Roanoke County
Board of Supervisors
Agenda

September 26, 2006

Good afternoon and welcome to our meeting for September 26, 2006. Regular meetings are held on the second Tuesday and the fourth Tuesday at 3:00 p.m. Public hearings are held at 7:00 p.m. on the fourth Tuesday of each month. Deviations from this schedule will be announced. The meetings are broadcast live on RVTV, Channel 3, and will be rebroadcast on Thursdays at 7:00 p.m. and on Saturdays at 4:00 p.m. The meetings are now closed-captioned. Individuals who require assistance or special arrangements to participate in or attend Board of Supervisors meetings should contact the Clerk to the Board at (540) 772-2005 at least 48 hours in advance.

A. OPENING CEREMONIES (3:00 p.m.)

1. Roll Call

2. Invocation: Pastor Peter Isenberg
New Hope Christian Church

3. Pledge of Allegiance to the United States Flag

B. REQUESTS TO POSTPONE, ADD TO, OR CHANGE THE ORDER OF AGENDA ITEMS

C. PROCLAMATIONS, RESOLUTIONS, RECOGNITIONS AND AWARDS

1. Recognition of the Sheriff's Office for receiving re-accreditation by the American Correctional Association

D. BRIEFINGS

1. Briefing regarding the gypsy moth program. (John M. Chambliss, Assistant County Administrator; Jon Vest, Extension Agent – Virginia Cooperative Extension)

E. NEW BUSINESS

F. REQUEST FOR PUBLIC HEARINGS AND FIRST READING OF REZONING ORDINANCES - CONSENT AGENDA: *Approval of these items does not indicate support for, or judge the merits of, the requested zoning actions but satisfies procedural requirements and schedules the Public Hearings which will be held after recommendation by the Planning Commission.*

1. First reading of an ordinance to rezone 4.494 acres from R-1, Low Density Residential, to C-2, General Commercial, in order to construct a retail sales facility located at 3909 Challenger Avenue and 3911 Challenger Avenue, Vinton Magisterial District, upon the petition of The Rebkee Company.

2. First reading of an ordinance to review proposed water and sewer line extensions to Explore Park per section 15.2-2232 of the Code of Virginia for consistency with the adopted Community Plan, located at 3900 Rutrough Road, Vinton Magisterial District, upon the petition of Virginia Living Histories, Inc.

3. First reading of an ordinance to obtain a special use permit to operate a commercial indoor sports and recreation facility on 1.53 acres located at 7525 Hitech Road, Hollins Magisterial District, upon the petition of Laura Quarles.

4. First reading of an ordinance to rezone 4.1± acres from AR, Agricultural Residential District, to C-2, General Commercial, and CVOD, Clearbrook Village Overlay District, and to obtain a special use permit to operate a retail sales establishment with gross floor area greater than 50,000 square feet, garden center, and minor automobile repair facility on 41± acres, located in the 5200 block of Franklin Road, Stable Road, Clearbrook Lane, Singing Hills Road, and Sunset Drive, Cave Spring Magisterial District, upon the petition of Holrob Investments, LLC.

5. First reading of an ordinance to rezone 24.46 acres from R-1, Low Density Residential, to R-3, Medium Density Multi-Family Residential, in order to construct multi-family dwellings at a maximum density of 5.15 dwelling units per acre located at 4800 Keagy Road, Windsor Hills Magisterial District, upon the petition of Hidden Valley Villas, LLC.

G. FIRST READING OF ORDINANCES

H. SECOND READING OF ORDINANCES

1. Second reading of an ordinance authorizing the acquisition of certain real estate from Len Deshano and Dorothy Deshano consisting of approximately 8.9 acres for future County use, Hollins Magisterial District. (Anne Marie Green, Director of General Services)

I. APPOINTMENTS

1. Building Code Board of Adjustments and Appeals (Fire Code Board of Appeals)

2. Capital Improvement Program (CIP) Review Committee (Appointed by District)

3. Economic Development Authority

4. Grievance Panel

J. CONSENT AGENDA

ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED BY THE BOARD TO BE ROUTINE AND WILL BE ENACTED BY ONE RESOLUTION IN THE FORM OR FORMS LISTED BELOW. IF DISCUSSION IS DESIRED, THAT ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND WILL BE CONSIDERED SEPARATELY.

1. Approval of minutes –September 12, 2006

2. Request from the Police Department to accept a United States Department of Justice grant in the amount of $21,677

3. Request from the Community Development Department to accept a Virginia Department of Conservation and Recreation grant in the amount of $148,000 for the Mudlick Creek urban stream restoration at Garst Mill Park

4. Resolution amending and readopting guidelines for the implementation of the Public-Private Education Facilities and Infrastructure Act of 2002

5. Request to accept and appropriate reimbursement in the amount of $32,909.28 for time/resources as part of the 800MHz rebanding project

6. Confirmation of committee appointments

K. REQUESTS FOR WORK SESSIONS

L. REQUESTS FOR PUBLIC HEARINGS

M. CITIZENS' COMMENTS AND COMMUNICATIONS

N. REPORTS

1. General Fund Unappropriated Balance

2. Capital Reserves

3. Reserve for Board Contingency

4. Future Debt Payment Reserve

5. Accounts Paid – August 2006

6. Statement of expenditures and estimated and actual revenues for the month ended August 31, 2006

7. Public Safety Center Building Project Budget Report

8. Public Safety Center Building Project Change Order Report

9. Proclamations signed by the Chairman

O. CLOSED MEETING pursuant to the Code of Virginia Section 2.2-3711 A (30) discussion of the award of a public contract involving the expenditure of public funds and discussion of the terms or scope of such contract with the Virginia Recreational Facilities Authority, where discussion in open session would adversely effect the bargaining position or negotiating strategy of the County.

P. WORK SESSIONS (Training Room – 4th floor)

1. Work session to present initial findings with respect to the Parks, Recreation and Tourism Master Plan. (Pete Haislip, Director of Parks, Recreation, and Tourism; Leon Younger, PROS Consulting)

<u>EVENING SESSION</u>

Q. CERTIFICATION RESOLUTION

R. PROCLAMATIONS, RESOLUTIONS, RECOGNITIONS AND AWARDS

S. PUBLIC HEARINGS AND SECOND READINGS OF ORDINANCES

1. **Continued until November 14, 2006, at the request of the petitioner.** Second reading of an ordinance to obtain a special use permit for the construction of a mini-warehouse facility on 14.559 acres located at 5627 Williamson Road and Florist Road, Hollins Magisterial District, upon the petition of Wayne Fralin.

