

MONTGOMERY COUNTY PLANNING COMMISSION
August 12, 2009 @ 7:00 P.M.
Board Room, Government Center

AGENDA

CALL TO ORDER:

DETERMINATION OF A QUORUM:

PUBLIC ADDRESS:

APPROVAL OF AGENDA:

APPROVAL OF CONSENT AGENDA:

PUBLIC HEARING:

1. A request by Roger Woody (Agent: Balzer & Associates) for rezoning of approximately 6.0184 acres from Agriculture (A1) to General Business (GB), with possible proffered conditions, to allow hotel and restaurant uses. In addition, a special use permit is requested to allow a convenience store with motor fuel sales. The property is located on the southeast corner of the intersection of Tyler Road (Rt. 600) and Meadow Creek Road (Rt. 658), identified as Tax Parcel No(s). 104-4-47 (Acct Nos. 002244), in the Riner Magisterial District. The property currently lies in an area designated as Urban Expansion in the Comprehensive Plan and Planned Commercial in the Route 177 Corridor Plan.
 - a. Staff Presentation (Kevin Byrd)
 - b. Applicant Presentation
 - c. Public Comment
 - d. Discussion/Action

OLD BUSINESS:

1. A request by **Emerald Investors, Inc (Agent: Balzer & Associates)** for rezoning of approximately 9.44 acres from Agriculture (A1) to General Business (GB), with possible proffered conditions, to allow retail sales and commercial offices. In addition, a special use permit is requested to allow a convenience store with motor fuel sales. The property is located approximately 500 ft. southwest of the I-81 Exit 109 and Tyler Road intersection, 2843 Tyler Road, identified as Tax Parcel No(s). 104-A-30 (Acct Nos. 011606), in the Riner Magisterial District. The property currently lies in an area designated as Urban Expansion in the Comprehensive Plan and Planned Commercial in the Route 177 Corridor Plan. **Tabled 7/15/09** (Kevin Byrd)
2. Ordinance Amendments (Dari Jenkins)

NEW BUSINESS:

- None

LIAISON REPORTS:

- Board of Supervisors- John Muffo
- Agriculture & Forestal District- Bob Miller
- Blacksburg Planning Commission – Walt Haynes
- Christiansburg Planning Commission – Bryan Rice
- Economic Development Committee- David Moore
- Public Service Authority – Malvin Wells
- Parks & Recreation- Vacant
- Radford Planning Commission- Bob Miller
- School Board- Bill Seitz
- Transportation Safety Committee- Malvin Wells
- Planning Director's Report- Steven Sandy

MEETING ADJOURNED:**UPCOMING MEETINGS:**

- | | | |
|-----------|----------|--|
| August | 19, 2009 | Planning Commission Site Visit (To be determined)
Planning Commission Meeting (7:00 pm) |
| September | 9, 2009 | Planning Commission Public Hearing (7:00 pm) |
| September | 16, 2009 | Planning Commission Site Visit (To be determined)
Planning Commission Meeting (7:00 pm) |



MONTGOMERY COUNTY
PLANNING & GIS SERVICES

755 ROANOKE STREET, SUITE 2A, CHRISTIANSBURG, VIRGINIA 24073-3177

MEMORANDUM

TO: Planning Commission
FROM: Planning Staff (KB)
DATE: August 4, 2009
RE: **Staff Analysis (RZ-2009-06987)**

A request by **Roger Woody** (Agent: Balzer and Associates) for rezoning of approximately 6.0184 acres from Agriculture (A-1) to General Business (GB), with possible proffered conditions, to allow hotel and restaurant uses. In addition, a special use permit is requested to allow a convenience store with motor fuel sales. The property is located on the southeast corner of the intersection of Tyler Road (Rt. 600) and Meadow Creek Road (Rt. 658), identified as Tax Parcel No(s). 104-4-47 (Acct Nos. 02244), in the Riner Magisterial District. The property currently lies in an area designated as Urban Expansion in the Comprehensive Plan and Planned Commercial in the Route 177 Corridor Plan.

I. Nature of Request

A request by Roger Woody (Agent: Balzer and Associates) for rezoning of approximately 6.0184 acres from Agriculture (A-1) to General Business (GB), with possible proffered conditions, to allow hotel and restaurant uses. In addition, a special use permit is requested to allow a convenience store with motor fuel sales.

II. Location

The property is located on the southeast corner of the intersection of Tyler Road (Rt. 600) and Meadow Creek Road (Rt. 658), identified as Tax Parcel No(s). 104-4-47 (Acct Nos. 02244), in the Riner Magisterial District. The property currently lies in an area designated as Urban Expansion in the Comprehensive Plan and Planned Commercial in the Route 177 Corridor Plan.

III. Impacts

The impacts associated with rezoning the property identified as Tax Parcel No(s), 104-4-47, (Acct Nos. 002244), are discussed below. The subject parcels are currently zoned Agriculture (A-1).

The subject parcels have Agricultural (A-1) zoned properties to the northeast, Residential (R-3) to the east and southeast, and across Barn Road to the south is Planned Unit Development-Commercial (PUD-COM). To the west across Tyler Road are two parcels submitted for rezoning from Agriculture (A-1) to General Business (GB) and Residential (R-3). Across Interstate 81 property at the interchange is zone General Business (GB) and Community Business (CB). A Zoning Map is attached.

The applicants are proposing to rezone 6.0184 acres from Agriculture (A-1) to General Business (GB). The proffered site plan contains a 4,000 square foot convenience store with fuel sales at 4 fuel islands, an 86 room hotel, a full-service restaurant with a drive-thru and a full-service restaurant without a drive-thru. The uses are shown to front on Tyler Road.

TRANSPORTATION

The uses on this site generate enough vehicle trips per hour to trigger a review under the Virginia Department of Transportation (VDOT) Chapter 527 Regulation. The applicant prepared a Traffic Impact Analysis (TIA) for the County and the County submitted the TIA for VDOT's review and comments. A response from VDOT concerning the Traffic Impact Analysis is due on or before August 21st. Based on the regulations, VDOT's key findings and comments should be included in the minutes of the Planning Commission and Board of Supervisors public hearings on this rezoning application.

This project proposes two access points to the property. One entrance is proposed to be constructed at the crossover intersection of Meadow Creek Road and Tyler Road and would be a full-access intersection. A second entrance is proposed as a right-in/right-out at the southern portion of the property. This entrance is not identified on the Rt. 177 Corridor Future Land Use Map and requires a variance from the Board of Zoning Appeals to be allowed in the corridor. To allow the right-in/right-out entrance it must be spaced greater than 300 feet from any existing entrances and must allow for a taper and turn lane as required by VDOT. The Board of Zoning Appeals heard the case on August 4th and granted a variance by a vote of 3-1, with no one in attendance to oppose.

As a part of this application, Meadow Creek Road is proposed to be closed and the existing traffic would be re-routed to an upgraded Barn Road. The existing Meadow Creek intersection with Tyler Road would be converted into a commercial entrance for the development. This commercial entrance would tie into the proposed roundabout to be constructed on Tyler Road as a function of the proffer statements for rezoning across Tyler Road on the S&P of Virginia property. The applicant is also seeking to incorporate vacated right of way into their development as a result of closing Meadow Creek Road.

To assist with the implementation of closing Meadow Creek Road and upgrading Barn Road, the applicant has proffered to participate in the project by paying 50% of the

construction costs. The improvements needed for Barn Road include roadway realignment to meet VDOT curve radius standards and upgrading from a gravel surface to asphalt.

By 2018 the traffic volumes generated by the proposed uses along with the other two rezoning (S&P of Virginia and Emerald Investors) requires a controlled intersection (signal or roundabout) at Barn Road/Tyler Road/Site Entrance to operate at acceptable levels of service. As a part of the Carilion New River Valley Hospital PUD they are required to install a traffic signal at this intersection prior to any expansion projects on their property. Further, in 2018 with the development of all three rezoning projects the single-lane roundabout would need to be explored for a two-lane expansion to address potential delays at certain turning movements.

The project provides future right of way and road connection from the subject parcel to other parcels adjacent to the east. A connection is illustrated behind building "B" and would serve to connect adjoining property that also fronts along Barn Road. This potential road connection could help to increase connectivity between parcels.

VDOT has a new set of regulations pertaining to Access Management going into effect on October 1st, 2009. The applicant is seeking approval of a proffered concept plan prior to this date due to entrance spacing.

Traffic Impact Analysis (TIA)

The applicant submitted a TIA prepared by Balzer & Associates dated June 1, 2009 and revised July 2, 2009 titled, *Woody Property Rezoning, Traffic Impact Analysis Montgomery County, VA*. A copy of the Executive Summary is attached. As a result of pre-scoping meetings with VDOT and County staff, the applicant selected eight (8) intersections to include in the study area for the TIA:

1. Tyler Road (Rt. 600)/Lovely Mount Drive (Rt. 664)
2. Tyler Road (Rt. 600)/Mud Pike (Rt. 666)
3. Tyler Road (Rt. 600)/I-81 Southbound Ramps
4. Tyler Road (Rt. 600)/I-81 Northbound Ramps
5. Tyler Road (Rt. 600)/Meadow Creek Road (Rt. 658)/Site Entrance
6. Tyler Road (Rt. 600)/Barn Road (Rt. 627)
7. Tyler Road (Rt. 600)/Lamb Circle
8. Lamb Circle/Barn Road

For the purposes of the study, it was assumed that construction would begin by 2012; therefore, a 2018 (start plus six years) scenario was studied in accordance with Chapter 527 Regulations. The conclusions of the study are as follows:

1. Each of the study intersections currently operates at overall acceptable levels of service (LOS) "D" or better during the AM and PM peak hours with the exception of the westbound left at the Tyler Road/I-81 Southbound off ramp and the Tyler Road/I-81 Northbound off ramp which operates at a LOS "E" and "F", respectively, during the AM peak hour.
2. The 95th percentile queues at each of the study intersection are currently contained within the available storage.
3. No improvements are currently planned or committed to any of the study intersections without the rezoning and development of the Roger Woody

Rezoning project. *Staff comment: Carilion's Special Use Permit requires a traffic light at Tyler Road/Barn Road intersection before they can further develop their site.*

4. In 2018, without the development of Woody Property Rezoning, each of the study intersection would continue to operate at acceptable levels of service with the exception of the westbound left at the Tyler Road/I-81 southbound off ramp and the Tyler Road/I-81 northbound off ramp which would operate at a LOS "E" and "F", respectively, during the AM peak hour. *See attached letter from MPO.*
5. In 2018, without the development of Woody Property Rezoning, the 95th percentile queues at each of the study intersections would be contained within the available storage with the exception of the westbound left at the Tyler Road/Southbound I-81 off ramp which would extend past the available storage in the AM peak hour.
6. It is estimated that the development of Woody Property Rezoning would add 420 new AM peak hour, 360 new PM peak hour, and 4,590 new daily trips to the local roadway network.
7. The following roadway improvements are committed to be constructed with development of the Woody Property Rezoning:
 - a. Abandonment of Meadow Creek Road from the intersection with Barn Road to Tyler Road.
 - b. Reconstruction of Barn Road to allow access to Meadow Creek Road from Tyler Road.
 - c. Construction of turn lanes at each site entrance as applicable.
8. In 2018, with development of Woody Property Rezoning and the committed improvements noted above, each of the study intersections would continue to operate at similar LOS to the background conditions with the exception of the westbound left at the Tyler Road/Southbound I-81 off ramp and the Tyler Road/Northbound I-81 off ramp. Both of these movements would continue to operate at LOS "F" but would experience a significant increase in delay over the background conditions.

Additionally, with the reconstruction of Barn Road and abandonment of Meadow Creek Road, the westbound approach to the Tyler Road/Barn Road intersection would operate at LOS "F" during the AM peak hour.

9. In 2018, with the development of Tyler Road Rezoning, the 95th percentile queues at each of the study intersections would be contained within the available storage with the exception of the westbound left at the Tyler Road/Southbound I-81 off ramp which would extend past the available storage in both peak hours and the westbound approach to the Tyler Road/Barn Road intersection which would extend past the available storage in the AM peak hour.
10. It is recommended that traffic signals be installed at the Tyler Road/Southbound I-81 off ramp and Tyler Road/Northbound I-81 off ramp to alleviate the failing levels of service. *See attached letter from MPO.*
11. In 2018, with development of Woody Property Rezoning, the adjacent Tyler Road Development and Emerald Investors, Inc. development and the committed improvements with each project, each of the study intersections

would continue to operate at similar LOS to the background conditions with the exception of the westbound left at the Tyler Road/Southbound I-81 off ramp and the Tyler Road/Northbound I-81 off ramp. Both of these movements would continue to operate at LOS "F" but would experience a significant increase in delay over the background conditions.

Additionally, the eastbound approach to the Tyler Road/Barn Road intersection would operate at LOS "F" during both peak hours while the westbound approach would operate at LOS "F" during the AM peak hour.

Several of the movements at the one-lane roundabout to be constructed by Tyler Road Development at the Tyler Road/Meadow Creek Road/Site Entrance intersection would operate at failing levels of service during both peak hours.

12. In 2018, with development of Woody Property Rezoning, the adjacent Tyler Road Development and Emerald Investors, Inc development and the committed improvements with each project, the 95th percentile queues at several of the intersections would extend past the available storage.
13. In addition to the recommendations above, it is also recommended that a traffic signal or roundabout be installed at the Tyler Road/Barn Road intersection. Additionally, it is recommended that a two-lane roundabout be explored at the Tyler Road/Meadow Creek Road/Site Entrance intersection.

INFRASTRUCTURE

Currently the subject parcel does not have public water and sewer service at the property boundary; however, a letter from Bob Fronk, Montgomery County PSA Director, dated June 22, 2009, indicates services can be provided. Mr. Fronk's letter is included in the agenda packet.

The Rt. 177 Corridor Agreement has a Level of Service (LOS) policy to ensure adequate water and sewer facilities. The LOS policy indicates that all rezoning applications are required to pass the adequate facilities test.

1. It will pass the test of Adequate Facilities if it does not anticipate water and/or sewer usage levels above the 80 percent capacity level.
2. For one that would anticipate the usage level between 80 and 90 percent to pass the test for Adequate Facilities, there must be a plan to expand sewer capacity.
3. For one that would anticipate the usage level at 90 percent or above to pass the test for Adequate Facilities, there must be a commitment of funds to cover planned expansion.

If the site plan or rezoning application does not pass the test for Adequate Facilities the Joint Review should result in recommended denial of the application.

Water Service

Public water service may be provided by a minimum 12-inch water main extension of approximately 250 feet from the end of the 8" water main near 2827 Barn Road to the of the subject property. If adequate flow and/or pressure are not available from the above extension, a water main loop from the 8" water main near 2827 Barn Road to the 8" water main in front of 4279 Bains Chapel Road approximately 5,000 feet to the west of the subject property may be required to comply with PSA regulations.

Sewer Service

Public sewer can be provided by a public sewer main extension of approximately 250 feet to this property from the terminal manhole near 2827 Barn Road to the east of the subject property. Currently the available remaining sewer system capacity is 103,000 gallons per day (gpd). This sewer main discharges into a public sanitary sewer pump station approximately 1,000 feet to the east of the terminal manhole mentioned above. In its current configuration this pump station has additional capacity for an average daily flow of 40,000 gpd. The applicant is estimating a demand of 44,380 gpd. The PSA letter indicates two options to increase capacity, one is to upgrade the existing sewer pump station and a second is to connect to the VDOT rest area west of the subject property. The PSA letter also advises that there are several proposed project in this area with total projected sewer demands in excess of the currently remaining sewer system capacity. The current PSA policy is that sewer capacity is only reserved by payment of the facility fee after PSA approval of site plans.

Revised Sewer Demand

On July 28, 2009 the agent, Balzer and Associates, submitted revised sewer demand figures based on actual use, opposed to projected demand figures provided by the Virginia Department of Health. The applicant obtained these figures from existing uses and their respective utility bills over a 12 month period. All sewer demand figures for projects proposed in the Tyler Road corridor are revised with the exception of three shown on the S&P of Virginia plan, which include the medical offices, assisted living and nursing home.

Based on the Level of Service (LOS) test for adequate public facilities in the Rt. 177 Corridor Agreement, when 80% of capacity is reached a plan must be put in place to expand capacity. Currently 153,000 gpd is available, thus leaving 103,000 gpd available prior to the 80% capacity threshold. Under the revised sewer demand figures the agent is projecting a buildout demand of 98,818 gpd, which passes the 80% capacity test. The Montgomery County PSA will be reviewing these figures in their examination of the rezoning project.

Electric Utility Easement

The site contains a 100 foot Appalachian Power (AEP) easement that bisects the property. The site plan illustrates that parking and landscape islands will be located within the easement area. The stormwater management area is off site within the easement area. The applicant indicates that AEP is satisfied with their plan and the uses proposed within their easement. A letter from AEP dated July 29, 2009 addressing development within their easement is attached.

SCHOOLS

The applicant is proposing no impact to the school system since this is a commercial development.

IV. Rt. 177 Corridor Plan/Agreement

An agreement between Montgomery County, the City of Radford and the Montgomery County Public Service Authority (PSA) dated March 1, 1993, updated in October 2000, outlines a vision for the Rt. 177 corridor between the City of Radford municipal boundary on Rt. 611 (Rock Road) and an area in Montgomery County south of Interstate 81 near the Carilion New River Valley Hospital. The agreement was negotiated with respect to land use, zoning, certain fiscal arrangements, revenue and economic growth sharing, joint exercise or delegation of powers, the modification or waiver of specific annexation or immunity rights, the provision of access to a water supply by the City and arrangements for sanitary sewer transportation services or facilities through the City.

