

MONTGOMERY COUNTY PLANNING COMMISSION
July 15, 2020 7:00PM
Board Room, Government Center
755 Roanoke Street, Christiansburg, VA

I. CALL TO ORDER

II. DETERMINATION OF A QUORUM

III. APPROVAL OF AGENDA

IV. APPROVAL OF CONSENT AGENDA

- a. June 17, 2020 Meeting Minutes

V. PUBLIC HEARING

- a. A request by **Jerry L. and Vickie L. Akers** (Agent: Brushy Mountain Engineering) to rezone a total of 1.317 acres from Agricultural (A1) to Manufacturing Light (ML) to allow a Flex Industrial Use (Machine Shop) with proffered conditions. The property is located **10001 Roanoke Road**, Elliston; identified as Tax Map 060-A-9 (Parcel ID: 007525) in the Shawsville Magisterial District. The property currently lies in an area designated as Village Expansion in the 2025 Montgomery County Comprehensive Plan and further designated as Mixed Use in the Elliston-Lafayette Village Plan.
- b. A request by **Jason and Indra McGrady** (Agent: Balzer and Associates, Inc) to rezone a 3.358 acre portion of a 5.295 acre parcel from Agricultural (A1) to Community Business (CB) to allow for the construction of a contractor service establishment. The property is located at **421 Jennelle Road, Blacksburg**; identified as Tax Map 067-10-2 (Parcel ID: 025143) in the Shawsville Magisterial District. The property currently lies in an area designated as Urban Expansion in the Montgomery County 2025 Comprehensive Plan.

AND

A request by **Jason and Indra McGrady** (Agent: Balzer and Associates, Inc) for a Special Use Permit to allow the construction of a contractor service establishment on the same parcel.

VI. PUBLIC ADDRESS *(during this time the public can address the Commission on any issue other than the public hearing items)*

VII. OLD BUSINESS

VIII. NEW BUSINESS

- a. **Comprehensive Plan Preparation** (no attachment)

IX. LIAISON REPORTS

- Board of Supervisors – Sara Bohn
- Public Service Authority – Sara Bohn
- Blacksburg Planning Commission – Coy Allen
- Christiansburg Planning Commission
- Radford Planning Commission
- Tourism Council – Bob Miller
- Parks and Recreation – Adam Workman
- Planning Director’s Report – Emily Gibson

X. ADJOURNMENT

UPCOMING MEETING DATES:

August 12, 2020	Meeting	7:00 PM
August 19, 2020	Meeting (<i>tentative</i>)	7:00 PM
September 9, 2020	Meeting/Public Hearing	7:00 PM
September 16, 2020	Meeting/Public Hearing	7:00 PM

AT A MEETING OF THE MONTGOMERY COUNTY PLANNING COMMISSION ON JUNE 17, 2020 AT THE COUNTY GOVERNMENT CENTER, CHRISTIANSBURG, VIRGINIA:

CALL TO ORDER

Chair Foster called the meeting to order at 7:00 pm in the Multipurpose Room on the first floor of the Government Center due to a power outage.

DETERMINATION OF A QUORUM

Mr. Workman called the roll to determine a quorum.

Present: Bill Foster, Chair
Trey Wolz, Vice-Chair
Adam Workman, Secretary
Coy Allen
Will Bulloss
Bryan Katz
Robert Miller
Bryan Rice
Sara Bohn, Board of Supervisors Liaison

Absent: Scott Kroll

Staff: Emily Gibson, Director of Planning & GIS Services
Brea Hopkins, Development Planner
Justin Sanders, Development Planner

PRESENTATION OF RESOLUTION OF APPRECIATION

Chair Foster asked Mr. Workman to share a resolution that had been prepared by the members of the Planning Commission. The resolution read as follows:

The Montgomery County, Virginia Planning Commission, in the execution of its planning, zoning and land-use responsibilities, relies upon a close professional working relationship with the County's Planning & GIS Department staff. It is appropriate at this moment to acknowledge the laudable efforts of the Planning & GIS Department employees.

Whereas, Executive Order #51, dated March 12, 2020, declared a State of Emergency in the Commonwealth of Virginia in response to the Covid-19 virus; and,

Whereas, response to Executive Order #51 necessitated the closure of County facilities to employees, thus requiring Planning & GIS Department employees, and indeed all County employees, to find alternative in-home work and communications capabilities; and,

Whereas, the ongoing volume of work has been handled primarily from employee residences for the last three months in order to comply with the limitations of inaccessible facilities and physical distancing; and,

Whereas, the employees of Montgomery County's Planning & GIS Department continued to surmount the challenges they encountered in order to capably accommodate the public need for said services; now therefore,

Be It Resolved, that the Montgomery County, Virginia Planning Commission does herewith offer its sincere appreciation for the commendable work ethic, resilience, and professionalism displayed by the employees of the Planning & GIS Department on behalf of the citizens of Montgomery County, Virginia.

On a motion by Mr. Workman, and seconded by Mr. Miller, the Planning Commission unanimously approved the resolution as presented.

APPROVAL OF AGENDA

On a motion by Mr. Katz, and seconded by Mr. Workman, the Planning Commission unanimously approved the agenda as presented.

APPROVAL OF CONSENT AGENDA

February 12, 2020 Planning Commission Meeting Minutes

On a motion by Mr. Miller, and seconded by Mr. Katz, the Planning Commission unanimously approved the consent agenda as presented.

Abstained: Will Bulloss

PUBLIC HEARINGS

- A. A request by **Oak Forest MHC, LLC.** (Agent: Gay and Neel, Inc.) to rezone a total of 8.013 acres from Agricultural (A1) to Planned Mobile Home Residential Park (PMR) to allow for the addition of twenty-three (23) mobile homes to the existing Oak Forest Mobile Home Park. The property is located **1070 Hightop Road, Blacksburg**; identified as Tax Map 066-A-99 (Parcel ID: 004860) in the Prices Fork Magisterial District. The property currently lies in an area designated as Urban Expansion in the Comprehensive Plan with no defined density; however, is stated to accommodate a full range of residential unit types and densities.

A request by **Oak Forest MHC, LLC.** (Agent: Gay and Neel, Inc.) for amendment of an existing Special Use Permit (SUP) approved in 2004 and last amended on June 14, 2010 to update the *Oak Forest Mobile Home Park Conceptual Plan* and allow for the addition of twenty-three (23) mobile homes to the existing Oak Forest Mobile Home Park. The property is located at 511 Payne Drive and 1070 Hightop Road and identified as Tax Parcels 066-A-98 and 066-A-99; (Parcel IDs: 016259 and 004860) in the Prices Fork Magisterial District. The property currently lies in an area designated as Urban Expansion in the Comprehensive Plan with no defined density; however, is stated to accommodate a full range of residential unit types and densities.

Ms. Hopkins presented the application and indicated that Mr. John Neel, agent, was present to answer any questions the Commission may have after staff's presentation.

Ms. Hopkins provided an overview of the application, which proposes rezoning of 6.79 acres to Planned Mobile Home Residential to allow for the addition of 20 additional manufactured homes to the Oak Forest Mobile Home Park. Ms. Hopkins also shared the request for a Special Use Permit, amending the existing Master Plan for the Oak Forest Mobile Home Park.

Ms. Hopkins provided the Commission with background information on the original 1984 rezoning, Special Use Permit, and master plan. The existing Special Use Permit has been amended five times, with the latest amendment in 2010. Ms. Hopkins noted that several amenities had been added to the

property since the 2010 SUP amendment and the park had been updated to current 911 addressing standards, including the naming of internal streets.

Ms. Hopkins provided an overview of the proposed lot configuration for the new 20 manufactured homes, noting proposed open space, installation of a new private street, and existing landscaping/tree cover that might be used to meet buffer requirements.

Ms. Hopkins reviewed VDOT comments which indicated that no entrance upgrades would be required and that no negative impacts were foreseen on existing traffic patterns and volume. Ms. Hopkins stated that the project may add approximately 12 students to the school system, and that no comments were received from Montgomery County Public Schools.

Ms. Hopkins noted that the property does not lie within a FEMA designated flood zone. A full review of erosion and sediment control measures and stormwater requirements would be provided at site plan submission. Ms. Hopkins also noted that a fire hydrant would be installed as part of the project.

The Comprehensive Plan designates the site as "Urban Expansion" with no defined density. The Comprehensive Plan designation does accommodate a variety of residential types and densities. Ms. Hopkins stated that the proposed rezoning appears consistent with the Comprehensive Plan and qualified for consideration for rezoning.

Ms. Hopkins then outlined the staff analysis of the existing Special Use Permit. She noted that staff suggests the removal of the following conditions:

3. Final development plans shall be approved by the zoning administrator prior to the issuance of building permits. Rationale: Site plans and zoning permits are required by Montgomery County Code.

4. & 5. Related to bus shelter construction. Rationale: Bus shelter is constructed

8. Related to drainage improvements and easements required. Rationale: This project has been completed.

9. Restoration of existing detention pond. Rationale: This project has been completed.

Ms. Hopkins noted that staff has suggested modifications to remaining conditions clarifying maintenance requirements and to updating the master plan references. In addition, she commented that staff recommends a condition to clarify the maintenance requirements of the private streets.

Ms. Hopkins stated that staff had received a letter from an adjacent property owner concerning the property which was distributed to the Commission for review.

Chair Foster then asked the Commission if there were any questions for staff.

Mr. Bulloss asked if any new trails or amenities were proposed as part of the application. Ms. Hopkins stated that no new amenities were to be added as part of the proposal the open space area would be passive recreation.

Mr. Katz asked Ms. Hopkins to indicate the location of the adjacent property referenced in the letter provided to the Commission.

Mr. John Neel, Applicant Representative and Project Engineer, referenced handouts provided to the Commission concerning the updates made to the park over the past few years. He highlighted the amenities added by the owners, the updates to the parks septic/sewer system, and the update of street names and 911 addresses. Mr. Neel also referenced information provided by the New River Valley Regional Commission regarding the need for increased affordable housing near Blacksburg and other commercial centers in Montgomery County. Mr. Neel expressed that he felt the proposed expansion would address the needs outlined in the NRVRC report.

Chair Foster then asked the Commission if there were any questions for the applicant.

Mr. Bulloss asked if any consideration had been given to connecting the expansion to existing roads within the park, noting that first responders often have difficulty navigating the private roads throughout the park because they often have to use reverse. Mr. Neel noted that these connections were not feasible due to the topographic conditions.

Mr. Allen asked for clarification on the proposed Type 3 buffer along the adjoining property line. Mr. Neel noted that the area near this property line was wooded, and that existing tree cover would be used along with new landscaping to meet the buffer requirements.

Seeing no additional questions for Mr. Neel, Chair Foster opened the public hearing at 7:32 pm.

Mr. Gary Walker, identified himself as the owner of 1074 High Top Road stated that "he had purchased the home due to the agricultural nature of the property. You currently see the open space and the trees, not the mobile homes. I am concerned about property values and traffic. High Top Road traffic is already dangerous. I am also concerned about water runoff. The previous owner had alpacas, this would change the whole nature of the property. With 20 units being placed on the property, I don't feel that this buffer would provide enough privacy."

Ms. Gibson noted that no other individuals had signed up to speak during the public hearing.

Seeing no additional speakers, Chair Foster closed the public hearing at 7:35 pm.

Mr. Katz expressed a reservation about the time needed for buffer plants to grow to provide the privacy and screening intended and asked if considerations could be made in plant selection to alleviate the amount of time needed for the plants to grow. Mr. Neel stated that evergreens could be considered.

Ms. Gibson noted that the Commission could consider adding a condition to the Special Use Permit for the planting of evergreens of a certain height and/or spacing as part of the buffer requirement.

Chair Foster asked about the specifics of a Type 3 Buffer and those of a Type 4 Buffer. He also asked if a power line easement would preclude the planting of certain vegetation.

Ms. Hopkins outlined the requirements set forth in the ordinance regarding the Type 3 and Type 4 buffer yards.

Mr. Neel expressed a willingness to substitute evergreens in the Type 3 Buffer to address the concerns expressed.

Mr. Allen asked for clarification on whether the existing wooded area would be counted toward meeting the buffer requirements. Ms. Hopkins noted that the existing woods would be allowed as part of the buffer yard, but additional landscaping would be added.

Mr. Bulloss stated that while the addition of affordable housing meets the intent of the Comprehensive Plan, he questions the inclusion of Section HSG 1.2. Mr. Bulloss questioned whether the Planning Commission should be encouraging more mobile home parks in Montgomery County.

Mr. Rice commented that the need for more affordable housing exists in Montgomery County. He stated that the proposal meets the goals outlined in the Comprehensive Plan. Mr. Rice also commented on Mr. Bulloss's statement saying that it would be difficult under current regulations to construct a new mobile home park and expressed that he felt that it was reasonable to expand an existing park under the Comprehensive Plan.

Mr. Wolz stated that he felt that the proposal does meet the intent of the Comprehensive Plan. He also noted that he felt the buffer could be changed to accommodate the concerns of the adjacent property owner.

Mr. Allen stated that he felt that the proposal meets the intent of the Comprehensive Plan. He noted that he felt that the buffer should be maximized as much as possible, making it wider and more dense to address the privacy and visual impacts noted by the adjacent property owner.

Mr. Katz expressed concern of the plantings selected for the buffer yard being placed too close together, stating that overcrowding could hamper the plant's growth and effectiveness as a screen.

Ms. Gibson stated that the Commission could recommend an evergreen screen in lieu of the standard buffer as a means to address the concerns raised from canopy trees shading out others.

Chair Foster asked if the developer could plant outside the property boundaries to provide additional screening for the adjacent property owner.

Ms. Gibson stated that the developer and the adjacent property owners could agree to plant additional plantings on the adjacent property. She noted that such an agreement would be conducted outside of the scope of the proposal, and not considered by Planning Commission or the Board of Supervisors as part of the application process.

Mr. Bulloss asked about the network of trails on the site whether residents utilized them to access certain areas of the park. Mr. Neel stated that he did not have enough information to answer the question.

On a motion made by Mr. Katz, seconded by Mr. Wolz and carried by a 7-1 vote (Bulloss opposed), the Planning Commission recommended approval of the proposed rezoning request to rezone a total of 8.013 acres from Agricultural (A1) to Planned Mobile Home Residential Park (PMR) to allow for the addition of twenty (20) mobile homes to the existing Oak Forest Mobile Home Park.

In the same motion made by Mr. Katz, seconded by Mr. Wolz and carried by a 7-1 vote (Bulloss opposed), the Planning Commission further recommended approval of the Special Use Permit, with the following conditions recommended by staff:

1. The previous Special Use Permit (SUP) approved June 14, 2010 is hereby repealed and replaced with this SUP.
2. This SUP authorizes the build-out (expansion) of Oak Forest Mobile Home Park to a maximum of 234 units (an increase of up to 20 additional units above the previous SUP) and construction will be in general conformance with the Conceptual Plan Titled "Oak Forest Addition Overall Master Plan" prepared by Gay and Neel, Inc. dated 02-21-2020, last revised.

3. The amenities as shown on the plan shall be maintained by the developer. These amenities include recreation amenities, trails, bus shelter, cross-walks, and off-street parking as shown on the plan.
4. Private streets shall be maintained in good condition by the owner/developer and shall be easily accessible by emergency personnel.
5. Final development plans shall include specific fire hydrant locations installed throughout the park so that no mobile home is more than 500 feet by road from a hydrant, subject to engineering constraints. Fire protection shall be installed prior to the rental of any mobile homes over 186 units. All necessary fees for maintaining the hydrants shall be paid by property owner to Montgomery County PSA.

And the addition of the following condition:

6. Evergreen trees shall be installed as screening along any unwooded portion of the southern property line of Parcel ID 004860. Trees shall be a minimum of 6 feet in height at planting and placement of trees shall be designed to maximize screening from adjoining properties.
- B. An ordinance amending Chapter 10 entitled Zoning of the Code of the County of Montgomery, Virginia by adding **travel center** as a use permissible by special use permit in section 10-28(4), General Business, Section 10-30(4), M-1 Manufacturing and Section 10-31(4), M-L Manufacturing Light and by adding travel center as a defined use under section 10-61 definitions.

Ms. Hopkins came forward to present the proposed amendments to Chapter 10 of County Code concerning travel centers. Ms. Hopkins outlined the rationale behind the proposed amendments, stating that currently these types of facilities are not defined within the Zoning Ordinance and no comparable uses existed in the current Code. She noted that a potential applicant had come forward with a desire to locate a modern travel center within Montgomery County. Ms. Hopkins noted that for previous travel centers/truck stops, staff had worked to piece together various uses and regulations throughout the Zoning Ordinance to respond to applicants' projects. She stated that the new amendments would better allow for the development of a modern travel center that caters to trucks and the motoring public with a mix of needs.

Ms. Hopkins outlined the proposed definition for a travel center as *land area and buildings containing long-term parking (rest) area, motor-fuel sales, charging station, restaurant, convenience store, and other travel related services. A travel center shall be located within one-half (1/2) mile distance of interstate highway exit or major arterial routes. Also known as "Truck Stop"*. Ms. Hopkins then noted that the greater one-half (1/2) mile distance was advertised, so that the Commission could consider either the one-half (1/2) or shorter one-quarter (1/4) mile distance in their discussions.

Ms. Hopkins then provided graphics to the Commission showing the one-half (1/2) and one-quarter (1/4) mile distance radiuses superimposed on aerials from Exit 109 and Exit 128 on Interstate 81. Ms. Hopkins shared that Exit 105 would not support a proposed travel center because of the zoning district and Comprehensive Plan.

Ms. Gibson noted that staff recommends the one-quarter (1/4) mile distance.

Ms. Hopkins then outlined the proposed additions of travel center as use permitted by Special Use Permit to the General Business (GB), Manufacturing (M1), and Manufacturing-Light (ML) zoning districts.

Chair Foster then asked the Commission if there were any questions for staff on the proposed amendments.

Mr. Miller asked which point was used as the center of the radius at Exit 109. Ms. Gibson responded that the center points were the locations where the exit ramps meet the local road.

Mr. Miller stated his concern that travel centers at Exit 109 could impact the small and large farms in that area. Ms. Gibson stated that the properties surrounding Exit 109 are contained within the designated Urban Development Area. She noted that the current Comprehensive Plan would support upzoning those parcels for future development even though they are currently fields.

Mr. Miller referenced 177 shared revenue agreement and asked if these changes would be supported by that agreement. Staff confirmed the agreement was related to water availability and development would need to be in compliance with that overlay district.

Mr. Bulloss asked why staff had recommended the one-quarter (1/4) mile distance. Ms. Gibson responded that staff felt the one-quarter (1/4) mile distance encompassed a large enough area to support the uses near the exit. She also noted the consistency with staff's recommendation for a one-quarter (1/4) mile distance for high rise signage from interstate exits.

