



# 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](mailto: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'l owners): STEVE GRAHAM LIVING TRUST	Address: 4535 LONG SHOP ROAD BLACKSBURG VA 24060
Telephone: 540-320-6232	Email: GRAHAMFAUS@YAHOO.COM

Applicant Name:    Owner    Contract Purchaser/Lessee JAMES ULMER	Address: 1575 THOMAS LANE BLACKSBURG, VA 24060
Telephone: 540-421-8238	Email: JAMESU@BACKTONATURELANDSCAPING.COM

Representative Name and Company: STEVE SEMONES - BALZER AND ASSOCIATES	Address: 80 COLLEGE STREET SUITE H CHRISTIANSBURG, VA 24073
Telephone: 540-381-4290	Email: SSEMONES@BALZER.CC

**Property Description:**

Location or Address: (Describe in relation to nearest intersection) NORTH SIDE OF PRICES FORK ROAD DIRECTLY ACROSS FROM BRUNSWICK DRIVE		
Parcel ID Number(s): 007287	Acreage: 30.10	Existing Zoning: A1
Comprehensive Plan Designation: VILLAGE EXPANSION	Existing Use: SINGLE FAMILY RESIDENTIAL AND AGRICULTURE	

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

Proposed Zoning (Include Acreage ): PUD-COM - 20.7 ACRES
Proposed Use: MIXED COMMERCIAL (RETAIL, RESTAURANT, CONTRACTORS SERVICE ESTABLISHMENT & STORAGE, OFFICE)

*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.**

Owner 1 Signature	6/3/2024 Date
Owner 2 Signature (for add'l owners please attach separate sheet)	Date
Applicant Signature	6/3/2024 Date
Representative/Agent Signature	6/3/2024 Date



**MONTGOMERY**  
COUNTY, VIRGINIA

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	6/3/2024
Owner 1 Signature	Date

Owner 2 Signature (for add'l owners please attach separate sheet) 	6/3/2024
Applicant Signature	Date

	6/3/2024
Representative/Agent Signature	Date



## Special Use Permit Application Form

Montgomery County, Virginia  
755 Roanoke St. Suite 2A, Christiansburg, VA 24073  
540-394-2148 | [mcplan@montgomerycountyva.gov](mailto:mcplan@montgomerycountyva.gov)

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

Owner of Record (attach separate page for add'l owners): STEVE GRAHAM LIVING TRUST	Address: 4535 LONG SHOP ROAD BLACKSBURG VA 24060
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Applicant Name:    Owner    Contract Purchaser/Lessee JAMES ULMER	Address: 1575 THOMAS LANE BLACKSBURG, VA 24060
Telephone: 540-421-8238	Email: JAMESU@BACKTONATURELANDSCAPING.COM

Representative Name and Company: STEVE SEMONES - BALZER AND ASSOCIATES	Address: 80 COLLEGE STREET SUITE H CHRISTIANSBURG, VA 24073
Telephone: 540-381-4290	Email: SSEMONES@BALZER.CC

**Property Description:**

Location or Address: <i>(Describe in relation to nearest intersection)</i> NORTH SIDE OF PRICES FORK ROAD DIRECTLY ACROSS FROM BRUNSWICK DRIVE		
Parcel ID Number(s): 007287	Acreage: 30.10	Existing Zoning: A1
Comprehensive Plan Designation: VILLAGE EXPANSION	Existing Use: SINGLE FAMILY RESIDENTIAL AND AGRICULTURE	

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

Proposed Use(s) including acreage: 20.7 acres PUD-COM District. SUP uses: Contractor Service Establishment and Outdoor Storage, Multi-family Apartment
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*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.*

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<div style="display: flex; align-items: center;"> <div style="font-size: small; margin-right: 5px;">DocuSigned by:</div> </div>	6/3/2024
Owner 1 Signature	Date

<div style="display: flex; align-items: center;"> <div style="font-size: small; margin-right: 5px;">DocuSigned by:</div> </div>	6/3/2024
Owner 2 Signature (for add'l owners please attach separate sheet)	Date
Applicant Signature	Date

<div style="display: flex; align-items: center;"> <div style="font-size: small; margin-right: 5px;">DocuSigned by:</div> </div>	6/3/2024
Representative/Agent Signature	Date

Parcel ID Number: \_\_\_\_\_

Board of Supervisors Ordinance No: \_\_\_\_\_

This document prepared by: Martin M. McMahon, County Attorney

755 Roanoke Street, Suite 2E

Christiansburg, VA 24073

Exempted from recordation taxes and fees under Sections 58.1-811, 17.1-279(E)

## Voluntary Proffer Statement Form

Date (include revision dates): June 3, 2024

Applicant Name: James Ulmer

Owner(s) Name: Steve Graham Living Trust

Applicant Address: 1575 Thomas Lane

Owner Address: 4535 Long Shop Road

Blacksburg, VA 24060

Blacksburg, VA 24060

Project Name: 3720 PRICES FORK ROAD

Property Description: ONE PARCEL ID BUT THREE SEPARATE TAX PARCELS LOCATED AT 3720 PRICES FORK ROAD OPPOSITE BRUNSWICK ROAD. THE PROPERTY CURRENTLY HAS ONE SINGLE FAMILY HOME ON IT THAT HAS BEEN USED AS RENTAL PROPERTY AND THE REMAINING THE PROPERTY IS VACANT AND USED AS PASTURE. THE SITE HAS TWO EXISTING ENTRANCES, ONE DRIVEWAY TO THE EXISTING HOUSE AND A SECOND GRAVEL ENTRANCE, APPROXIMATELY 85' WEST OF THE HOUSE DRIVEWAY, USED TO ACCESS THE AGRICULTURAL FIELDS.

Magisterial District: PRICES FORK Parcel ID Number(s): 007287

Current Zoning District: A-Agriculture Requested Zoning District(s): PUD-COM

The applicants and owners voluntarily and without any requirement by or exaction from Montgomery County or its governing body, hereby proffer the following conditions, acknowledging that the proposed proffers are voluntary, reasonable, specifically attributable to the proposed new residential development or other residential use (including applications for new residential rezoning with a residential component of a mixed use zoning):

- 1) *Property shall be developed in general conformance with the master plan by Balzer and Associates, Inc. depicted on Sheet Z3 & Z4 dated June 3, 2024.*
- 2) *The following by-right uses in PUD-COM shall not be permitted upon rezoning:*
  - a. *cemetery*
  - b. *church*
  - c. *crematorium*
  - d. *custom meat cutting- processing and sales*
  - e. *fire, police, rescue facility*
  - f. *funeral home*
  - g. *homeless shelter*
  - h. *hospital, medical center, emergency care*
  - i. *hotel, motel*
  - j. *library*
  - k. *motor vehicle rentals*
  - l. *movie theater*
  - m. *park and ride lot of fifty or fewer spaces*
  - n. *post office*
  - o. *radio station, excluding tower*
  - p. *recycling collection point*
  - q. *school*

The applicants and owners hereby affirm and acknowledge the following:

- This proffer statement supersedes any and all previously submitted proffers.
- All such conditions are in conformity with the County's Comprehensive Plan.
- Neither the County staff, the Planning Commission, the Board of Supervisors, nor any of its officers, employees, or agents suggested, requested or accepted an unreasonable proffer as defined by state law.
- Montgomery County is in no way obligated to rezone the subject property; however, in the event the property is rezoned, the conditions proffered shall continue in full force and effect unless or until they are modified by subsequent amendment to the zoning ordinance; and that the applicants and owners, their heirs, personal representatives, assigns, grantees, and other successors in interest or title, shall not be released from the responsibility of fulfilling each of the enumerated conditions by virtue of any variance or other change in or to the zoning ordinance.
- If any proffer attached to this rezoning is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such proffer shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining proffers in this rezoning, it being the intent that this proffer statement shall stand, notwithstanding the invalidity of any proffer hereof.