The geographical area of the corridor is illustrated in the attached map titled, Rt. 177 Corridor. The agreement relative to annexation states the City of Radford agrees not to support any annexation petitions from Montgomery County residents within the corridor boundary, unless the City changes governing structure then other portions of the agreement will also terminate such as revenue sharing. The agreement dictates that 27.5% of all local tax revenues generated and collected by the County within the corridor shall be shared with the City.

A joint Comprehensive Plan chapter for the corridor was adopted by both localities. The application conforms to the following concepts set out in joint plan:

1. The proposed main entrance to the project off Tyler Road is where the existing Meadow Creek Road cross-over with Tyler Road is located.
2. Additional landscape buffer requirements will be adhered to based on the Corridor Plan.
3. The site is identified as Planned Commercial and the development meets the uses allowed by the Future Land Use Map for the Corridor.
4. Based on current VDOT standards, an acceptable Level of Service will be required at Tyler Road intersections.
5. Any utility upgrades required as a result of the proposed development would be installed by the developer.

The Corridor agreement also calls for joint review of land use proposals. The City of Radford Planning Commission was invited to participate with the Montgomery County Planning Commission site visit on July 15th. The City of Radford submitted a letter concerning the proposed project. The City's Planning Commission is in agreement that the development meets the goals outlined in the Rt. 177 Corridor Agreement. The City Staff commented, "City staff has met and expresses concerns regarding the sewer capacity flows, as this project will bring it closer to near capacity as outlined in the Rt. 177 Corridor Agreement." The City of Radford's letter is included in the agenda packet.

V. Comprehensive Plan

The parcels are located within an area designated as *Urban Expansion* on the future policy map of the 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 will accommodate a full range of residential unit types and densities. These areas are adjacent to Blacksburg, Christiansburg and Radford and are intended to be natural expansion areas for uses occurring within town and city boundaries. Transportation improvements within Urban Expansion Areas will be designed to tie into the existing street network serving the City and the towns. Development in these areas will be compatible and complimentary to development within corporate limits.

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

PLU 1.8.3 a, b & c- Urban Expansion areas are the preferred location for new residential and nonresidential development. These areas will accommodate a full range of residential unit types and densities. Major Employment and commercial uses should be located in Urban Expansion Areas, in proximity to major transportation corridors.

PLU 1.8.4 a, b, c, d & e- From an area wide or large-scale project perspective, gross densities in Urban Expansion Areas may range up to 2.5 dwelling units per acre. High quality residential and nonresidential design is encouraged. Proposed development should be evaluated for compatibility with existing communities and is designed to minimize impacts. "Seamless" transitions between existing development and new development is a primary objective. The County will encourage development of planned, mixed use, pedestrian and transit friendly communities in Urban Expansion Areas that combine office, commercial, residential and recreational uses into a single development with pedestrian access along the public street network. Functional neighborhood-scale open space should be provided.

PLU 1.8.5 a, b & c- These areas are to be served by public water and sewer, either by the County or by the towns and the City, by mutual agreement. Public facility investments will be focused in these areas. Transportation improvements in these areas will be designed to tie into existing street networks.

The Future Land Use Summary for the Comprehensive Plan indicates that Blacksburg and Christiansburg will continue to accommodate 2/3 of the future development within the County, while Urban Expansion areas and Villages have the potential to accommodate the remaining 1/3. Over 80% of future growth in the unincorporated areas of the County is targeted for Urban Expansion Areas or Villages.

Transportation

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

TRN 1.3.1-5 – Strive to limit the number of lots on cul-de-sacs to encourage street continuation and connectivity. Streets should contain pedestrian facilities to enable alternative transportation.

TRN 1.4.1-3 – Emphasize connectivity of the transportation network by limiting strip development on major thoroughfares. Commercial access should be from streets interior to a development, not from major thoroughfares. Encourage shared access for roads classified as major and minor arterials and major and minor collectors.

Environment

The following *Environment* policy statements found in the Environmental Resources chapter of the Comprehensive Plan should be considered during the review of this proposal:

ENV 5.6 – Minimize the coverage of impervious surfaces to allow rain percolation through strategies such as low-impact development and stormwater management planning and concentrate new development in areas where public water supplies and sewer systems exist or are planned.

ENV 6.5 – Maintain the pre-development drainage patterns (including the quantity and timing) of runoff draining into karst terrain features.

ENV 7.0 – The 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.

To address the above items the applicant has proffered that stormwater management will be on adjacent parcel (104-A 27A) in a stormwater management easement in accordance with all State and local stormwater management standards. The site currently drains naturally to one drainage basin which drains to a tributary of Meadow Creek. The applicant is proposing to handle stormwater in an underground system of pipes that would work to reduce the amount of post development runoff as well as treating the stormwater for water quality purposes. The applicant indicates that 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.

In a meeting with a representative from the Carilion New River Valley Hospital, they expressed concern about stormwater runoff impacting their stormwater pond. Currently their stormwater pond contains all of the runoff collected on their site and it is treated prior to being utilized for cooling purposes. Further, the County Engineer, Ron Bonema, asked the agent to investigate providing a regional stormwater facility designed to handle all three rezoning projects.

The Rt. 177 Corridor Overlay Zoning District states maximum lot coverage by buildings and paved areas (impervious surfaces) shall be up to fifty (50) percent, which the application meets. The applicant is proposing a site coverage of 46.1%. In the General Business (GB)

district impervious surface is permitted up to 85%; however, this site is in the Rt. 177 Corridor Overlay district and the more strict regulation applies.

Summary

The parcel is proposed to be rezoned to a higher intensity land use from Agriculture (A-1) to General Business (GB). The applicant has prepared a site plan that takes into account the Comprehensive Plan policy statements outlined above.

The proposal is consistent with the Urban Expansion, Residential Transition, Transportation and Environmental chapters of the Comprehensive Plan, *Montgomery County 2025*. Further, the plan meets all of the land use and zoning criteria set forth in the *Rt. 177 Corridor Plan*. As proposed, this development meets the goals and objectives of the future land use for this area and does qualify for consideration of rezoning from Agriculture (A-1) to General Business (GB). This proposal also qualifies for consideration of a Special Use Permit (SUP) in the General Business (GB) district for convenience store with motor fuel sales.

VI. Analysis

The applicants are proposing to rezone 6.0184 acres from Agriculture (A-1) to General Business (GB). The proffered site plan contains a 4,000 square foot convenience store with fuel sales at 4 fuel islands, an 86 room hotel, a full-service restaurant with a drive-thru and a full-service restaurant without a drive-thru.

The proposed zoning change and special use permit request present a significant change in land use compared to the surrounding community. Given the complexity of this project and its potential impact to surrounding property owners and the larger community, the applicant and staff have worked diligently to identify as many potential issues as possible.

More than likely the most noticeable impact to the community will be changes to the transportation network in and around the project site. With the proposed closure of Meadow Creek Road and re-routing traffic to an upgraded Barn Road, traffic impacts will be most noticeable by those accessing the Village of Riner or Route 8. The entrance located at the cross-over location (roundabout) is illustrated on the Rt. 177 Corridor Future Land Use Map; however, the right-in/right-out entrance is not on the Map and was approved by the Board of Zoning Appeals on August 4th.

The Rt. 177 Corridor Agreement prescribes water and wastewater capacity that the City of Radford makes available to Montgomery County PSA. Per the agreement, as of 2005 the City of Radford is to provide the PSA with 400,000 gpd of water capacity and 250,000 gpd of sewer capacity. Close examination of available capacity for this project is necessary given other existing public service users in the corridor. Mr. Fronk with the PSA will need to "test" this project against the Rt. 177 Adequate Facilities Level of Service requirements and the PSA Board will need to make a determination on sewer use figures. If the capacity required for this project falls under 80 percent of available capacity the requirements are met. If the project falls within 80 to 90 percent of available capacity a plan must be established for expanding capacity. If the project requires more than 90 percent of the available capacity funds must be in place enable the necessary capacity. Level of Service in

the corridor will become more critical due to other land use applications and future hospital development.

Attention should be given to exterior lighting in order to preserve nighttime skies. The subject property is near the edge of an Urban Expansion area and is largely adjacent to Resource Stewardship land uses. Keeping light pollution limited to preserve the rural nature of Resource Stewardship areas is important. A condition addressing lighting will be recommended in the SUP for convenience store and fuel sales portion of the application. Attention will be given toward lighting when site plans are submitted for the other commercial uses on this site.

V. Staff Recommendations

Staff preliminarily recommends tabling this request by Roger Woody (Agent: Balzer and Associates) for rezoning of approximately 6.0184 acres from Agriculture (A-1) to General Business (GB) to allow VDOT time to comment on the revised Traffic Impact Analysis and to allow the applicant to amend the proffered conditions as necessary. Proffered conditions dated July 1, 2009 have been offered as of the date of this report. Proffer number six (6) excludes uses the County may wish to retain such as, a community center, a park, and a park and ride. Sewer capacity issues need to be resolved between the applicant and the PSA.

Staff recommends tabling of the Special Use Permit (SUP) to allow a Convenience Store with Motor Fuel Sales on approximately 6.0184 acres in General Business (GB) with the following conditions:

1. All exterior lighting on the site shall conform to Montgomery County Code 10-46, Performance Standards.
2. The site shall not be utilized as a trucking terminal. Overnight or extended parking of tractor trailers shall be prohibited.
3. Site design of fuel storage and fuel pumps shall follow best management practices of the Virginia Department of Environmental Quality to prevent spills and leakage of fuel into groundwater or stormwater facilities.

At the time this report was issued, the Planning Department received four phone calls seeking more information on all three rezonings in the corridor. Two calls were concerned with competition in their respective industries located on the opposite side of I-81. Staff reviewed the Comprehensive Plan, Rt. 177 Corridor Plan and the application materials with the callers and offered to set up a meeting to discuss further if needed. Nineteen (19) property owner notices were distributed to incorporate a large buffer area surrounding the subject parcel.

Enclosures: Aerial Map
Zoning Map
Site Photos
Application Materials
Proffered Conditions
Traffic Impact Analysis Executive Summary, dated July 6, 2009
Letter from City of Radford, dated August 5, 2009
Letter from Bob Fronk, Montgomery County PSA, dated June 22, 2009
Letter from Dan Brugh, MPO, dated July 8, 2009
Revised Sewer Demand Figures, dated July 28, 2009
Letter from Appalachian Power, dated July 29, 2009



Roger Woody Request for Rezoning and SUP

- Legend**
- State Roads
 - Interstate Highway
 - Private Roads (Named)
 - Planned Highway
 - Railroad
 - Hydrology
 - Hospital
 - Tax Parcels
 - Subject Property (Woody)

Parcel ID: 002244



Montgomery County, Virginia
PLANNING & GIS SERVICES

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0 50 100 200 300 400 Feet

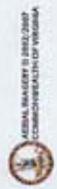
Prepared by Montgomery County, Va
Planning & GIS Services, 7/20/09



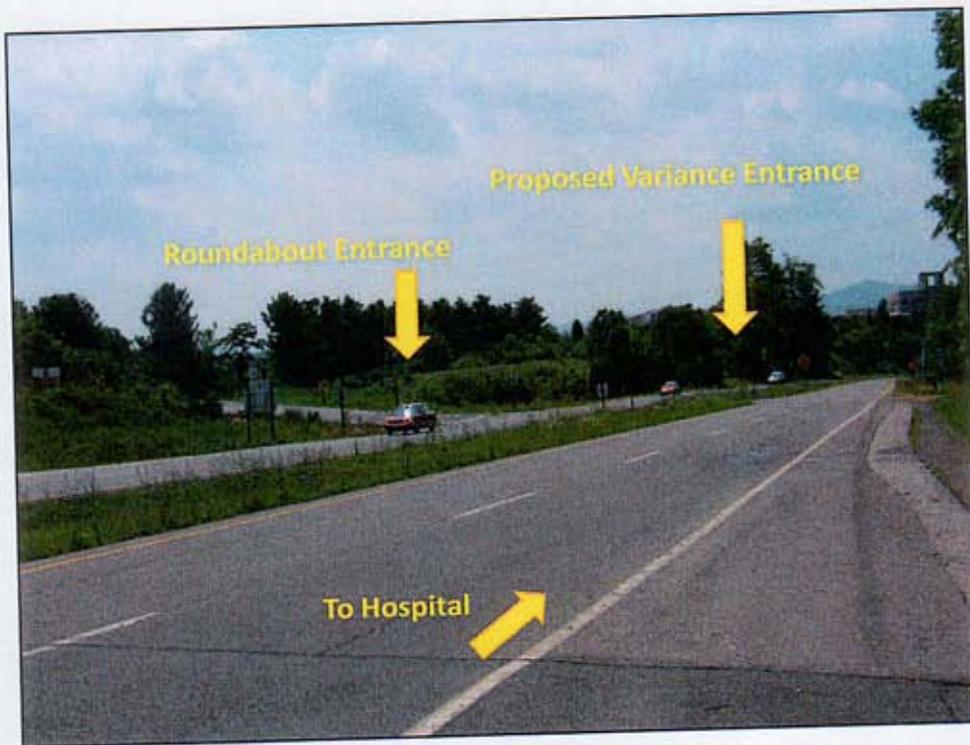
Roger Woody Request for Rezoning and SUP

- Legend**
- State Route
 - Interstate Highway
 - Private Road (Paved)
 - Planned Highway
 - Roadway
 - Hydrology
 - Topography
 - Tree Preserve
 - Subsided Property (Warning)
 - County Zoning
 - Utility Class
 - AI - Agriculture
 - CE - Community Business
 - GS - General Business
 - MI - Manufacturing
 - RF - Retail
 - RFCCO - Planned Unit Development Commercial
 - RD - Residential
 - RD - Residential

Parcel ID: 002244



Montgomery County, Virginia
 2018-04-01
 FOR INFORMATIONAL PURPOSES ONLY. THIS MAP IS NOT TO BE USED FOR ANY PURPOSES OTHER THAN TO PROVIDE VISUAL REFERENCE TO THE LOCATION OF THE PROPERTY AND TO ILLUSTRATE THE GENERAL CHARACTER OF THE SURROUNDING AREA. THE PLANNING & GIS SERVICES DEPARTMENT IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS THAT MAY APPEAR IN THIS MAP. THE USER SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF THE INFORMATION SHOWN.
 THE INFORMATION SHOWN HEREON IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT TO BE CONSIDERED OR USED AS A BASIS FOR ANY DECISIONS OR ACTIONS OF ANY KIND. THE USER SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF THE INFORMATION SHOWN.
 PLANNING & GIS SERVICES DEPARTMENT
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 Feet
 Prepared by Montgomery County, Va
 Planning & GIS Services, 7/20/09





**REZONING APPLICATION
FOR**

**TYLER ROAD - ROGER WOODY
PROPERTY
COMMERCIAL DEVELOPMENT**

**TAX PARCEL
104- 4 47**

July 1, 2009

**PREPARED FOR: ROGER WOODY
PREPARED BY: BALZER & ASSOCIATES, INC.**



Application to Planning Commission and Board of Supervisors

Application For: (check appropriate boxes)

Rezoning

Special Use Permit

Rezoning & Special Use Permit

Comprehensive Plan Amendment

Applicant Information:

Property Owner: ROGER WOODY

Agent: BALZER & ASSOCIATES, INC

Address: 1285 TRANQUILITY VIA
CHRISTIANSBURG, VA 24073

Address: 448 PEPPERS FERRY RD NW
CHRISTIANSBURG, VA 24073

Phone 1: 540-382-5885

Phone 1: 540-381-4290

Phone 2: 540-605-6126

Phone 2: 540-641-0328

Email: showcase@swva.net

Email: sscmones@balzer.cc

Location of Property: SE QUADRANT OF TYLER ROAD @ MENDOS CREEK RD - EXIT 109

Legal Record of Property: Total Area: 6.084 Acres Magisterial District RINER

Account ID: # 002244 Tax Parcel Number(s): 104-4 47

Rezoning Details: Current Zoning District: A1 Requested Zoning District: GB

Desired Use(s): HOTEL, RESTAURANT, GAS/CONV. STORE

Special Use Permit: Current Zoning District GB Total Area: 6.0184 Acres

Desired Use(s): CONVENIENCE STORE WITH MOTOR FUEL SALES

Comprehensive Plan Amendment(Description): _____

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.

Roger Woody
Property Owner's Signature

7/1/09
Date

[Signature]
Agent's Signature

7/1/09
Date

FOR OFFICE USE ONLY

Date Received: _____ Fee Paid: _____ Reviewed by: _____

COMPLETE request. Schedule for _____ Planning Commission Meeting.

INCOMPLETE request. Applicant has until _____ to re-submit application to be considered for _____ meeting.

TYLER RD - ROGER WOODY PROPERTY
COMMERCIAL DEVELOPMENT
REZONING PROFFER STATEMENT

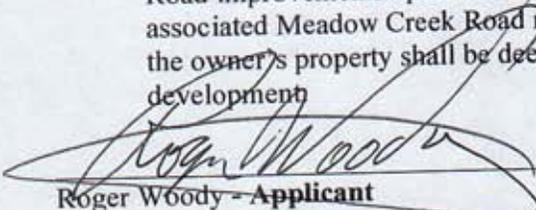
Dated: July 1, 2009

Proffer Statement for a requested rezoning application of Tax Parcels #104- 4 47 located off Tyler Road and Meadow Creek Road.

The owner/applicant hereby voluntarily proffers that this property will be developed in accordance with the following conditions if and only if, approval of the proposed rezoning is granted. These proffers will be included in all future transactions of the property to all owners, their successors and assigns.

We hereby proffer the development of the subject property of this application shall be in strict accordance with the conditions set forth in this submission.