2. Second reading of an ordinance to rezone 8.829 acres from R-1, Low Density Residential District, to PRD, Planned Residential Development District, for the development of a residential community called Summer Hill located at 5815 Bent Mountain Road, Windsor Hills Magisterial District, upon the petition of Qwiz Construction and Investments, LLC. (Philip Thompson, Deputy Director of Planning)

3. Second reading of an ordinance to rezone 1.26 acres from R-1, Low Density Residential, to C-1, Office, in order to construct two general office buildings located at 2404 Electric Road, Windsor Hills Magisterial District, upon the petition of R. Fralin Development Corporation. (Philip Thompson, Deputy Director of Planning)

4. Second reading of an ordinance to vacate, quit-claim and release a 15' width drainage easement and a variable width waterline easement dedicated in Plat Book 28, Page 128, and to accept dedication of a new 15' width drainage easement and new variable width waterline easement over property currently owned by R. Fralin Development Corporation located in the Hanging Rock Terrace Subdivision, Catawba Magisterial District. (Tarek Moneir, Deputy Director of Development Services)

5. Second reading of an ordinance amending Section 5-29. "Same-Impoundment" of Article II. "Dogs, Cats and Other Animals" of Chapter 5. "Animals and Fowl" to increase the daily impoundment fee charged by Roanoke County from $8.75 to $10.00 per day per animal and to increase the pickup fee for the first offense from $20.00 to $25.00. (John M. Chambliss, Assistant County Administrator)

T. CITIZENS' COMMENTS AND COMMUNICATIONS

U. REPORTS AND INQUIRIES OF BOARD MEMBERS

1. Michael W. Altizer
2. Richard C. Flora
3. Joseph P. McNamara
4. Joseph B. "Butch" Church
5. Michael A. Wray

V. ADJOURNMENT TO TUESDAY, OCTOBER 10, 2006 AT 12:00 P.M. FOR THE PURPOSE OF A JOINT MEETING WITH THE CITY OF ROANOKE AND THE ROANOKE REGIONAL AIRPORT COMMISSION, 5204 BERNARD DRIVE, SW, ROANOKE, VIRGINIA, 4TH FLOOR TRAINING ROOM.

ACTION NO. _____

ITEM NO. C-1

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROANOKE COUNTY, VIRGINIA HELD AT THE ROANOKE COUNTY ADMINISTRATION CENTER

MEETING DATE: September 26, 2006

AGENDA ITEM: Recognition of the Sheriff's Office for receiving re-accreditation by the American Correctional Association

APPROVED BY: Elmer C. Hodge ECH
County Administrator

COUNTY ADMINISTRATOR'S COMMENTS:

SUMMARY OF INFORMATION:

This time has been set aside to recognize the Sheriff's Office for achieving its second re-accreditation through the American Correctional Association (ACA). The Sheriff' Office was first accredited in 2000 and was re-accredited in 2003. To be accredited by the ACA, a jail must be in compliance with 100% of the 41 mandatory standards and 90% of the 413 non-mandatory standards. The Roanoke County/Salem Jail was in 100% compliance of the mandatory standards and 98% of the non-mandatory standards. It is the 7th out of 85 local jails in Virginia and 98th out of over 4,000 local jails nationwide to achieve accredited status. The standards for accreditation cover such areas as those listed below:

< Jail administrative operations
< Budget/fiscal management
< Staff training
< Inmate records
< Jail security and operations
< Inmate classification and discipline
< Jail physical plant
< Food service
< Safety and sanitation
< Health care
< Other inmate services and programs

Present at the meeting will be Sheriff Gerald Holt; Captain Barry Tayloe, Director of Corrections; Denise Likens, Professional Standards Manager; and Karen Hough, Accreditation Assistant.

ACTION NO. _____

ITEM NO. D-1

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROANOKE COUNTY, VIRGINIA HELD AT THE ROANOKE COUNTY ADMINISTRATION CENTER

MEETING DATE: September 26, 2006

AGENDA ITEM: Briefing regarding the Gypsy Moth Program

SUBMITTED BY: Jon Vest, Extension Agent
John Chambliss, Assistant County Administrator

APPROVED BY: Elmer C. Hodge
County Administrator

COUNTY ADMINISTRATOR'S COMMENTS:

SUMMARY OF INFORMATION:

This time has been set aside to discuss the Gypsy Moth Program and to brief the Board of Supervisors concerning the work of the Gypsy Moth Coordinator.

On July 11, 2006, the Board of Supervisors authorized hiring Bob Grace of County Gypsy Moth Program, Inc. of Broadway, Virginia, as the Gypsy Moth Coordinator to assist Roanoke County in conducting the gypsy moth egg mass counts for properties in Roanoke County and to file the necessary application to the State by mid-November to potentially qualify for any Federal or State monies that may become available for the Gypsy Moth Suppression Program. Bob Grace is one of the two major consultants in Virginia with experience in coordinating the program and filing the necessary application forms.

The attached letter dated September 8, 2006 to Mr. Hodge from the Commonwealth of Virginia, Department of Agriculture and Consumer Services, advises that Roanoke County has been added to the list of localities under the Virginia gypsy moth quarantine. This designation is intended to prevent the movement of articles that may artificially spread the gypsy moth through such means as nursery stock, logs, pulpwood, mulch, trailers, and outdoor household articles (grills, picnic tables, toys, etc.). Affected businesses have been notified by the State of this change to the quarantine status. This status is also used to determine those localities that qualify for participation in the Virginia Cooperative Gypsy Moth Suppression Program.

The Suppression Program utilizes USDA monies to aerially treat areas that will be impacted by the gypsy moth. Localities that participate in this program must appoint / hire a Gypsy Moth Coordinator (which Roanoke County has done) who will be required to complete the gypsy moth population surveys which must be conducted in the fall and must be completed by mid-November.

At this time, the Federal budget has not been approved and specific monies to cover the gypsy moth program have not been included in the draft. We have asked our Senators and Congressmen to support our need for such monies. The actions of Roanoke County to hire the coordinator and complete the survey will position us to be ready for the suppression program when funding becomes available. We will make the appropriate application to the State agency coordinating this program by the November deadline.

Plans are being finalized to have education program(s) in the County impacted area concerning the gypsy moth and notification of any meetings will be communicated to area residents and through the media.

Jon Vest and I will be happy to further discuss this matter with the Board at the beginning of the evening session and will keep you informed of the progress of the program.

Attachment

J. Carlton Courter, III
Commissioner

COMMONWEALTH of VIRGINIA

Department of Agriculture and Consumer Services
Division of Consumer Protection
Office of Plant & Pest Services
PO Box 1163, Richmond, Virginia 23218
Phone: 804/786-3515 • Fax: 804/371-7793 • Hearing Impaired: 800/828-1120
www.vdacs.state.va.us

September 8, 2006

Elmer Hodge
Roanoke County Administrator
P. O. Box 29800
Roanoke, VA 24018-0798

Dear Mr. Hodge:

The Virginia Department of Agriculture & Consumer Services (VDACS) has expanded the Virginia Gypsy Moth Quarantine to include Roanoke County. This letter is to notify you of this change and provide information that may assist Roanoke County residents in their efforts to reduce the impacts of this devastating forest insect.