Mr. Katz expressed concern over the inclusion of major arterial routes in the proposed definition. He stated that the inclusion of a major arterial route as a possible location for a travel center would provide a different set of circumstances than a center located off an interstate exit.

Mr. Bulloss asked if that "major arterial" meant a travel center could go on US 11 or US 460. Ms. Gibson stated that US 11 and US 460 were originally included.

Planning Commissioners discussed the distances and concluded the one-quarter (1/4) mile distance would be appropriate and could be revisited in the future if necessary.

Mr. Rice commented that his concern centered on the location of travel centers in curves or along smaller roads. Ms. Gibson noted that road geometry would be a major factor in the location of travel centers and that main roads would be necessary to accommodate the required access requirements for travel centers.

Seeing no further questions from the Commission for staff, Chair Foster opened the public hearing at 8:13 pm.

Mr. Steve Semones, of 1335 Cambria Street, Christiansburg, came forward to address the Commission stating that he "has a client who is interested in working with Balzer and Associates to bring a travel center to Montgomery County." Mr. Semones continued that he "has had conversations with the client concerning the distance from the interstate exit and we are supportive of staff's recommendation of one-quarter (1/4) mile."

Ms. Gibson noted that no other individuals had signed up to speak during the public hearing.

Chair Foster closed the public hearing at 8:14 pm.

On a motion made by Mr. Katz, seconded by Mr. Allen, the Planning Commission unanimously recommended approval of an ordinance amending Chapter 10 entitled Zoning of the Code of the County of Montgomery, Virginia by adding travel center as a use permissible by special use permit in section 10-28(4), General Business, Section 10-30(4), M-1 Manufacturing and Section 10-31(4), M-L

Manufacturing Light and by adding travel center as a defined use, with the one-quarter (1/4) mile distance recommended by staff, under section 10-61 definitions.

- C. An ordinance amending Chapter 10 entitled Zoning of the Code of the County of Montgomery, Virginia by amending section 10-45 **sign regulations** by adding a definition for high rise sign to be a free standing sign up to forty feet (40') that may be located in Community Business (CB), General Business (GB), Planned Unit Development Commercial (PUD-COM), Manufacturing (M1), Manufacturing Light (ML) and Planned Industrial Districts under certain requirements on certain qualifying land in order to obtain sign visibility from an interstate highway and by allowing the high rise sign to exceed forty feet (40') under certain circumstances by grant of a special use permit.

Ms. Gibson came forward to present the proposed amendments to Chapter 10 of County Code concerning sign regulations. Ms. Gibson outlined the rationale for the proposed amendments to the sign regulations and noted that when the sign ordinance was updated, the decision was made to revisit specific issues brought up during the process at a later time. She noted that the amendments are proposed to address issues with limited signage for properties near the Interstate 81 interchanges which are zoned for development (or are designated for development on the future land use map) and properties seeking to increase visibility on the 460 Business Corridor.

Ms. Gibson provided the Commission with the proposed definition for a high rise sign as an *on premise freestanding sign up to forty (40) feet in height or greater with an approved special use permit, located in a non-residential zoning district and on a qualified parcel of land for the purpose of obtaining visibility from the interstate highway.* Ms. Gibson stated that the current sign ordinance limits free standing sign height to 12 feet.

Ms. Gibson noted that the Commission would need to select a distance from the Interstate exit or state or county road to define the area in which these high rise signage would be considered for a Special Use Permit. She then provided graphics to the Commission showing the one-half (1/2) and one-quarter (1/4) mile distance radiuses superimposed on aerials from Exit 109 and Exit 128 on Interstate 81. Ms. Gibson stated that staff recommends the one-quarter (1/4) mile distance.

Ms. Gibson then highlighted the changes to the sections of the ordinance concerning Special Use Permits for signage, noting changes to address both the 460 bypass and the Interstate 81 corridor.

Chair Foster then opened the floor for questions from the Commission for staff.

Mr. Miller expressed concern about the brightness of LED signs and the lumens emitted by signs along the Interstate corridors. He shared his observation that these signs are very bright and could often block vision of drivers. Mr. Miller asked if these considerations were taken into account in the proposed amendments and requested mapping to show the visual impact of forty (40) foot tall signs specifically at Exit 109.

Ms. Gibson stated that the existing sign ordinance does require that LED signs dim at night. She noted that more restrictions and considerations for Night Sky/Dark Sky compliant signage could be considered as part of a Special Use Permit. She also noted that light trespass considerations could be taken into account when approving a Special Use Permit for a high rise sign. Mapping could be provided but specific locations would be needed.

Mr. Bulloss asked if wireless communications facilities could be placed on high rise signs. Ms. Gibson noted that co-location of these facilities was supported by current State Code language adopted by the General Assembly and could not be prevented.

Mr. Bulloss then asked if it would be possible for an applicant to proffer not to put a wireless telecommunications facility on a sign. Ms. Gibson noted that she would discuss that issue with the County Attorney to make a determination. .

Seeing no further questions from the Commission for staff, Chair Foster opened the public hearing at 8:31 pm.

Ms. Gibson noted that no one had signed up to speak during the public hearing.

Chair Foster closed the public hearing.

Mr. Miller moved to table the proposed sign regulation amendments pending more information and modeling from staff. The motion was seconded by Mr. Rice for discussion to proceed.

Mr. Katz stated that he did not believe all situations could be addressed through modeling and that standard language was needed to address signage regardless of location.

Ms. Gibson noted that it would be possible for staff to model a specific scenario, but it would be challenging to model multiple topographical areas. She also noted that the model would not account for tree cover and other factors.

Mr. Allen expressed that he did not feel that the additional visualizations would provide much more information and recommended voting on the proposal presented by staff.

Seeing no further discussion, Chair Foster called for a vote on the motion to table. The motion to table was defeated unanimously.

On a motion made by Mr. Allen, seconded by Mr. Bulloss and carried by a 7-1 vote (Miller opposed), the Planning Commission recommended approval of an ordinance amending Chapter 10 entitled Zoning of the Code of the County of Montgomery, Virginia by amending section 10-45 sign regulations by adding a definition for high rise sign to be a free standing sign up to forty feet (40') that may be located in Community Business (CB), General Business (GB), Planned Unit Development Commercial (PUD-COM), Manufacturing (M1), Manufacturing Light (ML) and Planned Industrial Districts under certain requirements on certain qualifying land in order to obtain sign visibility from an interstate highway and by allowing the high rise sign to exceed forty feet (40') under certain circumstances by grant of a special use permit.

PUBLIC ADDRESS

Chair Foster opened this portion of the meeting at 8:41 p.m. Having no speakers, the public address session was closed.

OLD BUSINESS: None.

NEW BUSINESS:

A. WORKSESSION – Akers-Kidd Rezoning

A request by **Jerry L. and Vickie L. Akers** (Agent: Brushy Mountain Engineering) to rezone a total of 1.317 acres from Agricultural (A1) to Manufacturing Light (ML) to allow a Flex Industrial Use (Machine Shop) with proffered conditions. The property is located **10001 Roanoke Road**, Elliston; identified as Tax Map 060-A-9 (Parcel ID: 007525) in the Shawsville Magisterial District. The property currently lies in an area designated as Village Expansion in the 2025 Montgomery County Comprehensive Plan and further designated as Mixed Use in the Elliston-Lafayette Village Plan.

Ms. Hopkins came forward to provide an overview of the rezoning request. Ms. Hopkins shared that the current owners of the property were in negotiations to sell the property to Mr. Nathan Kidd, who seeks to open a machine shop on the site which is the former location of the Greenhill Meat Packing Plant in the Village of Elliston. Ms. Hopkins shared that the site was within an area designed as Village Expansion in the Comprehensive Plan and that it was designated as Mixed Use in the Elliston/Lafayette Village Plan. Ms. Hopkins stated that the request for rezoning would allow for a flex-industrial use, defined as *light industrial activities that occur in buildings of no more than two (2) stories in height, with one (1) or more loading docks, and not more than half of the gross floor area used for offices.*

Ms. Hopkins also presented the concept plan, highlighting the applicant's desire to utilize the existing building on site. The facility would utilize public sewer and an on-site well. She shared that VDOT has reviewed the existing entrance to Route 11/460 and determined that no updates are required at this time. Ms. Hopkins also noted the location of the property lines and their impact on landscaping and buffer yard requirements. She shared that the applicant does seek to remove some of the existing pavement to accommodate landscaping on the site.

Chair Foster asked members of the Commission if they had any questions for staff concerning the rezoning request.

Mr. Miller noted that there was no setback in the front based on the location of the existing building on the line.

Mr. Foster noted the turning radius for the loading dock may not be achievable as shown on the concept plan. Ms. Hopkins confirmed that the applicant had proffered for the development to be in "general conformance" with the concept plan so there may be adjustments once the site is fully engineered for site plan approval.

Seeing no further questions, the Planning Commission recommended that the application be forwarded on for public hearing at the July meeting.

B. WORKSESSION – McGrady-Lambert Rezoning

A request by **Jason and Indra McGrady** (Agent: Balzer and Associates, Inc) to rezone a 3.358 acre portion of a 5.295 acre parcel from Agricultural (A1) to Community Business (CB) to allow for the construction of a contractor service establishment. The property is located at **421 Jennelle Road, Blacksburg**; identified as Tax Map 067-10-2 (Parcel ID: 025143) in the Shawsville Magisterial District. The property currently lies in an area designated as Urban Expansion in the Montgomery County 2025 Comprehensive Plan.

AND

A request by **Jason and Indra McGrady** (Agent: Balzer and Associates, Inc) for a Special Use Permit to allow the construction of a contractor service establishment on the same parcel.

Mr. Sanders shared that staff had received a request to rezone a 3.358 acre portion of a 5.295 acre parcel from Agricultural (A-1) to Community Business (CB). If approved for rezoning, the applicant also

requests a Special Use Permit to construct a contractor service establishment on the rezoned parcel. Mr. Sanders shared that the parcel was located in an area designated as Urban Expansion in the Comprehensive Plan. Community Business (CB) zoning designations are a qualifying zoning designation in the Urban Expansion.

Mr. Sanders highlighted existing structures located on the property and the gravel driveway connection with Jennelle Road.

Mr. Sanders then shared the parcel layout proposed by the applicant. 3.358 acres of the parcel would be rezoned to Community Business, with the remaining acreage retaining the Agricultural zoning designation. The applicant seeks to construct a contractor service establishment on the rezoned parcel. A contractor service establishment is defined as *any establishment from which services are provided for building construction, building repair or building equipment installation or repair, such as, but not limited to flooring, heating and plumbing. The outdoor storage of equipment and/or materials shall be prohibited in a contractor's service establishment.* Mr. Sanders shared that the property owner is the owner of McGrady-Lambert Electric, and that the applicant seeks to move the company's main office from Salem to Montgomery County.

Mr. Sanders noted that the rezoned parcel would be serviced by private water and septic systems. He stated at VDOT had reviewed the entrance and determined that it met access requirements, however consideration should be given to paving the entrance due to the nature of trucks and other vehicles entering and exiting the site. Mr. Sanders shared that the property owner intended to use the existing metal building for equipment storage, and that no client meetings or work vehicle storage would occur on the site.

Mr. Sanders then shared a rendering of the proposed office building provided. The proposed structure would house 3-4 administrative staff.

Chair Foster then asked members of the Commission for any questions for staff regarding the application.

Mr. Katz asked if public water and sewer were required for the Community Business (CB) zoning designation. Ms. Hopkins shared that there was a provision in the zoning ordinance for properties who did not meet the public water and sewer criteria. She noted that the applicant must receive approval from the Virginia Department of Health that private water and sewer would be permitted on the site. Mr. Sanders noted that staff would work with the applicant ensure that that certification was received before the public hearing.

Mr. Sanders introduced Steve Semones, applicant representative and Project Manager for Balzer and Associates, who began with a kudos to the staff of Planning & GIS Services during the COVID-19 closure to the public. He then provided an overview of the proposed office design. Mr. Semones noted that the property owner had contracted with Balzer and Associates to perform the architectural services for the office design. Mr. Semones also noted that final design and landscaping would be designed in conjunction with staff during the site plan review process.

Seeing no further questions, the Planning Commission recommended that the application be forwarded on for public hearing at the July meeting.

Future Items Coming Before the Planning Commission

Ms. Gibson shared that staff had been working on four draft text amendments over the past few months and would be advancing those amendments forward for review by the Development Committee. These amendments concern a variety of issues including agricultural processing and telecommunications.

Ms. Gibson shared that there were three Agricultural and Forestral Districts are up for renewal this year. Letters will be sent to owners within the next week. Currently Mr. Rice is a liaison for this committee and asked the PC to determine if he will continue to serve in this role.

LIAISON REPORTS

Board of Supervisors – Supervisor Bohn began by expressing the Board of Supervisors gratitude to County staff for their efforts to continue to provide services during the pandemic and subsequent closure of the Government Center. She discussed the recent adjustments to Board of Supervisors meetings to accommodate social distancing, while still performing the work of the Board. Supervisor Bohn also shared that she was highly impressed by how the community has come together to provide extensive COVID-19 testing to the entire New River Valley. She also shared news regarding the collection of real estate taxes being on par with previous years. Finally, Supervisor Bohn shared her gratitude for the collaboration between Blacksburg, Christiansburg, and the County during the response to COVID-19. She noted that this collaboration would continue as the County allocates the \$8.3 million received from CARES Act funding.

Public Service Authority – The PSA had not met until the most previous month due to the COVID-19 pandemic. Supervisor Bohn shared that a public hearing had been scheduled to discuss a rate increase. She noted this would increase average bills by approximately \$5.00.

Blacksburg Planning Commission – Mr. Allen had no report to share

Christiansburg Planning Commission – Mr. Wolz had no report to share, but noted that the Planning Commission would meet on June 22. Mr. Rice may try to attend that meeting.

Radford Planning Commission – Mr. Miller reported that the Radford Planning Commission had met once over the past few months. The Commission will be considering Radford University's request to construct a new hotel and conference center on Tyler Avenue.

Tourism Council – Mr. Miller reported the Tourism Council has not met.

Parks and Recreation – Mr. Workman had no report to share.

Planning Director's Report – Ms. Gibson thanked members of the Commission for the thoughtful resolution recognizing staff. She noted that the past few months had been challenging, but she was proud of the efforts made by staff to continue to provide services to the County's citizens. Ms. Gibson shared that the new MyGIS OneView portal had launched and that staff was receiving positive feedback. She also shared that the GovSense permitting software would be going live in July. Finally, Ms. Gibson shared that the County was currently discussing ways in which to spend the CARES Act funding mentioned earlier by Supervisor Bohn.

ADJOURNMENT

With no additional business, Chair Foster adjourned the meeting at 9:25 p.m.

MEMORANDUM

TO: Planning Commission

FROM: Brea Hopkins, Development Planner

DATE: July 7, 2020

RE: Staff Analysis (RZ-2020-18314) Akers Rezoning
Rezoning to Manufacturing Light to allow Flex Industrial Use

I. NATURE OF REQUEST

Jerry & Vickie Akers, Owner (Contract Purchaser: Nathan Kidd and Agent: Brushy Mountain Engineering) is requesting to rezone 1.317 acres from General Business (GB) to Manufacturing Light (ML), to allow for a flex industrial use. Mr. Kidd has stated the flex industrial use will be a machine shop.

II. LOCATION

The property being rezoned is located at 10001 Roanoke Road and identified as tax map 060-A-9 (Parcel ID: 007525) in the Shawsville Magisterial District. Property adjoining the subject parcel directly to the north is the Elliston Fire Department currently zoned Manufacturing (M1). Property is joined by Norfolk Southern Railroad to the south and the property beyond that right of way is zoned Agricultural (A-1). Adjoining property to the west/southwest is also owned by Mr. Akers and is vacant land zoned General Business (GB).

III. BACKGROUND

The subject parcel proposing to be rezoned is currently zoned General Business(GB) is 1.317 acres and contains the industrial building that was formally known as the Green Hill Meat Packaging plant.

In 1996, a rezoning was approved for commercial development of the existing building; however, that development has not occurred.

IV. IMPACTS

The rezoning request is to allow the property and existing building to be utilized as a “Flex-Industrial” use which Mr. Kidd has further defined as a machine shop. No additions are proposed to the building; however, renovations will be required to replace all plumbing and electrical within the structure. In addition, other renovations such as window replacements and installation of some landscaping will be necessary and will greatly improve the aesthetics of the property.

Transportation

VDOT has reviewed the existing commercial entrance and issued a letter dated June 4, 2020 stating that the existing connection is adequate with no safety or drainage concerns (see attached). Since this entrance would be shared with the adjoining property zoned General Business (GB) it was noted that any change in use or conditions would require further review by VDOT.

Infrastructure

The existing building was previously connected to a private well and public sewer. Since the structure is existing, the planned water usage is minimal, and the cost to connect to public water would be prohibitive for development of the proposed machine shop. Chuck Campbell, PSA Director determined connection to the public water system will not be required at this time. The VA Department of Health issued an email stating testing was not required to utilize the existing wells, even though they had not been in service for many years. The applicant still moved forward to have testing performed and ensure the water quality was suitable for use. To alleviate potential impacts in the future, the applicant/owner has proffered that review by the PSA will be required should there be a change in use or a significant increase in water demand.

This property discharges to the Elliston-Lafayette Regional Wastewater Collection and Treatment system; therefore, a septic tank would be required. There was an existing tank on the property; however, it has been stated a new tank would be installed and connected to the sewer main.

Environment

A small portion of the subject property lies within a FEMA designated flood zone; however, no improvements are planned for that location on the parcel.

The proposed conceptual plan indicates existing impervious areas may be removed for landscaping to be installed; however, a review for compliance with all erosion and sediment control standards and stormwater requirements will be provided at the time of site plan submittal if the application is approved.

V. COMPREHENSIVE PLAN

The subject property is in an area designated “Village” in the 2025 Comprehensive Plan and further designated as “Mixed Use” in the Elliston-Lafayette Village.

Village

The Comprehensive Plan defines Villages as the preferred location for higher density, that includes a mix of residential, business, industrial, and institutional use in a traditional development pattern.

The following policy statements found in the Comprehensive Plan should be considered during the review of this proposal:

Planning & Land Use:

PLU 1.7.3 b New small-scale industrial and employment uses may be appropriate in villages provided they are located adjacent to similar uses and are designed to minimize any negative impact on the existing village through limitations in scale, height, bulk and operations, as well as provision of buffers. The proposed development is located across Route 11/460 from the existing industrial park and Elliston-Lafayette Fire Station. The existing building is an industrial style structure built and used as a meat-packing facility until 1990.