WITNESS the following signature(s):

**Applicant/Owner Name:** \_\_\_\_\_

Title and/or Company: \_\_\_\_\_

Signature: \_\_\_\_\_

State of \_\_\_\_\_ County of \_\_\_\_\_

“The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2024 by  
\_\_\_\_\_.”

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

**Applicant/Owner Name:** \_\_\_\_\_

Title and/or Company: \_\_\_\_\_

Signature: \_\_\_\_\_

State of \_\_\_\_\_ County of \_\_\_\_\_

“The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2024 by  
\_\_\_\_\_.”

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

**CONDITIONAL REZONING APPLICATION  
and SPECIAL USE PERMIT APPLICATION  
for**

**JAMES ULMER**

**3720 PRICES FORK ROAD**

**TAX PARCEL #052-A 12**

**TAX PARCEL #052-A 13**

**TAX PARCEL #052-A 14**

**June 1, 2024**

PREPARED FOR:  
JAMES ULMER  
1575 Thomas Lane  
Blacksburg, VA 24060

PREPARED BY:  
BALZER & ASSOCIATES, INC.  
80 College Street, Suite H  
Christiansburg, VA 24073

**3720 PRICES FORK ROAD**  
**COMPREHENSIVE PLAN JUSTIFICATION**

**Property and Project Description**

The properties described in the application are currently zoned Agriculture A1. There are three parcels that will be included in the overall development plan for a total of approximately 30.47 acres but only two of those parcels are requested for rezoning in this application. The parcels are designated as follows:

- 1) Tax Map ID# 052- A 12 & Parcel ID# 007287  
Existing Acreage: 10.80 acres  
Proposed Acreage for Rezoning: 10.80 Acres  
Proposed Uses: Contractors Service Establishment and Outdoor Storage, Retail, Restaurant, Office, Multi-family Residential, other accessory uses as noted in remaining portions of this application narrative  
Existing Zoning Designation: A1 -Agriculture  
Proposed Zoning Designation: PUD-COM-Planned Unit Development  
Commercial
  
- 2) Tax Map ID# 052- A 13 & Parcel ID# 007287  
Existing Acreage: 9.90 acres  
Proposed Acreage for Rezoning: 9.90 Acres  
Proposed Uses: Contractors Service Establishment and Outdoor Storage, Retail, Restaurant, Office, Multi-family Residential, other accessory uses as noted in remaining portions of this application narrative  
Existing Zoning Designation: A1 -Agriculture  
Proposed Zoning Designation: PUD-COM-Planned Unit Development  
Commercial
  
- 3) Tax Map ID# 052- A 14 & Parcel ID# 007287  
Existing Acreage: 9.77 acres  
Proposed Acreage for Rezoning: 0 Acres  
Proposed Use: As allowed by-right in A-1  
Existing Zoning Designation: A1 -Agriculture  
Proposed Zoning Designation: A1 -Agriculture

The requested zoning change to PUD-COM Planned Unit Development Commercial would allow for a future land use that is in keeping with the Montgomery County Comprehensive Plan which designates this area as Village Expansion. According to the 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. These are natural expansion areas for the Villages*



*that may potentially be served by future public sewer and water extensions. Development in Village Expansion Areas should be designed to tie into the existing street network serving the village it is adjacent to and to complement and augment the historic character and development pattern of the existing village. A mix of appropriately scaled residential, non-residential and community uses are anticipated in Village Expansion Areas.”* The Village Expansion areas, along with Urban Expansion Areas and the Village Areas, are where the Comprehensive Plan anticipates the future growth of the unincorporated portions of the County.

The project is designed as a master planned commercial development with a mix of uses that will enhance the Village expansion area with new businesses and neighborhood scale shopping opportunities. The vision of this development is centered around the landscape and the agricultural spirit of Prices Fork. Within the potential uses are two that will require a Special Use Permit approval: Contractors Service Establishment with outdoor storage for the Back To Nature Landscape and Construction company and one for Multi-family residential. Further description of these uses and others planned for the project are explained below.

**Back To Nature Landscaping and Construction:** Their mission is to provide top-tier services founded on sound horticultural principles, ensuring their clients' complete satisfaction. Their team consists of diverse, highly skilled professionals committed to advancing both our business and personal growth. They prioritize cultivating long-term relationships with clients, built on principles of trust, integrity, and dependability. Their services encompass a wide array of offerings, including the creation of outdoor living spaces, landscaping, lawn maintenance, and turf care. The project plans to develop a new headquarters with a 9,000 square foot state-of-the-art office space, dedicated employee facilities, and a 12,000 well-equipped enclosed workshop/garage area for storing and maintaining our equipment and materials.

**Specialty Retail:** Approximately 25,000 square feet under roof in Phase II. This store would focus on locally & regionally sourced foods and goods as well as cold grocery items, kitchen/deli area with grab and go foods, meals, and local meats. A potential small coffee shop and restaurant may be included as well.

**Garden Center:** This use would be a component of the Specialty Retail space and would have landscaping, garden supplies, flowers, shrubs, plants, & trees for sale to the public. This may include outdoor nursery areas as well as indoor greenhouses.

**Event Center Description:** This use is planned in Phase II of the development and is tentatively planned to be located on the lower floor of the building. However, based on final design, it could be located on the main level of the building. This space would allow for rental by the public for gatherings and by the applicant and business owners to hold community events.

**Pick Your Own:** A large portion of the property on the western side is planned for an agricultural grow area that could include various fruits and vegetables. The plan would

be to have this area for customers to come and be able to walk the fields and pick the produce they want for purchase.

Office: This use would be contained within the proposed buildings as shown on the masterplan for additional rentable space for small, local office tenants.

Retail: This use would be contained within the proposed buildings as shown on the masterplan for additional rentable space for small, local retail tenants.

Mulch/Stone Yard: This use would be located at the rear of the property behind the Back To Nature building and parking area. This would be a for sale & pick up area for use by the public.

Multi-family Residential: This use would be accessory to the other main uses onsite and would only exist on the second floor of one of the other buildings. Based on the square footage anticipated, the number of residential units would be low. These units could be set up as a potential live/work units. Should the applicant choose not to build a second story on either of the proposed buildings, this use would not be included in the project. A stand-alone, multi-family building is not proposed.

Amphitheater / Ice Rink: These uses would be additional outdoor community venue spaces that could be used during various seasons.

Storage: This use would be accessory to the Back To Nature building and would allow for the potential rental of storage space in the main level or basement level of the building if it has not been utilized by Back To Nature.