The Virginia Gypsy Moth Quarantine and the corresponding USDA APHIS Gypsy Moth Quarantine are designed to prevent the movement of articles that may artificially spread the gypsy moth. These articles include nursery stock, logs, pulpwood, mulch, trailers, and outdoor household articles (grills, picnic tables, toys, etc.). Affected businesses in your county have been notified of this change to the quarantine. This quarantine is also used to determine those localities that qualify for participation in the Virginia Cooperative Gypsy Moth Suppression Program (VCGMSP).

VDACS cooperates with qualifying (quarantined) localities to suppress gypsy moth populations through the implementation of the Virginia Cooperative Gypsy Moth Suppression Program. This program utilizes USDA-Forest Service grant funding to aerially treat areas that will be impacted by the gypsy moth. Localities that participate in this program must appoint/hire a Gypsy Moth Coordinator, who will be required to complete gypsy moth population surveys to determine those areas that will qualify for aerial treatments. These surveys are normally conducted in the fall and must be completed by mid-November. More information regarding the role of the Gypsy Moth Coordinator and the VCGMSP can be found by clicking on the Gypsy Moth Suppression Guidelines link on VDACS' website at http://www.vdacs.virginia.gov/plant&pest/gypsymoth.html. The *2007 Virginia Cooperative Gypsy Moth Suppression Guidelines for Participation – Aerial Treatments* will be mailed to participating localities in approximately two weeks.

It must be noted that the 2007 federal budget is still under consideration and the proposed level of appropriations for gypsy moth suppression activities varies greatly between both houses of Congress. Gypsy

moth activities may be fully-funded or eliminated in the final budget, which may not be finalized for several months. Due to the biology of the gypsy moth and the resulting deadlines of the VCGMSP, localities that wish to participate in this program must conduct the required surveys, public meetings, etc. even though USDA-FS cost-share funding for the VCGMSP may be eliminated or greatly reduced.

If you have any questions, regarding the Virginia Gypsy Moth Quarantine or the Virginia Cooperative Gypsy Moth Suppression Program, please feel free to give me a call.

Sincerely,

Larry M. Nichols

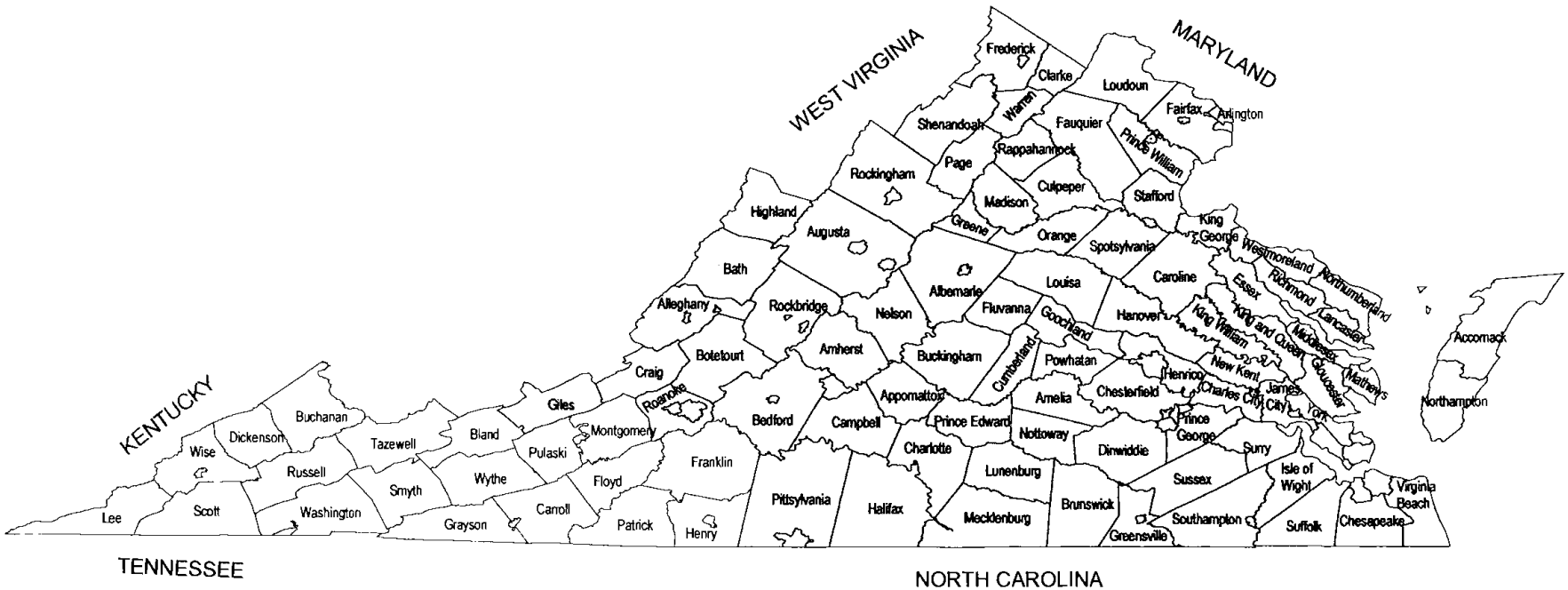
Larry M. Nichols
Gypsy Moth Programs Coordinator

Enclosure

cc: John Chandlers

VIRGINIA GYPSY MOTH QUARANTINE

REGULATED AREA



Revised September 7, 2006

ACTION NO. _____

ITEM NO. F1-5

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROANOKE COUNTY, VIRGINIA HELD AT THE ROANOKE COUNTY ADMINISTRATION CENTER

MEETING DATE: September 26, 2006

AGENDA ITEM: Requests for public hearing and first reading for rezoning ordinances - consent agenda

SUBMITTED BY: Philip Thompson
Deputy Director of Planning

APPROVED BY: Elmer C. Hodge ECH
County Administrator

COUNTY ADMINISTRATOR'S COMMENTS:

BACKGROUND:

The first reading on these ordinances is accomplished by adoption of these ordinances in the manner of consent agenda items. The adoption of these items does not imply approval of the substantive content of the requested zoning actions; rather, approval satisfies the procedural requirements of the County Charter and schedules the required public hearing and second reading of these ordinances. The second reading and public hearing on these ordinances is scheduled for October 24, 2006.

The titles of these ordinances are as follows:

1. The petition of The Rebkee Company to rezone 4.494 acres from R-1, Low Density Residential, to C-2, General Commercial, in order to construct a retail sales facility located at 3909 Challenger Avenue and 3911 Challenger Avenue, Vinton Magisterial District.

2. The petition of Virginia Living Histories, Inc. to review proposed water and sewer line extensions to Explore Park per section 15.2-2232 of the Code of Virginia for consistency with the adopted Community Plan, located at 3900 Rutrough Road, Vinton Magisterial District.

3. The petition of Laura Quarles to obtain a special use permit to operate a commercial indoor sports and recreation facility on 1.53 acres located at 7525 Hitech Road, Hollins Magisterial District.