In 2012 a Lafayette Route 11/460 Corridor Plan was adopted by the Board of Supervisors to further define development and provide a vision for the Elliston-Lafayette Village corridor. That plan identifies this properties development as Planned Light Industrial/Commercial and the following statements should be considered:

Planned Light Industrial/Commercial

- *Provide opportunities to concentrate employment to keep working population in the village/region-* It is anticipated that the proposed machine shop will employ up to ten (10) people. Currently, Kidd's Machine Shop is located in Salem and has outgrown the space that it is in. This building will enable the business to continue to grow and produce goods.
- *A combination of light industry, warehousing and office uses, screened from adjacent areas.* The Norfolk Southern Railroad adjoins the property to the South and East. The railroad acts as a buffer for the existing site. Across Route 11/460 is the existing Industrial Park.
- *Typical uses might include light manufacturing, research facilities; flex space, business parks and nonresidential planned developments.* The proposed use is flex-industrial use allowed by right in Manufacturing Light. The applicant has further defined the use as a machine shop.
- *Buffered from surrounding development by transitional uses or landscaped areas that shield the view of structures, loading docks, or outdoor storage.* The applicant does not propose any outside storage. The existing loading dock will be utilized and areas for landscaping will be created by removing existing asphalt.
- *Development should be oriented away from sensitive natural resources, such as floodplains and ponds to minimize the environmental impacts of new development.* No additions to the structure are proposed and the building is located outside of the FEMA flood zone.

VI. ANALYSIS

The subject property qualifies for rezoning with proffers per Section 10-31 of the Montgomery County Code.

The property lies within an area identified as Village Expansion and further designated as Planned Light Industrial/Commercial in the Elliston-Lafayette Village Plan/Lafayette Route 11/460 Corridor Plan. This area is the preferred area for a combination of light industry and other nonresidential developments.

The proposed "flex-industrial use" further defined by the applicant as a machine shop would be fully conducted within the existing industrial structure on the property. This building would be renovated with all new plumbing and electrical components, in addition to repairs that will be needed since the structure has been vacant since the 1990's.

The applicant proposes to remove some of the impervious areas to provide landscaping. The additional landscaped areas along with the planned repairs to the structure will

improve the aesthetics of the property along the corridor. The site is naturally buffered to the east and south by the railroad.

The PSA will not require the connection to the water main since it is located across Route 11/460). Planning staff understands that connection to public water would be cost prohibitive for the machine shop as proposed; however, has concerns that the well may not accommodate the site if a change in the use would cause an increased demand for water availability. In an effort to mitigate staff concerns, the owner has proffered that the PSA will re-evaluate the requirement for connection to public water should there be a change in the use.

The small number of employees (no more than 10) is well-suited for the smaller property with limited availability for parking. The proposed machine shop appears to be compatible with the scale and character of the area, in addition to allowing the long vacant structure to be redeveloped and utilized.

VII. STAFF RECOMMENDATION

Based on staff's review for consistency with the Montgomery County 2025 Comprehensive Plan and the Elliston-Lafayette Village Plan and the proposed impacts, staff recommends approval of the request to rezone 1.317 acres of parcel id #007525 to Manufacturing Light (ML) with the following proffered conditions:

- 1) Conceptual Layout – The Property shall be developed in general conformance with the Concept Plan prepared by Brushy Mountain Engineering, dated April 28, 2020, last revised on May 29, 2020.
- 2) Zoning Use Limitations – The following by-right uses in Manufacturing – Light shall not be permitted upon rezoning:
 - a) Business or trade school
 - b) Civic club
 - c) Conference or training center
 - d) Crematorium
 - e) Day care center
 - f) Financial services
 - g) Fire, police, rescue facility
 - h) Homeless shelter
 - i) Hotel, motel
 - j) Park and ride lot
 - k) Telecommunications tower, attached

- 3) Utilities – At this time the buildings will be served by Montgomery County Public Service Authority (PSA) sanitary sewer and an existing onsite well. The Applicant/Owner shall review with the PSA any change in use or significant increase in water demand to determine if connection to PSA water supply will be required.

At the time this report was issued, the Planning and GIS Services office has not received any inquiries regarding this request. Additional concerns may be voiced as part of the public hearing process and will also need to be considered by the Commission prior to making a recommendation to the Board of Supervisors.

Adjoining property owners were notified in accordance with Montgomery County Code Section 10-52(3) and the Code of Virginia. Consideration should be given to adjacent property owners and/or other interested citizens attending the public hearing to express their views regarding this request.

Enclosures: Aerial Map
Zoning Map
Application Materials including:
Narrative
Conceptual Plan

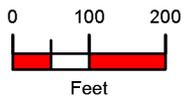
VDOT Letter Dated June 4, 2020
Montgomery County PSA Email Dated July 7, 2020
VDH Email Dated April 28, 2020



RZ-2020-18314
Nathan Kidd

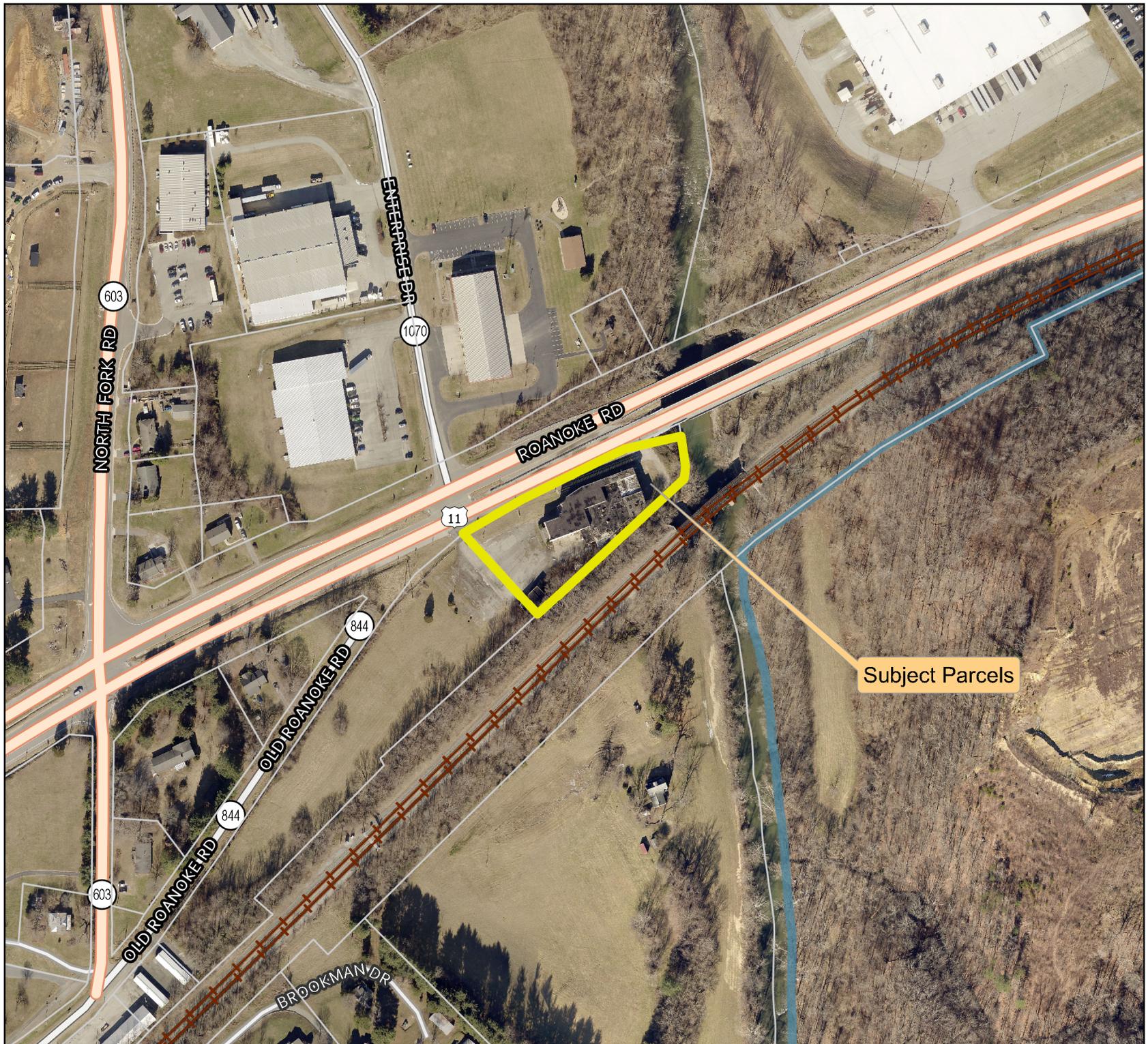
Parcel ID 007525

-  Tax Parcels
-  Subject Parcel
-  Village Boundary



Scale 1:3,000

Prepared by Montgomery County,
VA GIS & Planning Services
5/1/2020





Zoning and Tax Map

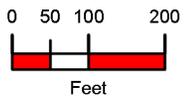


RZ-2020-18314

Nathan Kidd

Parcel ID 007525

-  Tax Parcels
-  Subject Parcel
- Zoning
-  A1 - Agriculture
-  GB - General Business
-  M1 - Manufacturing
-  PIN - Planned Industrial
-  R2 - Residential
-  R3 - Residential



Scale 1:3,000

Prepared by Montgomery County,
VA GIS & Planning Services
5/1/2020



REZONING APPLICATION

for

KIDD Machine Works

Parcel ID: 007525

Site Address:

Roanoke Road
Montgomery County, Virginia



Prepared on June 23, 2020

Application Prepared by:

Brushy Mountain Engineering, PLLC

3553 Carvins Cove Road

Salem, VA 24153

(540) 526-6800

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ATTACHMENTS

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Introduction:

Background: The subject property has long been a keystone of the Elliston community. For many years the Green Hill Meat Processing Plant provided jobs for local residents and delicious pork and beef products for the entire region. Several years ago, Green Hill was purchased by Sara Lee and eventually the plant was closed. The property was donated to TAP and then sold. The current owners are Jerry L. and Vickie L. Akers who recently subdivided the property into two tracts. The applicant, Nathan Kidd, now has a Contract to Purchase the lot with the old buildings on it pending approval of this rezone to Flex-Industrial which will allow for a machine shop in the existing building.

Current Conditions: There are two separate brick buildings on the subject tract. The larger building is the old meat processing plant. The smaller building is a storage building with two overhead doors. A shared access easement was created when the parcel was split so that both tracts could use the existing driveway onto Old Roanoke Road (Hwy 11 & 460). This shared driveway must remain to serve both tracts. The rear of the property is bordered by double railroad tracks on an elevated rail bed. These rail lines cross the Roanoke River on a multi-span high bridge. The Roanoke River borders the subject property to the east before it flows to the north and under Old Roanoke Road. A portion of the subject property is within the floodplain.

Attached is the recent subdivision plat which shows the existing site improvements on the subject property. The larger building is situated less than a foot from the front Right-of-Way line. Pavement covers the majority of the site. The pavement extends to a concrete wall in the rear and onto the remainder tract to the west. A truck dock is located in the front portion of the building. There is very little landscaping present on the site currently.

Proposed Site Improvements: Mr. Kidd plans to remodel the larger building and use it for a machine shop. It is critical to his business operation that he maintain the truck dock on the front side of the building. Parking will be provided along the rear of the property and near the main door into the building. At this time there are no new buildings planned. The existing asphalt parking lot will be repaired and sealed before being restriped with adequate parking. Landscaping will be installed to the extent feasible while still providing the required vehicle access to the site and the adjacent parcel.

Landscaping: There is very little space on the subject property in front of the existing building. This prevents installing the standard front yard buffer or corridor plantings. The proposed concept plan shows an area of existing pavement which will be removed to allow for the installation of trees and plantings. The exact size and shape of this landscape area will be determined during the site plan approval process. A paved path to the truck dock on the front side of the building must be maintained which limits the area of pavement which can be removed. The existing trees in the rear of the property will remain to screen the railroad tracks. The fact that these tracks are elevated as they approach the bridge means that any plantings along the southern property line would be ineffective screening from the agricultural property to the south. The potential planting area to the west is limited by the need to maintain a shared access drive and the existing smaller building. The proposed concept plan calls for removing a portion of the existing asphalt to allow for new trees and plantings.

Proposed Business Operation Details: The proposed machine shop will start operations with only a couple of full-time employees but hopes to expand to nearly 10 employees within a couple of years. The primary customers for the machine shop are the railroad and large regional manufacturing plants. The machine shop takes in metal stock and uses high precision machinery to shape the metal into mechanical components. The concrete construction of the existing building is well suited for the sensitive machinery that will be used. Raw metal will be delivered to the front truck dock on an as needed basis. Finished product will be loaded onto shipping trucks at the same dock. Generally, the facility will not serve walk in customers, therefore the daily traffic will generally be limited to employees.

VDOT Traffic Analysis: Attached is a detailed traffic analysis. The finding is that turn and deceleration lanes are not warranted for the planned use. However, if the adjoining property is developed in the future or the operation of the machine shop expands more rapidly than hoped, an updated traffic study will be required.

Utility Availability: The existing building has been vacant for many years and all of the internal metal, including the plumbing and wiring, have been removed for scrap. This means all interior mechanical infrastructure will be new. There is an existing sanitary sewer main east of the building which follows the river to the treatment facility. A new septic tank will be installed and then connected to this sanitary main. This design concept has been reviewed by Chuck Campbell. There is an existing water main on the north side of Roanoke Road. The cost to connect to this main is prohibitive. There is an existing well on the property which previously served the meat packing plant. The planned water usage is only for a couple of employee restrooms which is considerably less than the meat packing operation. The existing well was tested for coliform bacteria and found to be within VDH recommendations. VDH does not require any testing on existing wells that serve private residences or businesses under a certain size. Therefore, the coliform testing is voluntary and will ensure good water quality.

There is currently 3-phase electric service available directly in front of the building. As mentioned above the building has been previously stripped and will be completely rewired.

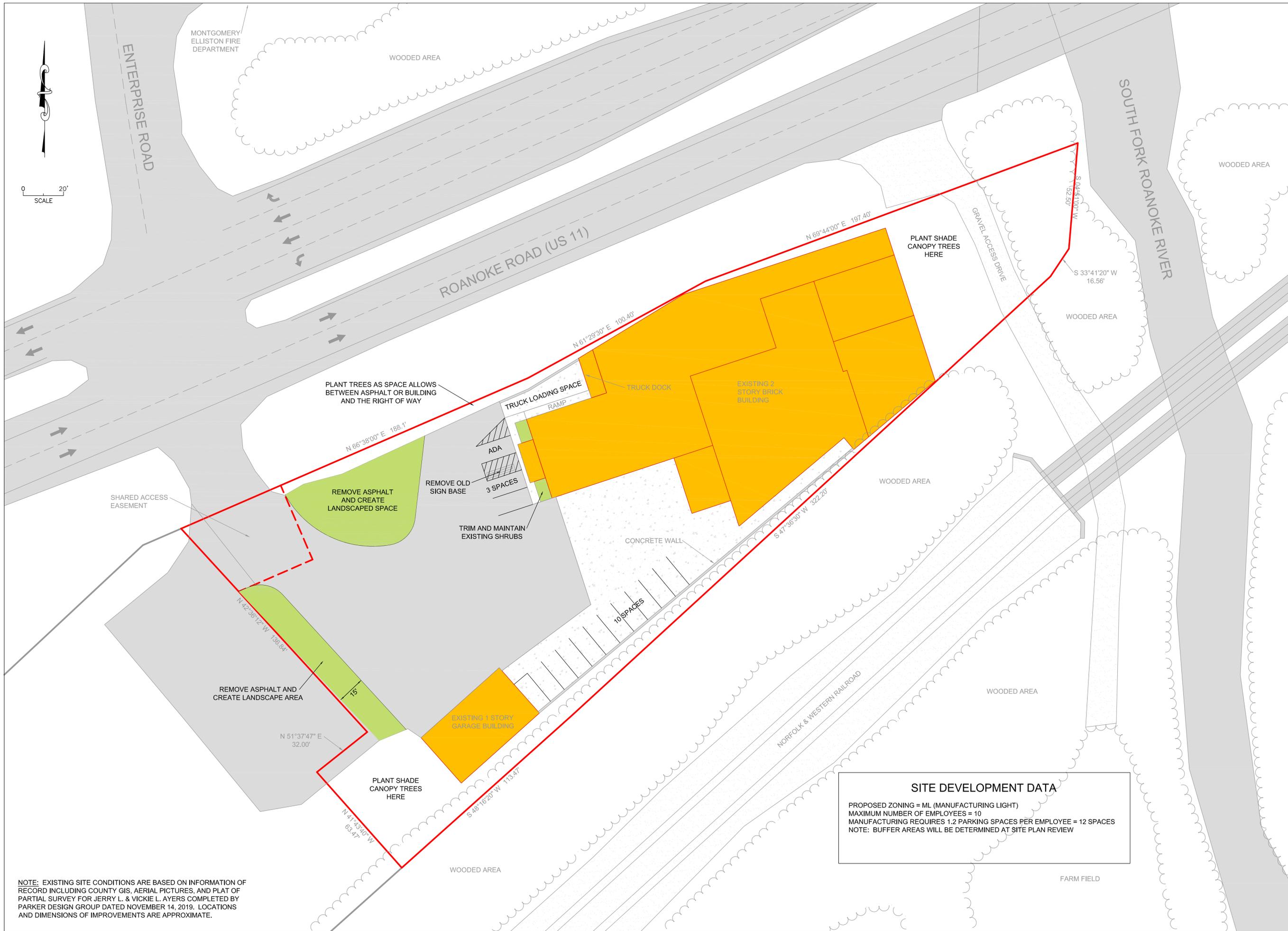
Comprehensive Plan Review: The Future Land Use Map designates this site as Planned Light Industrial/Commercial and notes that the site is in the Lafayette Route 11/460 Corridor Plan. In the Elliston and Lafayette Village Plan the first item identified by citizen input was “the need for increased jobs and light industrial, commercial, and tourism development”. The planned machine shop will create jobs in the light manufacturing nature. The Owner of the machine shop is proffering that the site will be developed as a machine shop and that any significant expansion or change in use will trigger a new traffic impact study.

PLU 2.1 Criteria for Evaluating Rezoning Applications

1. Location: The site is located in the Elliston Urban Expansion Area
2. Public Utilities: As discussed above, the building will be connected to the public sanitary sewer main and will use an existing well.

3. Road Access: VDOT has reviewed the attached Traffic Analysis for the planned use as a machine shop and determined that the existing entrance is adequate as is.
4. Public Facilities & Amenities: A concept development plan for the entire property is included. There are no new buildings or paved areas planned at this time. Instead some existing pavement area is to be removed to allow for landscaping. This manufacturing use will not be for the general public and therefore does not warrant any walkways or public open spaces.
5. Interparcel Access: The existing entrance is already included in a shared access easement so that it will also serve the undeveloped property to the north. As proffered, if and when this adjoining property is developed, a new traffic impact study will be required.
6. Pedestrian Access: The existing site improvements provide access from the parking into the building. There are no sidewalks or pedestrian trails along Roanoke Road that need to be connected.
7. Buffers: As discussed above, the Owner is working closely with County Planning staff to provide landscape buffers.

