

AT A SPECIAL MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY, VIRGINIA HELD ON THE 5TH DAY OF MARCH 2007, AT 8:10 P.M. IN THE BOARD CHAMBERS, MONTGOMERY COUNTY GOVERNMENT CENTER, 755 ROANOKE STREET, CHRISTIANSBURG, VIRGINIA:

PRESENT:	Steve L. Spradlin	-Chair
	Mary W. Biggs	-Vice Chair
	Gary D. Creed	-Supervisors
	Doug MARR	
	John A. Muffo	
	Annette S. Perkins	
	James D. Politis	
	B. Clayton Goodman, III	-County Administrator
	L. Carol Edmonds	-Assistant County Administrator
	Martin M. McMahon	-County Attorney
	T.C. Powers	-Planning Director

CALL TO ORDER

The Chair called the meeting to order.

OLD BUSINESS

Rezoning Request – Stuart White and Chad & Lisa Vaught

On a motion by James D. Politis, seconded by Mary W. Biggs and carried unanimously, the Board opened the floor to discuss the above request.

The vote on the forgoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Gary D. Creed	None
Mary W. Biggs	
Annette S. Perkins	
James D. Politis	
John A. Muffo	
Doug MARR	
Steve L. Spradlin	

The Planning Director presented information related to the number of units allowed “by right” on the said parcels. Under the current Residential (R-2) Zoning, 30 duplex lots with 2 dwelling units each total 60 dwelling units. The existing mobile home park, which is located in Agriculture (A-1) zoning, has 14 lots. Seventy-four (74) total units is allowed “by right” under the current zoning classification. The Planning Director stated a few more lots could be allowed with a more compact design.

The Board discussed several issues related to this rezoning request, such as the amount of land that could be developed, the emergency access road near the school, and the current speed limit on Peppers Ferry Road (Route 114).

The Board asked if this development was located in the expansion area of the Belview Village Plan. The Planning Director responded that it is.

The Board asked the County Attorney to review the “Deed of Right-of-Way” for the emergency entrance. Ms. Gillispie, adjoining landowner, informed the Board she had an agreement with Stuart White, that he would improve this access road.

The County Attorney reviewed the “Deed of Right-of-Way” and reported that there is no obligation to anyone to improve the road. Any agreement before that deed would be a private matter between the two landowners, not for the Board of Supervisors.

The Board at this time agreed to allow citizens present to speak on the proposed rezoning.

PUBLIC ADDRESS:

Charles Weber expressed concerns about the 70 rental units and believes this is not the right type of development for the community.

Donald Weber stated he moved here from another state and asked about the notification process to the community on the proposed rezoning.

The Planning Director answered that a First Class Letter- Notary Certified is sent to adjoining property owners, which is in compliance with state law. Nick Rush also replied that they hand delivered letters for the community meeting that was held on this development.

Steve Semones, Balzar & Associates, stated the developer had input from the school system on the proposed development. The school system was glad that the rental property will be under a Property Management.

Mark Kinser, Developer, stated they looked at the economic feasibility of developing the property, and decided that 10 acres could be left as open-green space.

Stuart White addressed the Board’s concerns about the topography of the site. There are large parcels with the front part being the flattest. The back parcel is the steepest.

Laura Helms expressed concerns with the proposed development. She stated the results from the survey found the majority of the residents wanted the area to be left rural. This property is too steep for development and she urged the Board to take into consideration the citizens concerns.

Nick Rush, Developer, reported they looked for a site in the County that would fit the County's Comprehensive Plan with utilities and on a major road; one that would be a perfect fit for the County.

There being no further speakers, the public address session was closed.

