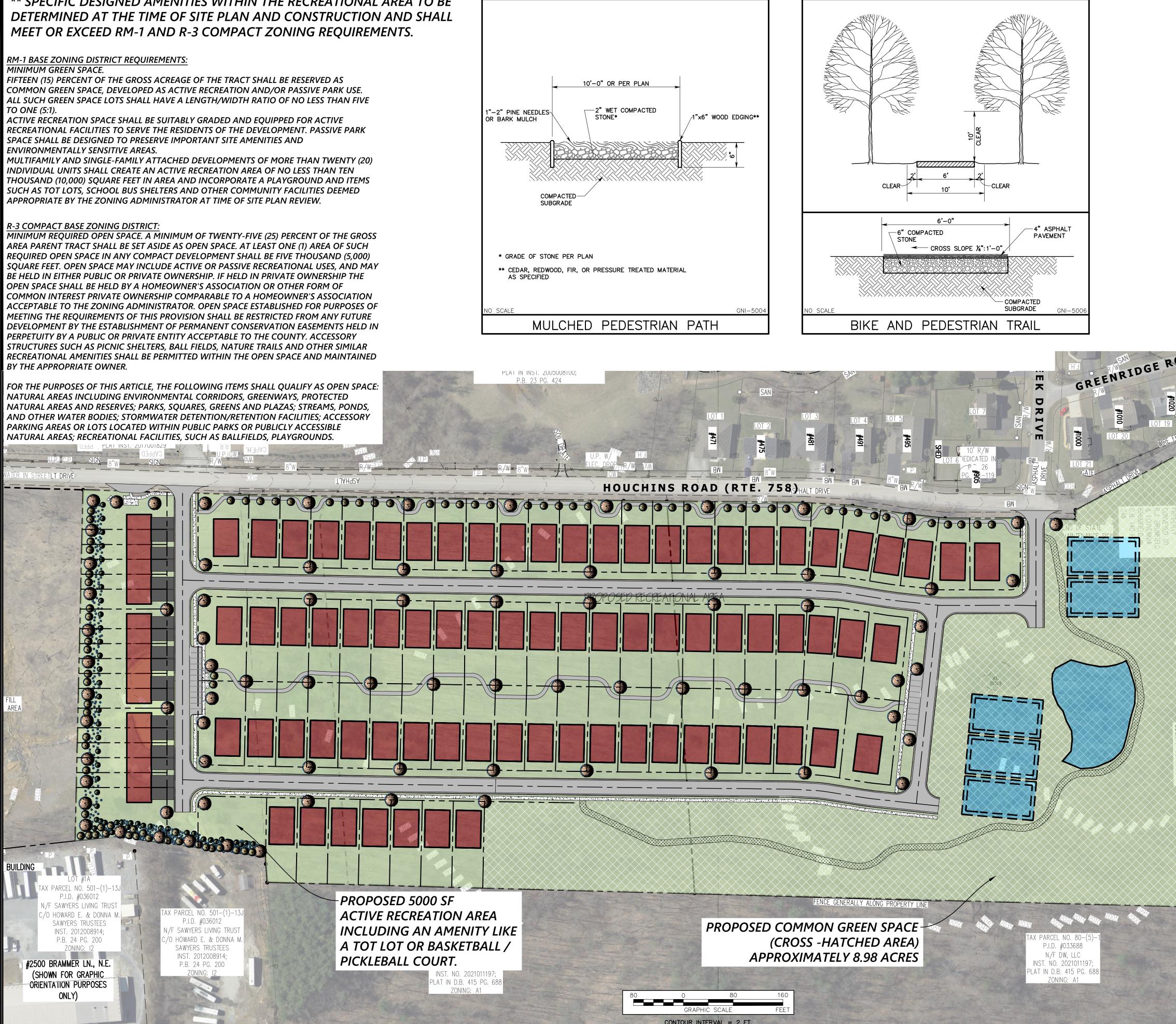
APPENDIX E: LANDSCAPE AND BUFFER PLAN



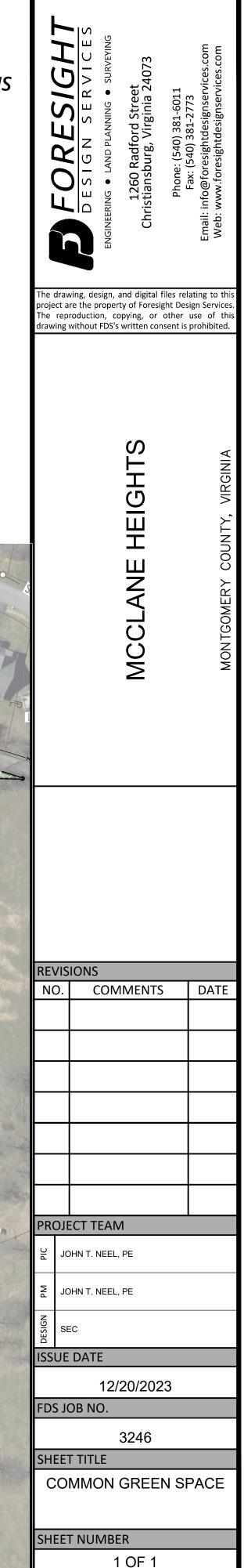
ds-files-2023\Production\Drawings\3246\ENGINEERING\Design\Plans\Sheets\3246_Sht_Prelimi andsacne Plan 12/20/2033 4:50:42 PM_Scaldwell_AutoCAD PDF (General Documentation) hc3

** SPECIFIC DESIGNED AMENITIES WITHIN THE RECREATIONAL AREA TO BE





PROPOSED PUD-RES COMMON SPACE : 8.97 ACRES COMMON GREEN SPACE EASEMENT: 16,575 SF ACTIVE RECREATION: 21,575 SF (INCLUDES BUS SHELTER, TRAILS, & RECREATION AMENITY AREA)



TAX PARCEL NO.

80-(A)-47

P.I.D. #002683 ROBERT MORRIS RAKES TRACT 1 WILL INST. 2021001024 D.B. 855 PG. 802; D.B. 449 PG. 173 ZONING: A1

NORTH

AX PARCEL NO. 80-(A)-4

P.I.D. #002682

F ROBERT MORRIS RAKE

TRACT 2

WILL INST. 2021001024

D.B. 855 PG. 802;

D.B. 449 PG. 173 ZONING: A

APPENDIX F: BUILDING ELEVATIONS



— RIDGE VENTS (CONT. - TYP.) —



SHAH DEVELOPMENT, LLC

180 TEEL STREET CHRISTIANSBURG, VA 24073 (540) 260-9939 mneeble@shelor.com

MICHAEL W. NEEBLE, AIA

Project No.	22-019b
)ate	08/09/2022
)esign	Shah
Prawing	MWN
heck	MWN
ile	22-019b - A201-A204 . DWG
_	





Revisions

APPENDIX G: PSA SEWER AVAILABILITY LETTER



MONTGOMERY COUNTY PUBLIC SERVICE AUTHORITY

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

March 21, 2023

M. Todd King, Chairman Sherri Blevins, Vice-Chair Mary W. Biggs, Secretary-Treasurer Sara R. Bohn, Member April N. DeMotts, Member Darrell O. Sheppard, Member Steve R. Fijalkowski, Member

Charles E. Campbell PSA Director

John Neel Gay and Neel, Inc 1260 Radford Street Christiansburg, Virginia 24073

> RE: Availability Letter Residential Subdivision Houchens Road Parcel ID 018441,018437,014196 Sewer

Dear Mr. Neel:

Public sanitary sewer can be made available to this proposed residential development along Houchens Road, Parcel ID 018441,018437,014196.