- 1) Property shall be developed in substantial conformance with the conceptual plan by Balzer and Associates, Inc. dated July 1, 2009.
- 2) Site shall be served by Montgomery County PSA sanitary sewer and water.
- 3) 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.
- 4) Stormwater management will be proposed on the adjacent property, TM# 104-A 27A, in accordance with all State and Local stormwater management standards.
- 5) All entrances onto Tyler Road and will be designed to Virginia Department of Transportation standards and meet the Montgomery County 177 Corridor Plan.
- 6) The following uses will be prohibited in the General Business District: apartment as accessory use, building material sales, cemetery, church, civic club, community center, crematorium, custom meat cutting- processing and sales, funeral home, homeless shelter, park, park and ride, pet-household, public utility lines-other distribution or collection facility, school, and garden center.
- 7) The owner will agree to pay half of the cost of design and construction of the Barn Road improvements upon the closing of Meadow Creek Road and the vacation of the associated Meadow Creek Road right of way. The vacated right of way adjacent to the owner's property shall be deeded to the owner and considered part of this development.


Roger Woody - Applicant

Date

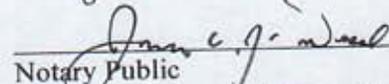
7/1/09

Commonwealth of Virginia
County of Montgomery

The foregoing instrument was acknowledged before me this 1st day of

July 2009 by:

Roger Woody of Montgomery County.


Notary Public

My commission expires 8-31-09



TYLER ROAD – ROGER WOODY PROPERTY
COMMERCIAL DEVELOPMENT
COMPREHENSIVE PLAN JUSTIFICATION

The property described in the Rezoning application is currently zoned A-1 Agricultural. The parent parcel of the area requested has a total acreage of approximately 6.02 acres. Meadow Creek Road is proposed to be closed and the right of way vacated during this development and the existing right-of-way included as part of the proposed commercial site. The acquisition of the former right-of-way will increase the subject parcel size to approximately 7.20 acres. Parcel #104-4 47 is currently vacant and vegetated. The rezoning proposal calls for the entire 7.20 acres to be rezoned to GB General Business.

The requested zoning change to GB General Business would allow for a future land use that is in keeping with the Montgomery County Comprehensive Plan and the 177 Corridor Plan which designates this area as Urban Expansion. Urban Expansion areas are areas which have been designated as preferred locations for new residential and nonresidential development. These areas are adjacent to the Town boundaries or in high growth corridors and are intended for growth due to existing population, transportation access and accessible public utilities. The Urban Expansion areas also allow for development that will be compatible to existing development within the corporate limits.

The commercial uses shown on the masterplan are a 4,000 s.f. gas/ convenience station with 4 fuel islands, an 86 room hotel, a full-service restaurant with a drive-thru, and a full-service restaurant without a drive-thru. The uses are shown to occupy the eastern portion of the property and front on Tyler Road. There is a 100' APCO easement that bisects the property. The adjacent property to the east (TM# 104-A 27A) is identified as a property that may develop independently in the future and a connection has been provided to help facilitate future interconnectivity between the parcels and limit unnecessary traffic on Tyler Road. The development shows two entrances to serve the property from Tyler Road. One entrance would be at the existing cross-over intersection of Meadow Creek Road and Tyler Road, and would be a full access intersection. Meadow Creek road is proposed to be closed by this development and the existing traffic to be re-routed to Barn Road. The existing road entrance at Tyler Road would then be converted to a standard VDOT commercial entrance into the site. The proposed development of adjacent parcels across Tyler Road has a roundabout proposed for the intersection of Tyler Road and Meadow Creek Road. If this roundabout should be constructed, the private commercial entrance would connect directly to it. The second entrance that is to be located at the southern end of the property would be a right in/right out entrance.

Given the site constraints and necessary compliance with specific zoning regulations, the current layout gives a realistic build out density to use for projecting water and sewer usage as well as transportation planning. The detailed assumptions made for these infrastructure improvements are detailed in the Traffic Impact Analysis and the Water and Sewer Service section of this application.

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

- 1) PLU 1.8.2 – The development is proposed within a planned corridor area (177 Corridor) and is under the review of Montgomery County and the City of Radford.
- 2) PLU 1.8.4.c,e – The overall development provides a mix of commercial uses and is compatible with development within the corporate limits. It also provides opportunities for pedestrian and vehicular circulation throughout the development.
- 3) PLU 1.8.5.a,c / 2.1.b – The development will have public utilities, and will allow for effective transportation strategies.
- 4) PLU 1.8.6 – Due to the project being located in the 177 Corridor, Montgomery County and the City of Radford had coordinated on this area being designated for commercial expansion.
- 5) PLU 2.1a – The commercial development is located within an area designated Urban Expansion.
- 6) PLU 2.1.f – The development will provide safe pedestrian walkways to land uses.
- 7) PLU 2.1.c,e, TRN 1.3.2 – The proposed site entrances will be safely designed and will be constructed at the owner's expense. The proposed site access and reserved right of way will allow for future interconnections with adjacent properties.
- 8) PLU 2.1.d, f – The development will have pedestrian access between uses.
- 9) PLU 2.1.g – The development will have buffers along all uses with lower intensities as well as increased buffers as required by the 177 Corridor Overlay regulations.
- 10) ENV 3.2.4 – The development will minimize any negative effect on water quality.
- 11) ENV 5.6 – The development will provide for stormwater management and is located in an area where public water and sewer service exists.
- 12) ENV 6.5 – The proposed development is maintaining existing drainage patterns for stormwater management.
- 13) ENV 7.0 – The proposed development is maintaining water quality and protecting downstream properties with stormwater management techniques.
- 14) TRN 1.3.2, TRN 1.3.5 – Interconnectivity of roads and walkways will be provided.
- 15) TRN 1.4.2 – Access to the proposed higher intensity uses will be within the property as opposed to accessing off of a major thoroughfare, ie. Tyler Road. Each use will not have its own entrance off of Tyler Road.
- 16) TRN 2.4.1 – The proposed main entrance location meets the access management requirements in the 177 Corridor Plan.

The elements that directly conform to the issues stated in the **Montgomery County 2025 Comprehensive Plan** for the **VA 177/ Tyler Avenue Corridor Area** are the following:

- 1) The proposed main entrance to the project off Tyler Road is where the existing Meadow Creek Rd cross-over with Tyler Rd is located.
- 2) Additional landscape buffer requirements will be adhered to based on the Corridor Plan.
- 3) The development meets the uses allowed by the Future Land Use Map.
- 4) Any utility upgrades required as a result of the proposed development would be installed by the developer.

Water & Sewer Service

The proposed rezoning area is on the east side of Tyler Road and to the south of Interstate 81 Northbound and adjacent to Meadow Creek Road. Currently the site does not have public water and public sewer service located adjacent to the parcel boundaries. The main connection to the Montgomery County Public Service Authority (PSA) operated water and sewer is located on Barn Road, to the east of the subject parcel. An 8" waterline and an 8" gravity sewer line terminate at this point on Barn Road. Both the water and sewer will need to be extended to the subject property and then into the site as it develops.

Based on the existing topography and drainage patterns of the site, the site drains naturally to the low point on the subject property along the eastern boundary line in the general area where the 100' APCO easement leaves the site. The APCO easement includes a stormwater and public utility easement between the eastern property line of the subject parcel and the right-of-way line of Barn Rd over the property identified as TM# 104-A 27A. This location is assumed to be where the sewer connection would be made. The site would gravity feed to this location and would continue through the main gravity sewer extension line until it reaches the existing pump station. According to the letter provided to the owner from the PSA on June 22, 2009, the pump station has an additional 40,000 gallons of capacity and the sewer system has 103,000 gallons of remaining capacity. Coordination with the PSA will be necessary to insure that the pump station can be upgraded in the future by the applicant or by others as adjacent property develops.

Based on Virginia Department of Health Standards, an average daily flow is estimated as follows for the proposed uses:

HOTEL USE

Hotel: 86 Room Hotel With Approximately 900 Square Feet of Restaurant and a Pool Area

Design Assumptions and Calculations:

1. Each room is assumed to be occupied by 2 people and water and sewer usage is 65 gal/day per person = 11,180 gal/day
 2. Swimming pool water and sewer usage is 10 gal/day per swimmer (assume 85 rooms x 2 persons = 172 swimmers) = 1,720 gal/day
 3. Water and sewer usage for restaurant is 50 gal/day per seat (assume 1 seat per 15 square feet of restaurant per state code) = 3,000 gal/day
- Total Water/Sewer Usage By Hotel = **15,900 gal/day**

GAS SERVICE STATION

Gas/Service Station: 4,000 Square Foot Gas Station With 8 Vehicle Fueling Positions

Design Assumptions and Calculations:

1. From ITE Trip Generation Spreadsheet, a service station with 8 vehicle fueling positions will generate approximately 1,348 vehicles per day
2. Water and Sewer Usage for gas service stations is 10 gal/day per vehicle = 13,480 gal/day

Total Water/Sewer Usage = 13,480 gallons per day

RESTAURANTS B & D

Restaurant: 8,590 Square Foot Total Floor Area (#1 & 2)

Design Assumptions and Calculations:

1. Assume approximately 4,090sf of kitchen & waiting areas leaving 4,500 square feet of seating/dining areas
2. Per state code, maximum occupancy is 1 person/15 square feet of seating space = 300 person
3. Water and Sewer usage for restaurants is 50 gal/day per seat = 15,000 gal/day

Total Water/Sewer Usage By Restaurant = 15,000 gal/day

TOTAL ESTIMATED WATER/SEWER USAGE BY PROPOSED DEVELOPMENT = 44,380 gallons per day

*ALL WATER AND SEWER USAGE RATES PER TAKEN FROM THE VIRGINIA DEPARTMENT OF HEALTH DESIGN AND CONSTRUCTION CRITERIA TABLE 5.1

The subject property is identified in the Montgomery County Comprehensive Plan as Urban Expansion. The Comprehensive Plan identifies Urban Expansion areas as those which have public utilities available to them (PLU 1.8.5a).

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

Project Phasing

The development of the site is currently not planned to be phased. While the construction of the buildings could occur over a period of years, the main infrastructure, road work, stormwater management and grading activities would occur in the first stage of construction.

Roads

The proposed development conceptual plan indicates that there will be two entrances /access points into the property. The main entrance will be off of Tyler road and will be located at the existing cross-over intersection of Meadow Creek Road. This entrance will be designed to VDOT standards and will serve as a full access entrance. This rezoning proposes that Meadow Creek Road be closed and all traffic re-directed to Barn Road. The right of way of Meadow Creek Road would also be vacated and deeded to the subject property. The existing entrance of Meadow Creek Road onto Tyler Road at the existing crossover would be converted to a private commercial entrance. By redirecting traffic

onto Barn Road, a portion of Barn Road must be realigned and improved to allow through traffic as proposed. As part of this application, the owner has agreed to participate financially with Montgomery County and VDOT in designing and constructing approximately 1,400 linear feet of road improvements necessary to bring Barn Road up to current VDOT standards. Carilion Hospital will also participate in this venture by agreeing to dedicate the required right of way to construct the new portion of Barn Road. The proposed rezoning and development of property across Tyler Road from the subject property has a roundabout proposed for the intersection of Tyler Road and Meadow Creek Road. If this roundabout should be constructed, the private commercial entrance would connect directly to it at the current location of Meadow Creek Road.

The secondary entrance proposed on Tyler Road is a right in/right out at a location near the southern boundary of the subject parcel. Although this entrance is not indicated on the 177 Corridor Plan, the applicant is requesting a variance from the Montgomery County Board of Zoning Appeals to allow it. The 177 plan states *"If an applicant can show just cause and present a safe and efficient entrance location at least three hundred (300) feet from any existing entrance or entrance identified in the Montgomery County Comprehensive Plan and meet all other design requirements, a request for a variance will be considered through an appeal to the board of zoning appeals (section 10-52)"*. This proposed entrance will be designed to VDOT standards and will meet the other standards set forth in the 177 Corridor plan. Turn lanes have been shown on the concept plan and the entrance is more than 300' from the Barn Road intersection and the Meadow Creek Road Intersection. One main reason this entrance is proposed is for easier access into the site for hospital patrons. When leaving Barn Road, one can enter the site at this entrance and avoid adding any unnecessary traffic to the roundabout intersection.

Based on the estimated trips entering and leaving the site from Tyler Road during full buildout, a left turn lane would be required on the southbound lane of Tyler Road entering the site. However, if the proposed roundabout is installed as shown, no left turn lane will be required – all traffic would maneuver through the roundabout. The roundabout proposed with the S&P of Virginia, LLC rezoning case is shown on this rezoning masterplan for illustrative purposes only to demonstrate how the subject property would tie into the roundabout design. If a left turn lane becomes necessary, it would likely be located in the existing median. Coordination with VDOT on timing of development will determine which improvements are necessary during site plan review.

The project also provides for a future access connection that could extend from the subject parcel to the adjacent parcel to the east. The future access drive is shown on the conceptual plan at a 20' width. This future access drive and parcel interconnectivity would help to mitigate future traffic impacts on Tyler Road by allowing hospital traffic or Barn Road traffic to enter the site using Barn Road as opposed to adding additional traffic to Tyler Road. The new VDOT Secondary Street Acceptance Guidelines require that this type of interconnectivity be proposed on new projects. Based on these new regulations and the planning designation of this area (Suburban Area Type) a VDOT Connectivity Index of ≥ 1.4 will be required. This development is strictly commercial and does not have any plans for public roads, thus the Connectivity Index does not apply. However, one could look at the entrances and parking layout to show interior intersections to determine a similar ratio. By doing this, our calculations show the proposed development would have an index of 2.0.

Landscaping/Buffering

Landscaping will be provided as specified in the Montgomery County Zoning Ordinance based on the land use buffer matrix. The landscaping along the frontage adjacent to Tyler Road is shown as a Type 3, the parcel lines adjacent to property with a residential use will have a 25' Type 4 Buffer, the frontage along I-81 will have 20' type 4, and the parcel lines adjacent to properties of medical use shall have a 20' type 2 buffer as required by the matrix and the 177 Corridor Plan. These buffers should provide adequate screening for the property from adjacent properties and right of ways.

Housing Resources

The project being proposed is a commercial development and will have no impact on the housing resources.

Water Quality & Stormwater Management Standards

The overall property currently drains naturally to one drainage basin at the eastern boundary of the subject parcel which drains to a tributary of Meadow Creek. The current master plan shows a preliminary location for a stormwater management area within the existing stormwater easement located on the adjacent property identified as TM# 104-A 27A. This area would be sized to accommodate the additional stormwater runoff created by the increased impervious areas of the development. The stormwater management facility is expected to be installed underground in a system of pipes that would work to reduce the amount of post development runoff as well as treating the stormwater runoff for water quality purposes. The proposed stormwater management area will conform to all applicable Department of Conservation and Recreation 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. With these design measures in place there should be no negative impact on the groundwater supply for any adjacent well users.

Public School Impacts

The proposed project is a commercial development and will have no impact on the public school system.

Sec. 10-28. GB General Business.

(1) *Purpose.* This district covers that portion of the community intended for the conduct of general business to which the public requires direct and frequent access. It is intended for the orderly growth of business within the unincorporated territory of the county and most often abuts the incorporated urban areas along primary highways. Activities in GB districts shall have limited traffic and other impacts on uses in other districts through proper location on major streets, preference for locations adjoining concentrations of existing commercial or industrial uses and zoning, and provision of space and physical buffers as prescribed. Areas designated for commercial use are best suited for rezoning to this district.

(2) *Qualifying lands.* Lands qualifying for inclusion in the district shall be those within the current GB district on the date of adoption of this chapter, or other lands within areas mapped as village, village expansion, or urban expansion in the comprehensive plan which are served by or planned for connections to public sewer and water. The minimum area required to create a district shall be five (5) acres of total contiguous land.

(3) *Uses permitted by right.* The following uses are permitted by right, subject to compliance with all approved plans and permits, development standards and performance standards contained in this chapter and with all other applicable regulations:

- (a) Apartment as accessory use, maximum of two (2) per business structure.
- (b) Assembly of electrical, electronic devices, less than three thousand (3,000) square feet floor area.
- (c) Automotive, light truck, sales, service, rental and repair, excluding motor fuel sales.
- (d) Building material sales.
- (e) Business or trade school.
- (f) Cabinet shop, furniture, upholstery, craft industry of less than three thousand (3,000) square feet.
- (g) Cemetery.
- (h) Church.
- (i) Civic club.
- (j) Community center.
- (k) Conference or training center.
- (l) Crematorium.
- (m) Custom meat cutting, processing and sales (excluding slaughtering).
- (n) Day care center.
- (o) Equipment sales and service.
- (p) Financial services.
- (q) Fire, police, rescue facility.
- (r) Funeral home.
- (s) General store, convenience store without motor fuel sales.
- (t) Homeless shelter.
- (u) Hotel, motel.
- (v) Laundromat.
- (w) Library.
- (x) Medical care facility.
- (y) Motor vehicle rentals.
- (z) Office, administrative, business or professional.

- (aa) Park.
- (bb) Park and ride lot.
- (cc) Pet, household.
- (dd) Post office.
- (ee) Printing service.
- (ff) Public utility lines, other distribution or collection facility.
- (gg) Public utility lines, water or sewer.
- (hh) Radio station; excluding tower.
- (ii) Restaurant.
- (jj) Retail sales and services.
- (kk) School.
- (ll) Shopping center.
- (mm) Telecommunication tower, attached.
- (nn) Veterinary practice, animal hospital.
- (oo) Garden center.