4. The petition of Holrob Investments, LLC to rezone 4.1± acres from AR, Agricultural Residential District, to C-2, General Commercial, and CVOD, Clearbrook Village Overlay District, and to obtain a special use permit to operate a retail sales establishment with gross floor area greater than 50,000 square feet, garden center, and minor automobile repair facility on 41± acres, located in the 5200 block of Franklin Road, Stable Road, Clearbrook Lane, Singing Hills Road, and Sunset Drive, Cave Spring Magisterial District.

5. The petition of Hidden Valley Villas, LLC to rezone 24.46 acres from R-1, Low Density Residential, to R-3, Medium Density Multi-Family Residential, in order to construct multi-family dwellings at a maximum density of 5.15 dwelling units per acre located at 4800 Keagy Road, Windsor Hills Magisterial District.

Maps are attached. More detailed information is available in the Clerk's Office.

STAFF RECOMMENDATION:

Staff recommends as follows:

1. That the Board approve and adopt the first reading of these rezoning ordinances for the purpose of scheduling the second reading and public hearing for October 24, 2006.

2. That this section of the agenda be, and hereby is, approved and concurred in as to each item separately set forth as Item(s) 1-5, and that the Clerk is authorized and directed where required by law to set forth upon any of said items the separate vote tabulation for any such item pursuant to this action.

PZ-0602118

F-1

County of Roanoke
Community Development
Planning & Zoning

5204 Bernard Drive
P O Box 29800
Roanoke, VA 24018-0798
(540) 772-2068 FAX (540) 776-7155

For Staff Use Only

Date received: 8/24/06	Received by: DH
Application fee: 1105.00	~~PC/BZA~~ date: 10/3/06
Placards issued:	BOS date: 10/24/06
Case Number 25-10/2006	

ALL APPLICANTS

Check type of application filed (check all that apply)
☒ Rezoning ☐ Special Use ☐ Variance ☐ Waiver ☐ Administrative Appeal ☐ Comp Plan (15.2-2232) Review

Applicants name/address w/zip
The Rebkee Company
Attention: Kevin T. McFadden
1020 Old Bon Air Road Richmond, VA 23235

Phone: (804) 560-0500
Work:
Cell #:
Fax No.: (804) 560-0778

Owner's name/address w/zip
James & Patricia Swortzel
3909 Challenger Avenue
Roanoke, VA 24012

Thomas Davis
2343 Sourwood St.
Roanoke, VA 24012

Phone #: (540) 977-6113 (Swortzels)
~~Work~~ (540) 977-4702 (Davis)
Fax No. #:

Property Location
3909 & 3911 Challenger Avenue
Roanoke, VA 24012

Magisterial District: Vinton

Community Planning area: Bonsack

Tax Map No.: 050.01-01-04.00 and 050.01-01-03.00

Existing Zoning: R-1

Size of parcel(s): Acres: 3.148 & 1.346 Total (4.494)

Existing Land Use: Residential

REZONING, SPECIAL USE PERMIT, WAIVER AND COMP PLAN (15.2-2232) REVIEW APPLICANTS (R/S/W/CP)

Proposed Zoning: C-2 General Commercial
Proposed Land Use: Retail Sales - CVS Pharmacy with drive-thru

Does the parcel meet the minimum lot area, width, and frontage requirements of the requested district?
Yes ☒ No ☐ **IF NO, A VARIANCE IS REQUIRED FIRST.**
Does the parcel meet the minimum criteria for the requested Use Type? Yes ☒ No ☐
IF NO, A VARIANCE IS REQUIRED FIRST
If rezoning request, are conditions being proffered with this request? Yes ☐ No ☐

VARIANCE, WAIVER AND ADMINISTRATIVE APPEAL APPLICANTS (V/W/AA)

Variance/Waiver of Section(s) _____ of the Roanoke County Zoning Ordinance in order to: _____.
Appeal of Zoning Administrator's decision to _____.
Appeal of Interpretation of Section(s): _____ of the Roanoke County Zoning Ordinance
Appeal of Interpretation of Zoning Map to _____.

Is the application complete? Please check if enclosed. **APPLICATION WILL NOT BE ACCEPTED IF ANY OF THESE ITEMS ARE MISSING OR INCOMPLETE.**

R/S/W/CP	V/AA		R/S/W/CP	V/AA		R/S/W/CP	V/AA	
	X	Consultation		X	8 1/2" x 11" concept plan	X		Application fee
	X	Application	X		Metes and bounds description			Proffers, if applicable
	X	Justification	X		Water and sewer application	X		Adjoining property owners

I hereby certify that I am either the owner of the property or the owner's agent or contract purchaser and am acting with the knowledge and consent of the owner.

_____ ~~Owner's Signature~~

THE REBKEE COMPANY

By: _____
Kevin T. McFadden

JUSTIFICATION FOR REZONING, SPECIAL USE PERMIT WAIVER OR COMP PLAN (15.2-2232) REVIEW REQUESTS

Applicant THE REBKEE COMPANY

The Planning Commission will study rezoning, special use permit waiver or community plan (15.2-2232) review requests to determine the need and justification for the change in terms of public health, safety, and general welfare. Please answer the following questions as thoroughly as possible. Use additional space if necessary.

Please explain how the request furthers the purposes of the Roanoke County Ordinance as well as the purpose found at the beginning of the applicable zoning district classification in the Zoning Ordinance.

PLEASE SEE ATTACHMENT A

Please explain how the project conforms to the general guidelines and policies contained in the Roanoke County Community Plan.

PLEASE SEE ATTACHMENT A

Please describe the impact(s) of the request on the property itself, the adjoining properties, and the surrounding area, as well as the impacts on public services and facilities, including water/sewer, roads, schools, parks/recreation and fire and rescue.

PLEASE SEE ATTACHMENT A

JUSTIFICATION FOR VARIANCE REQUEST

Applicant THE REBKEE COMPANY

The of Zoning Appeals is required by Section 15.2-2309 of the Code of Virginia to consider the following factors before a variance can be granted. Please read the factors listed below carefully and in your own words, describe how the request meets each factor. If additional space is needed, use additional sheets of paper.

1. The variance shall not be contrary to the public interest and shall be in harmony with the intended spirit and purpose of the Zoning Ordinance.

N/A

2. The strict application of the zoning ordinance would produce undue hardship; a hardship that approaches confiscation (as distinguished from a special privilege or convenience) and would prohibit or unreasonably restrict the use of the property.

N/A

3. The hardship is not shared by other properties in the same zoning district or vicinity. Such hardships should be addressed by the Board of Supervisors as amendments to the Zoning Ordinance.

N/A

4. The variance will not be of a substantial detriment to the adjacent properties or the character of the district.

N/A

JUSTIFICATION FOR ADMINISTRATIVE APPEAL REQUEST

Applicant THE REBKEE COMPANY

Please respond to the following as thoroughly as possible. If additional space is needed, use additional sheets of paper.

1. Reasons for appeal:

N/A

2. Evidence supporting claim:

N/A

CONCEPT PLAN CHECKLIST

A concept plan of the proposed project must be submitted with the application. The concept plan shall graphically depict the land use change, development or variance that is to be considered. Further, the plan shall address any potential land use or design issues arising from the request. In such cases involving rezonings, the applicant may proffer conditions to limit the future use and development of the property and by so doing, correct any deficiencies that may not be manageable by County permitting regulations.