Conclusion: The proposed rezone will allow for an existing building which has stood vacant for years now to be brought back to life as a machine shop. There are other industrial/manufacturing nature businesses on the opposite side of the highway and this property was previously industrial in nature (meat processing plant). Mr. Kidd is requesting this rezone so that he may create jobs in Elliston and revitalize an important historic landmark in Montgomery County.



NOTE: EXISTING SITE CONDITIONS ARE BASED ON INFORMATION OF RECORD INCLUDING COUNTY GIS, AERIAL PICTURES, AND PLAT OF PARTIAL SURVEY FOR JERRY L. & VICKIE L. AYERS COMPLETED BY PARKER DESIGN GROUP DATED NOVEMBER 14, 2019. LOCATIONS AND DIMENSIONS OF IMPROVEMENTS ARE APPROXIMATE.

SITE DEVELOPMENT DATA
 PROPOSED ZONING = ML (MANUFACTURING LIGHT)
 MAXIMUM NUMBER OF EMPLOYEES = 10
 MANUFACTURING REQUIRES 1.2 PARKING SPACES PER EMPLOYEE = 12 SPACES
 NOTE: BUFFER AREAS WILL BE DETERMINED AT SITE PLAN REVIEW

#	REVISIONS	DATE
1	FOR REZONING APPLICATION	04/28/2020
2	FOR REZONING APPLICATION	05/29/2020

CONCEPT PLAN
 FOR
KIDD MACHINE WORKS
 NATHAN KIDD, APPLICANT
 JERRY L. & VICKIE L. AYERS, PROPERTY OWNERS
 TAX PARCEL ID: 07525
 10001 ROANOKE ROAD
 MONTGOMERY COUNTY, VIRGINIA

BRUSHY MOUNTAIN ENGINEERING, PLLC
 3553 Carvins Cove Road
 Salem, VA 24153
 (540) 526-6800
 www.brushymtnengr.com



BME JOB #
20-002
 SHEET NAME
REZONE
 SHEET NUMBER
1 OF 1

Parcel ID Number: _____ 007525

Board of Supervisors Ordinance No.: _____

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

Voluntary Proffer Statement Form

Date: June 23, 2020

Applicant Name: Nathan Kidd

Applicant Address: 4378 Harborwood Road
Salem, VA 24153

Owner(s) Name: Jerry L. & Vickie L. Akers
3114 Madtom Lane
Salem, VA 24153

Project Name: Kidd Machine Works

Project Description:

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 Manufacturing – Light use.

1. Conceptual Layout – The Property shall be developed in general conformance with the Concept Plan prepared by Brushy Mountain Engineering, dated April 28, 2020, last revised on May 29, 2020.
2. Zoning Use Limitations – The following by-right uses in Manufacturing – Light shall not be permitted upon rezoning:
 - a. Business or trade school
 - b. Civic club
 - c. Conference or training center
 - d. Crematorium
 - e. Day care center
 - f. Financial services
 - g. Fire, police, rescue facility
 - h. Homeless shelter
 - i. Hotel, motel
 - j. Park and ride lot
 - k. Telecommunications tower, attached

3. Utilities – At this time the buildings will be served by Montgomery County Public Service Authority (PSA) sanitary sewer and an existing onsite well. The Applicant/Owner shall review with the PSA any change in use or significant increase in water demand to determine if connection to PSA water supply will be required.

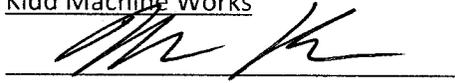
The applicants and owners hereby affirm and acknowledge the following:

- 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):

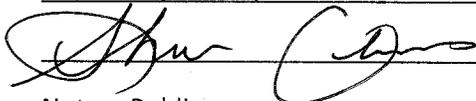
Applicant/Owner Name: Nathan Kidd

Title and/or Company: Kidd Machine Works

Signature: 

State of Virginia County of Roanoke

"The foregoing instrument was acknowledged before me this 30th day of June, 2020 by Nathan Kidd."

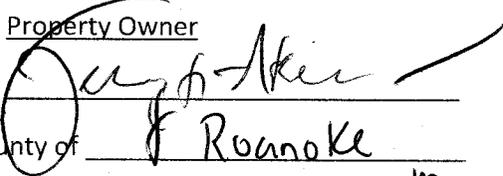

Notary Public

My Commission Expires: Nov. 30, 2022

SHANNAN CROSSWHITE NOTARY PUBLIC Commonwealth of Virginia Reg. #7023021 My Commission Expires <u>11-30-22</u>

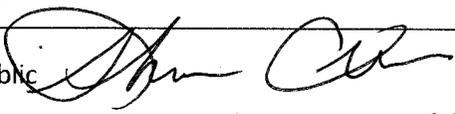
Applicant/Owner Name: Jerry L. Akers

Title and/or Company: Property Owner

Signature: 

State of Virginia **County of** Roanoke

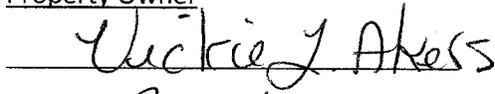
"The foregoing instrument was acknowledged before me this 30th day of June, 2020 by Jerry L. Akers."

Notary Public 
My Commission Expires: Nov. 30, 2022

SHANNAN CROSSWHITE
NOTARY PUBLIC
Commonwealth of Virginia
Reg. #7023021
My Commission Expires 11.30.22

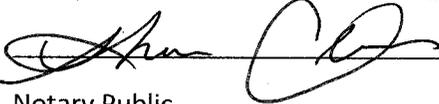
Applicant/Owner Name: Vickie L. Akers

Title and/or Company: Property Owner

Signature: 

State of Virginia **County of** Roanoke

"The foregoing instrument was acknowledged before me this 30th day of June, 2020 by Vickie L. Akers."

Notary Public 
My Commission Expires: Nov. 30, 2022

SHANNAN CROSSWHITE
NOTARY PUBLIC
Commonwealth of Virginia
Reg. #7023021
My Commission Expires 11.30.22



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION

731 Harrison Ave.
Salem, VA 24153-0560

STEPHEN C. BRICH, P.E.
COMMISSIONER

Christiansburg Area Land Use Section – Montgomery County Rezoning Review Comments

Review Comment Date / Review #: June 4, 2020
County Application Number: _____
Applicant Name: Nathan Kidd
Project Name: Kidd Rezoning
Property Address: 10001 Roanoke Rd.
Parcel ID #: 007525; **Tax Map Number:** 060-A 9
Parcel Acreage: 1.317; **Noted Disturbed Area:** n/a
Affected Route Number: US 460/11; **Affected Route Name:** Roanoke Road
Published ADT: 7800
Proposed Use: ML Manufacturing Light
Latitude / Longitude: 37.226647, -80.209741

At the request of Montgomery County to satisfy the Code of Virginia Section 15.2-2222.1 Coordination of State and Local Transportation Planning, the Virginia Department of Transportation (VDOT) is providing comment on the proposed rezoning of the above referenced property. This review is to assess any impact of the rezoning on the state highway system including infrastructure, connections/entrances, and right of way. Please be aware that the following comments are descriptive in nature or recommendations and are not requirements.

1. The proposed rezoning is described as a zoning change from GB-General Business to ML-Manufacturing Light. Described use of the property will be machine shop with up to ten employees.
2. The proposed rezoning occurs on US 11/460 Roanoke Road. The plans show the use of an existing commercial entrance off of US 11/460 Roanoke Road which is considered an accepted connection to the state highway system based on its inclusion on previous VDOT road plans. Any future change in conditions will require review by VDOT for safety, use, and maintenance per 24VAC30-73-110.
3. A site review was performed at the existing connection to US 11/460 Roanoke Road. Based upon a posted speed limit of 55 MPH, the connection has adequate “stopping sight distance” and “intersection sight distance”. No safety and drainage concerns were noted at the connection.
4. A VDOT Land Use Permit (LUP) shall be obtained prior to any work within the right-of-way.

Kidd Rezoning

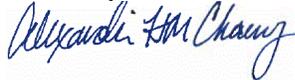
June 4, 2020

Page 2 of 2

Based upon the described use of the property and existing accepted connection to the state highway system, VDOT takes no exception to the proposed rezoning.

Should you have any questions, please do not hesitate to contact my office by phone, (540) 381-7201 or mail, 105 Cambria Street, Christiansburg, VA 24073.

Sincerely,

A handwritten signature in blue ink that reads "Alexandria Chaney". The signature is written in a cursive, flowing style.

Alexandria Chaney
VDOT, Christiansburg Residency, Land Use Engineer

cc: Jesse Miller

From: [Charles E. Campbell](#)
To: [Brea G Hopkins](#)
Subject: Nathan Kidd
Date: Tuesday, July 7, 2020 10:17:41 AM

The Montgomery County Public Service Authority is okay with Mr. Kidd using the existing well at this time. He will need to hook to public sewer to serve the building.

Brea G Hopkins

From: Irvin, Renee <renee.irvin@vdh.virginia.gov>
Sent: Tuesday, April 28, 2020 10:53 AM
To: Barney Horrell
Cc: Brea G Hopkins
Subject: [EXTERNAL] Re: 10001 Old Roanoke Road

Mr. Horrell,

Thank you for reaching out to us here at the Health Department about your plans for the former meat packing plant. You are correct in that we do not require any additional testing to be able to use the existing well at this location. Our Private Well Regulations (12 VAC 5-630) discuss the requirements for testing and flow when constructing a new well only. I have listed some of the pertinent regulations below as well as the section in the Code of Virginia that addresses the power to adopt these regulations:

COV§ 32.1-176.4. Powers and duties of Board and Department; regulations; fees.

A. The Board shall adopt regulations pertaining to the location and construction of private wells in the Commonwealth. These regulations shall include minimum storage capacity and yield requirements for residential drinking wells. The certified water well systems provider shall certify the storage capacity and the yield of the well on a form provided by the Department at the time the well is completed. The Department shall enforce the provisions of this article and any rules and regulations adopted pursuant thereto. However, for private wells located in the Counties of Fairfax, Goochland, James City, Loudoun, Powhatan, and Prince William and the City of Suffolk, the governing body of such county or city may, by ordinance, establish standards which are consistent with Board standards pertaining to location and testing of water therefrom and more stringent than those adopted by the Board pertaining to construction and abandonment. However, any county or city granted these additional powers shall not require certification for drillers of monitoring wells and any recovery wells associated with such monitoring wells.

12VAC5-630-20. Authority for regulations.

Title 32.1 of the Code of Virginia, and specifically §§ 32.1-12 and 32.1-176.4, provide that the State Board of Health has the duty to protect the public health and to ensure that ground water resources are not adversely affected by the construction and location of private wells. In order to discharge this duty, the board is empowered to supervise and regulate the construction and location of private wells within the Commonwealth.

12VAC5-630-30. Purpose of Regulations.

These regulations have been promulgated by the State Board of Health to:

1. Ensure that all private wells are located, constructed and maintained in a manner which does not adversely affect ground water resources, or the public welfare, safety and health;
2. Guide the State Health Commissioner in his determination of whether a permit for construction of a private well should be issued or denied;
3. Guide the owner or his agent in the requirements necessary to secure a permit for construction of a private well; and
4. Guide the owner or his agent in the requirements necessary to secure an inspection statement following construction.

Again the requirements for testing and yield in our private well regulations are directly related to the construction of a private well. Our Food, Hotel, Campground and Marina Regulations require testing in order for us to issue that specific permit to operate that regulated facility.

But just because we do not require testing, we would recommend that you do have the well properly disinfected and tested prior to use.

Thanks again and let me know if you have any other questions.

Renee

On Tue, Apr 28, 2020 at 9:58 AM Barney Horrell <barney@brushymtnengr.com> wrote:

Ms. Irvin,

We have discussed the planned conversion of the old Greenhill Meat Packing Plant into a machine shop and using the existing well. Montgomery County is considering a rezoning application to allow for this new use of the existing building. The planned machine shop will employ up to 10 people and will not serve walk in customers. The only planned water usage is for a couple of employee restrooms which is considerably less than the previous use as a meat packing plant. There is an existing well on the site which will be used by the machine shop. The Owner has elected to have the well tested for coliform and install all new plumbing from the well head throughout the building.

I have checked with Lisa Crabtree at VDH and she has determined that because the well will not serve more than 25 people for more than 60 days a year then it is not a public water supply and therefore is not regulated by her department. You have also explained that your office does not regulate existing wells for private use. Montgomery County Planning Department has asked that I secure an email from you confirming that you do not require flow capacity or further water quality testing. Thank you.

Barney Horrell
Brushy Mountain Engineering, PLLC
540-526-6800

--

Renee Irvin

Environmental Health Supervisor

New River Health District

540-585-3290



MEMORANDUM

TO: Planning Commission

FROM: Justin D. Sanders, Development Planner

DATE: July 6, 2020

RE: Staff Analysis (RZ-2020-18391) McGrady Lambert Rezoning
Rezoning from Agricultural (A1) to Community Business (CB) with Special Use Permit

I. NATURE OF REQUEST

Jason and Indra McGrady, Owners, (Agent: Balzer and Associates, Inc) are requesting to rezone a 3.358 acre portion of a 5.295 acre parcel from Agricultural (A1) to Community Business (CB), to allow the property owner to request a Special Use Permit to allow for the construction of a contractor services establishment. Mr. and Mrs. McGrady have also submitted the Special Use Permit application to construct a contractor services establishment on the same portion of the parcel under consideration for rezoning. Mr. and Mrs. McGrady have indicated that the proposed contractor services establishment would serve as administrative offices for McGrady-Lambert Electric, allowing for the relocation of the existing business from Salem to Montgomery County.

II. LOCATION

The subject property is located at 421 Jennelle Road and is identified as tax map 067-10-2 (Parcel ID: 025143) in the Shawsville Magisterial District. The property is joined by Jennelle Road to the North. There are two properties located North of Jennelle Road, across from the subject property. The first property is zoned Residential (R-2) and houses a duplex. The second property is zoned Agricultural (A-1) and houses a single family residence. Adjoining property to the East and West are zoned Agricultural (A-1), housing a single-wide manufactured home and a single family residence respectively. Adjoining property to the South is currently vacant and is zoned Planning Unit Development-Residential District (PUD-RES).

III. BACKGROUND

The existing parcel is 5.295 acres and is currently zoned Agricultural (A-1). The parcel houses a single-family detached residence and three outbuildings - a small shed and pole barn near the existing residence, and a large metal building to the south of the property. Access to the residence is located off Cinnabar Road, with access to rear of the property provided by a gravel driveway off Jennelle Road.

The proposed rezoning would rezone 3.358 acres of the larger 5.295 acre parcel from Agricultural (A-1) to Community Business (CB). Pending the approved rezoning, the applicants seek a Special Use Permit to construct a contractor services establishment on the rezoned acreage. The applicants also intend to utilize the existing metal building for indoor storage of materials. The existing residence, small shed, and pole barn would remain on the residual 1.937 acres with the Agricultural (A-1) zoning designation.

IV. IMPACTS

The rezoning and Special Use Permit request would allow the construction of an office structure to house administrative offices for McGrady Lambert Electric. The proposed office building is a two-story structure, encompassing approximately 2,160 square feet. The applicants also intend to utilize approximately 1,204 square foot metal building for indoor storage of equipment. The existing access road and gravel area would be utilized as access and parking for the office.

Transportation

VDOT has deemed the entrance to the parcel off Jennelle Road as a low-volume commercial entrance, requiring no turn lanes. The applicant will pave the entrance from the existing pavement edge to the right of way to assist with vehicles utilizing the access road. The access road and parking area will be privately maintained and not dedicated as public right of way.

Infrastructure

The project will be served by private water and septic systems. Public water and sewer service is not available at the project location, and is not currently planned in this portion of the county by the Montgomery County Public Service Authority.

The proposed office building would house less than five employees, requiring two restrooms. Private well and septic systems should be adequate for the proposed needs. Soil evaluation has already been completed to determine the size and location

of the proposed drainfield. The Virginia Department of Health is currently evaluating the applicants' request for private well and septic systems.

Environment

No portion of the property lies within a FEMA designated flood zone.

A full review for compliance with all erosion and sediment control standards and stormwater requirements will be provided at the time of site plan submittal if the application is approved.

V. COMPREHENSIVE PLAN

The subject property is in an area designated "Urban Expansion" in the 2025 Comprehensive Plan.

Urban Expansion

The Comprehensive Plan defines Urban Expansion as the preferred location for new residential and nonresidential development occurring in the unincorporated areas of Montgomery County. These areas are adjacent to Blacksburg, Christiansburg and Radford, intended to be natural expansion areas for uses occurring within those jurisdictions, and will accommodate a broad range of residential unit types and densities. Development in these areas will be compatible and complimentary to development within corporate limits.

The following Urban Expansion policy statements found in the Comprehensive Plan should be considered during the review of this proposal:

Planning & Land Use:

PLU 1.8.3.a Urban Expansion areas are the preferred location for new residential and nonresidential development occurring in unincorporated areas of Montgomery County. The proposed development is in the preferred location for new development.

PLU 1.8.4.e Development in Urban Expansion Areas will be compatible with and complimentary to development within corporate limits. The proposed development is compatible with development occurring within the corporate limits.

PLU 1.8.5.a Urban Expansion Areas are or will be served by public sewer and water service provided by the County or by the towns and the City, by mutual agreement. Public sewer and water service are currently unavailable at the proposed development location.

Environmental

ENV 1.5 Develop and initiate water resource management and Best Management Practices (BMPs) to preserve and maintain ground and surface water quality. The proposed development will utilize BMPs to protect water quality.

ENV 3.2.4 Establish standards for water quality improvement during the development or redevelopment of properties located within Urban Expansion Areas, and other areas targeted for development and redevelopment, through replacement of improperly maintained BMPs, replacement of inefficient sanitary sewer lines or failing septic systems, and, where appropriate, revegetation along streams. The proposed development will minimize any negative effect on water quality.

ENV 3.3 Work to reduce septic leaching problems by encouraging proper locating, maintenance, and testing of septic tank systems. The proposed septic system will be sited, designed, and installed by professionals to ensure compliance with all regulations.

ENV 6.5 Maintain the predevelopment drainage patterns (including the quantity and timing) of runoff draining into karst terrain features. The proposed development will maintain existing drainage patterns for stormwater management.