(4) *Uses permissible by special use permit.* The following uses may be permitted by the board of supervisors as special uses, subject to the requirements of this chapter and with all other applicable regulations:

- (a) Assembly of electrical, electronic devices, greater than three thousand (3,000) square feet floor area.
- (b) Boarding house.
- (c) Truck, trailer, heavy equipment sales, service, rental and repair.
- (d) Building greater than fifty (50) feet in height.
- (e) Contractors service establishment.
- (f) Farm machinery sales and service.
- (g) Feed and seed store and mill.
- (h) General store, convenience store with motor fuel sales.
- (i) Golf driving range, miniature golf and similar outdoor recreation.
- (j) Kennel, commercial.
- (k) Livestock market.
- (l) Mini-warehouse.
- (m) Outpatient mental health and substance abuse center.
- (n) Public utility plant, other.
- (o) Public utility substation.
- (p) Public utility plant, water or sewer.
- (q) Recreation establishment.
- (r) Recycling facility.
- (s) Service station.
- (t) Shooting range, indoor.
- (u) Telecommunication tower, freestanding.
- (v) Transition house.
- (w) Night club.
- (x) Stone engraving and sales.

(5) *Lot requirements.*

(a) *Minimum lot area.* Twenty thousand (20,000) square feet for lots sharing access with another lot, one (1) acre otherwise, except for public utility or public water or sewer installations which shall be in accordance with the Montgomery County Subdivision Ordinance.

(b) *Lot access.* Lots shall be accessed from a shared access drive connected to a road in the VDOT system wherever possible. 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 and the fire marshall. Lot access for GB uses shall avoid impacting residential subdivisions with primary access and through traffic.

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

(d) *Maximum floor area ratio.* 0.40.

(e) *Maximum coverage by buildings.* Forty (40) percent.

(f) *Total impervious surface.* The total impervious surface located on a lot shall not exceed eighty-five (85) percent of the gross site area.

(6) *Building requirements.*

(a) *Minimum yards.*

1. *Front.* Fifty (50) feet when opposing street frontage is residential district; thirty-five (35) feet otherwise.

2. *Side.* Forty (40) feet when adjacent lot is residential district; ten (10) feet otherwise.

3. *Rear.* Forty (40) feet when adjacent lot is residential district; ten (10) feet otherwise.

(b) *Maximum building height.* Fifty (50) feet (reference subsection (4) for exception).

(7) *Use limitations.*

(a) *Screening and landscaping.* Notwithstanding other buffer, landscaping and screening requirements of this chapter, outside storage areas for materials, equipment or trash are accessory uses, may not exceed forty (40) percent of building area, must be located in side or rear yards adjacent to building, and must be screened from view of adjacent streets or adjacent land.

(b) *Off-street parking and loading.*

1. Off-street parking permitted in required setback.

2. Must be provided in accordance with section 10-44.

(c) *Indoor/outdoor operations.* All repair and service operations must take place within a completely enclosed building, unless permission for outside operations is specifically granted by the board of supervisors in a special use permit.

(Ord. No. 1999-12, §§ 2-800--2-807, 12-13-99; Ord. No. 2001-03, 2-12-01; Ord. No. 2001-08, 6-11-01; Ord. No. 2003-07, 6-9-03; ORD-FY-05-19, 12-13-04; ORD-FY-05-21, 4-11-05; ORD-FY-08-17, 11-14-07; ORD-FY-09-11, 2-9-09)

Sec. 10-39. Route 177 Corridor Overlay District.

(1) *Purpose.* The purpose of the Route 177 Corridor Overlay District is to establish a base development standard applicable across all pre-existing zoning districts. The uses present within the district may be agricultural, residential, commercial or industrial. The regulations for this district are designed to stabilize and protect the essential characteristics of the district, while allowing well planned residential, commercial, and industrial development. The specific objectives of the district regulations are to: promote and encourage safe and efficient traffic movement, protect existing residential communities from conflicting land uses, encourage planned unit development of community

facilities, minimize visual nuisances associated with increased intensities of land use, and protect the natural environment.

Both the City of Radford and Montgomery County provide joint review of zoning issues and site development plans through a joint site review committee within the overlay district as specified in the Route 177 Corridor Agreement. Joint review is central to the effective implementation of the Route 177 Corridor Agreement's recommendations, and achievement of the future land use patterns included in both jurisdictions' comprehensive plans.

(2) Qualifying/regulated lands. Entrances permitted on designated roads within the district are subject to specific entrance standards. Roads and road segments subject to these standards are those that function as corridor thoroughfares or as corridor collector streets that connect large areas of the county to primary highways or funnel traffic from large development complexes to a primary highway.

(a) *Corridor thoroughfare lands.* Designated corridor thoroughfare:

1. Tyler Road (VA 177) between Rock Road and Barn Road.

(b) *Corridor collector street lands.* Designated corridor collector streets:

1. Lovely Mount Road from Wintergreen Drive to Tyler Road (VA 177).

2. Rock Road from Park Road to U.S. 11.

3. Mud Pike from Fire Tower Road to Tyler Road (VA 177).

(3) Uses permitted by right. Uses permitted by right shall be in accord with the provisions of the underlying base district except that high intensity agricultural and silvicultural activities are prohibited. High intensity activities include, but are not limited to, confinement operations, livestock markets, grain and feed mills, sawmills, commercial wood storage, or preserving operations. Family subdivisions are permitted by right provided the lots created do not create new entrances onto roads defined as corridor thoroughfares or corridor collector streets.

(4) Uses permitted by special use permit. Uses permitted by special use permit shall be in accord with the provisions of the underlying base district.

(5) Lot requirements.

(a) In General Business (GB) and Community Business (CB) the maximum lot coverage by buildings and paved areas shall be fifty (50) percent. This open space coverage requirement can be reduced to forty (40) percent during the site plan review process by incorporating innovative and creative features into the development design, such as, but not limited to the following:

1. Providing for shared driveways, access by an internal service street or long-term interparcel connections through right-of-way dedication.

2. Exceeding landscaping requirements by increasing size of trees or shrubs at time of planting, increasing minimum bufferyard width, increasing number of trees and/or shrubs to be planted, protecting existing vegetation, etc.

3. Exceeding building and yard setbacks from Route 177.

4. Use of monument style signs of quality construction that are less than eight (8) feet in height.

5. Protection of scenic views, both views into the development and from the development.

6. Design of building that pays careful attention to "roofscapes" and facade design- as well as back of structures.

(b) Other lot requirements shall be in accord with the provisions of the underlying base district.

(6) Building requirements.

(a) *[Width and height.]* Width and height shall be in accord with the provisions of the underlying base district.

(b) *Setbacks and yards.*

1. Setbacks:

a. Buildings or structures shall be set back a minimum of forty (40) [feet] from the right-of-way of any corridor thoroughfare or corridor collector street.

b. Buildings or structures shall be set back a minimum of twenty (20) [feet] from the right-of-way of any other street in the overlay district.

c. Parking areas shall be set back a minimum of twenty (20) feet from any public right-of-way in the district.

2. Side and rear yards. The yards will extend a minimum of twenty (20) feet from the side and rear property line or adjacent right-of-way. For permitted uses adjoining a residential zoning district this distance will be a minimum of thirty (30) feet. No buildings or parking will be located in a side or rear yard.

(7) Use limitations.

(a) *Corridor thoroughfare and corridor collector street entrance standards.* Commercial entrances permitted on designated corridor thoroughfare and corridor collector streets within the district are subject to entrance standards outlined in this section. Roads and road segments subject to these standards are mapped on the official zoning map.

(b) *Limits for corridor thoroughfares.* Where entrances allowed:

1. Commercial entrances on corridor thoroughfares are restricted to: those designated in the Montgomery County Comprehensive Plan as amended; existing parcel entrances, which are grandfathered; and commercial entrances serving parcels created after January 1, 1995, that comply with the following conditions:

a. Replaces on a one-for-one basis an existing residential or commercial entrance, and new VDOT entrance permit is granted.

b. Does not result in more than one (1) entrance design per parcel per road abutted by a parcel; and

c. The specific entrance proposal to be constructed has been reviewed by the joint site review committee within the preceding four (4) years.

(c) *Limits for corridor collector streets.* Where entrances allowed:

1. Entrances to corridor collector streets are allowed where there is an existing parcel entrance which is grandfathered and where commercial entrances to parcels created after January 1, 1995, comply with the following conditions:

a. Do not result in the placement of more than one (1) entrance within one hundred fifty (150) linear feet of another on the same side of a roadway.

b. Are not located within one hundred (100) feet of an intersection with a thoroughfare street.

c. The number of vehicular entrances onto corridor collector streets shall be minimized. When several lots front on a corridor collector street, the zoning administrator may require that adjoining lots share a single driveway or that the lots be accessed by an internal service street. Where such sharing cannot be achieved in the short run, the means and location for future long term interparcel connections along the corridor shall be required through right-of-way reservation and/or dedication.

d. Meet VDOT entrance design requirements.

(8) Additional standards applicable to underlying district.

(a) *Minimum standards for corridor thoroughfare commercial entrances.*

1. Right-turn lanes and tapers will be required for all entrances. Said turn lane and taper will meet appropriate design criteria or be three hundred (300) feet in length, whichever is determined to be appropriate by the joint site review committee and VDOT review;
2. The entrance design will meet with the approval of the zoning administrator after adequate input is obtained from the applicant. The zoning administrator may request the advice or action by the planning commission prior to providing said approval;
3. The entrance design will meet with the approval of VDOT after adequate input is obtained from the applicant;
4. Acceleration lanes will be required where appropriate, based on sound transportation engineering design or at the specific direction of VDOT;
5. Commercial entrance designs for corner lots shall not have their primary access from the thoroughfare street. Direct access to the thoroughfare street may be allowed when the driveway to the street subject to these provisions is: (a) an entrance only, (b) more than one hundred (100) linear feet from the intersection (measured from the two (2) nearest curbs), and (c) meets all other requirements outlined herein, including VDOT approval; and
6. The number of vehicular entrances onto thoroughfare streets shall be minimized. When several lots front on a thoroughfare street, the zoning administrator may require that adjoining lots share a single driveway or that the lots be accessed by an internal service street. Where such sharing cannot be achieved in the short run, the means and location for future long term interparcel connections along the corridor shall be required through right-of-way reservation and/or dedication.

(b) *Outside lighting plan.*

1. Placement and shielding of all exterior lighting will be so arranged as to confine and direct light entirely within the boundary lines of a business operation and parking facilities; and
2. Outside lighting not necessary for site and personnel security will be turned off when the business is not open to the public.

(c) *Signage.*

1. Signage located within the district should be integrated into the site and site landscaping;
2. General advertising signs (i.e., billboards) are not allowed; and
3. Signage installed that conforms to the written guidelines provided by the zoning administrator is eligible for:
 - a. A twenty (20) percent size bonus for signs that use this design; and
 - b. Signs using the design may be located in the first twenty (20) feet of the front yard provided the sign does not interfere with any sight lines and the sign is not located on a utility easement.

(d) *Utility placement.*

1. All electric, telephone, television and other communication lines, both main and service connections, servicing new developments shall be provided by underground wiring within easements. These lines shall be installed in accordance with the prevailing standards and practices of the utility company providing such services.

2. If a road widening, an extension of service, or other such actions occur that necessitate the replacement or relocation of such utilities, replacement shall be underground.

3. Exceptions to the requirement for underground utilities are:

a. Major electric transmission lines responsible for transporting power through the area rather than to the area;

b. Provision of three-phase power; and

c. Where the zoning administrator determines that public safety is at substantial risk if underground utilities are employed.

4. Where overhead lines are permitted as the exception, the placement, type of pole, and alignment of poles shall be designed to lessen the visual impact of overhead lines. Such measures shall include placing overhead lines on rear lot lines and not placing overhead lines on ridgelines.

(e) *Landscaping*. Landscaping shall be provided based upon the buffer matrix, section 10-43(3), provided that the type of required bufferyard shall be one level higher in each case except where bufferyard Type 4 is required.

(f) *Parking bonus/incentive*. When two (2) or more adjacent property owners agree to share parking and a combined entrance to any street in this district, the required number of parking spaces may be reduced by as much as fifteen (15) percent for each business. In addition, the side yards (including associated landscaping) between the two (2) parcels are not required.

(g) *Solid waste management*. Commercial and residential developments where the underlying district is GB or RM-1 will incorporate recycling collection points if the development encompasses more than ten (10) acres or more than one hundred (100) units. These collection points will be subject to administrative review and approval of the City of Radford and Montgomery County. Adequate turn radii, street width, concrete pads, etc. will be provided to facilitate collection vehicle access to dumpsters, roll-offs and similar recyclable and solid waste collection containers. This requirement may be waived by the zoning administrator if such a facility is deemed unnecessary by the county.

(h) *Protection of natural features*. To the maximum extent practicable, development shall be located so as to preserve the natural features of the site, to avoid areas of environmental sensitivity, and to minimize negative impacts and alteration of natural features. The following specific features and methods of protecting them shall be identified on the site development plans by the developer and be preserved as undeveloped open space, to the extent consistent with the reasonable utilization of the land:

1. Unique and/or fragile areas, including wetlands as delineated on wetland maps prepared by the U.S. Fish and Wildlife Service.

2. Streams and water bodies including a buffer strip one hundred (100) feet in width along the centerlines of perennial streams.

3. Natural heritage resources defined by the Virginia Natural Area Preserves Act as "the habitat of rare, threatened, or endangered plant and animal species, rare or state significant natural communities or geologic sites, and similar features of scientific interest."

4. Steep slopes in excess of twenty-five (25) percent.

5. Sinkholes including a buffer area twenty (20) feet around the upper edge of sinkholes.

6. Ridgelines. Where possible, structures should not be located on ridgetops, rather they should be:

- a. Located off the peak of the ridge; and
- b. The presence of structures should be mitigated through reducing structure height below the crown of a mature tree stand where possible or reducing the visual impact of structures located above the ridgeline through innovative architectural design.

(9) *Special variance factors to be considered by the board of zoning appeals.* If an applicant can show just cause and present a safe and efficient entrance location at least three hundred (300) feet from any existing entrance or entrance identified in the Montgomery County Comprehensive Plan and meet all other design requirements, a request for a variance will be considered through an appeal to the board of zoning appeals (section 10-52). The finding of the board of zoning appeals will be forwarded to the Virginia Department of Transportation within thirty (30) days of the decision of the board of zoning appeals.
(Ord. No. 1999-12, §§ 3-700–3-709, 12-13-99; Ord. No. 2001-08, 6-11-01)



**MONTGOMERY COUNTY
PUBLIC SERVICE AUTHORITY**

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

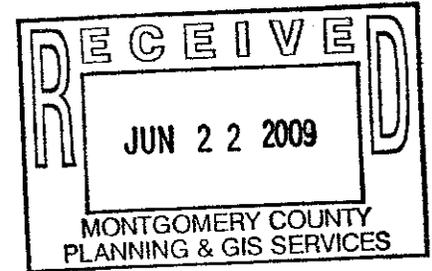
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James D. Politis, Vice-Chair
Mary W. Biggs, Secretary-Treasurer
Annette S. Perkins, Member
William H. Brown, Member
John A. Muffo, Member
Douglas W. Marrs, Member

Robert C. Fronk, PE
PSA Director

June 22, 2009

Mr. Steve Semones
Balzer Assc.
448 Peppers Ferry Road
Christiansburg, VA 24073

RE: Availability No. 09-40
Commercial Development
Tyler Road
Tax Map No. 104-4 47
Parcel ID 002244
Water/Sewer



Dear Steve:

Public water and sanitary sewer may be available to this proposed commercial development along Tyler Road.

Public water service may be provided by a minimum 12-inch water main extension of approximately 250 feet from the end of the 8" water main near 2827 Barn Road to the southeast of the subject property. If adequate flow and/or pressure are not available from the above extension, a water main loop from the 8" water main near 2827 Barn Road to the 8" water main in front of 4279 Bains Chapel Road approximately 5,000 feet to the west of the subject property may be required to comply with PSA regulations. The hydraulic grade line of the water system is 2334 feet MSL. A pressure reducing valve would be required if the domestic water pressure exceeds 80 psi. A table providing facility fees per water meter size follows. Be advised that a separate fire service must be metered in accordance to PSA requirements. Also be advised that a separate fire service is billed a monthly rate based upon meter size. It is your responsibility to install the service lines from the meter to the building under the provisions of the plumbing code. The installation and maintenance of the pressure-reducing valve shall be the owner's responsibility.

Public sewer may be provided by a public sewer main extension of approximately 250 feet to this property from the terminal sewer manhole BT-D-30 near 2827 Barn Road to the southeast of the subject property. **The currently available remaining sewer system capacity is 103,000 gallons per day (gpd).** This sewer main discharges into a public sanitary sewer pump station approximately 1,000 feet to the east of sewer manhole BT-D-30. ***In its current configuration this pump station has additional capacity for an average daily flow of 40,000 gallons per day.*** Several options are available to increase sewer capacity to the subject development such as upgrading the existing sewer pump station or possibly making connection to the sewer within the VDOT rest area to the west of the subject property. A table providing facility fees per water meter size follows. Be advised that this facility will discharge into a sewer system served by a public sewer pump station requiring a Sewer Pump Station Facility Fee.