The concept plan should not be confused with the site plan or plot plan that is required prior to the issuance of a building permit. Site plan and building permit procedures ensure compliance with State and County development regulations and may require changes to the initial concept plan. Unless limiting conditions are proffered and accepted in a rezoning or imposed on a special use permit or variance, the concept plan may be altered to the extent permitted by the zoning district and other regulations.

A concept plan is required with all rezoning, special use permit, waiver, community plan (15.2-2232) review and variance applications. The plan should be prepared by a professional site planner. The level of detail may vary, depending on the nature of the request. The County Planning Division staff may exempt some of the items or suggest the addition of extra items, but the following are considered minimum:

ALL APPLICANTS

✓ a. Applicant name and name of development

✓ b. Date, scale and north arrow

✓ c. Lot size in acres or square feet and dimensions

✓ d. Location, names of owners and Roanoke County tax map numbers of adjoining properties

✓ e. Physical features such as ground cover, natural watercourses, floodplain, etc.

✓ f. The zoning and land use of all adjacent properties

✓ g. All property lines and easements

✓ h. All buildings, existing and proposed, and dimensions, floor area and heights

✓ i. Location, widths and names of all existing or platted streets or other public ways within or adjacent to the development

✓ j. Dimensions and locations of all driveways, parking spaces and loading spaces

Additional information required for REZONING and SPECIAL USE PERMIT APPLICANTS

✓ k. Existing utilities (water, sewer, storm drains) and connections at the site

✓ l. Any driveways, entrances/exits, curb openings and crossovers

✓ m. Topography map in a suitable scale and contour intervals

✓ n. Approximate street grades and site distances at intersections

___ o. Locations of all adjacent fire hydrants

___ p. Any proffered conditions at the site and how they are addressed

___ q. If project is to be phased, please show phase schedule

I certify that all items required in the checklist above are complete.

THE REBKEE COMPANY

Signature of applicant - Kevin T. McFadden

08/24/06
Date

ATTACHMENT A
TO REZONING APPLICATION FOR
THE REBKEE COMPANY

Please explain how the request furthers the purposes of the Roanoke County Ordinance as well as the purpose found at the beginning of the applicable zoning district classification in the Zoning Ordinance.

According to Section 30.54.1 of the Code of Roanoke County, the purpose of the C-2 General Commercial District is to:

> "Provide locations for a variety of commercial and service related activities within the urban service area serving a community of several neighborhoods or large areas of the County. This district is intended for general application throughout the County. General Commercial Districts are most appropriately found along major arterial thoroughfares which serve large segments of the County's population."
>
> "The C-2 District permits a wide variety of retail and service related uses. Land uses permitted in this district are generally consistent with the recommendations set forth in the Transition and Core land use categories of the comprehensive development plan. Site development regulations are designed to ensure compatibility with adjoining land uses."

These parcels front on U.S. Route 460, which is a major east-west arterial thoroughfare connecting downtown Roanoke to the developing eastern corridor of Roanoke County and the Bonsack area. The adjacent property has already been approved for a retail development for Kahn Development Company, Inc., and the proposed use by The Rebkee Company is consistent and puts the property to its highest and best use. The property immediately adjoining the properties and the Kahn Development Company, Inc., project have been developed as a business/industrial park and is currently zoned C-2. The property across Challenger Avenue is zoned C-1. The rezoning requested by The Rebkee Company would allow for a complete and uniform development of the Valley Gateway Business Park and permit full beneficial use of the frontage that exists along this section of U.S. Route 460. In addition, the rezoning of the properties would permit a wider variety of possible land uses, which would be integrated in the proposed Valley Gateway Plaza.

The current zoning of the subject parcels as R-1 Low Density Residential District is no longer consistent with the general plan of development in the area, nor is it the highest and best use of the land. A rezoning of the parcels to C-2 General Commercial District would make these parcels consistent with the parcels comprising the Kahn Development Company, Inc., project, now zoned C-2 General Commercial District.

Please explain how the project conforms to the general guidelines and policies contained in the Roanoke County Community Plan.

Community Values: The proposed project would be entirely consistent with the specified desire that U.S. 460 have a unified development plan in conjunction with Roanoke City, Roanoke County and Botetourt County. The proposed development, together with the approved project for Kahn Development Company, Inc., would provide for a planned or campus-like setting providing nodes of development along this portion of U.S. Route 460, rather than allow development as a typical strip commercial/industrial development as may otherwise be the case. The proposed use by The Rebkee Company would not impact the views of the mountains and ridgelines, would not impact or detract from existing historic buildings or structures, and would prevent typical strip commercial/industrial development along this important gateway along the U.S. Route 460 corridor.

Key Resources: The proposed project would not impact the key resources defined in the Bonsack community planning area. This would include Glade Creek and the tributary to Glade Creek which runs along Carson Road.

General Policies

Natural Resources: The proposed project would be sensitive to the preservation, protection and enhancement of the view sheds from the Bonsack community by providing a higher standard of design that will minimize the visual impact of the development and promote innovative methods of site planning. The proposed project would also establish critical linkages to shopping on the adjacent Kahn Development Company, Inc., project, providing nodes of development along this portion of U.S. Route 460.

Land Use: The project promotes the use of planned commercial developments and/or nodes of commercial development along the U.S. Route 460 corridor, including appropriate landscaping and buildings with a unified architectural design. This will allow an appropriate balance between residential, commercial, industrial and agricultural land in the area to assist Bonsack in becoming a sustainable community.

Public Facilities: The proposed project would not impact Bonsack Elementary School or the facilities at Bonsack Park. It would be integrated into the Valley Gateway Plaza and, with the additional access to the property, would improve the safety of U.S. Route 460.

Please describe the impact(s) of the request on the property itself, the adjoining properties, and the surrounding area, as well as the impacts on public services and facilities, including water/sewer, roads, schools, parks/recreation and fire and rescue.

Existing Property: The subject parcels include two residences that would be removed to allow for a retail development that includes the CVS Pharmacy and another retail use. The parcels are contiguous to the approved retail development of Kahn Development Company, Inc., and therefore would be entirely consistent with that project.

Adjoining Properties: The adjacent properties include the tract of land known as Valley Gateway Business Park, which is currently zoned C-2 General Commercial District and contains approximately 26 acres. Other nearby or adjacent properties are zoned C-1 or R-1. Given the general pattern of development in the area and the fact that the subject parcels are in the Core area of the County Community Plan, a rezoning of the subject parcels to C-2 General Commercial District will have no adverse impact on any of these adjoining properties.