ENV 7.0 County is committed to managing stormwater and erosion in order to protect surface water quality and aquatic habitat vitality, to guard against the loss of landmass and to maintain and enhance human health and safety. The proposed development will maintain water quality and protect downstream properties with stormwater management techniques.

VI. ANALYSIS

The subject property qualifies for rezoning with proffers per Section 10-31 of the Montgomery County Code.

The property lies within an area identified as Urban Expansion in the 2025 Montgomery County Comprehensive Plan. This area is the preferred area new residential and nonresidential development occurring in unincorporated areas of the County.

The Community Business (CB) district is intended to create locations in the county for the provisions of nonintensive and small scale commercial services to the rural communities, residential transition, village, village expansion, or urban expansion designated in the Comprehensive Plan. Such locations shall be designated principally along the secondary road system where they are in the best interest of promoting

community life and reducing travel costs. The scale and character of uses shall be compatible with crossroads settlement and village locations. Lighting, hours of operation and other characteristics shall respect neighboring uses and community character. Activities in CB districts shall have limited traffic and other impacts on uses in other districts through proper location at street intersections, preference for locations adjoining existing nonresidential uses and zoning, and provision of space and physical buffers as prescribed. Areas designated for use in the comprehensive plan are best suited for rezoning to this district.

The Community Business (CB) zoning designation permits a variety of uses by right and others by Special Use Permit, outlined on the attached Technical Data sheet. The applicant has proffered that development of the site will be in conformance with the proposed concept plan. As presented, the concept plan and proposed office building rendering would limit development on the rezoned parcel to similarly scaled uses.

The applicant proposes a small scale contractor services establishment which is compatible with the intent of the Community Business (CB) zoning designation with an approved Special Use Permit.

The proposed use will generate limited traffic, serving 3-4 office staff members. The applicant proposes paving the entrance to the access road to allow for a safer transition onto Jennelle Road. The hours of operation of the administrative offices will limit lighting and traffic impacts on adjacent residential uses. The proposed office building appears to be compatible with the scale and character of the area, and utilization of the existing metal storage building for indoor storage minimizes the need for larger scale construction on the site. The proposed concept plan details the use of existing landscaping and added trees, shrubs, and other landscaping to provide adequate buffers to adjacent properties.

Staff understands that connection to public water and sewer is unavailable at this time. The Community Business zoning designation does allow locations not meeting county criteria for public water and sewer to be considered for rezoning if all water and sewer disposal facilities are approved by the Virginia Department of Health prior to approval of rezoning or special use permit.

VII. STAFF RECOMMENDATION

Based on staff's review for consistency with the Montgomery County 2025 Comprehensive Plan and the proposed impacts, staff recommends approval of the request to rezone a 3.358 acre portion of tax map 067-10-2 (Parcel ID: 025143) from Agricultural (A1) to Community Business (CB), with the following proffered conditions:

- 1) Property shall be developed in general conformance with the master plan by Balzer and Associates, Inc. depicted on Sheet Z2 dated May 26, 2020 and revised June 25, 2020.
- 2) The proposed office building shall be constructed in general conformance with the rendering provided within the application dated May 26, 2020 and revised June 25, 2020.

Staff further recommends the approval of the Special Use Permit to construct a contractor services establishment with the following conditions:

- 1) Normal hours of operation shall be limited to 7:00 AM through 7:00 PM
- 2) Exterior lighting installed on the property shall be designed to prevent glare onto adjacent properties and comply with "Dark Sky Friendly" standards

At the time this report was issued, the Planning and GIS Services office has received one (1) citizen comment regarding this request. Additional concerns may be voiced as part of the public hearing process and will also need to be considered by the Commission prior to making a recommendation to the Board of Supervisors.

Adjoining property owners were notified in accordance with Montgomery County Code Section 10-52(3) and the Code of Virginia. Consideration should be given to adjacent property owners and/or other interested citizens attending the public hearing to express their views regarding this request.

Enclosures: Aerial Map
Zoning Map
Application Materials including:
 Narrative
 Conceptual Plan
 Voluntary Proffer Statement
Community Business (CB) Technical Data Sheet
Public Correspondence

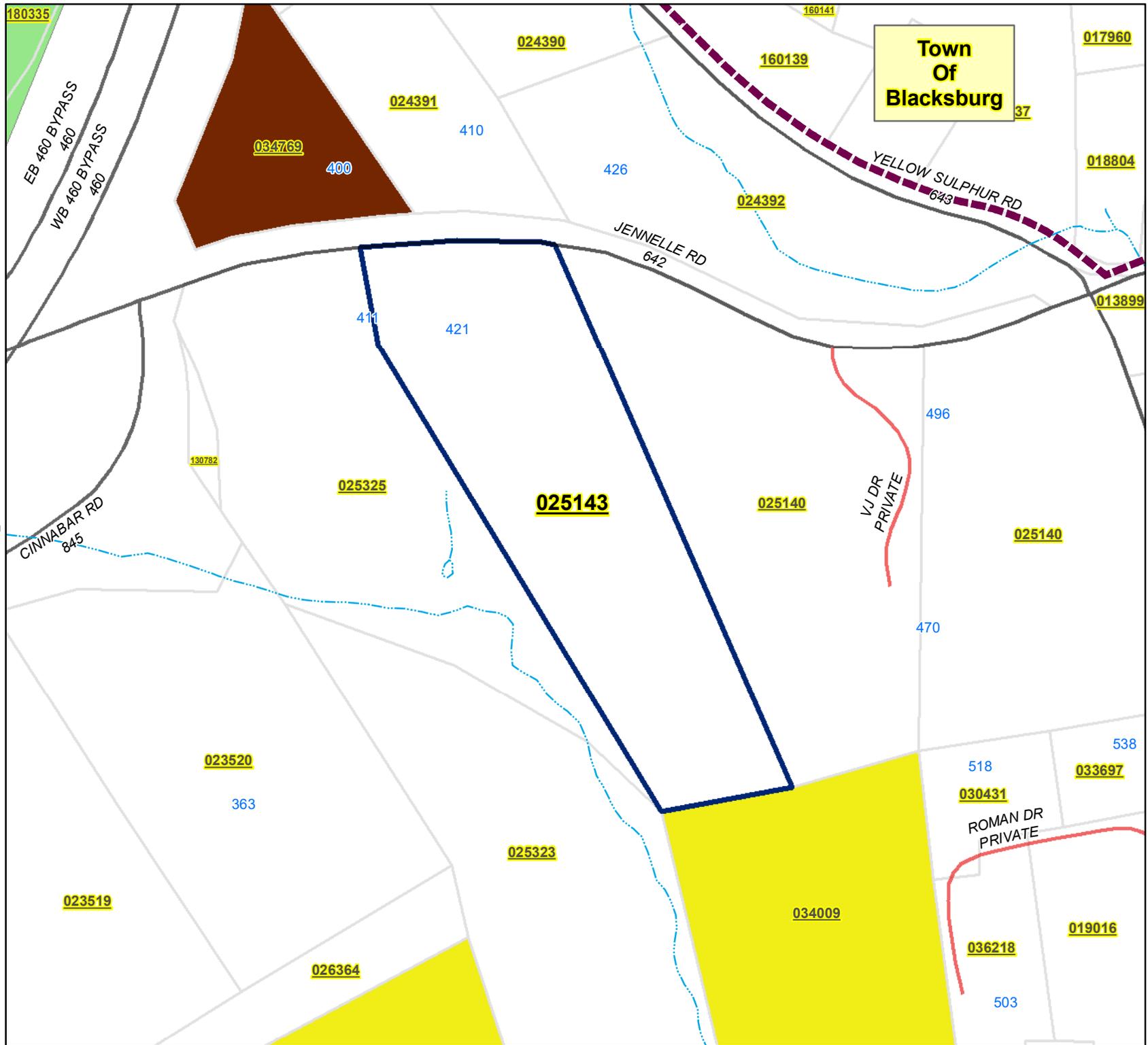
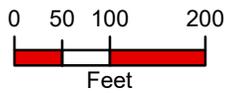


**McGrady-Lambert
Request for Rezoning
and
Special Use Permit
A1 to CB
(RZ-2020-18391)**

Parcel ID(s) - 025143

Legend

-  Corporate Line
-  Subject_Parcel_025143
-  Tax Parcels
-  A1 - Agriculture
-  C1 - Conservation
-  PUDRES - Planned Unit Development Residential
-  R2 - Residential





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'l owners): Jason and Indra McGrady	Address: 401 Deercroft Drive Blacksburg, VA 24060
Telephone: 540-375-7112	Email: jason@mcgradylambertelectric.com

Applicant Name: Owner Contract Purchaser/Lessee Jason and Indra McGrady	Address: 401 Deercroft Drive Blacksburg, VA 24060
Telephone: 540-375-7112	Email: jason@mcgradylambertelectric.com

Representative Name and Company: Steve Semones - Balzer and Associates, Inc.	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) 421 Jennelle Road		
Parcel ID Number(s): 025143	Acreage: 3.295	Existing Zoning: A1
Comprehensive Plan Designation: Urban Expansion	Existing Use: RESIDENTIAL	

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

Proposed Zoning (Include Acreage): COMMUNITY BUSINESS CB ON 3.358 ACRES
Proposed Use: CONTRACTORS SERVICE ESTABLISHMENT

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.

Jason A. McGrady
Owner 1 Signature

5/26/2020
Date

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

5/26/2020
Date

[Signature]
Applicant Signature

[Signature]
Representative/Agent Signature

5/26/2020
Date

5/26/20
Date



Special Use Permit Application Form

Montgomery County, Virginia
 755 Roanoke St. Suite 2A, Christiansburg, VA 24073;
 540-394-2148; mcplan@montgomerycountyva.gov

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

Owner of Record (attach separate page for add'l owners): Jason and Indra McGrady	Address: 401 Deercroft Drive Blacksburg, VA 24060
Telephone: 540-375-7112	Email: jason@mcgradylambertelectric.com
Applicant Name: Owner Contract Purchaser/Lessee Jason and Indra McGrady	Address: 401 Deercroft Drive Blacksburg, VA 24060
Telephone: 540-375-7112	Email: jason@mcgradylambertelectric.com
Representative Name and Company: Steve Semones - Balzer and Associates, Inc.	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> 421 Jennelle Road		
Parcel ID Number(s): 025143	Acreage: 5.295	Existing Zoning: A1
Comprehensive Plan Designation: Urban Expansion	Existing Use: RESIDENTIAL	

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

Proposed Use(s) including acreage: SUP for a Contractors Service Establishment on 3.358 acres proposed for Community Business rezoning.
--

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.

	5/26/2020
Owner 1 Signature	Date
	5/26/2020
Owner 2 Signature (for add'l owners please attach separate sheet)	Date
	5/26/2020
Applicant Signature	Date
	5/26/2020
Representative/Agent Signature	Date

**REZONING APPLICATION &
SPECIAL USE PERMIT
FOR**

**McGRADY-LAMBERT
ELECTRIC**

TAX PARCEL #067-10 2

May 26, 2020

Revised: June 25, 2020

**PREPARED FOR: JASON A. & INDRA G. McGRADY (Owners)
401 DEERCROFT DRIVE
BLACKSBURG, VA 24060**

**PREPARED BY: BALZER & ASSOCIATES, INC.
80 COLLEGE STREET SUITE H
CHRISTIANSBURG, VA 24073**

**JASON A. & INDRA G. McGRADY
McGRADY-LAMBERT ELECTRIC
COMPREHENSIVE PLAN JUSTIFICATION**

Property and Project Description

The property described in the Rezoning application is currently zoned Agriculture A1. The property is 5.295 acres in area and currently has one single-family detached structure on it. It also has three accessory buildings: one small shed and a pole barn near the existing home and a larger metal building towards the rear of the property. The proposed rezoning request is to rezone 3.358 acres of the 5.295 acres from A1 to Community Business CB. The new use will use will occupy this 3.358 acres which will also include the metal building at the rear of the property. The proposal also requests a Special Use Permit for Contractors Service Establishment in the Community Business zoning district. The existing house and remaining 1.937 acres will maintain the A1 zoning designation. The breakdown of the proposed parcels is as follows:

- 1) Parent Parcel as shown on attached Existing Conditions Sheet Z1
Tax Map ID# 067-10-2 & Parcel ID# 025143
Existing Acreage: 5.295
Current Address: 421 Jennelle Road
Existing Zoning Designation: Agriculture A1
Future Land Use Designation: Urban Expansion

- 2) Proposed New Parcel 1 on the attached Master Plan Sheet Z2
Proposed Acreage after Subdivision: 1.937 Acres
Proposed Address: 421 Jennelle Road
Existing Use: Single-Family Residential
Proposed Use: Single-Family Residential
Existing Zoning Designation: Agriculture A1
Proposed Zoning Designation: Agriculture A1

- 3) Proposed New Parcel 2 on the attached Master Plan Sheet Z2
Proposed Acreage after Subdivision: 3.358 Acres
Proposed Address: 425 Jennelle Road
Existing Use: Portion of Single-Family Residential lot
Proposed Use: Contractor Service Establishment
Existing Zoning Designation: Agriculture A1
Proposed Zoning Designation: Community Business CB

The project proposes a new office location for McGrady Lambert Electric. McGrady Lambert is a well-respected electrical contractor that performs work primarily in Montgomery and Roanoke County. Currently, their main office is in Salem and they wish to relocate to Montgomery County as much of their office staff resides in Montgomery County. Mr. McGrady currently owns the property in question and constructed a single-family house on it in 2013 and the metal building in 2017. If

approved, a new office building would be constructed at the rear of the subject parcel near the existing metal building. The existing access road and gravel parking area would remain as the access for the new office. The office building itself is proposed to be a two story structure with a total of approximately 2,160 square feet. The existing metal building will be used for indoor storage and is approximately 1,204 square feet in area. No outdoor storage would be allowed, nor is proposed, with this application.

According to the Ordinance, “(t)he Community Business, CB district is intended to create locations in the county for the provisions of nonintensive and small-scale commercial services to the rural communities, residential transition, village, village expansion, or urban expansion designated in the comprehensive plan. Such locations shall be designated principally along the secondary road system where they are in the best interest of promoting community life and reducing travel costs. The scale and character of uses shall be compatible with crossroads settlement and village locations. Lighting, hours of operation and other characteristics shall respect neighboring uses and community character.

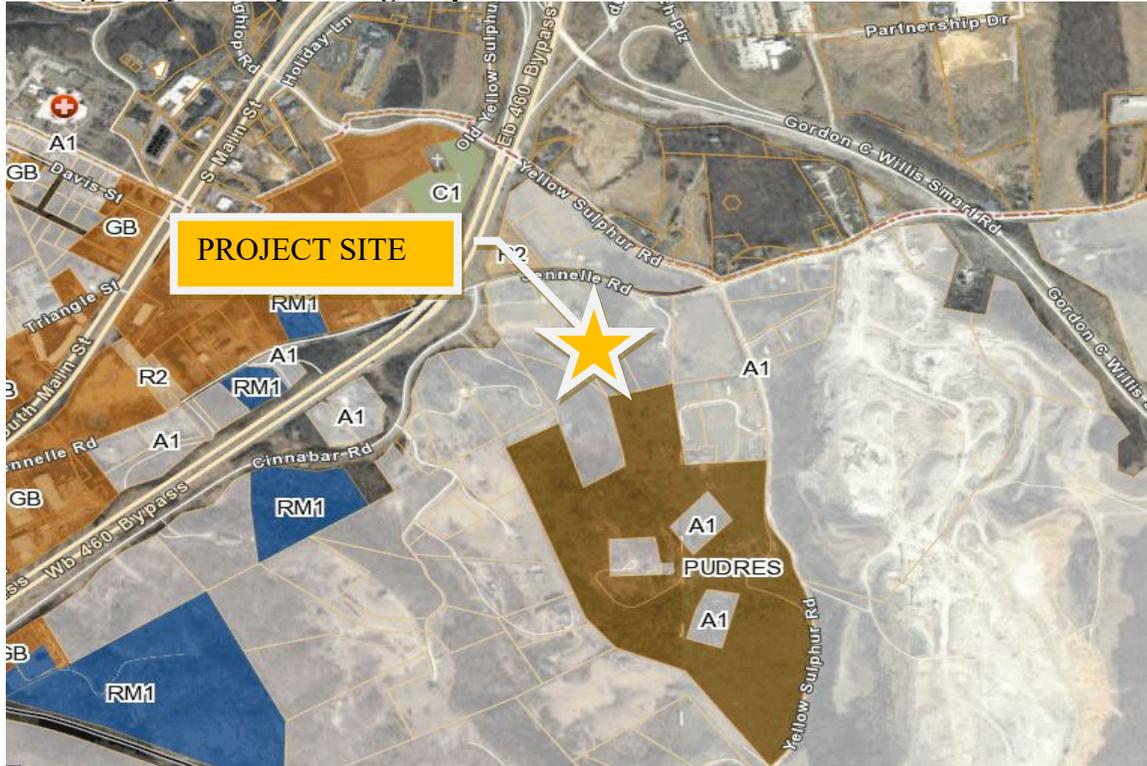
Activities in CB districts shall have limited traffic and other impacts on uses in other districts through proper location at street intersections, preference for locations adjoining existing nonresidential uses and zoning, and provision of space and physical buffers as prescribed. Areas designated for use in the comprehensive plan are best suited for rezoning to this district.

Qualifying lands. Lands qualifying for inclusion in the district shall be those within the current CB district on the date of adoption, or other lands within areas mapped as rural communities, residential transition, village, village expansion, or urban expansion in the comprehensive plan which are served by or planned for connections to public sewer and water.”