A selection of water and sewer fees based upon water meter size is provided for your information:

<u>Water Meter Size</u>	<u>Water Facility Fee</u>	<u>Sewer Facility Fee</u>	<u>Sewer Pump Station Facility Fee</u>
5/8"	\$ 2,500.00	\$ 3,000.00	\$ 750.00
1"	\$ 6,250.00	\$ 7,500.00	\$ 1,875.00
1 1/2"	\$ 12,500.00	\$ 15,000.00	\$ 3,750.00
2"	\$ 20,000.00	\$ 24,000.00	\$ 6,000.00
3"	\$ 37,500.00	\$ 45,000.00	\$11,250.00

Please be advised that fire services are billed at a monthly rate according to the size of the service line. The fire service rates are as follows:

2" Meter/Service Line: \$32.00 / month 3" Meter/Service Line: \$60.00 / month
4" Meter/Service Line: \$100.00 / month 6" Meter/Service Line: \$200.00 / month

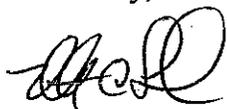
The water and sewer facilities must be designed to PSA standards by an engineer and approved by the PSA prior to construction. The owner would be responsible for the cost of the water main extension, any necessary water system appurtenances, sewer main extension, sewer pump station upgrade, public easements, highway permits, and any other associated requirements. These designs should be incorporated into the site development plans for this development and submitted to the PSA for review. Payment of the applicable water and sewer facility fees for all units of the development would be required prior to approval of the site plan. The PSA must inspect the water and sewer laterals between the water meter and public sewer to the building. You should coordinate the inspection of these laterals with the PSA prior to installation.

Please be advised that all PSA water and sewer systems have a fixed number of available connections. Connections are reserved by payment of facility and connection fees, provided service is currently available to the subject property. **Please be advised that there are several proposed projects in this area with total projected sewer demands in excess of the currently remaining sewer system capacity. The current PSA policy is that sewer capacity is only reserved by payment of the facility fee after PSA approval of site plans.** Also be advised that this development must also meet all Montgomery County Planning and Zoning Department requirements. The availability of water and sanitary sewer facilities does not by itself authorize the development of this property.

If the owner wants to proceed with this service, please have your engineer contact me for details. ***This letter and stated fees are only valid to July 1, 2010.***

If you should have questions or need additional clarification of the above information, please call me at 381-1997.

Sincerely,



Robert C. Fronk, PE
PSA Director

cc: Montgomery County Planning & Zoning

EXECUTIVE SUMMARY

This report summarizes the results of a traffic impact analysis completed for the proposed Woody Property Rezoning development. The subject site is generally located in the northeast quadrant of the Tyler Road/Meadowcreek Road intersection just south of I-81 exit 109 in Montgomery County, Virginia.

The applicant, Roger Woody, is seeking to rezone the approximately 7.2 acre site from Agriculture (A-1) to General Business. At this time, with the rezoning, the applicant is proposing to develop the site with a restaurant, gasoline station, a hotel, and a fast food restaurant.

The scope of this study was developed in accordance with the Virginia Department of Transportation (VDOT) Chapter 527 regulations and a scoping meeting held with VDOT and Montgomery County officials on June 27, 2009. A copy of the scoping agreement is included in Appendix A. Based on the scoping agreement, it was determined that the study area should include the following intersections:

1. Tyler Road/Lovely Mount Drive
2. Tyler Road/Mud Pike
3. Tyler Road/I81 SB Ramps
4. Tyler Road/I-81 NB Ramps
5. Tyler Road/Meadowcreek Road/Site Entrance
6. Tyler Road/Barn Road
7. Tyler Road/Lamb Circle
8. Lamb Circle/Barn Road

For purposes of this study, it was assumed that the site would begin construction by 2012. Therefore, a 2018 (start plus six years) scenario was studied in accordance with Chapter 527 guidelines.

The conclusions of this study are as follows:

1. Each of the study intersections currently operates at overall acceptable levels of service (LOS "D" or better) during both the AM and PM peak hours with the exception of the westbound left at the Tyler Road/ Southbound I-81 off ramp and the Tyler Road/ Northbound I-81 off ramp which operates at a LOS "E" and "F", respectively, during the AM peak hour.
2. The 95th percentile queues at each of the study intersections are currently contained within the available storage.

3. No improvements are currently planned or committed to any of the study intersections without the rezoning and development of the Woody Property Rezoning project.
4. In 2018, without the development of Woody Property Rezoning, each of the study intersections would continue to operate at acceptable levels of service with the exception of the westbound left at the Tyler Road/Southbound I-81 off ramp and the Tyler Road/ Northbound I-81 off ramp which both would operate at LOS "E" and "F" during the AM and PM peak hours.
5. In 2018, without the development of Woody Property Rezoning, the 95th percentile queues at each of the study intersections would be contained within the available storage with the exception of the westbound left at the Tyler Road/Southbound I-81 off ramp which would extend past the available storage in the AM peak hour.
6. It is estimated that the development of Woody Property Rezoning would add 420 new AM peak hour, 360 new PM peak hour, and 4,590 new daily new trips to the local roadway network.
7. The following roadway improvements are committed to be constructed with development of the Woody Property Rezoning:
 - Abandonment of Meadowcreek Road from the intersection with Barn Road to Tyler Road.
 - Reconstruction of Barn Road to allow access to Meadowcreek Road from Tyler Road.
 - Construction of turn lanes at each site entrance as applicable.
8. In 2018, with development of Woody Property Rezoning and the committed improvements noted above, each of the study intersections would continue to operate at similar LOS to the background conditions with the exception of the westbound left at the Tyler Road/Southbound I-81 off ramp and the Tyler Road/ Northbound I-81 off ramp. Both of these movements would continue to operate at LOS "F" but would experience a significant increase in delay over the background conditions.

Additionally, with the reconstruction of Barn Road and abandonment of Meadowcreek Road, the westbound approach to the Tyler Road/Barn Road intersection would operate at LOS "F" during the AM peak hour.
9. In 2018, with the development of Tyler Road Rezoning, the 95th percentile queues at each of the study intersections would be contained within the available storage with the exception of the westbound left at the Tyler Road/Southbound I-81 off ramp which would extend past the available storage in both peak hours and the westbound

approach to the Tyler Road/Barn Road intersection which would extend past the available storage in the AM peak hour.

10. It is recommended that traffic signals be installed at the Tyler Road/Southbound I-81 off ramp and Tyler Road/Northbound I-81 off ramp intersections to alleviate the failing levels of service.
11. In 2018, with development of Woody Property Rezoning, the adjacent Tyler Road Development and Emerald Investors, Inc development and the committed improvements with each project, each of the study intersections would continue to operate at similar LOS to the background conditions with the exception of the westbound left at the Tyler Road/Southbound I-81 off ramp and the Tyler Road/Northbound I-81 off ramp. Both of these movements would continue to operate at LOS "F" but would experience a significant increase in delay over the background conditions.

Additionally, the eastbound approach to the Tyler Road/Barn Road intersection would operate at LOS "F" during both peak hours while the westbound approach would operate at LOS "F" during the AM peak hour.

Several of the movements at the one-lane roundabout to be constructed by Tyler Road Development at the Tyler Road/Meadowcreek Road/Site Entrance intersection would operate at failing levels of service during both peak hours.

12. In 2018, with development of Woody Property Rezoning, the adjacent Tyler Road Development and Emerald Investors, Inc development and the committed improvements with each project, the 95th percentile queues at several of the intersections would extend past the available storage.
13. In addition to the recommendations above, it is also recommended that a traffic signal or roundabout be installed at the Tyler Road/Barn Road intersection. Additionally, it is recommended that a two-lane roundabout be explored at the Tyler Road/Meadowcreek Road/Site entrance intersection.
14. A Synchro analysis of the entire corridor is being completed and will be submitted to VDOT in the coming days.

August 5, 2009

Kevin R. Byrd, AICP
Comprehensive Planner
Montgomery County
755 Roanoke Street, Suite 2A
Christiansburg, VA24073

RE: Rezoning 177 Corridor (Roger Woody)

Dear Kevin,

In accordance to the Joint 177 Corridor Agreement with Montgomery County and the City Of Radford, Montgomery County invited staff for a site visit at this said property. Radford City Planning Commission is in agreement that this development meets the goals outlined in the 177 Corridor Agreements and believe that all proposed development along will benefit both communities.

City staff has met and as with all the proposed project along the 177 Corridor, expresses concerns regarding the sewer capacity flows will bring it closer to near capacity as outlined in the 177 Corridor Agreement.

If you have any further questions, please don't hesitate contacting me at 540.731.3603. or at mskelton@radford.va.us

Sincerely,



Melissa Skelton
Zoning Administrator

cc:

Radford City Council
Anthony W. Cox, City Manager
David Ridpath, Asst. Manager



**MONTGOMERY COUNTY
PUBLIC SERVICE AUTHORITY**

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

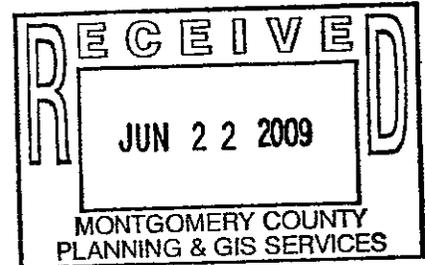
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Annette S. Perkins, Member
William H. Brown, Member
John A. Mufo, Member
Douglas W. Marrs, Member

Robert C. Fronk, PE
PSA Director

June 22, 2009

Mr. Steve Semones
Balzer Assc.
448 Peppers Ferry Road
Christiansburg, VA 24073

RE: Availability No. 09-40
Commercial Development
Tyler Road
Tax Map No. 104-4 47
Parcel ID 002244
Water/Sewer



Dear Steve:

Public water and sanitary sewer may be available to this proposed commercial development along Tyler Road.

Public water service may be provided by a minimum 12-inch water main extension of approximately 250 feet from the end of the 8" water main near 2827 Barn Road to the southeast of the subject property. If adequate flow and/or pressure are not available from the above extension, a water main loop from the 8" water main near 2827 Barn Road to the 8" water main in front of 4279 Bains Chapel Road approximately 5,000 feet to the west of the subject property may be required to comply with PSA regulations. The hydraulic grade line of the water system is 2334 feet MSL. A pressure reducing valve would be required if the domestic water pressure exceeds 80 psi. A table providing facility fees per water meter size follows. Be advised that a separate fire service must be metered in accordance to PSA requirements. Also be advised that a separate fire service is billed a monthly rate based upon meter size. It is your responsibility to install the service lines from the meter to the building under the provisions of the plumbing code. The installation and maintenance of the pressure-reducing valve shall be the owner's responsibility.

Public sewer may be provided by a public sewer main extension of approximately 250 feet to this property from the terminal sewer manhole BT-D-30 near 2827 Barn Road to the southeast of the subject property. **The currently available remaining sewer system capacity is 103,000 gallons per day (gpd).** This sewer main discharges into a public sanitary sewer pump station approximately 1,000 feet to the east of sewer manhole BT-D-30. ***In its current configuration this pump station has additional capacity for an average daily flow of 40,000 gallons per day.*** Several options are available to increase sewer capacity to the subject development such as upgrading the existing sewer pump station or possibly making connection to the sewer within the VDOT rest area to the west of the subject property. A table providing facility fees per water meter size follows. Be advised that this facility will discharge into a sewer system served by a public sewer pump station requiring a Sewer Pump Station Facility Fee.

TELEPHONE NO. (540) 381-1997

FAX NO. (540) 382-5703

Page Two
Mr. Steve Semones
June 22, 2009

A selection of water and sewer fees based upon water meter size is provided for your information:

<u>Water Meter Size</u>	<u>Water Facility Fee</u>	<u>Sewer Facility Fee</u>	<u>Sewer Pump Station Facility Fee</u>
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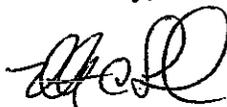
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Please be advised that all PSA water and sewer systems have a fixed number of available connections. Connections are reserved by payment of facility and connection fees, provided service is currently available to the subject property. **Please be advised that there are several proposed projects in this area with total projected sewer demands in excess of the currently remaining sewer system capacity. The current PSA policy is that sewer capacity is only reserved by payment of the facility fee after PSA approval of site plans.** Also be advised that this development must also meet all Montgomery County Planning and Zoning Department requirements. The availability of water and sanitary sewer facilities does not by itself authorize the development of this property.

If the owner wants to proceed with this service, please have your engineer contact me for details. ***This letter and stated fees are only valid to July 1, 2010.***

If you should have questions or need additional clarification of the above information, please call me at 381-1997.

Sincerely,



Robert C. Fronk, PE
PSA Director

cc: Montgomery County Planning & Zoning

**Blacksburg/Christiansburg/Montgomery Area
Metropolitan Planning Organization**

755 Roanoke Street, Suite 2I
Christiansburg, VA 24073

July 8, 2009

Steve Sandy
Planning Director, Montgomery County
755 Roanoke Street
Christiansburg, Virginia 24073

Steve,

This is in regard to our discussions regarding developments proposed at Exit 109 on I 81 – Route 177. The preliminary results of the Traffic Impact Analysis done including the 3 proposed developments shows a lowering of the functioning of the intersections of both the Northbound and Southbound Exit ramp intersections with Route 177. This failure occurs with or without the developments indicating remedial work needs to be done at these intersections to maintain an acceptable level of service.

VDOT must allocate funds for the different road systems on projects identified within the MPO developed Long Range Plan. While there is no set amount each year, over a period of time, projects must be programmed to accommodate the funding. While I cannot commit for the MPO, the current Long Range Plan has funding for the Interstate system that we were unable to allocate project specific. We are currently updating our Long Range Plan and our consultant will be reviewing areas for possible deficiencies. We will be sending the completed Traffic Impact Analysis to him for review. If this is identified as a need, improvements at these intersections can be included in the Plan unless there is a more pressing need that I am not aware of right now. Our plan is scheduled to be finalized in June of next year.

If you have any questions, feel free to contact me.



Dan Brugh
Executive Director

Cc: Policy Board Members

JDB



July 28, 2009

Mr. Bob Fronk
PSA Director
Montgomery County Public Service Authority
755 Roanoke St., Suite 2I
Christiansburg, VA 24073-3185

RE: **Tyler Road Rezoning Projects -- Montgomery County, Virginia**
S&P of Virginia, LLC Property Rezoning
Emerald Investors, LLC Property Rezoning
Roger Woody Property Rezoning

Dear Mr. Fronk:

As you are aware, Balzer & Associates, Inc. is representing the above referenced property owners in their rezoning requests for property located along the Tyler Road/177 Corridor near Carilion New River Valley Medical Center. Over the last two months the main issue that has arisen concerning these requests has been the available sewer capacity as agreed to between the City of Radford and Montgomery County. By our understanding, the current agreement allows for 250,000 gallons per day to be used by Montgomery County. According to your records, approximately 97,000 gallons per day are being used which leaves 153,000 gallons per day capacity in the sewer system. However, based on the sewer agreement, a plan of expanding the capacity must be in place when the system reaches 80% capacity. Thus leaving a total of 103,000 gallons per day capacity in the system prior to the 80% mark. As we prepared our rezoning documents, we utilized Virginia Department of Health Design and Construction criteria to estimate our water and sewer flows for the proposed uses. Using those numbers, each project had an estimated usage rate at full buildout. That total buildout rate of all three projects exceed the current 80% per day capacity by approximately 78,669 gallons.

Although each project stands on its own and according to Montgomery County PSA standards no sewer capacity is allocated to a project during a rezoning request, the County has become concerned that these projects together will consume the remaining capacity of the system. Because of this concern, we have investigated actual recorded water/sewer flows for a 12 month time period from uses that are similar to those proposed for these projects. Below is a revised chart that more accurately reflects actual usage flows for the hotels, gas stations, restaurants and office/retail space based on this data. Three uses shown on the S&P of Virginia plan, medical office, assisted living and nursing home have not been revised. Due to the preliminary nature of the masterplan for this area, and the variety of medical uses and programs assigned to those types of

buildings, it is difficult to compare usage rates. For example, a dialysis center or a dentist office could have much different usage requirements than a physical therapy office. With this in mind, we felt it best to be conservative and to continue to use the Health Department criteria. There were two other changes to the original assumptions. One is that the hotel on the Woody property is no longer proposed to have a pool or restaurant, so those flows have been removed. The second is that the two restaurants on the Woody property are now shown with more seating area to get a more conservative flow estimate.

It is important to remember that these projects are proposed with a projected five year buildout. With the current economy, it is realistic to think that total buildout could be as long 10 years. There are also several other parcels along this corridor that are currently zoned commercial and could submit for site plan approval at any point which would also affect the availability of sewer service. My clients are aware of the sewer capacity issue and the current Montgomery County PSA regulations concerning when sewer capacity is allocated to a specific project. They are also aware that during the site plan process, additional information will be required for approval by the PSA in order to be granted site plan approval.

Please review the following information and let us know if you have any questions or comments. I hope with this additional information the Montgomery County PSA and the Montgomery County Board of Supervisors are satisfied with the rezoning requests in regard to the current sewer capacity. Thank you for your and your staff's assistance with these projects and the cooperation between all parties involved. Again, please feel free to call us if you have any questions.

Sincerely,
BALZER AND ASSOCIATES, INC.