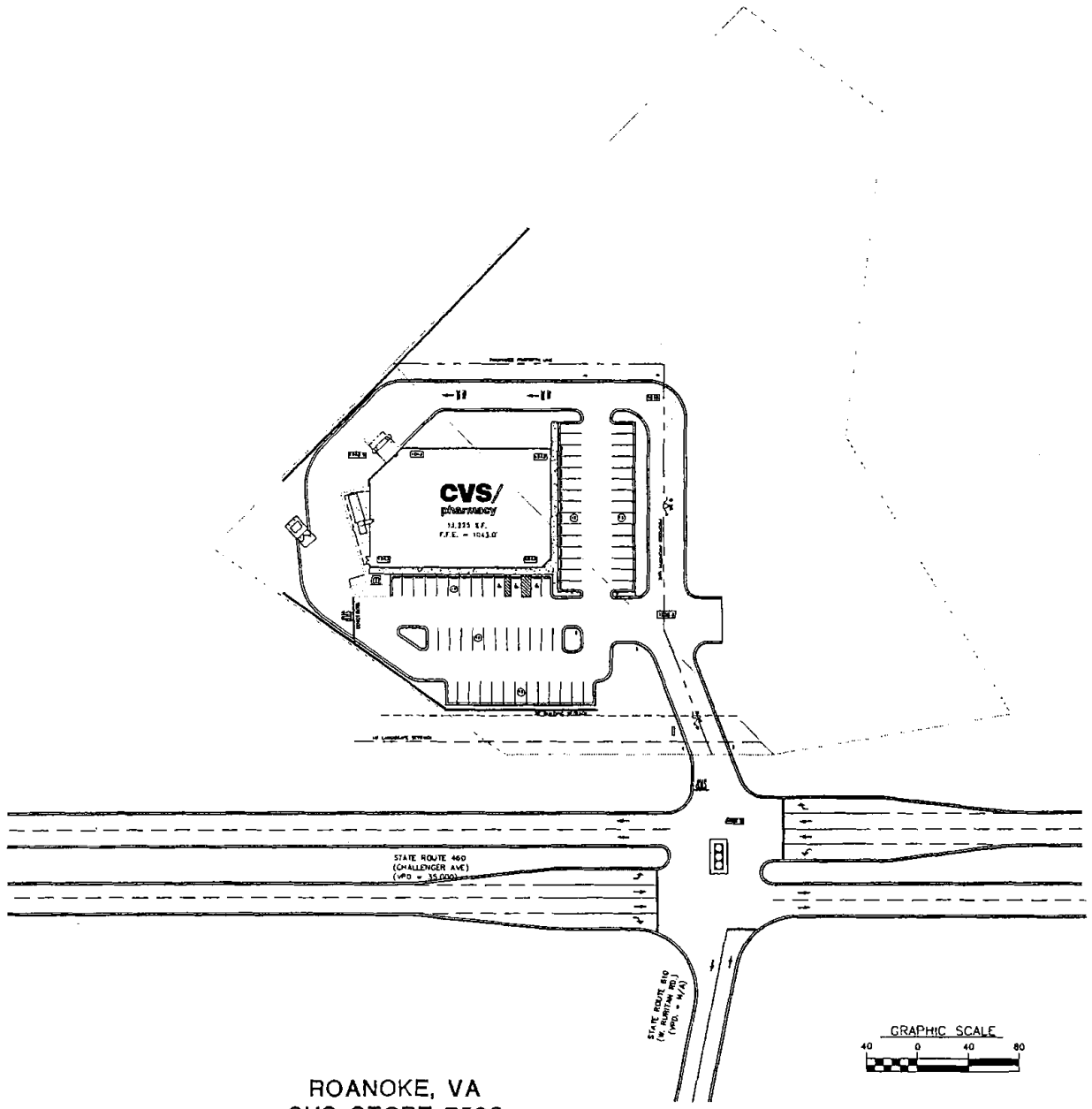
Public Services and Facilities, Including Water/Sewer, Roads, Schools, Parks/Recreation and Fire and Rescue: The rezoning and subsequent commercial development of the subject parcels would have little or no impact on any of these County services, since the subject parcels are contiguous to the adjoining commercial and industrial zoned properties. Public water and sewer are located immediately adjacent to the parcels, and the proposed project will not have any adverse impact on public schools in the area or adversely affect any area of an existing or proposed park or greenway.

SITE CRITERIA CHECKLIST

PROJECT DATA	
TOTAL SITE AREA	1.827 ACRES
RETAIL BUILDING	13,225 S.F.
TOTAL PARKING REQUIRED	1 SPACE / 200 SF. GFA = 66 SPACES
TOTAL PARKING PROVIDED	68 SPACES PROVIDED
TOT. LOADING REQ'D	1 BERTH
TOT. LOADING PROVIDED	1 BERTH
LAND INFORMATION	
LAND LOT	
PARCEL NUMBER	ENTER PARCEL#
BOUNDARY SURVEY	NOT PROVIDED
TOPOGRAPHICAL SURVEY	NOT PROVIDED
OFF SITE IMPROVEMENTS	RIGHT TURN LANE OFF ROUTE 460 BY VDOT
TRAFFIC STUDY	N/A
OVERLAY DISTRICTS	N/A
ZONING INFORMATION	
EXISTING ZONING	B-1
PROPOSED ZONING	C-2
BUILDING HEIGHT LIMIT	NONE
DOT INFORMATION	
CURB CUT PERMIT	VDOT
MAJOR ROAD JURISDICTION	VDOT
MINOR ROAD JURISDICTION	VDOT
LANDSCAPE INFORMATION	
SITE LANDSCAPING	[X] YES [ ] NO [ ] SHOWN ON PLAN
UTILITY INFORMATION	
GAS AVAILABILITY	[X] YES [ ] NO [ ] SHOWN ON PLAN
ELECTRIC AVAILABILITY	[X] YES [ ] NO [ ] SHOWN ON PLAN
TELEPHONE AVAILABILITY	[X] YES [ ] NO [ ] SHOWN ON PLAN
CABLE AVAILABILITY	[X] YES [ ] NO [ ] SHOWN ON PLAN
WATER AVAILABILITY	[X] YES [ ] NO [ ] SHOWN ON PLAN
SEWER AVAILABILITY	[ ] YES [X] NO [ ] SHOWN ON PLAN
STORM AVAILABILITY	[X] YES [ ] NO [ ] SHOWN ON PLAN

ESTIMATING INFORMATION

PROJECT DATA	
LANDSCAPE/ SCREENING/ IRRIGATION	20,000 SQ.FT.
WALKS, PADS & 5' PER OF BLDG	3,700 SQ.FT.
CURBS AND GUTTER	2,200 LF
PARKING LOT (HEAVY & MED. PAVING)	5,250 SQ.YDS.
RETAINING WALLS	450 LIN.FT.
EXCAVATION / CUT AND FILL	30,000 CU. YDS. CUT



ROANOKE, VA
CVS STORE 7503

Kimley-Horn and Associates, Inc.
1500 FOREST AVENUE, SUITE 115
RICHMOND, VIRGINIA 23229

CONSULTANT:
KIMLEY-HORN AND ASSOC.
1500 FOREST AVENUE
TEL (804) 673-3882
FAX (804) 673-3980

SEAL:

CVS/ pharmacy
13,225 S.F. PROTOTYPE
STORE NUMBER: #7503
INTERSECTION OF
ROUTE 460 & ROUTE 610
ROANOKE, VIRGINIA

OWNER/DEVELOPER:
THE REDICE COMPANY
1020 OLD BON AIR ROAD
RICHMOND, VA 23235
PHONE: (804) 560-0500
FAX: (804) 560-0778

REVISIONS:

LAYOUT COORD:	DBE
PLANNING MGR.	KDC
DRAWING BY:	JCC
DATE:	8/23/06
JOB NUMBER:	113001106

TITLE:

SHEET NUMBER: SK-1

COMMENTS:
NOT FOR CONSTRUCTION

Drawing name: K:\113001 - CVS-Rebecca\106 - Barnack (Roanoke, VA Rt. 460)\CAD\Wing\Pre-Construction\SK-1option 1.dwg SK-1 Aug 23, 2006 1:21pm By: Joseph.Chambrone

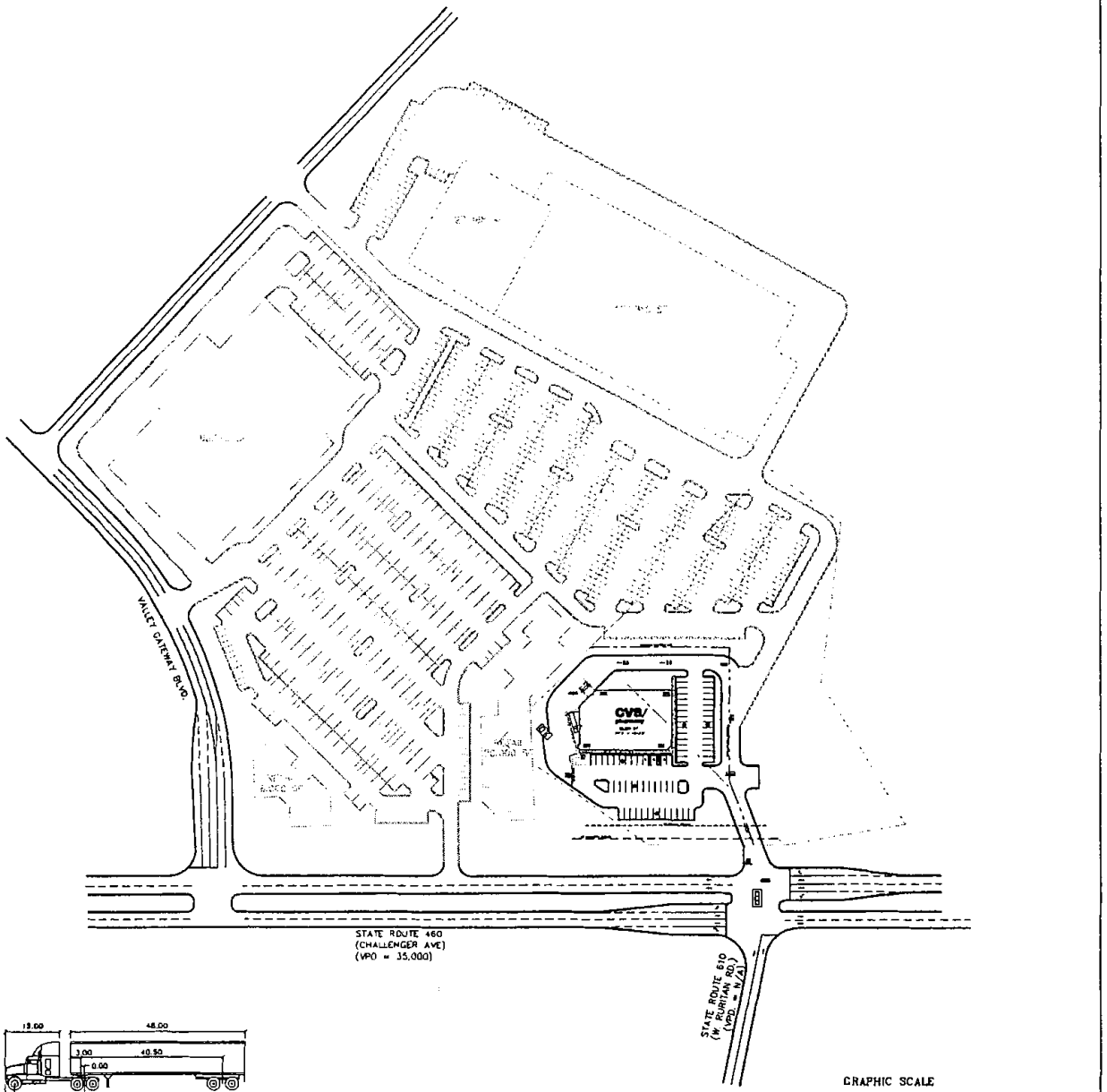
SITE CRITERIA CHECKLIST

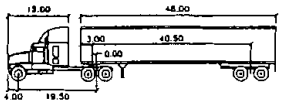
PROJECT DATA	
TOTAL SITE AREA	1.877 ACRES
RETAIL BUILDING	13,225 S.F.
TOTAL PARKING REQUIRED	1 SPACE / 200 SF GFA = 66 SPACES
TOTAL PARKING PROVIDED	58 SPACES PROVIDED
TOT. LOADING REQ'D	1 BERTH
TOT. LOADING PROVIDED	1 BERTH
LAND INFORMATION	
LAND LOT	
PARCEL NUMBER	ENTER PARCEL#
BOUNDARY SURVEY	NOT PROVIDED
TOPOGRAPHICAL SURVEY	NOT PROVIDED
OFF SITE IMPROVEMENTS	RIGHT TURN LANE OFF ROUTE 460 BY VDOT
TRAFFIC STUDY	N/A
OVERLAY DISTRICTS	N/A
ZONING INFORMATION	
EXISTING ZONING	R-1
PROPOSED ZONING	C-2
BUILDING HEIGHT LIMIT	NONE
DOT INFORMATION	
CURB CUT PERMIT	VDOT
MAJOR ROAD JURISDICTION	VDOT
MINOR ROAD JURISDICTION	VDOT
LANDSCAPE INFORMATION	
SITE LANDSCAPING	[X] YES [ ] NO [ ] SHOWN ON PLAN

UTILITY INFORMATION	YES	NO	SHOWN ON PLAN
GAS AVAILABILITY	X		
ELECTRIC AVAILABILITY	X		
TELEPHONE AVAILABILITY	X		
CABLE AVAILABILITY	X		
WATER AVAILABILITY	X		
SEWER AVAILABILITY		X	
STORM AVAILABILITY	X		

ESTIMATING INFORMATION

PROJECT DATA	
LANDSCAPE/ SCREENING/ IRRIGATION	20,000 SQ.FT.
WALKS, PADS & 5' PER OF BLDG	3,700 SQ.FT.
CURBS AND GUTTER	3,300 LF
PARKING LOT (HEAVY & MED. PAVING)	5,250 SQ.YDS
RETAINING WALLS	450 LIN.FT.
EXCAVATION / CUT AND FILL	10,000 CU. YDS. CUT