It was important to the applicant to provide an agricultural and outdoor experience for customers that fits the context of the Prices Fork Village. Uses have been located in areas to limit perceived impacts to neighbors and buffers will also be provided and planted per County ordinance requirements. It should be noted that there are several uses allowed by-right in the PUD-COM ordinance which have been proffered to be removed from the allowable uses on this site. Other by-right PUD-COM uses not mentioned above and not explicitly excluded in the proffer statement would be allowed on the project with the understanding that any impacts to infrastructure or the road network are reviewed by Montgomery County and VDOT at the site plan stage.

The overall conceptual masterplan is shown on Sheet Z3 and Z4 included with this application and narrative. Examples of the architectural styles of the buildings, the open spaces, gathering spaces, and uses are included in Appendix A.

This project has not only been designed in keeping with the current Comprehensive Plan and Prices Fork Village Plan. The elements that directly conform to the issues stated in the **Montgomery County 2025 Comprehensive Plan** are the following:

- 1) **PLU 1.6** – The development is located within an area designated Village Expansion.

- 2) **PLU 1.6.5a & PLU 1.7.5a,e** – The development will have public utilities and will provide stormwater management for the new development.
- 3) **PLU 2.1.a** – The development is located within an area designated Village Expansion.
- 4) **PLU 2.1.b** – The development will be served by public water and sewer.
- 5) **PLU 2.1.c** – The road access points are shown from Prices Fork that meet VDOT access management regulations. Any road improvements required will be the responsibility of the developer.
- 6) **PLU 2.1.d** – The concept plan shows the location of all roads, sidewalks, and open spaces.
- 7) **PLU 2.1.f** – The development will have open space, and pedestrian access.
- 8) **PLU 2.1.g** – The development will have buffers along all uses with lower intensities.
- 9) **ENV 1.5** – The development will utilize BMP’s to protect water quality.
- 10) **ENV 3.2.4** – The development will minimize any negative effect on water quality.
- 11) **ENV 3.2.6** – Several areas of natural landscaping are planned to be preserved. These areas are primarily located along the northern portion of the property where environmentally sensitive areas may exist. Any existing vegetation along exterior property lines may also be preserved if grading activities allow.
- 12) **ENV 3.2.7** – The development will protect main water sources and riparian areas.
- 13) **ENV 5.6** – The development will provide for stormwater management and is located in an area where public water and sewer service exists.
- 14) **ENV 6.5** – The proposed development will maintain existing drainage patterns for stormwater management.
- 15) **ENV 7.0** – The proposed development will maintain water quality and protect downstream properties with stormwater management techniques.
- 16) **TRN 1.3.5** – Sidewalks will be provided within the development.
- 17) **UTL 4.0** – The project will effectively manage stormwater and erosion.

The elements that directly conform to the issues stated in the Montgomery County 2025 Comprehensive Plan for the **Prices Fork Village Area** are the following:

***PFV 1.1.2 Compatibility is Fundamental.*** *The density, type and character of new development must be compatible with the existing village, the vision of the village’s future, and be generally consistent with the Land Use Plan Map. New development must be compatible with the traditional forms and architectural character of the village.*

The proposed project will provide development that is consistent with the character of Prices Fork. While primarily a business use, it will provide services and opportunity for residents of the Prices Fork area. Architectural styles will be of a high quality and traditional form.

***PFV 1.1.6 Proffers Are Expected to Mitigate Impacts.*** *Any rezoning to a higher intensity of land use, particularly residential land uses, will be expected to provide proffers of land, infrastructure and/or funding to offset the impacts of the development, particularly on capital facilities such as roads, parks, schools and public safety.*

The proposed proffers will help mitigate impacts and concerns.

***PFV 1.3.3 Streetscape Features on Major Streets.*** *Streetscape improvements in these areas should include curb and gutter, sidewalks, on-street parking with curb bump-outs, pedestrian crosswalks at intersections, parking behind buildings and in alleys, building heights of two stories above the front street level, small front building setbacks, traditional street lights and*

*street furniture, pocket parks and public greens or squares defined by adjacent building facades.*

Extensive landscaping is planned along Prices Fork Road.

***PFV 1.3.6 New Local Commercial Uses.*** *New commercial uses in the Prices Fork area should be aimed primarily at providing goods and services to local residents.*

The proposed commercial uses will be a mix of service-oriented and retail establishments that will serve local residents in the Village as well as surrounding areas.

***PFV 1.5.1 Preserve Views.*** *Except in the Historic Core, as development occurs along the corridor, site new buildings away from the existing roadway so that they are at a low enough elevation to preserve the views of the surrounding farms, forests and mountains.*

Northern views should still be preserved with the buildings sitting further away from the road and the grade falling away.

***PFV 1.5.2 Avoid Reverse-Frontage Development.*** *New development adjacent to Prices Fork Road should front a new parallel street so that the fronts of new buildings (rather than the rear) face toward Prices Fork Road.*

The two proposed buildings will have their fronts facing Prices Fork Road and the majority of the parking areas will be behind the front building line.

***PFV 1.5.3 Manage Access.*** *Develop and implement an access management plan along Prices Fork Road to limit the number of access points on the road, consistent with the land use and design policies for this corridor.*

One main full access point into the subdivision from Prices Fork is proposed located in the center of the property frontage. A right in/right out entrance is proposed on the eastern end of the property. Both access points meet VDOT Access management guidelines.

***PFV 4.1 New Local Commercial Uses.*** *New commercial uses in the Prices Fork area should be aimed primarily at providing goods and services to local residents.*

The proposed commercial uses will be a mix of service oriented and retail establishments that will serve local residents in the Village as well as surrounding areas.

***PFV 4.1.1 Location.*** *Commercial uses should be located only at the key points in the eastern neighborhood on Merrimac Road as shown on the Land Use Plan Map (as well as a small amount of commercial infill development within the designated historic area). Such uses should be small scale and compatible with the historic nature of the village.*

The proposed commercial project is towards the eastern end of the Village area.

***PFV 4.1.2 Size.*** *Commercial uses are not planned to be a major part of the land use mix in Prices Fork. Rather, a small amount of local retail and personal service businesses are expected, along with significant numbers of home occupations. In the eastern neighborhood retail uses and carefully integrated auto-related uses may be allowed. In the historic area, only small scale, "mom & pop" style stores are appropriate.*

The proposed commercial uses will be a mix of service oriented and retail establishments that will serve local residents in the Village as well as surrounding areas and add to the already agricultural quality of the Prices Fork Village area.

***PFV 4.1.3 Major Commercial and Industrial Uses.*** This plan discourages major commercial or industrial uses such as shopping centers, big-box stores or industrial parks. No major commercial or industrial uses are proposed.

***PFV 4.1.5 Parking.*** Parking should be located to the side or to the rear of commercial uses. Access points onto existing roads should be coordinated with adjacent properties in order to keep the number to a minimum.

While some parking is located along the front of the proposed buildings, it is setback much further from the right of way than required by code and will have a heavily landscaped buffer. The majority of the parking will be to the side and rear.

***PFV 4.1.6 Signage.*** Signage should be small scale, traditional and in keeping with the rural nature of the village.

Signage will be in keeping with the village.

***PFV 4.1.7 Landscaping.*** Landscaping should include street trees and vegetative buffers at the rear of commercial sites and along any edge contiguous with residential uses.