Steven M. Semones, ASLA
Vice President

Cc:
Mr. Steve Sandy, Montgomery County Planning
Mr. Steve Haga, S&P of Virginia, LLC.
Mr. William B. Clark, Emerald Investors, LLC.
Mr. Roger Woody

TYLER ROAD REZONING REQUESTS – CAPACITY ANALYSIS

TOTAL CAPACITY IN LINE FOR MONTGOMERY COUNTY:	250,000 GPD
80% CAPACITY:	200,000 GPD
90% CAPACITY:	225,000 GPD
CURRENT REMAINING CAPACITY BEFORE 80% MARK:	103,000 GPD

ORIGINAL SUBMITTED FLOW DATA PER VDH STANDARDS

<i>S&P OF VIRGINIA PROPERTY FULL BUILDOUT</i>	<i>102,729 GPD</i>
<i>EMERALD INVESTORS PROPERTY FULL BUILDOUT</i>	<i>34,560 GPD</i>
<i>ROGER WOODY PROPERTY FULL BUILDOUT</i>	<i>44,380 GPD</i>
<i>TOTAL PROJECT BUILDOUT:</i>	<i>181,669 GPD</i>
<i>DEFICIENCY</i>	<i>78,669 GPD</i>

REVISED WITH UPDATED FLOW DATA:

S&P of VIRGINIA

HOTEL #1	6,920
HOTEL #2	4,460
GAS/CONV. STORE	568
RESTAURANT	5,662
MEDICAL OFFICE	10,549*
ASSISTED LIVING	10,800*
NURSING HOME	15,200*
SINGLE FAMILY	6,000
TOTAL:	60,159 GPD

EMERALD INVESTORS

GAS/CONV. STORE	1,136
RETAIL/OFFICE	4,000
TOTAL:	5,136 GPD

WOODY

HOTEL	4,128
GAS/CONV. STORE	568
RESTAURANT #1	5,016
RESTAURANT #2	4,047
TOTAL:	13,759 GPD

SUBTOTAL	79,054 GPD
+ 25% (I&L, Peak)	19,764 GPD

TOTAL PROJECT BUILDOUT FLOW = 98,818 GPD (< 103,000 gpd remaining)

*Virginia Department of Health Design and Construction Criteria

S&P of VIRGINIA, LLC

HOTEL USE

Hotel #1: 85 Room Hotel With Approximately 900 Square Feet of Restaurant and a Pool Area

Design Assumptions and Calculations:

1. Each room is assumed to be occupied by 2 people and water and sewer usage is 24 gal/day per person = 4,080 gal/day
 2. Swimming pool water and sewer usage is 10 gal/day per swimmer (assume 85 rooms x 2 persons = 170 swimmers) = 1,700 gal/day
 3. Water and sewer usage for restaurant is 19 gal/day per seat (assume 1 seat per 15 square feet of restaurant per state code) = 1,140 gal/day
- Total Water/Sewer Usage By Hotel #1 = 6,920gal/day

Hotel #2: 67 Room Hotel With A Pool Area

Design Assumptions and Calculations:

1. Each room is assumed to be occupied by 2 people and water and sewer usage is 24 gal/day per person = 3,120 gal/day
 2. Swimming pool water and sewer usage is 10 gal/day per swimmer (assume 67 rooms x 2 persons = 134 swimmers) = 1,340 gal/day
- Total Water/Sewer Usage By Hotel #2 = 4,460 gal/day

GAS SERVICE STATION

Gas/Service Station: 4,850 Square Foot Gas Station With 8 Vehicle Fueling Positions

Design Assumptions and Calculations:

1. From ITE Trip Generation Spreadsheet, a service station with 8 vehicle fueling positions will generate approximately 1,348 vehicles per day
 2. Water and Sewer Usage for gas service stations is 71 gal/day per Dispenser = 568 gal/day
- Total Water/Sewer Usage = 568 gallons per day

RESTAURANT

Restaurant: 5,572 Square Foot Restaurant

Design Assumptions and Calculations:

1. Assume approximately 1,100 sf of kitchen space leaving 4,472 square feet of seating area
 2. Per state code, maximum occupancy is 1 person/15 square feet of seating space = 298 person
 3. Water and Sewer usage for restaurants is 19 gal/day per seat = 5,662 gal/day
- Total Water/Sewer Usage By Restaurant = 5,662 gal/day

MEDICAL OFFICE

Medical Offices: 3 Medical Office Buildings Totaling 21,097 Square Feet

Design Assumptions and Calculations:

1. Water and Sewer usage for medical offices is 500 gal/day per 1,000 square feet of doctor's office = 10,549 gal/day

ASSISTED LIVING

Assisted Living: 2 – 2 Story Apartment Buildings Totaling 18,500 Square Feet Each with
24 2-Bedroom Units and 6 1-Bedroom Units in Each Buildings
(108 Total Bedrooms)

Design Assumptions and Calculations:

1. Water and Sewer usage for assisted living units is 100 gal/day per bedroom =
10,800 gal/day

NURSING HOME

Nursing Home: 41,800 Square Foot Nursing Home With 76 Total Units

Design Assumptions and Calculations:

1. Assume 1 occupant per unit
2. Water and Sewer usage for nursing homes is 200 gal/day per unit = 15,200
gal/day

SINGLE FAMILY

Single Family Residential: 40 Total Lots

Design Assumptions and Calculations:

1. Assume 4 occupants residing on each lot
2. Water and Sewer usage for residential use is 37.5 gal/day per person = 6,000
gal/day

**TOTAL ESTIMATED WATER/SEWER USAGE BY PROPOSED DEVELOPMENT =
60,159 gallons per day**

EMERALD INVESTORS, LLC

GAS SERVICE STATION

Gas/Service Station: 5,000 Square Foot Gas Station with 16 Vehicle Fueling Positions

Design Assumptions and Calculations:

1. From ITE Trip Generation Spreadsheet, a service station with 16 vehicle fueling positions will generate approximately 2,604 vehicles per day
2. Water and Sewer Usage for gas service stations is 71 gal/day per Dispenser = 1,136 gal/day
Total Water/Sewer Usage = 1,136 gallons per day

MIXED USE OFFICE/RETAIL CENTERS

Retail: There will be 20,000 Square Feet of general retail space located on the first floor of the mixed-use facility.

Office: 20,000 Square Feet of general office space located on the second floor of the mixed-use facility.

Design Assumptions and Calculations:

1. There is 40,000 Square Feet of ultimate floor space and water and sewage usage is 100 gal/day for every 1,000 Square Feet of ultimate floor space = 4,000 gal/day
Total Water/Sewer Usage By Office = 4,000 gal/day

TOTAL ESTIMATED WATER/SEWER USAGE BY PROPOSED DEVELOPMENT = 5,136 gallons per day

ROGER WOODY PROPERTY

HOTEL USE

Hotel: 86 Room Hotel

Design Assumptions and Calculations:

1. Each room is assumed to be occupied by 2 people and water and sewer usage is 24 gal/day per person = 4,128 gal/day
Total Water/Sewer Usage By Hotel = **4,128 gal/day**

GAS SERVICE STATION

Gas/Service Station: 4,000 Square Foot Gas Station With 8 Vehicle Fueling Positions

Design Assumptions and Calculations:

1. From ITE Trip Generation Spreadsheet, a service station with 8 vehicle fueling positions will generate approximately 1,348 vehicles per day
2. Water and Sewer Usage for gas service stations is 71 gal/day per Dispenser = 568 gal/day
Total Water/Sewer Usage = **568 gallons per day**

RESTAURANT B

Restaurant: 4,950 Square Foot

Design Assumptions and Calculations:

1. Assume approximately 990 sf of kitchen & waiting areas leaving 3,960 square feet of seating/dining areas
2. Per state code, maximum occupancy is 1 person/15 square feet of seating space = 264 person
3. Water and Sewer usage for restaurants is 19 gal/day per seat = 5,016 gal/day
Total Water/Sewer Usage By Restaurant = **5,016 gal/day**

RESTAURANT D

Restaurant: 4,000 Square Foot

Design Assumptions and Calculations:

4. Assume approximately 800 sf of kitchen & waiting areas leaving 3,200 square feet of seating/dining areas
5. Per state code, maximum occupancy is 1 person/15 square feet of seating space = 213 person
6. Water and Sewer usage for restaurants is 190 gal/day per seat = 4,047 gal/day
Total Water/Sewer Usage By Restaurant = **4,047 gal/day**

TOTAL ESTIMATED WATER/SEWER USAGE BY PROPOSED DEVELOPMENT = 13,759 gallons per day



Appalachian Power
P.O. Box 1000
Roanoke, VA 24010-1000
2009-07-29

Mr. Steven M. Semones
Balzer and Associates, Inc.
1208 Corporate Circle
Roanoke, VA 24018

July 29, 2009

Subject: **PROPOSED WOODY PROPERTY AND EMERALD INVESTORS,
INC. MASTER PLANS IN APPALACHIAN POWER COMPANY'S
GLEN LYN-ROANOKE 138 kV RIGHT OF WAY AND EASEMENT
AREA**

Dear Mr. Semones:

Appalachian Power Company (hereinafter referred to as "Appalachian") hereby grants permission for your proposed plans within Appalachian's right of way, but subject to the following conditions. Your planned improvements within Appalachian's right of way will constitute your acceptance of and agreement to abide by these conditions:

1. That the installation and existence of said plans shall not interfere with the rights of Appalachian to operate and maintain its facilities.
2. Owner agrees to maintain an undisturbed area extending thirty (30) feet in all directions from the edge of poles, structures, guys or anchors on said transmission line and that no part of the planned improvements shall be located in this thirty (30) foot undisturbed area. Owner also agrees not to raise the current grade at any point within the right of way without specific prior approval.
3. That you will assume liability for any and all damages done to Appalachian's facilities while engaged in the construction, installation, operation or maintenance of the planned improvements.
4. Should it become necessary for Appalachian to relocate its facilities within its right of way, and said relocated facilities will now fall within the area of the planned improvements, you will promptly abandon the planned improvements on receipt of written notice of Appalachian's intent to relocate its facilities. Appalachian will not be responsible for any damage done to planned improvements in the course of relocating its facilities.
5. You release Appalachian in advance from any liability of whatsoever kind or nature for damage to the planned improvements arising out of or resulting from Appalachian's

use of its right of way, including without limitation Appalachian's trucks and other equipment driving across the area where the planned improvements are located.

6. That this office will be notified no less than forty-eight (48) hours in advance of commencement of construction where Appalachian's right of way and transmission line is involved, as we may wish to have an inspector present if we so desire.

7. Finalized plans will be furnished to Appalachian for planned improvements as it relates to the transmission line.

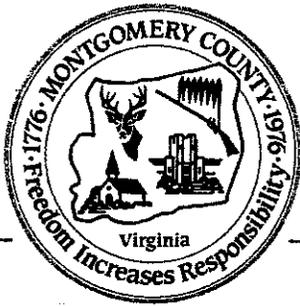
NOTE: ADEQUATE CLEARANCE SHOULD BE OBSERVED AND EXTREME CARE SHOULD BE EXERCISED BY EVERYONE WORKING UNDER OR ADJACENT TO APPALACHIAN'S FACILITIES.

Sincerely,



Mary Ann Huddleston
Right of Way Associate

Terms agreed to and acknowledged by landowner
Date
Terms agreed to and acknowledged by governing authority, by _____, title
Date



MONTGOMERY COUNTY PLANNING & GIS SERVICES

755 ROANOKE STREET, SUITE 2A, CHRISTIANSBURG, VIRGINIA 24073-3177

MEMORANDUM

TO: Planning Commission

FROM: Planning Staff (KB)

DATE: August 5, 2009

RE: **Staff Analysis Update (RZ-2009-06878)**

A request by **Emerald Investors, Inc.** (Agent: Balzer and Associates) for rezoning of approximately 9.44 acres from Agriculture (A-1) to General Business (GB), with possible proffered conditions, to allow retail sales and commercial offices. In addition, a special use permit is requested to allow a convenience store with motor fuel sales. The property is located approximately 500 ft. southwest of the I-81 Exit 109 and Tyler Road intersection, 2843 Tyler Road, identified as Tax Parcel No(s). 104-A-30 (Acct Nos. 011606), in the Riner Magisterial District. The property currently lies in an area designated as Urban Expansion in the Comprehensive Plan and Planned Commercial in the Route 177 Corridor Plan.

At the July 15th meeting of the Planning Commission a public hearing was held on the Rezoning and Special Use Permit request above and the Commission tabled the request.

A memo dated July 16th and addressed to the Board of Supervisors Chair, Annette Perkins, from the Planning Commission Chair, Robert Miller, contained the motion below.

During our meeting on July 15, 2009, the Planning Commission reviewed the request described above. Upon a motion duly seconded and carried by a vote of 8 to 0 (Thum absent), the Planning Commission recommended **tabling** the Special Use Permit request referenced above until the following items can be addressed:

1. Allow VDOT to provide comments on the Traffic Impact Analysis submitted by the applicant.
2. Provide a strategy to address sewer availability in the Rt. 177 Corridor.
3. Provide a left turn out of the property onto Tyler Road or possible connection to the roundabout.

Since the July 15th Planning Commission the applicant has addressed the following:

1) Traffic Impact Analysis Comments: VDOT provided comments on July 16th. The primary comments pertained to the lack of a left out of the property and the delays at the I-81 ramps. A left out is being proposed by the applicant at the roundabout on Tyler Road (more information below and attached). The ramp delays at I-81 have been addressed by recommending a traffic signal. This project is being incorporated into the MPO Long Range Transportation Plan and a letter from Dan Brugh, Executive Director of the MPO, is attached that addresses this issue relative to all three rezonings.

2) Water/Sewer Capacity: Water capacity exists. On July 28, 2009 the agent, Balzer and Associates, submitted revised sewer demand figures based on actual use, opposed to projected demand figures provided by the Virginia Department of Health. The applicant obtained these figures from existing uses and their respective utility bills over a 12 month period. All sewer demand figures for projects proposed in the Tyler Road corridor are revised with the exception of three shown on the S&P of Virginia plan, which include the medical offices, assisted living and nursing home.

Based on the Level of Service (LOS) test for adequate public facilities in the Rt. 177 Corridor Agreement, when 80% of capacity is reached a plan must be put in place to expand capacity. Currently 153,000 gpd is available, thus leaving 103,000 gpd available prior to the 80% capacity threshold. Under the revised sewer demand figures the agent is projecting a buildout demand of 98,818 gpd, which passes the 80% capacity test. The Montgomery County PSA will be reviewing these figures in their examination of the rezoning project.

3) Provide a left turn out of the property: The applicant revised the site plan to incorporate a commercial entrance onto the planned roundabout at Tyler Road and Meadow Creek Road. This configuration reorients the convenience store and fuel islands found in Phase I into a more desirable layout for ingress and egress. By adding this entrance onto the roundabout, it becomes a 5-leg roundabout. Since the VDOT design manual does not address anything above a standard 4-leg roundabout the agent submitted copies of the 5-leg design to VDOT's Statewide Roundabout Committee for comments. All comments from this committee and other VDOT personnel indicate the design will function properly and should serve as a solution to the left-out issue previously discussed.

Staff preliminarily recommends approval of this request by Emerald Investors (Agent: Balzer and Associates) for rezoning of approximately 9.44 acres from Agriculture (A-1) to General Business (GB) provided the proffer statement is revised to reflect more detail in proffer number two, any sewer capacity issues can be resolved between the applicant and the PSA, and VDOT approves the transportation elements of the plan.

Staff preliminarily recommends approval of the Special Use Permit in a General Business (GB) district to allow a Convenience Store with Motor Fuel Sales provided the following conditions are met.

1. All exterior lighting on the site shall conform to Montgomery County Code 10-46, Performance Standards.
2. The site shall not be utilized as a trucking terminal. Overnight or extended parking of tractor trailers shall be prohibited.
3. Site design of fuel storage and fuel pumps shall follow best management practices of the Virginia Department of Environmental Quality to prevent spills and leakage of fuel into groundwater or stormwater facilities.

