



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): DW, LLC	Address: 2050 RADFORD ST., CHRISTIANSBURG, VA. 24073
Telephone: 540-605-6053	Email: EWOODS757@YAHOO.COM

Applicant Name: Owner Contract Purchaser/Lessee SAME AS ABOVE	Address:
Telephone:	Email:

Representative Name and Company: MICHAEL G. GAY, P.E.	Address: 5342 HIGHLAND RD., DUBLIN, VA. 24084
Telephone: 540-641-1635	Email: MGAY0415@GMAIL.COM

Property Description:

Location or Address: (Describe in relation to nearest intersection) 1/2 mile east of the intersection of Houchins Rd. and Brammer Ln.		
Parcel ID Number(s): 033688	Acreage: APPROX. 47.17 AC.	Existing Zoning: A-1 AGRICULTURE
Comprehensive Plan Designation: RURAL	Existing Use: AGRICULTURE	

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

Proposed Zoning (Include Acreage): R-R
Proposed Use: 14-LOT SINGLE FAMILY HOME SUBDIVISION WITH PRIVATE ROAD

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

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

ERNEST WOODS, MEMBER		05/31/2024
Owner 1 Signature		Date
D.W. LLC.		5-31-2024
Applicant Signature		Date
		05/31/2024
Representative/Agent Signature		Date

June 1, 2024

Michael Gay, LLC
5342 Highland Rd.
Dublin, VA 24084

Brea Hopkins, Director
Montgomery County Planning and GIS Services
755 Roanoke St., Suite 2A Christiansburg, VA 24073

RE: Rezoning Request Tax Map # 080-5-1, Parcel ID #033688

Dear Brea:

Please accept this correspondence and supporting documentation as a formal request for a Rezoning request for the above referenced parcel. This request is to change the current Agricultural Zoning to Rural Residential to allow the development of a “gated” 14-lot single family home subdivision.

Approximately 10-acres of the subject 47.17-acre site has recently been logged. An Erosion Control Plan and SWM management permit application was previously submitted to the County to allow the placement of up to 25,000 cy of imported fill material and included stabilization of the remainder of the logged area.

If you recall, during the previous SUP and Permitting process, the Owner stated that the process was begun in hopes of developing an RV Campground. Unfortunately, as Construction Plans were developed and marketing research was completed, the proposed RV Park was no longer feasible on this site. A combination of high development costs and lower than previously estimated revenue didn't add up to make the project viable.

This request for Conditional Zoning to Rural Residential along with a proffered Concept Plan are submitted for your review, feedback, and ultimate action by the Board of Supervisors.

Also, note that this submission includes as request and action from The Board to allow the internal subdivision road to be privately owned and maintained.

Supplemental information provided in this request includes PDFs of the following:

- Executed Rezoning Application
- Project Narrative which includes project description, Comprehensive Plan justification, Private Road Request, and a list of Preliminary Draft Volunteer Proffers.
- Concept Plan dated June 1, 2024.

Your consideration of this request is appreciated. If any additional information is needed to support this request, please let us know.

Cordially,

Michael G. Gay, PE

PROJECT DESCRIPTION

This request is to rezone approximately 47.17- acres of undeveloped land currently zoned A-1, Agriculture to R-R, Rural Residential. It is proposed to develop a 14-lot residential, “gated community” for single family homes. All lots will be accessed from a new internal, private road system in accordance with the Montgomery County Code. Approximately 13.30-acres, or 28% of the site, is proposed to be commonly owned through a Homeowners Association. The Common Area will promote natural resource conservation and contain a walking trail, passive recreation opportunities, and stormwater management improvements.

The Town of Christiansburg has an existing waterline adjacent to the site. This will be extended into the subdivision for domestic use at each lot, as well as provide fire protection as required by County Ordinance and applicable Fire Codes. Wastewater will be handled by individual septic systems located on each lot. These septic systems will be permitted through the Local Health Department.

Individual lots will range in size from approximately 1.5-acres to 3.5-acres with the median lot size being a little over 3-acres. A conceptual layout of the project is included with this submittal and is intended to be proffered as part of the rezoning request.