As noted above, there will be extensive landscaping along Prices Fork Road.

***PFV 6.6 Promote Regional Stormwater Management.*** The County will create guidelines and regulations for coordinating stormwater management facilities on a regional and sub-regional basis rather than site by site.

At the time of redevelopment and site plan preparation, the applicant will engage the County on options, either onsite or offsite, that may mutually benefit the applicant and the Village regarding regional stormwater management.

***PFV 9.1 Greenway Park and Trail System.*** Support the development a county-wide greenway park and trail system master plan.

A large open area is provided along the project's road frontage that would provide additional easement area in the future should a multi-use trail be constructed on the north side of Prices Fork Road. A public easement could be dedicated along Prices Fork Road for the future construction of the VITL trail system.

***PFV 9.2 Pocket and Neighborhood Parks and Green Spaces.*** Encourage developers to provide pocket and neighborhood parks and green spaces in their development designs.

Open space will be provided to serve the development as required within the PUD-COM regulations. Additional information on these spaces is included in the Open Space section of this document.

***PFV 10.2.2 Pedestrian Facilities.*** Incorporate pedestrian paths or sidewalks into all new and existing street systems to protect pedestrians and improve mobility.

While not building public roads within the development, pedestrian facilities will be provided for customers.

***PFV 10.6 Manage Access.*** Limit new access points on the major through-roads designated in this Plan.

Entrances planned with this development have been planned incorporating access management guidelines.

***PVF 11.1 Extent Public Water and Sewer Service.*** *The County will provide and manage public water and sewer service for Prices Fork. The County will require that new development connect to these systems and will prohibit new private wells and septic systems. The project will connect to public water and sewer.*

***PVF 11.2 Limit of Public Water and Sewer Expansion.*** *The County will limit water and sewer service to the designated Service Area set forth in this Plan. Providing public utility service only to the designated area will ensure that new development is compatible with the villages historic character, is affordable for the County to serve, and enhances rather than degrades the quality of life for local residents.*

Public water and sewer service are available to the site, and it has been anticipated that those utilities would serve this property.

***PVF 11.3 Treatment Capacity.*** *The County will monitor available treatment capacity. The County will approve rezonings to higher intensity uses only in conjunction with assurances that adequate water and wastewater treatment capacity will be available. Treatment capacity will be expanded in accord with the County's long-range capital improvement plans. Public utility capacity will be planned to accommodate the orderly growth in the area, in accord with the County's overall Comprehensive Plan, rather than to create or "drive" that growth. Proposed projected flow information is included later in this document.*

***PVF 11.5 Underground & Buried Utilities.*** *Require developers to place utilities underground in all new developments.*

New utilities resulting from the redevelopment of this site will be installed underground.

### **Site Development Regulations**

When applicable per the PUD-COM District Standards, site regulations are based on the underlying base district standards of GB General Business.

#### *Parent Parcel Perimeter Setbacks and Yards*

- (a) Buffer yards shall be provided along the exterior property lines as required by the Montgomery County Zoning Ordinance.

#### *Base District Determinations*

- (a) All commercial development shall have a GB base district.

#### *Lot Area, Setbacks, Frontage, Lot Depth, and Area*

- (a) Minimum setbacks are as follows:
  - Front Setback: Fifty (50) feet
  - Side Setback: Forty (40) feet when adjacent lot is residential district; ten (10) feet otherwise
  - Rear Setback: Forty (40) feet when adjacent lot is residential district; ten (10) feet otherwise
- (b) The minimum lot width shall be Seventy-five (75) feet for lots sharing access with another lot, one hundred fifty (150) feet otherwise.
- (c) The minimum lot area shall be Twenty thousand (20,000) square feet for lots sharing access with another lot, one (1) acre otherwise.

- (d) Maximum coverage by buildings shall be seventy (70) percent.
- (e) Maximum floor area ratio by non-residential buildings shall be 0.25.
- \* No structural element can encroach into a public utility easement.

Height

Maximum building height shall be fifty (50) feet.

Accessory Buildings

The minimum setback for accessory buildings, regardless of height, is fifteen feet from any adjoining rear or interior side property line.

- a. Accessory buildings shall not be constructed inside of, or on any portion of, any easement.

Density

The maximum residential density for the overall development shall be 3.00 units per acre.

Miscellaneous Provisions

- (a) Commercial entrances will be designed and constructed in accordance with the Montgomery County Zoning Ordinance and VDOT standards.

**Water & Sewer Service**

The proposed rezoning area is on the north side of Prices Fork Road and east of the existing Sterling Manor subdivision. Currently the site does have public water service located adjacent to the parcel boundaries via a 12” waterline in Prices Fork Road and a 6” waterline that is stubbed out in Oxford Court road in the Sterling Manor subdivision. The 12” waterline is owned and maintained by the NRV Regional Water Authority. The Water Authority prefers not to have any new connections to the 12” waterline so the project will plan to connect into the 6” line in Sterling Manor. Any new main waterlines will be required to be 8” in diameter unless specifically allowed otherwise by the PSA. Fire hydrants may be installed throughout the development as well in accordance with PSA and Emergency Services requirements.

Sanitary sewer extensions will be required for the development as well per the PUD-COM ordinance regulations. The Preserve at Walnut Springs has installed 8” gravity sewer lines and a pump station to service that subdivision. According to discussions with Montgomery County, this new pump station was designed to handle additional upstream future development. There are public utility easements along the proposed lot lines in the Preserve subdivision as well as in Sterling Manor that would allow for public main line extensions. An open space area exists on the Preserve project that would be the ideal sewer connection location, but no easements exist there. The applicant is in discussion with that property owner on procuring an easement through that area. If successful, all sewer would be gravity flow in a publicly dedicated sanitary sewer main. A secondary option would be for the applicant to install a private pump station on the north end of the property and pump via private force main to a public sewer main. This will require additional private sewer easements to be dedicated for the force main.

The applicant will be required to dedicate Public Utility easements centered on all utilities that are designed and installed as public mains per Montgomery County PSA standards.

Based on Virginia Department of Health Standards, an average daily flow is estimated as follows for the full buildout of potential proposed uses as shown on the conceptual master plan and discussed in this application narrative:

Back To Nature - Office: 9,000 square feet & Shop Area: 12,000 square feet

*Design Assumptions and Calculations:*

Water and Sewer usage for office use is 40 gal/day per 1000 sf of floor area = 360 gallons per day

Water and Sewer usage for shop use is 25 gal/day per employee = 1,000 gallons per day

Retail: 22,000 square feet

*Design Assumptions and Calculations:*

Water and Sewer usage for retail use is 40 gal/day per 1000 sf of floor area = 880 gallons per day

Other Office: 25,000 square feet

*Design Assumptions and Calculations:*

Water and Sewer usage for office use is 40 gal/day per 1000 sf of floor area = 1,000 gallons per day

Other Retail: 22,000 square feet

*Design Assumptions and Calculations:*

Water and Sewer usage for office use is 40 gal/day per 1000 sf of floor area = 880 gallons per day

Restaurant: 3,000 square feet

*Design Assumptions and Calculations:*

Water and Sewer usage for restaurant use is 150 gal/day per 1000 sf of floor area = 450 gallons per day

Event Space: 25,000 square feet

*Design Assumptions and Calculations:*

Water and Sewer usage for event space use is 10 gal/day per person max capacity = 5,000 gallons per day

Possible Future Accessory Apartments: 24 bedrooms

*Design Assumptions and Calculations:*

Water and Sewer usage for residential use is 100 gal/day per person = 4,800 gallons per day



**TOTAL ESTIMATED WATER/SEWER USAGE BY PROPOSED DEVELOPMENT = 14,370 gallons per day**

The subject property is identified in the Montgomery County Comprehensive Plan as Village Expansion. The Comprehensive Plan further states that Village Expansion areas are "...natural expansion areas for the Villages that may potentially be served by future public sewer and water extensions. Preliminary boundaries should be set based on utility service areas, physical and natural features that define the "area of interest" and existing zoning." As this area already has water and sewer service available, this development does meet the requirements described in the Comprehensive Plan.