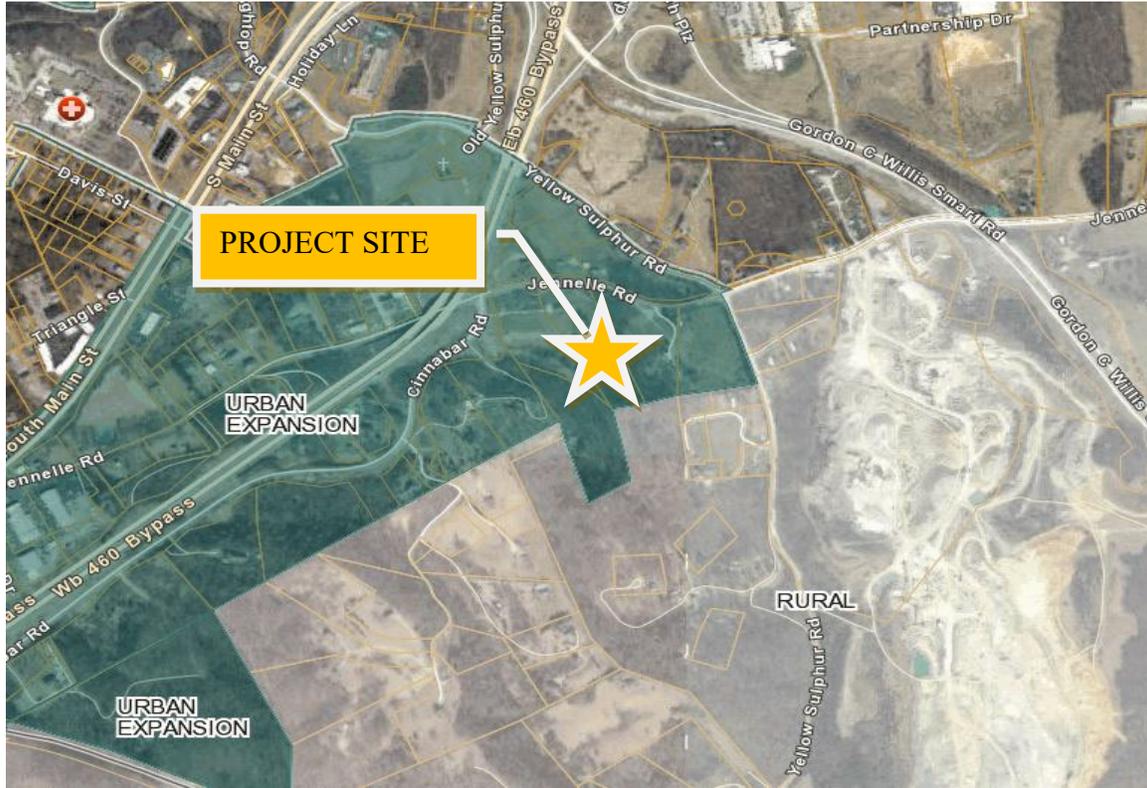
While a Contractors Service Establishment is not a residential use, it is allowed by Special Use Permit in the Community Business zoning district. This is due to the minimal impact nature of this use. It is a very low impact use for a number of reasons. The first reason is that it produces a very low traffic demand. According to Mr. McGrady, there will only be 3-4 people at the office on a daily basis. Those employees are office staff performing typical office and managerial duties. The field employees do not come to the office but rather report to their project site. They are allowed to take their work trucks home thus there is no need for employees to come to the office and switch vehicles in the morning and afternoon. This drastically reduces the amount of trips generated by the proposed use, which is very low anyway based on the ITE Trip Generation manual described later in this application. A second reason is that based on the location of the office and storage building being located at the back of the property, the visual impact of this commercial use is minimal. The existing vegetation on the property and adjacent properties will also provide screening in addition to what is required by the zoning ordinance.

The attached rezoning exhibit labeled Z2 shows the Master Plan layout and designates the building areas, parking areas, proposed septic area and remaining open space. If approved, the property would be subdivided along the proposed zoning line in accordance with County requirements and in conjunction with the required site plan submittals.

Montgomery County Zoning Map



Montgomery County Future Landuse Map



The elements that directly conform to the issues stated in the **Montgomery County 2025 Comprehensive Plan** are the following:

- 1) ***PLU 1.8 Urban Expansion Areas*** – The development is located within an area designated Urban Expansion. Community Business zoning is an appropriate zoning district within the Urban Expansion area.
- 2) ***PLU 1.8.4.e Urban Expansion Area Community Design*** – The development is compatible with development within the corporate limits.
- 3) ***PLU 1.8.5 Urban Expansion Area Facilities and Utilities***– Currently, public water and sewer facilities are not accessible for the subject property. However, the property and project could connect to public water and sewer in the future.
- 4) ***PLU 1.9 Focused Growth Targets*** – By developing this property, it meets the County’s focus to target 80% of future development within the designated Expansion areas.
- 5) ***PLU 2.1.a Location*** – The development is located within an area designated Urban Expansion.
- 6) ***PLU 2.1.b Road Access*** – The property has safe access from a public road.
- 7) ***PLU 2.1.g Buffers*** – The development will have buffers along all uses with lower intensities.
- 8) ***TRN 1.4 Connectivity and Access Management*** – The development’s access point provides a safe and orderly low volume commercial entrance.

- 9) ***ENV 1.5 Water Quality*** – The development will utilize BMP's to protect water quality.
- 10) ***ENV 3.2.4 Maintaining Water Quality*** – The development will minimize any negative effect on water quality.
- 11) ***ENV 3.3 Individual Septic System*** – Any new septic system will be sited, designed and installed by professionals to ensure compliance with all regulations.
- 12) ***ENV 6.5 Stormwater Management*** – The proposed development will maintain existing drainage patterns for stormwater management.
- 13) ***ENV 7.0 Stormwater and Erosion Control*** – The proposed development will maintain water quality and protect downstream properties with stormwater management techniques.

Water & Sewer Service

The proposed rezoning area is on the south side of Jennelle Road and approximately 920 feet west of the new Corporate Limit of the Town of Blacksburg at the intersection of Yellow Sulphur Road and Jennelle Road. The Montgomery County PSA does not have any public water or sewer facilities along the property frontage of Jennelle Road. As the proposed rezoning area is a small contractors office facility, only two restrooms are proposed so very little water or sewer service is required/needed. Typically, there are only 3-4 people in the office throughout the course of a normal workday. Thus, the office will be adequately served by private well and septic systems. Those facilities would be permitted and approved at a later time through the County subdivision process. The existing drainfield serving the house has been located and is shown on the zoning drawings. A Soil evaluation company has also designated the location of an appropriately sized drainfield for the proposed use which to is shown on the rezoning drawings.

Roads

The proposed development conceptual plan shows the location of the existing entrance that will be used for the proposed use. This entrance is approximately 490' east of the intersection of Jennelle Road and Cinnabar Road and approximately 640' west of the intersection of Jennelle Road and VJ Drive. Based on the limited amount of traffic projected from the proposed project, VDOT has indicated that this will be considered a low volume commercial entrance. It is also anticipated that no turn lanes into this commercial use are warranted or proposed. All access aisles and parking areas internal to the project will be private and will not be dedicated as public right of way. This development will be the only use utilizing this entrance location. The entrance to the property is planned to be paved from the existing edge of pavement to the right of way to assist with vehicles entering and existing the access road. The existing house on the parent parcel has a separate driveway that is located off of Cinnabar Road and is shared with the single-family house at 411 Jennelle Road.

Upon review of the ITE Trip Generation manual-10th Edition, the project is expected to generate the following additional vehicle trips.

Use	ITE Code	SF/Units	Daily	AM Hour	PM Hour	AM In	AM Out	PM In	PM Out
Specialty Trade Contractor	180	3,364 sf	34	6	3	4	2	2	5
TOTAL			34	6	7	4	2	2	5

As the project is only anticipated to produce 34 daily trips, it does not meet the threshold to require a VDOT 527 Traffic Impact Analysis. Jennelle Road is a 35-mph road and is classified as a Rural Major Collector Road. It has approximately 1,100 trips per day using it. Upon review of the opposing traffic and proposed trip generation, no right turn or left turn lanes are warranted on Jennelle Road. Per previous discussions with VDOT and Montgomery County staff, there are no noted transportation or traffic issues along the project route other than limited sight distances along certain portions of Jennelle Road. As such, no additional street improvements are proposed or required with this development.

Water Quality & Stormwater Management Standards

The original parcel area is 5.295 acres. The subject parcel site area will be approximately 3.358 acres after it has been subdivided. The overall property currently drains naturally in a sheet flow condition to the west towards a large natural swale offsite and then into Wilson Creek. There are some upstream offsite areas that also drain through this property. The total drainage area coming through and off this site is approximately 11 acres. The larger drainage area continues to flow into Wilson Creek as it moves south picking up various tributaries along the way. 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 this tributary. The stormwater management facility 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 will be achieved through the purchase of nutrient credits. 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. 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. With these design measures in place there should be no negative impact on the groundwater supply for any adjacent well users.

Project Phasing

The development of the project is planned to be designed and approved at one time. Construction of the required stormwater management, access road and entrance improvements, site grading, parking areas and building construction are planned to occur in one phase. The subdivision plat required to create the new lot for the office use shall be prepared concurrently with the site plan approval process. All subdivided lots will meet the requirements stated within this rezoning application and the Montgomery County Zoning Ordinance and Subdivision Ordinance as applicable.

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The property owners shall be responsible for maintenance of the property. A management company may be contracted with which would oversee exterior maintenance required for the parking area, office building, stormwater management, and overall lawn maintenance.

A dumpster is proposed for the project and will be screened as required per Montgomery County code.

Landscaping/Buffering

Landscaping will be provided as specified in the Montgomery County Zoning Ordinance based on the land use buffer matrix. The subject property for the contractor service establishment use would be classified as Land Use Group 6. Based on this Land Use Group 6 designation, a Type 2 buffer would be required on the north side of the property adjacent to Jennelle Road which is a Collector Road. The southern, eastern and western property lines would require a Type 4 buffer as the adjacent uses are single family residential. Final landscape plans will be developed during the site plan process and based on existing conditions, some of the existing vegetation may be able to count towards the required plantings within the buffer yards.

Public School Impacts

As the property is being requested to be rezoned for a commercial use, the project will not have any impacts on the public-school system.

PROPOSED OFFICE PERSPECTIVE





BALZER & ASSOCIATES
 PLANNERS / ARCHITECTS
 ENGINEERS / SURVEYORS

Roanoke / Richmond
 New River Valley / Staunton
 Harrisonburg / Lynchburg

www.balzer.cc

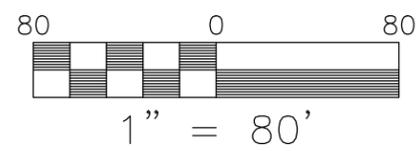
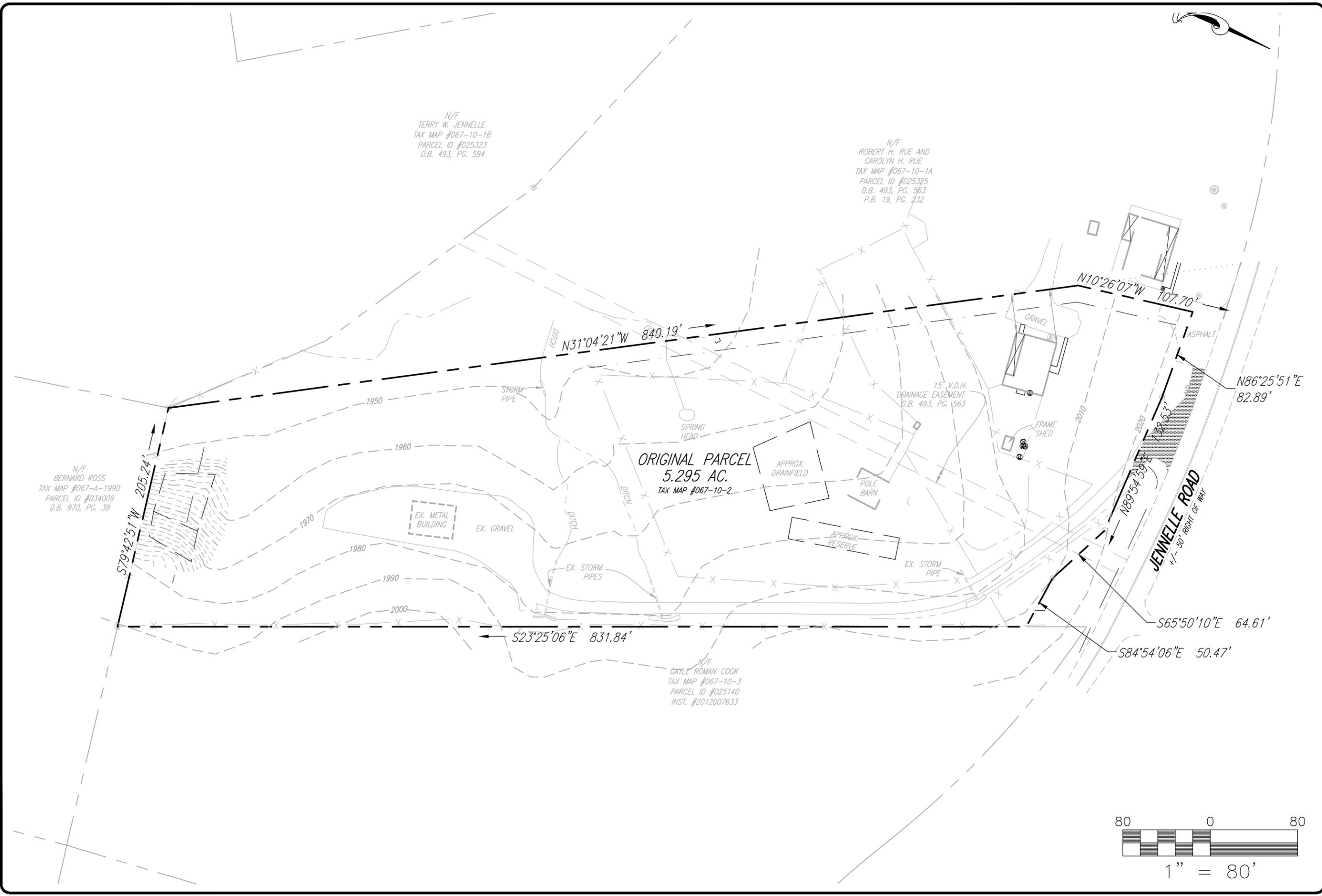
80 College Street
 Suite H
 Christiansburg, VA 24073
 540.381.4290

McGRADY LAMBERT ELECTRIC
 REZONING AND SPECIAL USE PERMIT
 EXISTING CONDITIONS

SHAWVILLE MAGISTERIAL DISTRICT
 CHRISTIANSBURG, VIRGINIA 24073

DATE 5/26/2020
 SCALE 1" = 100'
 REVISIONS
 6/25/2020

PROJECT NO 24200022.00



Z1

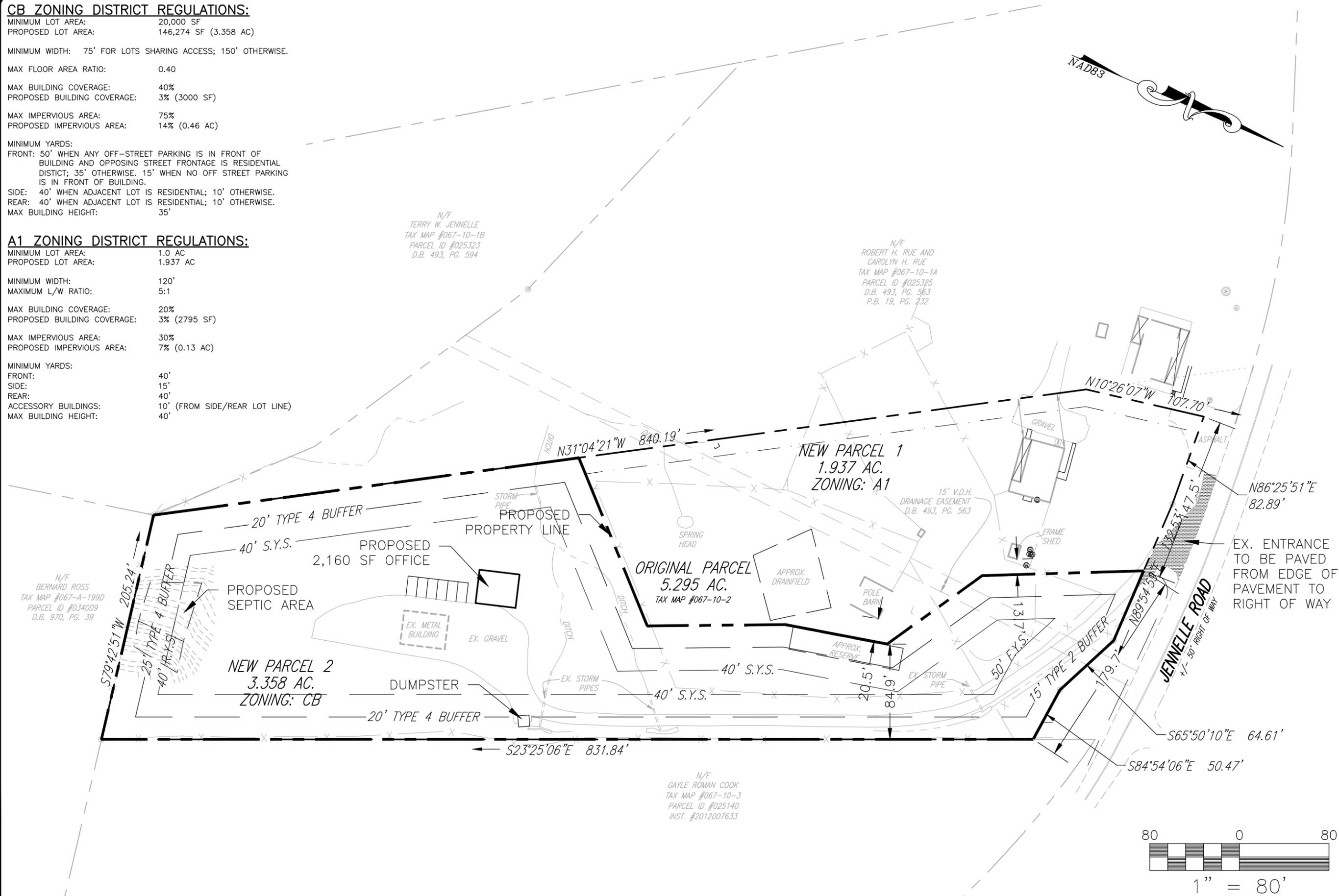
CB ZONING DISTRICT REGULATIONS:

MINIMUM LOT AREA: 20,000 SF
 PROPOSED LOT AREA: 146,274 SF (3.358 AC)
 MINIMUM WIDTH: 75' FOR LOTS SHARING ACCESS; 150' OTHERWISE.
 MAX FLOOR AREA RATIO: 0.40
 MAX BUILDING COVERAGE: 40%
 PROPOSED BUILDING COVERAGE: 3% (3000 SF)
 MAX IMPERVIOUS AREA: 75%
 PROPOSED IMPERVIOUS AREA: 14% (0.46 AC)

MINIMUM YARDS:
 FRONT: 50' WHEN ANY OFF-STREET PARKING IS IN FRONT OF BUILDING AND OPPOSING STREET FRONTAGE IS RESIDENTIAL DISTRICT; 35' OTHERWISE. 15' WHEN NO OFF STREET PARKING IS IN FRONT OF BUILDING.
 SIDE: 40' WHEN ADJACENT LOT IS RESIDENTIAL; 10' OTHERWISE.
 REAR: 40' WHEN ADJACENT LOT IS RESIDENTIAL; 10' OTHERWISE.
 MAX BUILDING HEIGHT: 35'

A1 ZONING DISTRICT REGULATIONS:

MINIMUM LOT AREA: 1.0 AC
 PROPOSED LOT AREA: 1.937 AC
 MINIMUM WIDTH: 120'
 MAXIMUM L/W RATIO: 5:1
 MAX BUILDING COVERAGE: 20%
 PROPOSED BUILDING COVERAGE: 3% (2795 SF)
 MAX IMPERVIOUS AREA: 30%
 PROPOSED IMPERVIOUS AREA: 7% (0.13 AC)
 MINIMUM YARDS:
 FRONT: 40'
 SIDE: 15'
 REAR: 40'
 ACCESSORY BUILDINGS: 10' (FROM SIDE/REAR LOT LINE)
 MAX BUILDING HEIGHT: 40'



BALZER & ASSOCIATES
 PLANNERS / ARCHITECTS
 ENGINEERS / SURVEYORS

Roanoke / Richmond
 New River Valley / Staunton
 Harrisonburg / Lynchburg

www.balzer.cc

80 College Street
 Suite H
 Christiansburg, VA 24073
 540.381.4290

McGRADY LAMBERT ELECTRIC
 REZONING AND SPECIAL USE PERMIT
 MASTER PLAN

SHAWSVILLE MAGISTERIAL DISTRICT
 CHRISTIANSBURG, VIRGINIA 24073

DATE: 5/26/2020
 SCALE: 1" = 80'
 REVISIONS:
 6/25/2020

Z2

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): May 26, 2020; Revised June 25, 2020

Applicant Name: Jason & Indra McGrady

Owner(s) Name: Jason & Indra McGrady

Applicant Address: 401 Deercroft Drive

Owner Address: 401 Deercroft Drive

Blacksburg, VA 24060

Blacksburg, VA 24060

Project Name: McGrady-Lambert Electric Property Description: ONE PARCEL LOCATED ON THE SOUTH SIDE OF JENNELLE ROAD NEAR THE INTERSECTION OF CINNABAR ROAD. THE PROPERTY CURRENTLY HAS A SINGLE-FAMILY RESIDENTIAL HOME, A METAL STORAGE BUILDING, AND SEVERAL OTHER SMALL ACCESORY/OUT BUILDINGS. THE CURRENT HOUSE IS ACCESSED FROM AN EXISTING SHARED DRIVEWAY ON CINNABAR ROAD. THE EXISTING DRIVEWAY ON JENNELLE ROAD IS USED TO ACCESS THE METAL STORAGE BUILDING AND WILL BE THE ACCESS FOR THE PROPOSED USE.