Enclosures: Revised Concept Plan, dated July 17, 2009
Revised Roundabout Plan, dated July 17, 2009
Letter from John Thompson, VDOT, dated July 16, 2009
Revised Sewer Demand Letter, dated July 28, 2009
Letter from AEP, dated July 29, 2009
Letter from Dan Brugh, MPO, dated July 8, 2009

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 FAX: 540-885-1001

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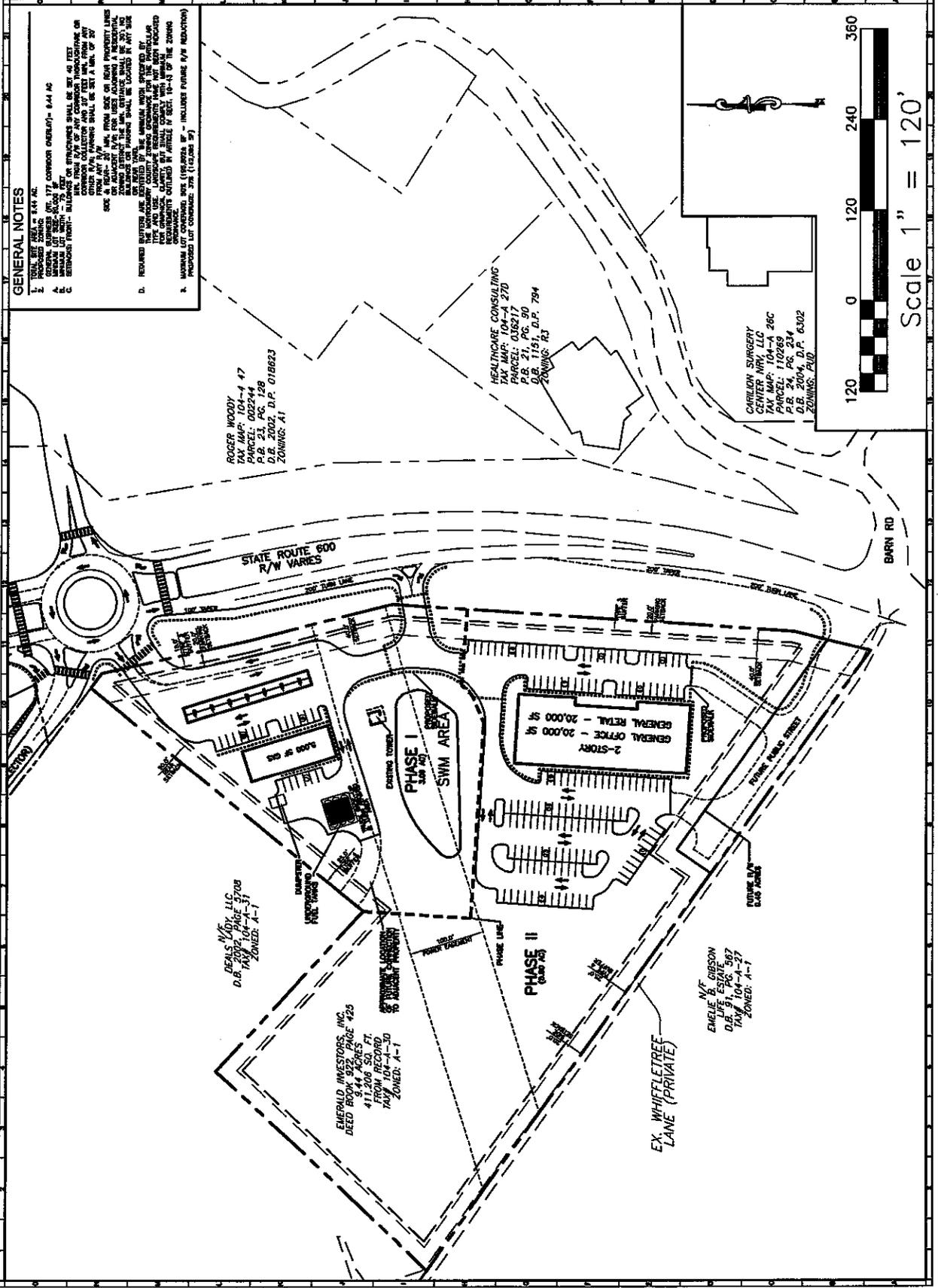
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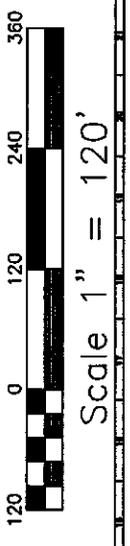
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GENERAL NOTES

1. TOTAL SITE AREA = 8.44 AC
2. PROPOSED ZONING: R-1
3. ALL SETBACKS SHALL BE AS SHOWN ON THE PLAN. SETBACKS SHALL BE AS SHOWN ON THE PLAN. SETBACKS SHALL BE AS SHOWN ON THE PLAN.
4. ALL UTILITIES SHALL BE AS SHOWN ON THE PLAN. ALL UTILITIES SHALL BE AS SHOWN ON THE PLAN. ALL UTILITIES SHALL BE AS SHOWN ON THE PLAN.
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BAVIER



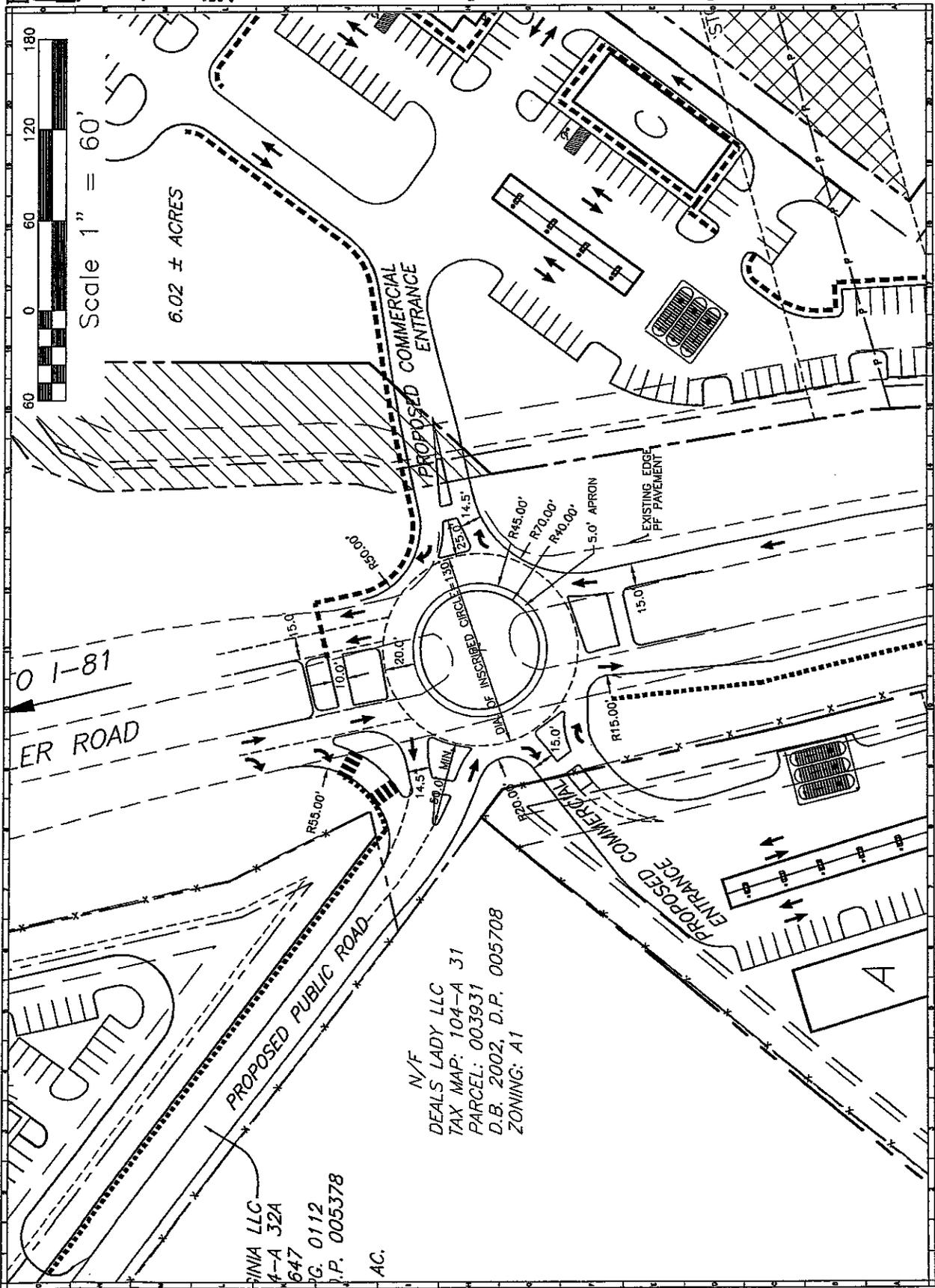
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Professional Real Estate Relocation Manager
Professional Real Estate Relocation Director
Professional Real Estate Relocation Executive
Professional Real Estate Relocation Consultant
Professional Real Estate Relocation Advisor
Professional Real Estate Relocation Specialist
Professional Real Estate Relocation Manager
Professional Real Estate Relocation Director
Professional Real Estate Relocation Executive

Bavier and Associates, Inc.
444 Rogers Ferry Road, NW
Chattanooga, TN 37415
734.626.1421

TYLER ROAD TOTAL DEVELOPMENT
ROUNDABOUT SCHEMATIC
RIVER MAGISTERIAL DISTRICT
MONTGOMERY COUNTY, VIRGINIA

DRAWN BY: [Redacted]
CHECKED BY: [Redacted]
DATE: 7-17-08
SCALE: 1" = 60'
REVISIONS:

SHEET NO. 1
JOB NO.



N/F
DEALS LADY LLC
TAX MAP: 104-A 31
PARCEL: 003931
D.B. 2002, D.P. 005708
ZONING: A1

INIA LLC
4-A 32A
647
P.C. 0112
P.P. 0053378
AC.



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION

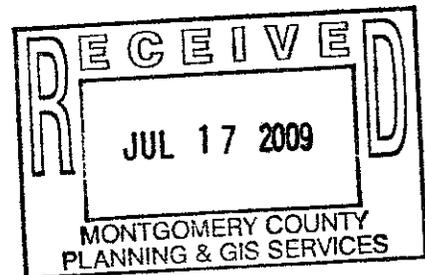
PO BOX 3071

SALEM, VA 24153-0560

DAVID S. EKERN, P.E.
COMMISSIONER

July 16, 2009

Steve Sandy
Montgomery County Planning & GIS Services
755 Roanoke Street, Suite 2E
Christiansburg, VA 24073-3181



RE: Emerald Investors, Inc.
Tyler Road, Montgomery County

Dear Mr. Sandy:

In accordance with §15.2-2222.1 of the Code of Virginia and the Virginia Traffic Impact Analysis Regulations, 24 VAC 30-155, a traffic impact analysis was prepared by Balzer and Associates for the proposed Emerald Investors Inc. development on Tyler Road at I-81 dated June 1, 2009 with a revision date of July 2, 2009. This report was submitted for the site plan on behalf of Emerald Investors, Inc. The revised submission of this report was considered to be the first submission since review had not begun at the time of the revised submission. An evaluation of the report for compliance with the above noted code was performed and produced the following comments:

- No growth rate was applied to Mud Pike Road, Lovely Mount Road, Lamb Circle, Barn Road, or Dry Valley Road. Since the volumes on these roads are relatively low, a growth rate will not cause a substantial increase in volume. No growth rate was applied at Barn Road or Lamb Circle. Lamb Circle is the primary access to the hospital and Barn Road provides a secondary access for the hospital. Since the hospital is the major trip generator for these roads and there are no current plans for expansion in the near future, it is reasonable not to apply a growth factor. No change in the analysis is required at this time. With the report resubmission, these assumptions should be noted in the narrative.
- Table 1 shows an increase in delay from 34 seconds to 228 seconds for the AM peak hour and from 28 seconds to 237 seconds in the PM peak hour for westbound left turns at the intersection of southbound I-81 ramps and Tyler Road due to addition of the proposed development traffic. It also shows an increase in delay from 77 seconds to 131 seconds in the AM peak hour for the eastbound left turn movement at the intersection of the I-81

northbound ramps and Tyler Road with the addition of the site generated traffic. Queues for these movements should be checked to ensure that they are not affecting the operations of I-81. Signals or other modifications to these intersections should be considered to mitigate the traffic generated by the proposed site. This report shows that if signals are considered, a full signal warrants analysis (including twelve hours of counts) should be performed as part of this report. If signals or other improvements are to be installed at the ramp intersections, an Interchange Modification Report (IMR) will need to be performed. An IMR does not need to happen prior to re-zoning, but sufficient analysis should be completed to provide adequate information for the rezoning action. An IMR could be completed during the site plan stage.

- Page 19 – The annual growth rate was compounded for two years for the 2011 background traffic, not six years. This should be revised.
- Page 20 – Bains Chapel Road is not part of this study, so it should not be mentioned in the discussion on growth rates.
- Land Use 820 should be used for the shopping center instead of Land Use 814. While Land Use 814 may be closer to the nature of the anticipated use of the retail development, this land use has a limited amount of study data available and Land Use 820 is typically required for retail development. It also provides the developer greater flexibility in the type of retail use that would be allowed at this location.
- The use of a right in/ right out is required due to the presence of the existing median. The only viable way for vehicles approaching the site from the south to enter the site or for vehicles leaving the site heading north is to use Barn Road and Meadowbrook Lane. Since Barn Road is a gravel road and will most likely be known only to people local to the area, it is more likely that vehicles will be making U-turns at the northbound I-81 exit ramp intersections to the north and at the intersection with Barn Road, the intersection with Lamb Circle or the Hospital parking lot to the south. The addition of the full access entrance should be considered during phase 1 of this project to improve the safety of the vehicles entering and exiting the site as well as safety of those using Tyler Road, the I-81 northbound ramps, Barn Road and Lamb Circle.
- Trip distribution for vehicles accessing the gas station from northbound and southbound I-81 should be nearly the same as the directional split on I-81. The trip distribution shown on page 30 indicates that more than twice as many vehicles heading north on I-81 will access the site compared to southbound traffic.
- Page 30 – No retail trips should be distributed to Bains Chapel Road.
- Figure 17, the northbound through movement volumes at Tyler Road and Barn Road in both the AM and PM peaks should be 0. The 4 in the AM peak and 5 in the PM peak should be turning right onto Barn Road to access the site due to the right in/ right out only.
- There is no description or figure showing the percentage of phase 1 traffic expected to use the full access entrance once it is open in Phase 2. Once the full access entrance is open this will eliminate the vehicles using Barn Road exiting the site to return north. Also there is no mention on how many vehicles accessing phase 2 will use the right in/ right out entrance proposed in phase 1. These should be shown in the report.

Steve Sandy
Page 3
July 16, 2009

- The electronic files on the CD labeled Emerald Investors Rezoning (Revised 7-2-09 TIA) are from the June 1, 2009 submission of the report. The files need to be updated and resubmitted.
- Intersections where the delays and LOS are significantly impacted should be mitigated. The intersections of Tyler Road and the two I-81 ramps and the intersection of Tyler Road and Barn Road should be mitigated back to the delays and LOS similar to those shown with the 2015 background volumes.
- The report mentioned the potential of signalizing the intersections of Tyler Road and the two I-81 ramps and the intersection of Tyler and Barn Road. A signal warrants analysis including twelve hours of turning movement counts and operational analysis must be included with discussion of signalization.
- The report also mentions the potential for a roundabout at the intersection of Tyler Road and Barn Road. An analysis using SIDRA should be included if this is the recommended mitigation at this intersection.
- The findings of the report indicate existing and future poor levels of service (LOS) at the intersections with the northbound and southbound I-81 ramps. A LOS "F" is to be expected in the 2015 background traffic for the left turn lane on the southbound ramp and the shared northbound lane during the AM peak hour only. A LOS of "D" or better is expected during the PM peak hour. Without having a full 12 hours of counts, a traffic signals warrants analysis can not be performed. However, with the reported LOS above, it would indicate most likely only the peak hour signal warrant would be met. Normally more than just the peak hour warrant would need to be met for a signal to be installed. Other measures such as adding a right turn lane on the northbound ramp would help with both the delay and queue length without having to install a signal.
- All of the figures and tables should be updated to reflect the changes above.

It should be noted that there are two other projects in this vicinity. Neither project has been approved for rezoning but both are going through the rezoning process. If two or three of these projects are built, it could significantly change the findings of this report.

The correction of these items requires resubmission of this report. We can meet with you and the engineer if that would be beneficial. Please contact John Jones at (540) 381-7198 to let us know if you would like to schedule a time to meet on this project.

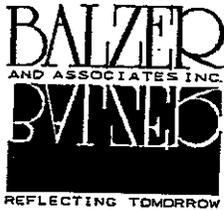
Sincerely,



John C. Thompson, P.E.
Staff Engineer

JCT/gat

c: Steve Semones, Balzer & Associates



July 28, 2009

Mr. Bob Fronk
PSA Director
Montgomery County Public Service Authority
755 Roanoke St., Suite 2I
Christiansburg, VA 24073-3185

RE: **Tyler Road Rezoning Projects – Montgomery County, Virginia**
S&P of Virginia, LLC Property Rezoning
Emerald Investors, LLC Property Rezoning
Roger Woody Property Rezoning

Dear Mr. Fronk:

As you are aware, Balzer & Associates, Inc. is representing the above referenced property owners in their rezoning requests for property located along the Tyler Road/177 Corridor near Carilion New River Valley Medical Center. Over the last two months the main issue that has arisen concerning these requests has been the available sewer capacity as agreed to between the City of Radford and Montgomery County. By our understanding, the current agreement allows for 250,000 gallons per day to be used by Montgomery County. According to your records, approximately 97,000 gallons per day are being used which leaves 153,000 gallons per day capacity in the sewer system. However, based on the sewer agreement, a plan of expanding the capacity must be in place when the system reaches 80% capacity. Thus leaving a total of 103,000 gallons per day capacity in the system prior to the 80% mark. As we prepared our rezoning documents, we utilized Virginia Department of Health Design and Construction criteria to estimate our water and sewer flows for the proposed uses. Using those numbers, each project had an estimated usage rate at full buildout. That total buildout rate of all three projects exceed the current 80% per day capacity by approximately 78,669 gallons.

Although each project stands on its own and according to Montgomery County PSA standards no sewer capacity is allocated to a project during a rezoning request, the County has become concerned that these projects together will consume the remaining capacity of the system. Because of this concern, we have investigated actual recorded water/sewer flows for a 12 month time period from uses that are similar to those proposed for these projects. Below is a revised chart that more accurately reflects actual usage flows for the hotels, gas stations, restaurants and office/retail space based on this data. Three uses shown on the S&P of Virginia plan, medical office, assisted living and nursing home have not been revised. Due to the preliminary nature of the masterplan for this area, and the variety of medical uses and programs assigned to those types of

buildings, it is difficult to compare usage rates. For example, a dialysis center or a dentist office could have much different usage requirements than a physical therapy office. With this in mind, we felt it best to be conservative and to continue to use the Health Department criteria. There were two other changes to the original assumptions. One is that the hotel on the Woody property is no longer proposed to have a pool or restaurant, so those flows have been removed. The second is that the two restaurants on the Woody property are now shown with more seating area to get a more conservative flow estimate.

It is important to remember that these projects are proposed with a projected five year buildout. With the current economy, it is realistic to think that total buildout could be as long 10 years. There are also several other parcels along this corridor that are currently zoned commercial and could submit for site plan approval at any point which would also affect the availability of sewer service. My clients are aware of the sewer capacity issue and the current Montgomery County PSA regulations concerning when sewer capacity is allocated to a specific project. They are also aware that during the site plan process, additional information will be required for approval by the PSA in order to be granted site plan approval.

Please review the following information and let us know if you have any questions or comments. I hope with this additional information the Montgomery County PSA and the Montgomery County Board of Supervisors are satisfied with the rezoning requests in regard to the current sewer capacity. Thank you for your and your staff's assistance with these projects and the cooperation between all parties involved. Again, please feel free to call us if you have any questions.