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

**Roads**

The proposed development conceptual plan indicates that there will be two entrance /access points into the development from Prices Fork Road. This main entrance is located directly across Prices Fork Road from Brunswick Drive. The main entrance will be a full access entrance. This entrance will be the primary entrance for customers visiting any of the uses onsite. There is a second entrance proposed approximately 291' east of the main entrance. This entrance is designed as a right in/right out entrance so no left turns in or out will be allowed. It is anticipated that this entrance will be used primarily by Back To Nature employees and those going to the mulch and stone yard. All interior roads, drive aisles and parking areas will be private and will not require any VDOT maintenance. All maintenance of internal drive aisles and parking areas will be the responsibility of the owner/management company. All drive aisles and parking areas will be designed and constructed to Montgomery County zoning standards. This includes dimensions, surfacing requirements and landscaping.

As part of this rezoning application, a turn lane analysis has been performed to study the potential impacts of this new development on the existing road system of Prices Fork Road. Meetings with County staff and VDOT representatives occurred prior to this filing to ensure the parameters of the study were appropriate. As directed, the previously approved traffic analysis for the Westhill project is being used as base line data regarding traffic along Prices Fork Road through the projected 2030 buildout. Below is the trip generation for the proposed project and the recommendations for road improvements necessary to accommodate the new development.

Upon review of the ITE Trip Generation 11<sup>th</sup> Edition manual, the project is expected to generate the following additional vehicle trips.

### TRIP GENERATION

Use	ITE Code	SF/Units	Daily	AM In	AM Out	AM Hour	PM In	PM Out	PM Hour
Specialty Trade Contractor	180	21,000 sf	206	30	5	35	13	28	41
Farmers Market (Specialty Retail)	858	1 acre	N/A	87	88	175	86	94	180
Arts & Crafts Store (Small Retail)	879	22,000 sf	1,244	50	52	102	77	74	151
Event Space	N/A	375 guests	112	0	0	0	112	0	112
General Office Building	910	25,000 sf	271	33	5	38	6	30	36
Fast Casual Restaurant	930	3,000 sf	291	2	2	4	21	17	38
Low Rise Residential with Ground Floor Commercial	230	12 Units	41	1	4	5	3	1	4
TOTAL External Trips			2,165	203	156	359	134	244	562

Based on VDOT's Access Management Design Standards for Entrances and Intersections and traffic capacity analysis, the following improvements are expected to accommodate the projected 2030 traffic conditions with the proposed development fully built out:

Prices Fork Road and Full Site Access:

- Construct a right turn lane and taper.
- Construct a left turn lane and taper.
- 

Prices Fork Road and Partial Site Access:

- Construct a right turn taper

Due to the existing volumes of eastbound and westbound traffic on Prices Fork Road during the AM and PM peak hours, generally any development that produces AM or PM turning movements will require some size left turn lane. These proposed road improvements will effectively manage the increased traffic generated by the development as well as provide for safe movement for all vehicles along Prices Fork Road. As noted, this takes into consideration the road improvements already proposed or constructed along Prices Fork Road for the Preserve at Walnut Springs, Northstar Church and Westhill.

Additional coordination with VDOT during the rezoning process and during site plan review will be required to determine final sizing of the turn lanes and tapers based on total trip generation from the final proposed uses and project phasing.

### **Water Quality & Stormwater Management Standards**

The overall property currently drains naturally south to north to one low point at the northwestern corner of the site. Surface runoff collects in a small tributary that drains through Sterling Manor, into the Hoge Pond and then eventually drains to Toms Creek. Toms Creek continues west until it converges with the New River.

Stormwater conveyance within the project site itself will be a combination of drop inlets, storm sewer and ditches. As there will be no public roads within the project, all stormwater conveyance systems will be privately maintained. Open space area has been sited at the northern end of the property to allow for a stormwater management facility to be constructed upon the development of the project. This facility will be designed and permitted through Montgomery County and the Department of Environmental Quality during the site plan stage. As development occurs and impervious areas increase on the project site, stormwater management will be required to control the increased water flows as they move offsite to downstream areas. These stormwater management facilities would be sized to accommodate the additional stormwater runoff created by the increased impervious areas of the development and designed to reduce the amount of post development runoff. It is anticipated that water quality requirements for the project may be achieved through a variety of possible design options such as retention, bio-retention conserved open space, and the purchase of nutrient credits. Using stormwater for irrigation purposes may also be a strategy utilized to water agricultural crops grown onsite.

The proposed stormwater management areas will conform to all applicable Department of Environmental Quality regulations dealing with stormwater quantity and quality. At a minimum, the 2-Year and 10-Year post-development runoff rates will be less than or equal to the 2-Year and 10-Year pre-development runoff rates, and all current channel and flood protection requirements set by the Virginia Stormwater Management Program will be met. Downstream adequacy will also be addressed with the overall stormwater management plan to ensure areas downstream of the project site do not see increased flooding or erosion. In addition, the minimum standards listed in Virginia Administrative Code Section 9VAC25-840-40 will be met, where applicable, during construction. With these design measures in place, there should be no negative impact on the groundwater supply for any adjacent well users.

### **Project Development and Timing**

The development of the project is planned to be constructed in phases. The first phase would include the Back to Nature office building, associated parking, the mulch/stone yard area and likely some of the pick your own area. It is also planned that the specialty retail component will begin within the first phase building until demand requires the

construction of Phase II. It is planned that an overall mass grading plan will be provided in the first set of construction documents so that the entire site can be graded at one time. This will ensure that all roads, sanitary sewer and stormwater management facilities are planned accordingly for the entire development. The second phase will include the retail and event space building and the additional parking areas shown on the masterplan. The timing of Phase II will be dependent upon the success and growth of the specialty retail component included in Phase I.

### **Open Spaces / Amenities**

The PUD-COM zoning district requires that a project reserve a minimum of 15% of the net area of the non-residential portions of the development, including all required landscape and buffer areas, shall be permanently reserved as common open space. Based on the project size, it would be required to reserve approximately 3.0 acres for open space. The masterplan as currently shown has over 3 acres of open space in just the front portion of the project site. The remaining area north of the buildings shown is primarily planned for agricultural uses such as picking your own vegetables and fruits, which will only add to the open space. In the future, if some of those areas further develop, the project will still provide well more than the required 3.0 acres. As discussed earlier in this text, there may be a small percentage of live/work apartment units on the second floor of the Phase I building. If residential units are included in the final development, a percentage of the open space provided must be considered active recreation area as required in the PUD-RES/PUD-COM standards. This percentage and location will be determined with the Planning Department at the time of site plan preparation & approval. The courtyard area alone as shown on the masterplan is over an acre in size and would have amenities for retail customers that would be accessible for residents as well, thus meeting the minimum 20,000 square foot of active area requirement.