Magisterial District: SHAWSVILLE Parcel ID Number(s): 025143

Current Zoning District: A1 Requested Zoning District(s): CB

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 Z2 dated May 26, 2020 and revised June 25, 2020.

2) The proposed office building shall be constructed in general conformance with the rendering provided within the application dated May 26, 2020 and revised June 25, 2020.

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 _____, 2020 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 _____, 2020 by _____.”

Notary Public

My Commission Expires: _____



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'l owners): Jason and Indra McGrady	Address: 401 Deercroft Drive Blacksburg, VA 24060
Telephone: 540-375-7112	Email: jason@mcgradylambertelectric.com

Applicant Name: Owner Contract Purchaser/Lessee Jason and Indra McGrady	Address: 401 Deercroft Drive Blacksburg, VA 24060
Telephone: 540-375-7112	Email: jason@mcgradylambertelectric.com

Representative Name and Company: Steve Semones - Balzer and Associates, Inc.	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) 421 Jennelle Road		
Parcel ID Number(s): 025143	Acreage: 3.295	Existing Zoning: A1
Comprehensive Plan Designation: Urban Expansion	Existing Use: RESIDENTIAL	

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

Proposed Zoning (Include Acreage): COMMUNITY BUSINESS CB ON 3.358 ACRES
Proposed Use: CONTRACTORS SERVICE ESTABLISHMENT

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.

Jason A. McGrady
Owner 1 Signature

5/26/2020
Date

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

5/26/2020
Date

[Signature]
Applicant Signature

[Signature]
Representative/Agent Signature

5/26/2020
Date

5/26/20
Date



Special Use Permit Application Form

Montgomery County, Virginia
 755 Roanoke St. Suite 2A, Christiansburg, VA 24073;
 540-394-2148; mcplan@montgomerycountyva.gov

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

Owner of Record (attach separate page for add'l owners): Jason and Indra McGrady	Address: 401 Deercroft Drive Blacksburg, VA 24060
Telephone: 540-375-7112	Email: jason@mcgradylambertelectric.com
Applicant Name: Owner Contract Purchaser/Lessee Jason and Indra McGrady	Address: 401 Deercroft Drive Blacksburg, VA 24060
Telephone: 540-375-7112	Email: jason@mcgradylambertelectric.com
Representative Name and Company: Steve Semones - Balzer and Associates, Inc.	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> 421 Jennelle Road		
Parcel ID Number(s): 025143	Acreage: 5.295	Existing Zoning: A1
Comprehensive Plan Designation: Urban Expansion	Existing Use: RESIDENTIAL	

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

Proposed Use(s) including acreage: SUP for a Contractors Service Establishment on 3.358 acres proposed for Community Business rezoning.
--

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.

 Owner 1 Signature	5/26/2020 Date
 Owner 2 Signature (for add'l owners please attach separate sheet)	5/26/2020 Date
 Applicant Signature	5/26/2020 Date
 Representative/Agent Signature	5/26/2020 Date

**REZONING APPLICATION &
SPECIAL USE PERMIT
FOR**

**McGRADY-LAMBERT
ELECTRIC**

TAX PARCEL #067-10 2

May 26, 2020

**PREPARED FOR: JASON A. & INDRA G. McGRADY (Owners)
401 DEERCROFT DRIVE
BLACKSBURG, VA 24060**

**PREPARED BY: BALZER & ASSOCIATES, INC.
80 COLLEGE STREET SUITE H
CHRISTIANSBURG, VA 24073**

**JASON A. & INDRA G. McGRADY
McGRADY-LAMBERT ELECTRIC
COMPREHENSIVE PLAN JUSTIFICATION**

Property and Project Description

The property described in the Rezoning application is currently zoned Agriculture A1. The property is 5.295 acres in area and currently has one single-family detached structure on it. It also has three accessory buildings: one small shed and a pole barn near the existing home and a larger metal building towards the rear of the property. The proposed rezoning request is to rezone 3.358 acres of the 5.295 acres from A1 to Community Business CB. The new use will use will occupy this 3.358 acres which will also include the metal building at the rear of the property. The proposal also requests a Special Use Permit for Contractors Service Establishment in the Community Business zoning district. The existing house and remaining 1.937 acres will maintain the A1 zoning designation. The breakdown of the proposed parcels is as follows:

- 1) Parent Parcel as shown on attached Existing Conditions Sheet Z1
Tax Map ID# 067-10-2 & Parcel ID# 025143
Existing Acreage: 5.295
Current Address: 421 Jennelle Road
Existing Zoning Designation: Agriculture A1
Future Land Use Designation: Urban Expansion

- 2) Proposed New Parcel 1 on the attached Master Plan Sheet Z2
Proposed Acreage after Subdivision: 1.937 Acres
Proposed Address: 421 Jennelle Road
Existing Use: Single-Family Residential
Proposed Use: Single-Family Residential
Existing Zoning Designation: Agriculture A1
Proposed Zoning Designation: Agriculture A1

- 3) Proposed New Parcel 2 on the attached Master Plan Sheet Z2
Proposed Acreage after Subdivision: 3.358 Acres
Proposed Address: 425 Jennelle Road
Existing Use: Portion of Single-Family Residential lot
Proposed Use: Contractor Service Establishment
Existing Zoning Designation: Agriculture A1
Proposed Zoning Designation: Community Business CB

The project proposes a new office location for McGrady Lambert Electric. McGrady Lambert is a well-respected electrical contractor that performs work primarily in Montgomery and Roanoke County. Currently, their main office is in Salem and they wish to relocate to Montgomery County as much of their office staff resides in Montgomery County. Mr. McGrady currently owns the property in question and constructed a single-family house on it in 2013 and the metal building in 2017. If

approved, a new office building would be constructed at the rear of the subject parcel near the existing metal building. The existing access road and gravel parking area would remain as the access for the new office. The office building itself is proposed to be a two story structure with a total of approximately 2,160 square feet. The existing metal building will be used for indoor storage and is approximately 1,204 square feet in area. No outdoor storage would be allowed, nor is proposed, with this application.

According to the Ordinance, “(t)he Community Business, CB district is intended to create locations in the county for the provisions of nonintensive and small-scale commercial services to the rural communities, residential transition, village, village expansion, or urban expansion designated in the comprehensive plan. Such locations shall be designated principally along the secondary road system where they are in the best interest of promoting community life and reducing travel costs. The scale and character of uses shall be compatible with crossroads settlement and village locations. Lighting, hours of operation and other characteristics shall respect neighboring uses and community character.

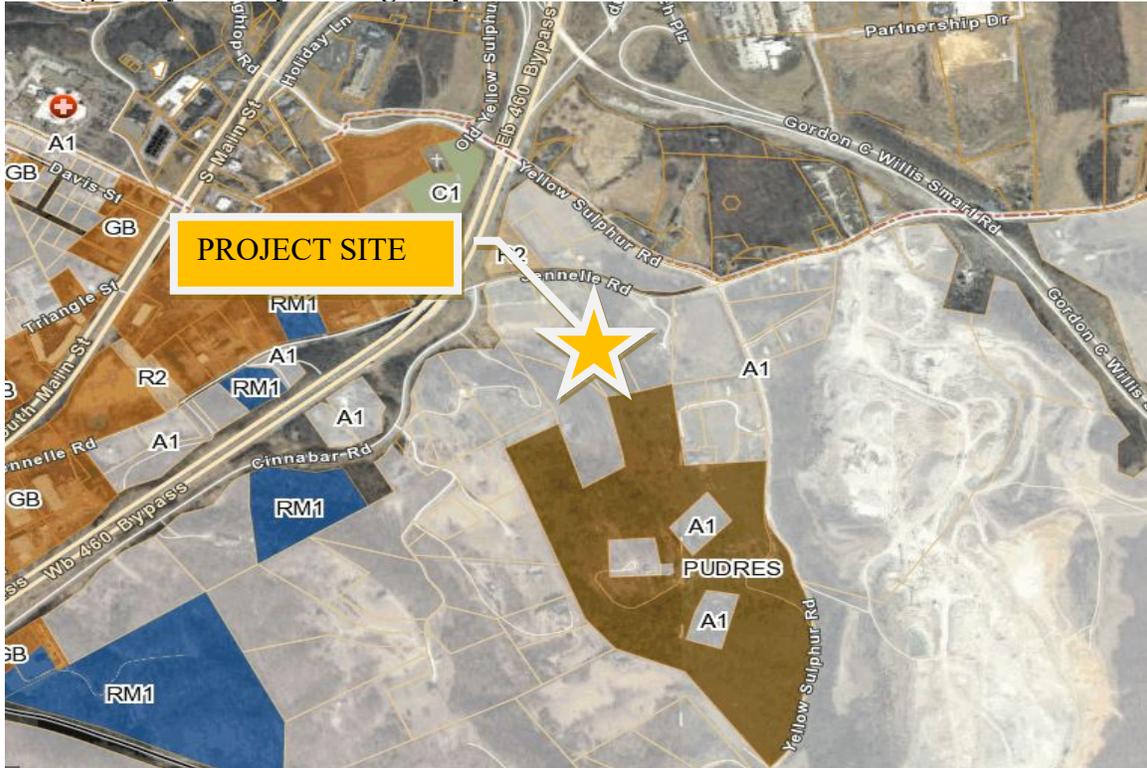
Activities in CB districts shall have limited traffic and other impacts on uses in other districts through proper location at street intersections, preference for locations adjoining existing nonresidential uses and zoning, and provision of space and physical buffers as prescribed. Areas designated for use in the comprehensive plan are best suited for rezoning to this district.

Qualifying lands. Lands qualifying for inclusion in the district shall be those within the current CB district on the date of adoption, or other lands within areas mapped as rural communities, residential transition, village, village expansion, or urban expansion in the comprehensive plan which are served by or planned for connections to public sewer and water.”

While a Contractors Service Establishment is not a residential use, it is allowed by Special Use Permit in the Community Business zoning district. This is due to the minimal impact nature of this use. It is a very low impact use for a number of reasons. The first reason is that it produces a very low traffic demand. According to Mr. McGrady, there will only be 3-4 people at the office on a daily basis. Those employees are office staff performing typical office and managerial duties. The field employees do not come to the office but rather report to their project site. They are allowed to take their work trucks home thus there is no need for employees to come to the office and switch vehicles in the morning and afternoon. This drastically reduces the amount of trips generated by the proposed use, which is very low anyway based on the ITE Trip Generation manual described later in this application. A second reason is that based on the location of the office and storage building being located at the back of the property, the visual impact of this commercial use is minimal. The existing vegetation on the property and adjacent properties will also provide screening in addition to what is required by the zoning ordinance.

The attached rezoning exhibit labeled Z2 shows the Master Plan layout and designates the building areas, parking areas, proposed septic area and remaining open space. If approved, the property would be subdivided along the proposed zoning line in accordance with County requirements and in conjunction with the required site plan submittals.

Montgomery County Zoning Map



Montgomery County Future Landuse Map



The elements that directly conform to the issues stated in the **Montgomery County 2025 Comprehensive Plan** are the following:

- 1) ***PLU 1.8 Urban Expansion Areas*** – The development is located within an area designated Urban Expansion. Community Business zoning is an appropriate zoning district within the Urban Expansion area.
- 2) ***PLU 1.8.4.e Urban Expansion Area Community Design*** – The development is compatible with development within the corporate limits.
- 3) ***PLU 1.8.5 Urban Expansion Area Facilities and Utilities***– Currently, public water and sewer facilities are not accessible for the subject property. However, the property and project could connect to public water and sewer in the future.
- 4) ***PLU 1.9 Focused Growth Targets*** – By developing this property, it meets the County’s focus to target 80% of future development within the designated Expansion areas.
- 5) ***PLU 2.1.a Location*** – The development is located within an area designated Urban Expansion.
- 6) ***PLU 2.1.b Road Access*** – The property has safe access from a public road.
- 7) ***PLU 2.1.g Buffers*** – The development will have buffers along all uses with lower intensities.
- 8) ***TRN 1.4 Connectivity and Access Management*** – The development’s access point provides a safe and orderly low volume commercial entrance.

- 9) ***ENV 1.5 Water Quality*** – The development will utilize BMP's to protect water quality.
- 10) ***ENV 3.2.4 Maintaining Water Quality*** – The development will minimize any negative effect on water quality.
- 11) ***ENV 3.3 Individual Septic System*** – Any new septic system will be sited, designed and installed by professionals to ensure compliance with all regulations.
- 12) ***ENV 6.5 Stormwater Management*** – The proposed development will maintain existing drainage patterns for stormwater management.
- 13) ***ENV 7.0 Stormwater and Erosion Control*** – The proposed development will maintain water quality and protect downstream properties with stormwater management techniques.

Water & Sewer Service

The proposed rezoning area is on the south side of Jennelle Road and approximately 920 feet west of the new Corporate Limit of the Town of Blacksburg at the intersection of Yellow Sulphur Road and Jennelle Road. The Montgomery County PSA does not have any public water or sewer facilities along the property frontage of Jennelle Road. As the proposed rezoning area is a small contractors office facility, only two restrooms are proposed so very little water or sewer service is required/needed. Typically, there are only 3-4 people in the office throughout the course of a normal workday. Thus, the office will be adequately served by private well and septic systems. Those facilities would be permitted and approved at a later time through the County subdivision process. The existing drainfield serving the house has been located and is shown on the zoning drawings. A Soil evaluation company has also designated the location of an appropriately sized drainfield for the proposed use which to is shown on the rezoning drawings.

Roads

The proposed development conceptual plan shows the location of the existing entrance that will be used for the proposed use. This entrance is approximately 490' east of the intersection of Jennelle Road and Cinnabar Road and approximately 640' west of the intersection of Jennelle Road and VJ Drive. Based on the limited amount of traffic projected from the proposed project, VDOT has indicated that this will be considered a low volume commercial entrance. It is also anticipated that no turn lanes into this commercial use are warranted or proposed. All access aisles and parking areas internal to the project will be private and will not be dedicated as public right of way. This development will be the only use utilizing this entrance location. The existing house on the parent parcel has a separate driveway that is located off of Cinnabar Road and is shared with the single-family house at 411 Jennelle Road.

Upon review of the ITE Trip Generation manual-10th Edition, the project is expected to generate the following additional vehicle trips.

Use	ITE Code	SF/Units	Daily	AM Hour	PM Hour	AM In	AM Out	PM In	PM Out
Specialty Trade Contractor	180	3,364 sf	34	6	3	4	2	2	5
TOTAL			34	6	7	4	2	2	5

As the project is only anticipated to produce 34 daily trips, it does not meet the threshold to require a VDOT 527 Traffic Impact Analysis. Jennelle Road is a 35-mph road and is classified as a Rural Major Collector Road. It has approximately 1,100 trips per day using it. Upon review of the opposing traffic and proposed trip generation, no right turn or left turn lanes are warranted on Jennelle Road. Per previous discussions with VDOT and Montgomery County staff, there are no noted transportation or traffic issues along the project route other than limited sight distances along certain portions of Jennelle Road. As such, no additional street improvements are proposed or required with this development.

Water Quality & Stormwater Management Standards

The original parcel area is 5.295 acres. The subject parcel site area will be approximately 3.358 acres after it has been subdivided. The overall property currently drains naturally in a sheet flow condition to the west towards a large natural swale offsite and then into Wilson Creek. There are some upstream offsite areas that also drain through this property. The total drainage area coming through and off this site is approximately 11 acres. The larger drainage area continues to flow into Wilson Creek as it moves south picking up various tributaries along the way. 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 this tributary. The stormwater management facility 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 will be achieved through the purchase of nutrient credits. 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. 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. With these design measures in place there should be no negative impact on the groundwater supply for any adjacent well users.

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Public School Impacts

As the property is being requested to be rezoned for a commercial use, the project will not have any impacts on the public-school system.

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): May 26, 2020

Applicant Name: Jason & Indra McGrady

Owner(s) Name: Jason & Indra McGrady

Applicant Address: 401 Deercroft Drive

Owner Address: 401 Deercroft Drive

Blacksburg, VA 24060

Blacksburg, VA 24060

Project Name: McGRADY-LAMBERT ELECTRIC Property Description: THREE PARCELS WEST OF FLEET WAY. ONE VACANT PARCEL, THE BUG SHOP AND ONE SINGLE FAMILY RESIDENTIAL STRUCTURE.