COMPREHENSIVE PLAN JUSTIFICATION

- a) Zoning Compliance: As indicated on the included concept plan, all lots will meet, or exceed, lot minimums for size, configuration, setbacks, road frontage, and allowable uses. Public water will be extended to all lots from an existing Town of Christiansburg waterline. On-site septic systems will serve all lots. Preliminary evaluations indicate adequacy of soils for wastewater disposal.
- b) PLU 2.1 Criteria for Evaluating Rezoning Applications.
 - 1. Location. Although the property in this request is adjacent to an Urban Expansion area as identified in the Comprehensive Plan, this parcel is designated as Rural. In requesting a rezoning to R-R Rural Residential, the location requirement is met.

2. **Public Utilities.** This project will connect to an existing Town of Christiansburg waterline adjacent to the site. The proposed waterline extension will provide water for domestic use, as well as provide fire protection in compliance with County requirements. Sewer is proposed to be provided by on-site septic systems. PLU 1.3.3 'Rural Community Facilities and Utilities' discourages the extension of public sewer into Rural areas except to resolve existing public health threats or to interconnect existing individual systems. No current public health threats have been identified on this site and there are no individual fragmented systems needing interconnection.
 3. **Road Access.** The project site is currently adjacent to a public road (Brammer Ln.). Internal private roads will be constructed to access all new lots. The internal road system will provide the opportunity for a single entrance onto the existing adjacent public road.
 4. **Public Facilities and Amenities.** A concept plan of development is provided as part of this rezoning request. The concept plan shows proposed roads, common areas, conservation areas, walking trail, and single-family home lots.
 5. **Inter-parcel Access.** Future extensions of the proposed street system to adjacent properties is not feasible. Undeveloped land to the East of the project is currently in agricultural use. Recently, a boundary line adjustment was coordinated to provide that property with a minimum of 50-ft. of road frontage adjacent to the proposed development. Additional opportunities to access the property to the East are restricted by topography. Likewise, road extensions to adjacent properties to the North and West are not feasible because of topography and existing wetlands and/or perennial streams.
 6. **Pedestrian Access.** An internal walking trail will be provided for recreational use of the residents. No pedestrian access will be provided considering that this is a low density residential project with no off-site pedestrian traffic anticipated.
 7. **Buffers.** Existing wooded areas located in the proposed Common area and adjacent to lower intensity uses will be dedicated and maintained as vegetative buffers. Although the buffer width will be larger in most places, the minimum width will be 35-feet.
- c) **Land Use Policy PLU 1.3 Rural Areas.** The proposed project will be in keeping with the current designation of "Rural" as defined in the Montgomery County 2025 Comprehensive Plan. The proposed use of this property as a single-family home

residential subdivision developed in accordance with the R-R Zoning District Regulations is in keeping with the Rural Planning and Land Use Policy PLU 1.3 which identifies one of the allowable land uses in this area designation as new low density residential development.

The low-density residential development proposed along with dedication of conserved open space will provide a needed transition zone between the adjacent Urban Expansion area to the west and existing agricultural land uses to the east.

a) PLU 1.3.1 Rural Area Land Uses:

- a. The proposed low density rural residential development will help to maintain a rural character within this project through the preservation of wooded areas. The preservation will be provided through the use of commonly owned open space dedicated to providing passive recreational opportunities and protect the natural resources of the project site.
- b. This property has been a managed woodland in the past. Recently, it was removed from an Agricultural and Forestal District to allow low impact, low density land uses near the current Urban Expansion along the perimeter of the Town of Christiansburg.
- c. To further promote low density development and the preservation of natural resources, large portions of the project site will remain open space and residential construction will be clustered. Reducing the road network as much as possible, coupled with providing access to limited portions of the site will promote clustering of the homes.
- d. The proposed rezoning to the lowest density residential district, R-R Rural Residential, will further promote the conservation of natural resources on the site.
- e. The scale and intensity of the proposed project will provide a transition between existing high density uses in the adjacent Urban Expansion area and ongoing agricultural activities in the area.
- f. The use of large lots to limit density, extensive stormwater management, and the preservation of natural areas will insure that the proposed project will pose no threats to public health, safety, and welfare.