OLD BUSINESS (CONTINUED)

**ORD-FY-07-23
AN ORDINANCE AMENDING THE ZONING CLASSIFICATION
OF APPROXIMATELY 17.6 ACRES
IN THE PRICES FORK MAGISTERIAL DISTRICT
LOCATED ON THE NORTH SIDE OF PEPPERS FERRY ROAD (SR 114) ACROSS
FROM BELVIEW ELEMENTARY SCHOOL
IDENTIFIED AS TAX MAP PARCEL NOS. 64-A-42, 41E
AND 42A (ACCT #'S 017168, 026241 AND 026238)
FROM RESIDENTIAL (R-2) AND AGRICULTURE (A-1)
TO RESIDENTIAL MULTI-FAMILY (RM-1)
STUART WHITE AND CHAD & LISA VAUGHT**

On a motion by James D. Politis, seconded by Doug Marrs and carried unanimously,

BE IT ORDAINED By the Board of Supervisors of Montgomery County, Virginia that it hereby finds that the proposed rezoning is in compliance with the Comprehensive Plan and meets the requirement for public necessity, convenience, general welfare and good zoning practice, and therefore the zoning classification of that certain tracts or parcels of land consisting of 17.6 acres of land is hereby amended and rezoned from the zoning classification of Residential (R-2) and Agriculture (A-1) to Residential Multi-Family (RM-1) with the following proffered conditions:

1. The property proposed for RM-1 zoning will only be utilized for single-family attached residential use.
2. A maximum density of no more than 4.0 per acre will be permitted.
3. Property shall be developed in substantial conformance with the conceptual plan by Balzer and Associates, Inc. dated February 26, 2007.

4. Site shall be served by Montgomery County Public Service Authority public water and sanitary sewer.
5. An entrance permit from VDOT shall be obtained prior to issuance of building permits for this development
6. A detailed site plan/subdivision plan in conformance with zoning ordinance requirements shall be submitted and approved by the zoning administrator and all other necessary local and state agencies prior to issuance of building permits for this development.
7. All pedestrian walking trails will be paved and have a width of five feet.
8. A tot lot with playground equipment approximately 24' width x 16' length will be constructed within the active recreation area.
9. Stormwater management will be proposed on the west side of the property. The discharge rates will be designed as requested by the Montgomery County Engineer to 60% of the predevelopment 2-year and 10-year design storm runoff.
10. No individual trash receptacles shall be stored where visible from Peppers Ferry Road. Community dumpsters will be provided and screened on all four sides.
11. Buildings shall be in substantial conformance with the elevations submitted December 1, 2006.
12. The Forest Hills property management company shall maintain all grounds, including but not limited to grass areas, recreational areas, parking and paved areas, and stormwater management area.
13. Since a village plan has not been adopted by Montgomery County for Belview, the developer will pledge \$35,000.00, payable upon issuance of first building permit, for future improvements directly associated with the subject property determined during the development of the Belview Village Plan.
14. A 6' privacy fence will be installed along the east and west property lines north of the future right of way to the south edge of the remaining open space.
15. An emergency vehicle access drive will be designed along the eastern most pedestrian trail, to allow emergency vehicle circulation from the site to the emergency access road.
16. A 6' x 12' covered school bus shelter will be provided near the eastern property line of the development.
17. Road improvements and turn lanes will be designed per VDOT requirements.

The property is located on the north side of Peppers Ferry Road (SR 114) across from Belview Elementary School and is identified as Tax Parcel Nos. 64-A-42, 41E and 42A (Acct #'s 017168, 026241 and 026238) in the Prices Fork Magisterial District (District E). The property currently lies in an area designated as Village Core and Village Expansion in the Comprehensive Plan.

This application was commenced upon the application of Stuart White and Chad & Lisa Vaught (Agent: Balzar & Associates, Inc.)

This ordinance shall take effect upon adoption.

The vote on the foregoing ordinance was as follows:

<u>AYE</u>	<u>NAY</u>
Mary W. Biggs	None
Annette S. Perkins	
James D. Politis	
John A. Muffo	
Doug MARR	
Gary D. Creed	
Steve L. Spradlin	

ADJOURNMENT

On a motion by Mary W. Biggs, seconded by Annette S. Perkins and carried unanimously, the Board adjourned to Monday, March 12, 2007 at 6:00 p.m.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Annette S. Perkins	None
James D. Politis	
John A. Muffo	
Doug MARR	
Gary D. Creed	
Mary W. Biggs	
Steve L. Spradlin	

The meeting adjourned at 9:15 p.m.

APPROVED: _____ ATTEST: _____
Steve L. Spradlin B. Clayton Goodman, III
Chair County Administrator