Sanitary sewer service may be provided by a public sewer extension to a point adjacent to all units of this proposed development from the public sewer main located in the Walnut Creek Subdivision. 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 a public sewer pump station and force main per PSA standards. The owner would be required to obtain public easements for all portions of the sewer line extension in private property. The sewer facility fee is \$3,000.00 per each residential unit. There is also a \$750.00 pump station fee for each unit.

The 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 sewer line extension in private property. The owner would be responsible for the cost of the sewer line extensions, 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 sewer facility fees for all units of the development would be required prior to approval of the site plan.

Please be advised that all PSA 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.

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

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

This letter and stated fees are only valid to April 1, 2024.

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

Sincerely,

railes E. Cphell

Charles E. Campbell PSA Director

cc: Montgomery Co. Planning Dept.

APPENDIX H: TRIP GENERATION COMPARISON

Houchins Road Townhomes – Section 11 Montgomery County, VA

ITE Trip Generation – Typical Weekday – 11th Edition

		Weekday							
Land Use	ITE Size Un Code	Size Units	AMPeak Hour			PM Peak Hour			Weekday
			In	Out	Total	In	Out	Total	Total
Single-Family Detached Housing	210	88 d.u.	17	49	66	56	32	88	897
Single-Family Attached Housing	215	20 d.u.	2	8	10	7	4	11	144
Total Site Trips			19	57	76	63	36	99	1,041