- b) PLU 1.3.2 Rural Area Community Design:
 - a. The new development proposed with this project will result in a residential density of 0.30 dwellings per acre. Well below the comprehensive plan's recommended maximum density of 0.75 units per acre.
 - b. As previously discussed, the use of open space, low development density, limiting the road network, and providing stormwater management facilities will promote the preservation of the site's natural, scenic, and environmental resources. To enhance the rural character of the project, lot sizes have been minimized and approximately 28% (approx. 13.30-acres) of the site will be maintained as commonly owned, contiguous open space. In addition, the majority of this open space will be dedicated as "Conserved Open Space" and maintained in accordance with the County's Stormwater Management permitting process.
- c) PLU 1.3.3 Rural Area Community Facilities and Utilities:
 - a. This project will connect to an existing Town of Christiansburg waterline adjacent to the site. The proposed waterline extension will provide water for domestic use, as well as provide fire protection in compliance with County requirements. In keeping with the Comprehensive Plan, sewer is proposed to be provided by on-site septic systems. The Comprehensive Plan discourages the extension of public sewer into Rural areas except to resolve existing public health threats or to interconnect existing individual systems. No current public health threats have been identified on this site and there are no individual fragmented systems needing interconnection.
 - b. To discourage increased levels of use on the site, the proposed project is not providing any on-site Facilities for the general public to access.
 - c. The project site is currently adjacent to a public road (Brammer Ln.). Internal private roads will be constructed to access all new lots. The internal road system will provide the opportunity for a single entrance onto the existing adjacent public road.
 - d. Although the use of private roads is generally discouraged in Rural areas, the proposed private roads within this subdivision will discourage increased levels of use of the site and promote conservation of existing environmental resources. Existing access to the entrance of the new subdivision is provided by the VDOT maintained Brammer Lane.

- d) Transportation Policies, TRN 1.3 Subdivisions and TRN 1.4 Connectivity and Access Management. The project site is currently adjacent to a public road (Brammer Ln.). Internal private roads will be constructed to access all new lots. The internal road system will provide the opportunity for a single entrance onto the existing adjacent public road. Future extensions of the proposed street system to adjacent properties is not feasible. Undeveloped land to the East of the project is currently in agricultural use. Recently, a boundary line adjustment was coordinated to provide that property with a minimum of 50-ft. of road frontage adjacent to the proposed development. Additional opportunities to access the property to the East are restricted by topography. Likewise, adjacent properties to the North and West are not feasible because of topography and existing wetlands and/or perennial streams.

- e) Environmental Resources, ENV6.5 Stormwater Management and ENV 5.6 Development: The proposed development will protect groundwater, surface water, and stormwater runoff. The public waterline extension will eliminate the need for groundwater withdrawal and properly sized, permitted, installed, and maintained wastewater collection and treatment will protect the groundwater from contamination. Existing streams and wetlands on the site will all be protected through the use of conserved open space easements, and a stormwater management plan will be prepared, permitted, implemented, and maintained in accordance with County Ordinances, at a minimum.

- f) Housing Resources, HSG 1.1 Affordable Housing and HSG 1.3 Safe and Livable Neighborhoods: A combination of the limited proposed density and number of lots in the proposed subdivision does not provide the opportunity to include affordable housing opportunities. The proposed “gated community” will provide for a safe, secure, and livable neighborhood.

- g) Education Facilities: The proposed project will have an impact on current educational facilities and programs. The proposed 14 residential lots may minimally increase student loads on local public schools. The project location is located in the current Falling Branch Elementary, Christiansburg Middle, and Christiansburg High School Zones.

PRIVATE ROAD REQUEST

It is requested as part of this rezoning that the use of internal private roads be approved. The proposed road will meet the Montgomery County Zoning and Subdivision Ordinances. Design will meet VDOT horizontal geometry standards, will keep vertical alignment below 18-percent grade, and will have a minimum pavement width of 20-feet.

Future extensions of the proposed street system to adjacent properties are not feasible.. Recently, a boundary line adjustment was coordinated with the developed land to the East of the project that is currently in agricultural use to provide that property with a minimum of 50-ft. of road frontage adjacent to the proposed development. Additional opportunities to access the property to the East are restricted by topography.

Likewise, adjacent properties to the North and West are not feasible because of topography and existing wetlands and/or perennial streams.

To the South is the existing Brammer Lane and adjacent I-81 Interstate right-of-way.

PRELIMINARY DRAFT PROFFERS

1. Project will be constructed in general conformance with the Concept Plan dated June 01, 2024.
2. Maximum of 14-single family lots and accessory uses.
3. Fire Protection will be provided through the extension of existing public waterlines as capacity allows.
4. Approximately 28-percent of the site will be commonly owned open space for protection of environmental resources, for stormwater management, and for passive recreation such as walking trails.
5. Lots 12, 13, and 14 may front on the Existing Brammer Lane, but vehicular access will be required from the proposed internal streets.
6. A new Subdivision Entrance sign may be located at the New Street Entrance location along Brammer Lane.