Sincerely,
BALZER AND ASSOCIATES, INC.


Steven M. Semones, ASLA
Vice President

Cc:
Mr. Steve Sandy, Montgomery County Planning
Mr. Steve Haga, S&P of Virginia, LLC.
Mr. William B. Clark, Emerald Investors, LLC.
Mr. Roger Woody

TYLER ROAD REZONING REQUESTS – CAPACITY ANALYSIS

TOTAL CAPACITY IN LINE FOR MONTGOMERY COUNTY:	250,000 GPD
80% CAPACITY:	200,000 GPD
90% CAPACITY:	225,000 GPD
CURRENT REMAINING CAPACITY BEFORE 80% MARK:	103,000 GPD

ORIGINAL SUBMITTED FLOW DATA PER VDH STANDARDS

<u>S&P OF VIRGINIA PROPERTY FULL BUILDOUT</u>	102,729 GPD
<u>EMERALD INVESTORS PROPERTY FULL BUILDOUT</u>	34,560 GPD
<u>ROGER WOODY PROPERTY FULL BUILDOUT</u>	44,380 GPD
<u>TOTAL PROJECT BUILDOUT:</u>	181,669 GPD
DEFICIENCY	78,669 GPD

REVISED WITH UPDATED FLOW DATA:

S&P of VIRGINIA

HOTEL #1	6,920
HOTEL #2	4,460
GAS/CONV. STORE	568
RESTAURANT	5,662
MEDICAL OFFICE	10,549*
ASSISTED LIVING	10,800*
NURSING HOME	15,200*
SINGLE FAMILY	6,000
TOTAL:	60,159 GPD

EMERALD INVESTORS

GAS/CONV. STORE	1,136
RETAIL/OFFICE	4,000
TOTAL:	5,136 GPD

WOODY

HOTEL	4,128
GAS/CONV. STORE	568
RESTAURANT #1	5,016
RESTAURANT #2	4,047
TOTAL:	13,759 GPD

SUBTOTAL	79,054 GPD
+ 25% (I&I, Peak)	19,764 GPD

TOTAL PROJECT BUILDOUT FLOW = 98,818 GPD (< 103,000 gpd remaining)

*Virginia Department of Health Design and Construction Criteria

S&P of VIRGINIA, LLC

HOTEL USE

Hotel #1: 85 Room Hotel With Approximately 900 Square Feet of Restaurant and a Pool Area

Design Assumptions and Calculations:

1. Each room is assumed to be occupied by 2 people and water and sewer usage is 24 gal/day per person = 4,080 gal/day
 2. Swimming pool water and sewer usage is 10 gal/day per swimmer (assume 85 rooms x 2 persons = 170 swimmers) = 1,700 gal/day
 3. Water and sewer usage for restaurant is 19 gal/day per seat (assume 1 seat per 15 square feet of restaurant per state code) = 1,140 gal/day
- Total Water/Sewer Usage By Hotel #1 = 6,920 gal/day

Hotel #2: 67 Room Hotel With A Pool Area

Design Assumptions and Calculations:

1. Each room is assumed to be occupied by 2 people and water and sewer usage is 24 gal/day per person = 3,120 gal/day
 2. Swimming pool water and sewer usage is 10 gal/day per swimmer (assume 67 rooms x 2 persons = 134 swimmers) = 1,340 gal/day
- Total Water/Sewer Usage By Hotel #2 = 4,460 gal/day

GAS SERVICE STATION

Gas/Service Station: 4,850 Square Foot Gas Station With 8 Vehicle Fueling Positions

Design Assumptions and Calculations:

1. From ITE Trip Generation Spreadsheet, a service station with 8 vehicle fueling positions will generate approximately 1,348 vehicles per day
 2. Water and Sewer Usage for gas service stations is 71 gal/day per Dispenser = 568 gal/day
- Total Water/Sewer Usage = 568 gallons per day

RESTAURANT

Restaurant: 5,572 Square Foot Restaurant

Design Assumptions and Calculations:

1. Assume approximately 1,100 sf of kitchen space leaving 4,472 square feet of seating area
 2. Per state code, maximum occupancy is 1 person/15 square feet of seating space = 298 person
 3. Water and Sewer usage for restaurants is 19 gal/day per seat = 5,662 gal/day
- Total Water/Sewer Usage By Restaurant = 5,662 gal/day

MEDICAL OFFICE

Medical Offices: 3 Medical Office Buildings Totaling 21,097 Square Feet

Design Assumptions and Calculations:

1. Water and Sewer usage for medical offices is 500 gal/day per 1,000 square feet of doctor's office = 10,549 gal/day

ASSISTED LIVING

Assisted Living: 2 – 2 Story Apartment Buildings Totaling 18,500 Square Feet Each with
24 2-Bedroom Units and 6 1-Bedroom Units in Each Buildings
(108 Total Bedrooms)

Design Assumptions and Calculations:

1. Water and Sewer usage for assisted living units is 100 gal/day per bedroom =
10,800 gal/day

NURSING HOME

Nursing Home: 41,800 Square Foot Nursing Home With 76 Total Units

Design Assumptions and Calculations:

1. Assume 1 occupant per unit
2. Water and Sewer usage for nursing homes is 200 gal/day per unit = 15,200
gal/day

SINGLE FAMILY

Single Family Residential: 40 Total Lots

Design Assumptions and Calculations:

1. Assume 4 occupants residing on each lot
2. Water and Sewer usage for residential use is 37.5 gal/day per person = 6,000
gal/day

**TOTAL ESTIMATED WATER/SEWER USAGE BY PROPOSED DEVELOPMENT =
60,159 gallons per day**

EMERALD INVESTORS, LLC

GAS SERVICE STATION

Gas/Service Station: 5,000 Square Foot Gas Station with 16 Vehicle Fueling Positions

Design Assumptions and Calculations:

1. From ITE Trip Generation Spreadsheet, a service station with 16 vehicle fueling positions will generate approximately 2,604 vehicles per day
2. Water and Sewer Usage for gas service stations is 71 gal/day per Dispenser = 1,136 gal/day
Total Water/Sewer Usage = 1,136 gallons per day

MIXED USE OFFICE/RETAIL CENTERS

Retail: There will be 20,000 Square Feet of general retail space located on the first floor of the mixed-use facility.

Office: 20,000 Square Feet of general office space located on the second floor of the mixed-use facility.

Design Assumptions and Calculations:

1. There is 40,000 Square Feet of ultimate floor space and water and sewage usage is 100 gal/day for every 1,000 Square Feet of ultimate floor space = 4,000 gal/day
Total Water/Sewer Usage By Office = 4,000 gal/day

TOTAL ESTIMATED WATER/SEWER USAGE BY PROPOSED DEVELOPMENT = 5,136 gallons per day

ROGER WOODY PROPERTY

HOTEL USE

Hotel: 86 Room Hotel

Design Assumptions and Calculations:

1. Each room is assumed to be occupied by 2 people and water and sewer usage is 24 gal/day per person = 4,128 gal/day
Total Water/Sewer Usage By Hotel = **4,128 gal/day**

GAS SERVICE STATION

Gas/Service Station: 4,000 Square Foot Gas Station With 8 Vehicle Fueling Positions

Design Assumptions and Calculations:

1. From ITE Trip Generation Spreadsheet, a service station with 8 vehicle fueling positions will generate approximately 1,348 vehicles per day
2. Water and Sewer Usage for gas service stations is 71 gal/day per Dispenser = 568 gal/day
Total Water/Sewer Usage = **568 gallons per day**

RESTAURANT B

Restaurant: 4,950 Square Foot

Design Assumptions and Calculations:

1. Assume approximately 990 sf of kitchen & waiting areas leaving 3,960 square feet of seating/dining areas
2. Per state code, maximum occupancy is 1 person/15 square feet of seating space = 264 person
3. Water and Sewer usage for restaurants is 19 gal/day per seat = 5,016 gal/day
Total Water/Sewer Usage By Restaurant = **5,016 gal/day**

RESTAURANT D

Restaurant: 4,000 Square Foot

Design Assumptions and Calculations:

4. Assume approximately 800 sf of kitchen & waiting areas leaving 3,200 square feet of seating/dining areas
5. Per state code, maximum occupancy is 1 person/15 square feet of seating space = 213 person
6. Water and Sewer usage for restaurants is 190 gal/day per seat = 4,047 gal/day
Total Water/Sewer Usage By Restaurant = **4,047 gal/day**

TOTAL ESTIMATED WATER/SEWER USAGE BY PROPOSED DEVELOPMENT = 13,759 gallons per day



Appalachian Power
1208 Corporate Circle
Roanoke, VA 24018
2009-07-29

Mr. Steven M. Semones
Balzer and Associates, Inc.
1208 Corporate Circle
Roanoke, VA 24018

July 29, 2009

Subject: **PROPOSED WOODY PROPERTY AND EMERALD INVESTORS,
INC. MASTER PLANS IN APPALACHIAN POWER COMPANY'S
GLEN LYN-ROANOKE 138 kV RIGHT OF WAY AND EASEMENT
AREA**

Dear Mr. Semones:

Appalachian Power Company (hereinafter referred to as "Appalachian") hereby grants permission for your proposed plans within Appalachian's right of way, but subject to the following conditions. Your planned improvements within Appalachian's right of way will constitute your acceptance of and agreement to abide by these conditions:

1. That the installation and existence of said plans shall not interfere with the rights of Appalachian to operate and maintain its facilities.
2. Owner agrees to maintain an undisturbed area extending thirty (30) feet in all directions from the edge of poles, structures, guys or anchors on said transmission line and that no part of the planned improvements shall be located in this thirty (30) foot undisturbed area. Owner also agrees not to raise the current grade at any point within the right of way without specific prior approval.
3. That you will assume liability for any and all damages done to Appalachian's facilities while engaged in the construction, installation, operation or maintenance of the planned improvements.
4. Should it become necessary for Appalachian to relocate its facilities within its right of way, and said relocated facilities will now fall within the area of the planned improvements, you will promptly abandon the planned improvements on receipt of written notice of Appalachian's intent to relocate its facilities. Appalachian will not be responsible for any damage done to planned improvements in the course of relocating its facilities.
5. You release Appalachian in advance from any liability of whatsoever kind or nature for damage to the planned improvements arising out of or resulting from Appalachian's

**Blacksburg/Christiansburg/Montgomery Area
Metropolitan Planning Organization**

755 Roanoke Street, Suite 2I
Christiansburg, VA 24073

July 8, 2009

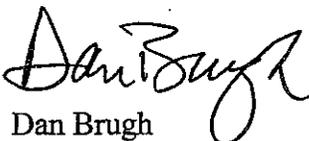
Steve Sandy
Planning Director, Montgomery County
755 Roanoke Street
Christiansburg, Virginia 24073

Steve,

This is in regard to our discussions regarding developments proposed at Exit 109 on I 81 – Route 177. The preliminary results of the Traffic Impact Analysis done including the 3 proposed developments shows a lowering of the functioning of the intersections of both the Northbound and Southbound Exit ramp intersections with Route 177. This failure occurs with or without the developments indicating remedial work needs to be done at these intersections to maintain an acceptable level of service.

VDOT must allocate funds for the different road systems on projects identified within the MPO developed Long Range Plan. While there is no set amount each year, over a period of time, projects must be programmed to accommodate the funding. While I cannot commit for the MPO, the current Long Range Plan has funding for the Interstate system that we were unable to allocate project specific. We are currently updating our Long Range Plan and our consultant will be reviewing areas for possible deficiencies. We will be sending the completed Traffic Impact Analysis to him for review. If this is identified as a need, improvements at these intersections can be included in the Plan unless there is a more pressing need that I am not aware of right now. Our plan is scheduled to be finalized in June of next year.

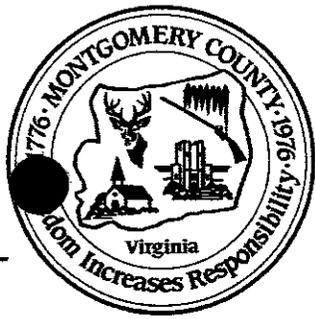
If you have any questions, feel free to contact me.



Dan Brugh
Executive Director

Cc: Policy Board Members

JDB



MONTGOMERY COUNTY DEPARTMENT OF
PLANNING & GIS SERVICES

PLANNING
GIS & MAPPING

755 ROANOKE STREET, SUITE 2A, CHRISTIANSBURG, VIRGINIA 24073-3177

MEMORANDUM

TO: Montgomery County Planning Commission
FROM: Dari S. Jenkins, CZO *DJ*
Planning & Zoning Administrator
DATE: August 5, 2009
SUBJ: Proposed Zoning Ordinance Amendments

Staff has been working with the County Attorney regarding amendments to the Zoning Ordinance section(s) identified below. Enclosed are copies of the proposed amendments.

- Section 10-41, Supplemental District Regulations
 - An amendment to include language to add "Uses accessory to Agriculture" in Section 10-41, Supplemental District Regulations.

The Board of Supervisors has requested your thoughts regarding "Uses accessory to Agriculture" and we are specifically interested in discussing 10-41(1)(d)6 of the proposed amendments with the Commission.

DJ

Enclosure(s): Proposed Amendments

PROPOSED ADDITIONS ARE SHOWN IN *ITALICS AND UNDERLINE*
AND DELETIONS ARE INDICATED BY STRIKETHROUGH

ARTICLE IV. REGULATIONS APPLYING TO ALL DISTRICTS

Sec. 10-41. Supplemental district regulations.

(1) *Accessory uses and structures.*

- (a) Accessory uses and structures are permitted in connection with, and incidental and subordinate to a permitted principal use or structure and in compliance with all other provisions of this chapter. Accessory structures shall not exceed eighteen (18) feet in height or twelve hundred (1,200) square feet in area unless authorized by special use permit.
- (b) Residential accessory uses and structures shall be limited to the following and to any other use or structure the zoning administrator determines to be similar in scope, size and impact as those listed herein, and are in compliance with all other provisions of this chapter:
1. Above ground deck.
 2. Clothesline.
 3. Fence or wall.
 4. Freestanding air conditioning unit.
 5. Parking for motor vehicles, subject to subsection (14).
 6. Patio, porch, gazebo.
 7. Pet houses and pens.
 8. Play equipment and playhouses.
 9. Private garage, carport. Maximum height and area shall be eighteen (18) feet and twelve hundred (1,200) square feet respectively unless authorized by special use permit.
 10. Private greenhouse.
 11. Private swimming pool.
 12. Private tennis court or outdoor recreational court.
 13. Radio or satellite antennas, freestanding or on roof, setback from required yards a minimum of one (1) foot for each one (1) foot in height.
 14. Storage shed for personal, noncommercial use, and clearly subordinate to principal structure.
 15. Studios and workshops without outdoor display for personal use, and clearly subordinate to principal structure.
 16. Accessory dwellings in accord with subsection (2).
 17. Solar power panels.
 18. Enclosed areas devoted to collection of recyclable materials generated by the principal use.
 19. Bus shelter or bus stand.
- (c) Commercial and industrial accessory uses and structures shall be limited to the following and to any other use or structure the zoning administrator determines to be similar in scope, size and impact as those listed herein, and are in compliance with all other provisions of this chapter:
1. Dumpsters and dumpster pads.
 2. Emergency power generators.
 3. Fence or wall.

Proposed Amendment to Sec. 10-41, Supplemental District Regulations

4. Freestanding air conditioning unit.
5. Parking uses and structures.
6. Recycling facilities, in accord with subsection (7).
7. Storage sheds, clearly subordinate to principal structure.
8. Stormwater management facilities, BMP facilities.
9. Bus shelter or bus stand.
10. Accessory living quarters for watchman, guard or custodian.
11. Sculpture, fountain, etc., clearly subordinate to principal structure.
12. Solar power panels.

(d) Uses accessory to Agriculture.

The following uses are permitted in an Agricultural (A-1) and Conservation (C-1) zoning district when such accessory uses are secondary to that of the main agricultural activity:

1. An on-site construction storage trailer for construction purposes provided it is placed on site no more than 30 days before the building permit is issued and remains no more than 180 days after the building permit is issued. Additional time may be allowed only if a Special Use Permit is granted.
2. Business office for agricultural uses on site.
3. Silos, manure pits, and other storage facilities.
4. Farm ponds, irrigation systems and stormwater management facilities.
5. Storage of horse vans, cattle trucks and trailers, and farm equipment.
6. The storing and packing of agricultural goods in shipping or semi-trailer containers ("containers") when the agricultural goods are either produced or grown on the same lot or for use on the same lot where container is stored provided that there are no more than five (5) containers stored on any one (1) lot and that the containers are set back more than one-hundred (100) feet from any adjoining property line and not in the floodplain.
7. Fences, walls, and hedges.
8. Winery processing and storage facilities as an accessory to an on-site vineyard.
9. Farm enterprises as specified by Sec 10-41(18).

(e)(d) Use limitations:

1. Accessory structures shall be located on the same lot as the principal use or structure, except in the A-1 agricultural and C-1 conservation districts.
2. Accessory structures shall be included in the calculations for height, bulk and coverage as required by this chapter.
3. Except as otherwise permitted herein and subject to subsection (8), no accessory use or structure shall be located in a required yard.
4. No accessory use or structure shall create a nuisance or hazard.
5. No accessory use or structure shall be used as a dwelling or for lodging purposes, except for living quarters for guards or custodians as provided for in subsection (c)10.above.
6. Home occupation uses shall comply with the provisions of subsection (4).
7. Accessory uses and structures shall be operated and maintained under the same ownership as the principal use.
8. No accessory uses or structures shall be established until the principal use or structure is established except in the A-1 agricultural and C-1 conservation districts.