### **Landscaping/Buffering**

Landscaping will be provided as specified in the Montgomery County Zoning Ordinance based on the land use buffer matrix. Based on the varied future uses of the property, there could be several different Land Use Group classifications. However, to design conservatively, the front yard adjacent to Prices Fork Road and side yards adjacent to residential uses have been shown as 20' buffer yards indicating a Type 4 buffer. The Type 4 front buffer proposed is 3 Canopy Trees, 4 Understory Trees, and 10 Shrubs per 100 linear feet along the property boundary. The Type 4 side buffer proposed is 2 Canopy Trees, 3 Understory Trees, 25 Shrubs and 4 Evergreen Trees per 100 linear feet along the property boundary. There is also planned to be additional landscaping throughout the project.

### **Property Maintenance**

The developer/owner or his assigned property management company will be responsible for the maintenance of the proposed open space, drive aisles and parking areas, required landscaping, any required lawn areas, and stormwater management areas. If any private

water or sewer infrastructure is proposed, those would also be the responsibility of the owner. These areas will be under the development's ownership and will be maintained at no cost to the general taxpayer.

### **Trash & Recycling**

Commercial uses on the property will have dumpsters located onsite for trash and recycling as determined by the owner. All dumpster locations shall be screened as required by County ordinances. Trash will be collected by a private collection company contracted by the owner or property management company.

### **Site Lighting**

Site lighting will be provided as specified in the Montgomery County Zoning Ordinance.

### **Signage**

The developer reserves the right to construct project identification signs at locations to be determined during the final construction plan development and approval process. Any proposed signage will be permitted separately, and the designs and sizes will meet the signage requirements as stated within the Montgomery County zoning ordinance.

### **Public School Impacts**

As the project will be primarily commercial in nature, no public-school impacts are anticipated. Should any apartment units be constructed on the project with an approved SUP as described in this application, the minimal number of living units should not negatively impact the public school system.

# APPENDIX A

## ARCHITECTURAL EXAMPLES of BUILDING STYLES & OUTDOOR SPACES



















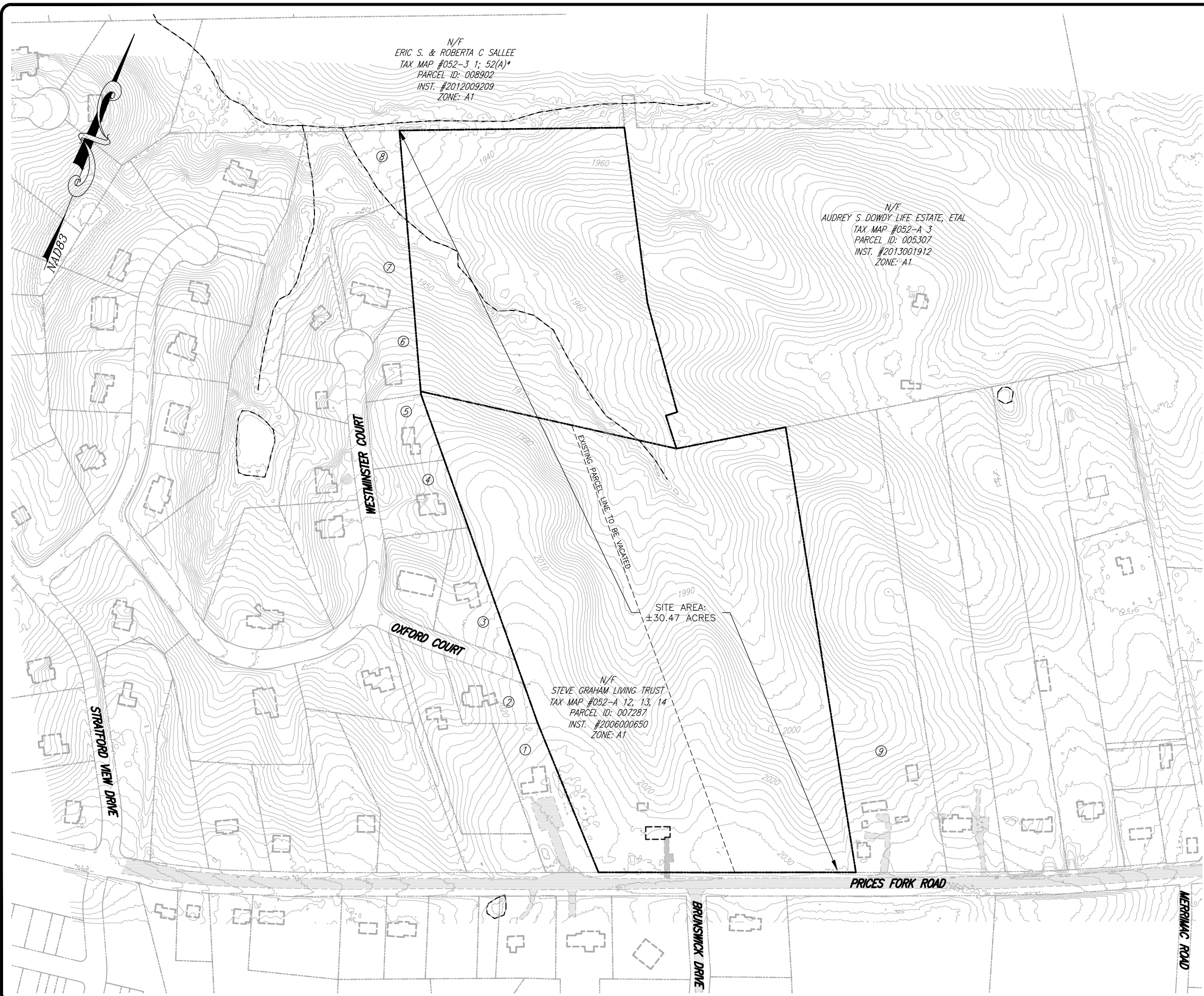








APPENDIX B  
ZONING DRAWINGS

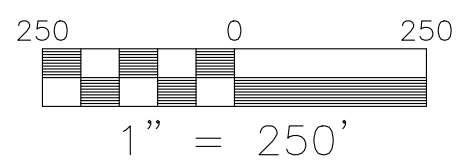


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TAX MAP #052-3 1; 52(A)\*  
PARCEL ID: 008902  
INST. #2012009209  
ZONE: A1