Magisterial District: SHAWSVILLE Parcel ID Number(s): 025143

Current Zoning District: A1 Requested Zoning District(s): CB

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):

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- All such conditions are in conformity with the County's Comprehensive Plan.
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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 _____, 2019 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 _____, 2019 by
_____.”

Notary Public

My Commission Expires: _____

PROPOSED OFFICE PERSPECTIVE





BALZER & ASSOCIATES
 PLANNERS / ARCHITECTS
 ENGINEERS / SURVEYORS

Roanoke / Richmond
 New River Valley / Staunton
 Harrisonburg / Lynchburg

www.balzer.cc

80 College Street
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 540.381.4290

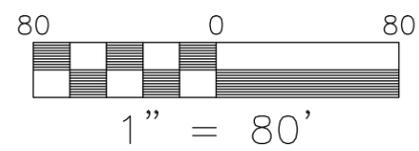
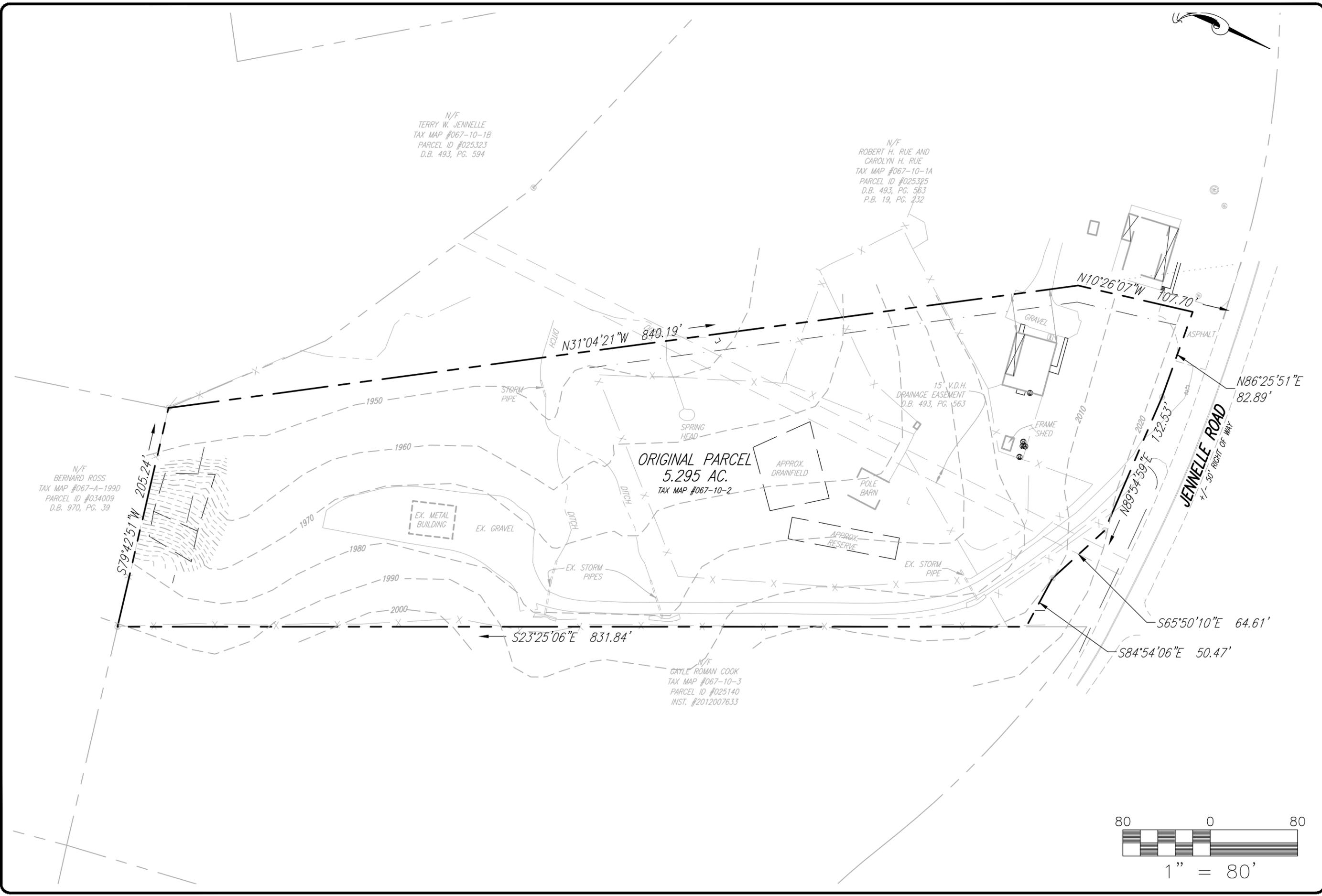
McGRADY LAMBERT ELECTRIC
 REZONING AND SPECIAL USE PERMIT
 EXISTING CONDITIONS

SHAWVILLE MAGISTERIAL DISTRICT
 CHRISTIANSBURG, VIRGINIA 24073

DATE 5/26/2020
 SCALE 1" = 100'
 REVISIONS

PROJECT NO 24200022.00

Z1



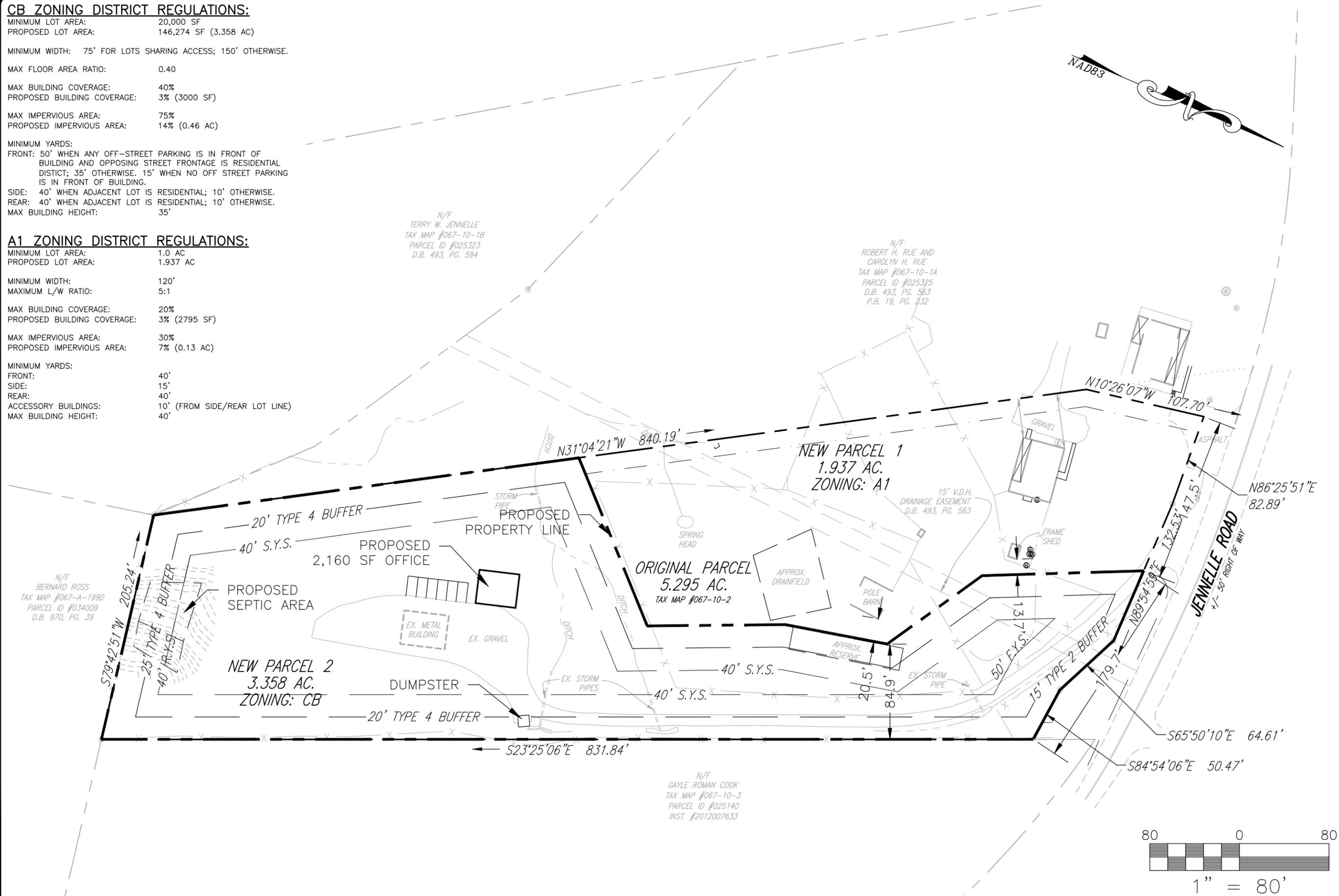
CB ZONING DISTRICT REGULATIONS:

MINIMUM LOT AREA: 20,000 SF
 PROPOSED LOT AREA: 146,274 SF (3.358 AC)
 MINIMUM WIDTH: 75' FOR LOTS SHARING ACCESS; 150' OTHERWISE.
 MAX FLOOR AREA RATIO: 0.40
 MAX BUILDING COVERAGE: 40%
 PROPOSED BUILDING COVERAGE: 3% (3000 SF)
 MAX IMPERVIOUS AREA: 75%
 PROPOSED IMPERVIOUS AREA: 14% (0.46 AC)

MINIMUM YARDS:
 FRONT: 50' WHEN ANY OFF-STREET PARKING IS IN FRONT OF BUILDING AND OPPOSING STREET FRONTAGE IS RESIDENTIAL DISTRICT; 35' OTHERWISE. 15' WHEN NO OFF STREET PARKING IS IN FRONT OF BUILDING.
 SIDE: 40' WHEN ADJACENT LOT IS RESIDENTIAL; 10' OTHERWISE.
 REAR: 40' WHEN ADJACENT LOT IS RESIDENTIAL; 10' OTHERWISE.
 MAX BUILDING HEIGHT: 35'

A1 ZONING DISTRICT REGULATIONS:

MINIMUM LOT AREA: 1.0 AC
 PROPOSED LOT AREA: 1.937 AC
 MINIMUM WIDTH: 120'
 MAXIMUM L/W RATIO: 5:1
 MAX BUILDING COVERAGE: 20%
 PROPOSED BUILDING COVERAGE: 3% (2795 SF)
 MAX IMPERVIOUS AREA: 30%
 PROPOSED IMPERVIOUS AREA: 7% (0.13 AC)
 MINIMUM YARDS:
 FRONT: 40'
 SIDE: 15'
 REAR: 40'
 ACCESSORY BUILDINGS: 10' (FROM SIDE/REAR LOT LINE)
 MAX BUILDING HEIGHT: 40'



BALZER & ASSOCIATES
 PLANNERS / ARCHITECTS
 ENGINEERS / SURVEYORS

Roanoke / Richmond
 New River Valley / Staunton
 Harrisonburg / Lynchburg

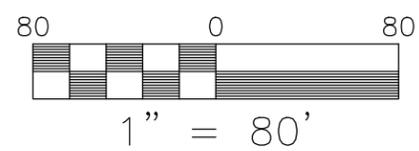
www.balzer.cc

80 College Street
 Suite H
 Christiansburg, VA 24073
 540.381.4290

McGRADY LAMBERT ELECTRIC
 REZONING AND SPECIAL USE PERMIT
 MASTER PLAN

SHAWSVILLE MAGISTERIAL DISTRICT
 CHRISTIANBURG, VIRGINIA 24073

DATE: 5/26/2020
 SCALE: 1" = 80'
 REVISIONS:



Z2



Montgomery County, Virginia

COMMUNITY BUSINESS (CB)

CB district: Intended to create locations in the county for the provision of non-intensive and small-scale commercial services to the rural communities, residential transition, village, village expansion or urban expansion areas designated in the comprehensive plan. Such locations shall be designated principally along the secondary road system where they are in the best interest of promoting community life and reducing travel costs. The scale and character of uses shall be compatible with cross-road settlements and village locations. Lighting, hours of operation, and other characteristics shall respect neighboring uses and community character.

Qualifying lands

In order to qualify for inclusion in the CB district, the land shall either be within the current CB district (as of December 13, 1999) or other lands within areas mapped as rural communities, residential transition, village, village expansion or urban expansion areas in the comprehensive plan, which are served or planned for connections to public water and sewer. Locations not meeting county criteria may be permitted if all water and sewer disposal facilities are approved by Health Department officials prior to approval of rezoning or the Special Use Permit. The minimum area required to create a Community Business district shall be one (1) acre of total contiguous land.

What can I do "by right"?

There are uses that are designated as "by right," which means you do not have to apply for a special use permit. The uses do; however, have to comply with all approved plans and permits, development standards and performance standards included in the Montgomery County Zoning Ordinance and with all other applicable regulations. The "by right" uses include:

- Amateur radio tower
- Apartment as accessory use, maximum of 2 per business structure
- Assembly of electrical, electronic devices, less than 1200 sq. ft. floor space
- Automotive, light truck, sales, service, rental, and repair, without motor fuel sales, less than 2,000 sq. ft.
- Business or trade school
- Cabinet shop, furniture, upholstery, craft industry of less than 1200 sq. ft.
- Cemetery
- Church
- Civic club
- Community Center
- Conference or training center
- Crematorium
- Custom meat cutting, processing and sales (excluding slaughtering)
- Day care facility
- Farm machinery sales/service
- Financial services
- Fire, police, and rescue facility
- Funeral home
- Garden center
- General convenience store-less than 3000 sq. ft., without motor fuel sales
- Homeless shelter
- Library
- Medical care facility
- Office, administrative, business, or professional-less than 3000 sq. ft.
- Park, unlighted
- Park and ride lot, of 50 or fewer spaces
- Pet, household
- Post office
- Printing service
- Public Use/Public Facility
- Public utility lines, water, sewer or other
- Restaurant
- Retail sales and services, less than 3000 sq. ft.
- Roadside stand
- School
- School of special instruction
- Telecommunications tower, attached

Accessory structures are also allowed, subject to the requirements of Sec. 10-41 (1).

What uses are allowed with a Special Use Permit?

Some uses are allowed in the CB district with the permission of the Board of Supervisors through the Special Use Permit process (applications available from the Planning Department). These include:

- Amateur radio tower greater than 75 feet
- Assembly of electrical, electronic devices, greater than 1200 sq. ft floor area
- Boarding house
- Building greater than 35 feet in height
- Contractor's service establishment
- Convenience store less than 3000 sq. ft., with motor fuel sales
- Dwelling, single or two-family
- Feed and seed store and mill
- Golf course
- Golf driving range
- Kennel, commercial
- Mini-warehouse
- Park and ride lot of more than 50 spaces
- Public utility plant, water, sewer, and other
- Public utility substation
- Recreation establishment
- Recycling facility
- Stone engraving and sales
- Telecommunications tower, freestanding
- Transition house
- Truck, trailer sales, service, rental, and repair with outside operations
- Veterinary practice, animal hospital

Building and Lot Requirements

Minimum Lot Area:

A lot in the CB District must be a minimum of 20,000 square feet for lots sharing access with another lot and connected to public water or sewer. In cases that do not meet the above criteria, the minimum lot size is one (1) acre; except for public utility, public water, or public sewer installations, which shall be in accordance with the Montgomery County Subdivision Ordinance.

Lot Access:

Whenever possible, lots shall be accessed from a shared access drive connected to a road in the Virginia Department of Transportation (VDOT) system. Access roads shall be hard-surfaced roads designed by a Professional Engineer to accommodate projected volumes, loads, and vehicle types and approved by the Zoning Administrator with the Fire Marshall. Lot access for CB uses shall avoid impacting residential subdivisions with primary access and through traffic.

Maximum Floor Area Ratio: 0.40

Total Impervious Coverage:

75% of gross site area

Maximum Coverage by Buildings: 40%

Minimum Width:

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

Minimum Yards:

- Front: Fifty (50) feet when any off-street parking is in front of the building and opposing street frontage is a residential district; thirty-five (35) feet otherwise. Fifteen (15) feet when no off-street parking is in front of building.
- Side: Forty (40) feet when adjacent lot is residential district; ten (10) feet otherwise.
- Rear: Forty (40) feet when adjacent lot is residential district; ten (10) feet otherwise.

Maximum Building Height:

Thirty-five (35) feet. Buildings over thirty-five (35) feet in height are allowed only with a special use permit.

Use Limitations

Screening & landscaping: In addition to landscaping and buffering requirements in the Ordinance, outside storage areas for materials, equipment, or trash are accessory uses and may not exceed 40% of the building area, must be located in side or rear yards adjacent to building, and must be screened from view of adjacent streets and adjacent land.

Off-street parking & loading: Must be provided in accordance with §10-44 and is permitted in the required setback. Parking requirements differ by size and type of use.

Indoor/outdoor operations: All repair and service operations must take place within a completely enclosed building, unless permission for outside operations is specifically allowed by SUP approved by the Board of Supervisors.

**For additional information contact:
Montgomery County Planning & GIS Services
755 Roanoke Street Suite 2A, Christiansburg, VA 24073
Ph: 540-394-2148; Fax: 540-381-8897**

A zoning permit and/or site plan may be required to proceed with the uses listed on this data sheet. See section 10-53 of the Montgomery County Code, or call the Planning Department, to determine the required development approvals.

This sheet is intended to only be a guide for development regulations in this zoning district. Please see Chapter 10 of the Montgomery County Code for the specific regulations. The full texts of the zoning and subdivision ordinances are available at the Planning Department Webpage or at www.municode.com.

July 3, 2020

Justin Sanders
Development Planner
755 Roanoke St, Suite 2A
Christiansburg, VA 24073



RE: Rezoning Request (RZ-202018391)

Dear Justin, Planning Commission Members, and Board of Supervisor Members:

I am an adjacent property owner pursuant to the referenced request, owning properties at 400 and 426 Jennelle Rd. I will not be able to attend the scheduled public hearings. However, I did want to express my support for the requested rezoning and Special Use Permit.

Both the rezoning and SUP appear in line with the Montgomery County Comprehensive Plan of Urban Expansion in this portion of the County. The zoning and SUP requested are also in concert with current enterprises and activities on that stretch of Jennelle Rd.

I applaud the McGrady's for their efforts and success in operating and growing a small business and wish them the best in this and future endeavors.

Sincerely,

A handwritten signature in black ink, appearing to read "G. Douglas Jones". The signature is fluid and cursive, with the first name "G." being a simple loop, "Douglas" written in a more complex, overlapping style, and "Jones" in a simpler, more legible cursive.

G. Douglas Jones
BOJO LLC/Rambler Springs LLC
600 Switchback Rd
Christiansburg, VA 24073

Cc: Jason & Indra McGrady
421 Jennelle Rd, Christiansburg, VA 24073