N/F  
AUDREY S. DOWDY LIFE ESTATE, ETAL  
TAX MAP #052-A 3  
PARCEL ID: 005307  
INST. #2013001912  
ZONE: A1

N/F  
STEVE GRAHAM LIVING TRUST  
TAX MAP #052-A 12, 13, 14  
PARCEL ID: 007287  
INST. #2006000650  
ZONE: A1

- ① N/F  
ANCIENT FREE & ACCEPTED,  
MASON'S OF VA HNTRS LDG #156  
TAX MAP #052-A 15  
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INST. #2007012782  
ZONE: A1
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JEFFREY R. & JANET A. WILCKE  
TAX MAP #052-12 52  
PARCEL ID: 140435  
INST. #2021009844  
ZONE: R1
- ③ N/F  
SWARTZ FAMILY TRUST  
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PARCEL ID: 140431  
INST. #2024001080  
ZONE: R1
- ④ N/F  
JEFFREY T. & JAMIE M. ZOELLNER  
TAX MAP #052-12 46  
PARCEL ID: 140429  
INST. #2010000965  
ZONE: R1
- ⑤ N/F  
ERIC SCOTT & AMY LEIGH PLUMMER  
TAX MAP #052-12 45  
PARCEL ID: 140428  
INST. #2021009154  
ZONE: R1
- ⑥ N/F  
SUZANNE R GRIFFIN TRUST  
TAX MAP #052-12 44  
PARCEL ID: 140427  
INST. #2023001553  
ZONE: R1
- ⑦ N/F  
STEPHEN B & MARLENA K PRESTON  
TAX MAP #052-12 43  
PARCEL ID: 140426  
INST. #2007007514  
ZONE: R1
- ⑧ N/F  
STERLING MANOR LLC  
TAX MAP #052-12 A  
PARCEL ID: 140436  
D.B. 27 PG. 0179  
ZONE: R1
- ⑨ N/F  
PAUL & JUDY RUDSILL  
TAX MAP #052-A 11  
PARCEL ID: 016423  
INST. #2015004135  
ZONE: A1



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**3720 PRICES FORK ROAD**  
**EXISTING CONDITIONS**

PRICES FORK MAGISTERIAL DISTRICT  
MONGOMERY COUNTY, VIRGINIA

DRAWN BY AWC  
CHECKED BY SMS  
DATE 6/3/2024  
SCALE 1" = 250'  
REVISIONS

**Z1**

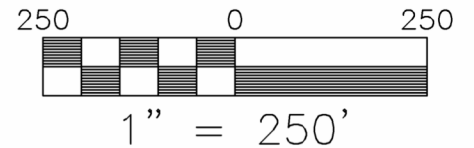


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PARCEL ID: 005307  
INST. #2013001912  
ZONE: A1

N/F  
STEVE GRAHAM LIVING TRUST  
TAX MAP #052-A 12, 13, 14  
PARCEL ID: 007287  
INST. #2006000650  
ZONE: A1

- ① N/F  
ANCIENT FREE & ACCEPTED,  
MASON OF VA HNTRS LDG #156  
TAX MAP #052-A 15  
PARCEL ID: 000558  
INST. #2007012782  
ZONE: A1
- ② N/F  
JEFFREY R. & JANET A. WILCKE  
TAX MAP #052-12 52  
PARCEL ID: 140435  
INST. #2021009844  
ZONE: R1
- ③ N/F  
SWARTZ FAMILY TRUST  
TAX MAP #052-12 48  
PARCEL ID: 140431  
INST. #2024001080  
ZONE: R1
- ④ N/F  
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TAX MAP #052-12 46  
PARCEL ID: 140429  
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ZONE: R1
- ⑤ N/F  
ERIC SCOTT & AMY LEIGH PLUMMER  
TAX MAP #052-12 45  
PARCEL ID: 140428  
INST. #2021009154  
ZONE: R1
- ⑥ N/F  
SUZANNE R. GRIFFIN TRUST  
TAX MAP #052-12 44  
PARCEL ID: 140427  
INST. #2023001553  
ZONE: R1
- ⑦ N/F  
STEPHEN B. & MARLENA K. PRESTON  
TAX MAP #052-12 43  
PARCEL ID: 140426  
INST. #2007007514  
ZONE: R1
- ⑧ N/F  
STERLING MANOR LLC  
TAX MAP #052-12 A  
PARCEL ID: 140436  
D.B. 27 PG. 0179  
ZONE: R1
- ⑨ N/F  
PAUL & JUDY RUDSILL  
TAX MAP #052-A 11  
PARCEL ID: 016423  
INST. #2015004135  
ZONE: A1



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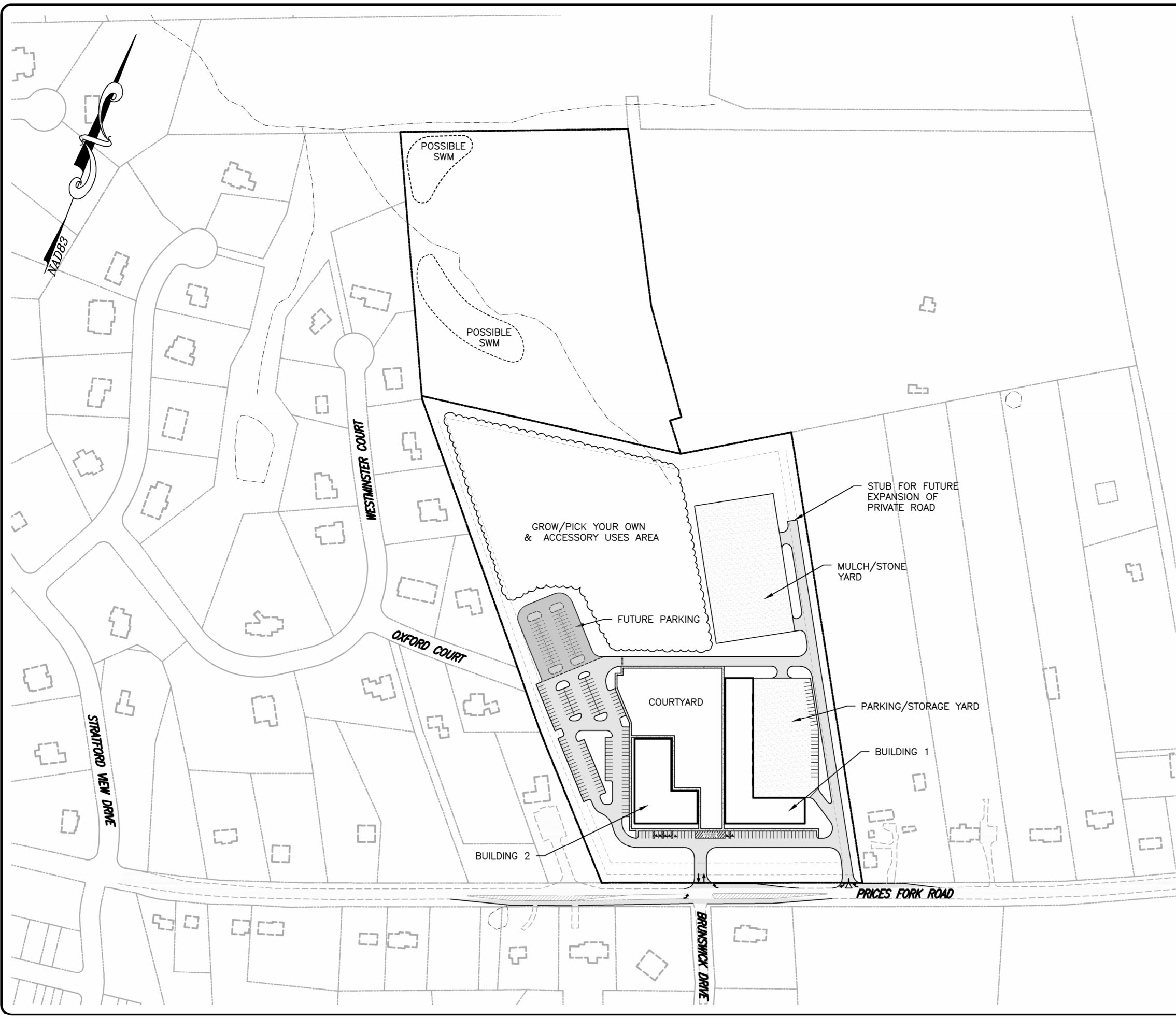
**3720 PRICES FORK ROAD**

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MONTGOMERY COUNTY, VIRGINIA

DRAWN BY AWC  
CHECKED BY SMS  
DATE 6/3/2024  
SCALE 1" = 250'  
REVISIONS

**Z2**



**SITE INFORMATION**

TOTAL SITE AREA: 30.47 ACRES  
 AREA TO BE REZONED: 20.7 ACRES  
 EXISTING ZONING: A-1 AGRICULTURAL  
 PROPOSED ZONING: PUD-COM  
 BASE DISTRICT STANDARDS: GB  
 PROPOSED PARKING: 198 SPACES  
 SETBACKS  
 FRONT: 50'  
 SIDE: 40'  
 REAR: 40'



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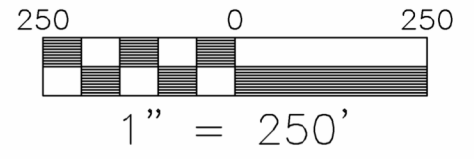
80 College Street  
 Suite H  
 Christiansburg, VA 24073  
 540.381.4290

**3720 PRICES FORK ROAD**

**OVERALL MASTER PLAN**

PRICES FORK MAGISTERIAL DISTRICT  
 MONTGOMERY COUNTY, VIRGINIA

DRAWN BY: AWC  
 CHECKED BY: SMS  
 DATE: 6/3/2024  
 SCALE: 1" = 250'  
 REVISIONS:



**Z3**



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 ENGINEERS / SURVEYORS

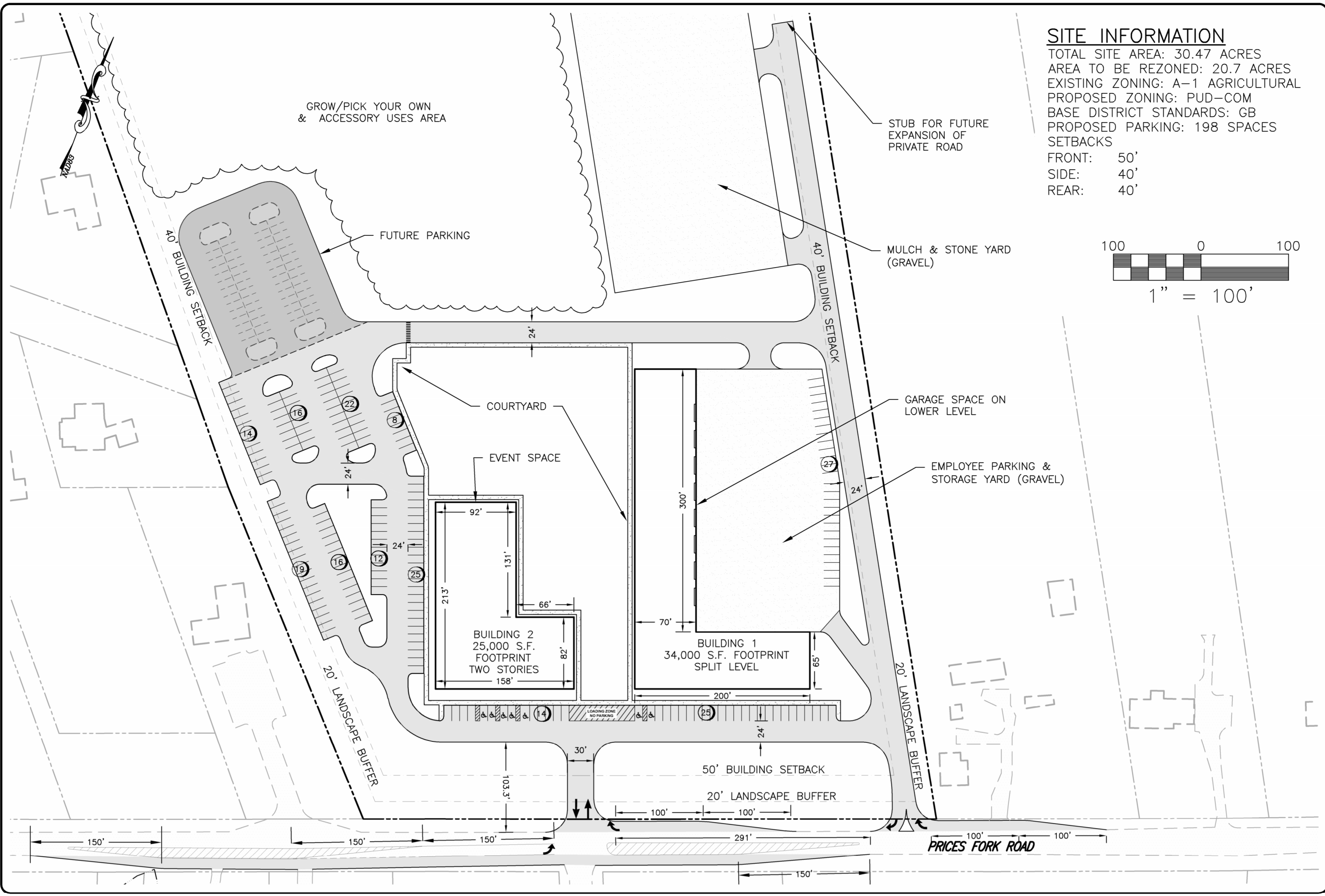
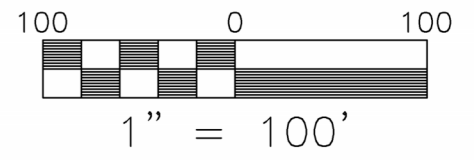
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80 College Street  
 Suite H  
 Christiansburg, VA 24073  
 540.381.4290

**SITE INFORMATION**

TOTAL SITE AREA: 30.47 ACRES  
 AREA TO BE REZONED: 20.7 ACRES  
 EXISTING ZONING: A-1 AGRICULTURAL  
 PROPOSED ZONING: PUD-COM  
 BASE DISTRICT STANDARDS: GB  
 PROPOSED PARKING: 198 SPACES  
 SETBACKS  
 FRONT: 50'  
 SIDE: 40'  
 REAR: 40'



**3720 PRICES FORK ROAD**

**MASTER PLAN**

PRICES FORK MAGISTERIAL DISTRICT  
 MONTGOMERY COUNTY, VIRGINIA

DRAWN BY: AWC  
 CHECKED BY: SMS  
 DATE: 6/3/2024  
 SCALE: 1" = 100'  
 REVISIONS:

**Z4**

PROJECT NO: 24240012.00