WB-62 feet

Tractor Width	: 8.00	Lock to Lock Time	: 6.00
Trailer Width	: 8.50	Steering Angle	: 28.40
Tractor Track	: 8.00	Articulating Angle	: 70.00
Trailer Track	: 8.50		

ROANOKE, VA
CVS STORE 7503

Kimley-Horn and Associates, Inc.
© 2006
1500 FOREST AVENUE, SUITE 115
RICHMOND, VIRGINIA 23229

CONSULTANT:
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1500 FOREST AVENUE
TEL (804) 673-3882
FAX (804) 673-3980

SEAL:

CVS/ pharmacy
13,225 S.F. PROTOTYPE
STORE NUMBER: #7503
INTERSECTION OF
ROUTE 460 & ROUTE 610
ROANOKE, VIRGINIA

OWNER/DEVELOPER:
THE REBKEE COMPANY
1020 OLD BON AIR ROAD
RICHMOND, VA 23235
PHONE: (804) 560-0500
FAX: (804) 560-0778

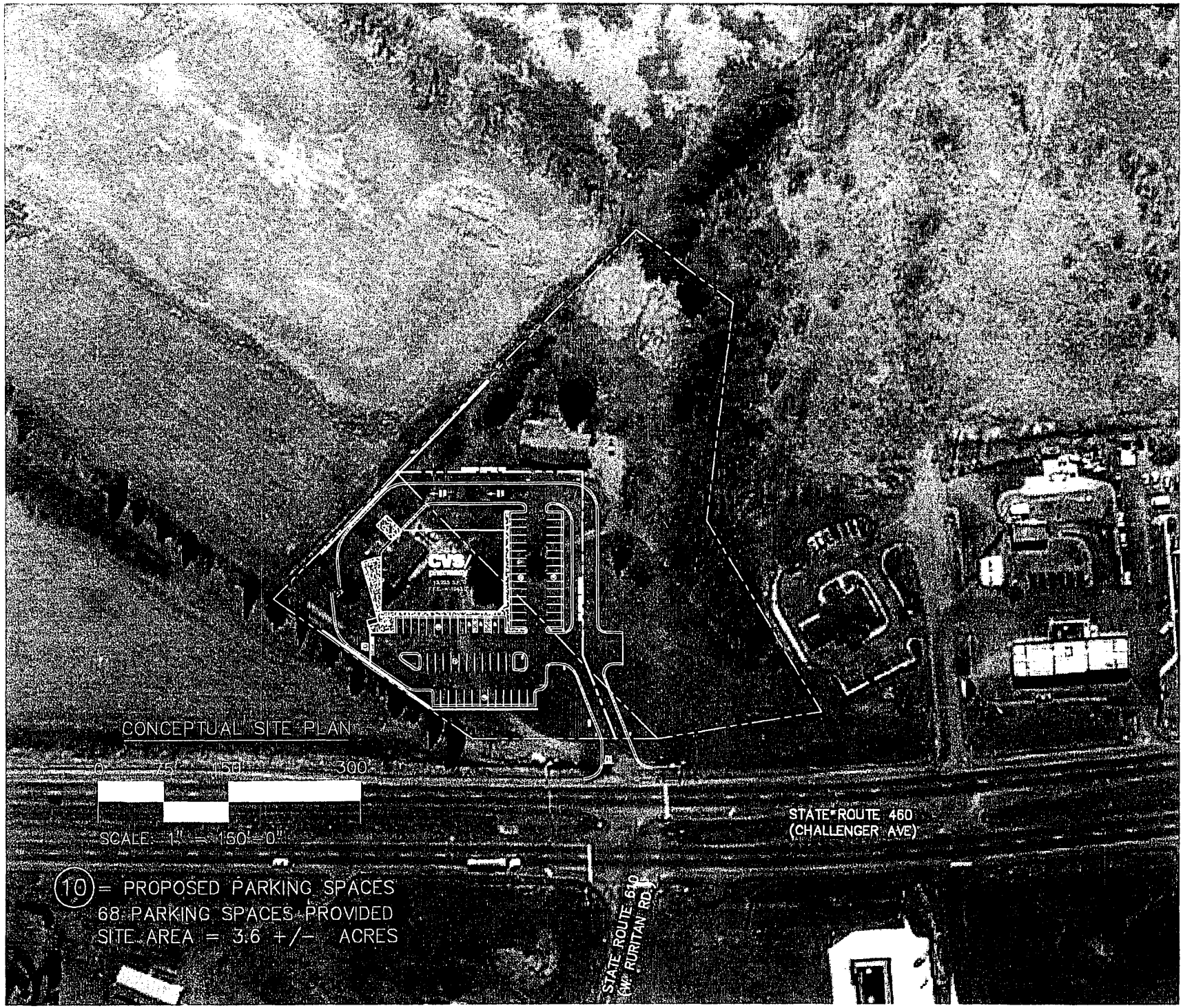
REVISIONS:

LAYOUT COORD:	DBE
PLANNING MGR.	KDC
DRAWING BY:	JCC
DATE:	8/23/06
JOB NUMBER:	113001106
TITLE:	

SHEET NUMBER: SK-1A

COMMENTS: NOT FOR CONSTRUCTION

Drawing name: K:\113001 - CVS-Roanoke\106 - Bonsack (Roanoke, VA Rt. 460)\CAD\dwg\Pre-Construction\SK-1A option 1.dwg SK-1 Aug 23, 2006 1:23pm by: Joseph Chernyaev



Kimley-Horn and Associates, Inc.

Engineering
Planning
and
Environmental
Consultants

1500 Forest Avenue,
Suite 115
Richmond, Virginia
23229
Phone: 804-673-3882
Fax: 804-693-3980

Client:
The Rebkee Company

JOB NO.	113001106
DRAWN BY	DHL
CHECKED BY	DBK
APPROVED BY	KDC
DATE PRINTED	03/28/06
DATE REVISED	03/28/06

AERIAL OVERLAY

VA. ROUTE 460
ROANOKE COUNTY, VIRGINIA

SCALE
1"=150'

SHEET NO.
1

CONSENT

Tax Parcel 50.01-1-3 (3.148 acres)
Tax Parcel 50.01-1-4 (1.346 acres)

WHEREAS, James L. Swortzel, Patricia D. Swortzel and Thomas F. Davis, the owners of the property parcels listed above, that are the subject of the application of The Rebkee Company for rezoning from R-1 Low Density Residential District to C-2 General Commercial District, hereby consent to this rezoning application and agree to be bound by any conditions that are proffered in this petition.

James L. Swortzel — Date 8/23/06

Patricia D. Swortzel — Date 8/23/06

Thomas F. Davis — Date 8/23/06

LEGAL DESCRIPTION – 3.148 ACRES
(TAX PARCEL 50.01-1-3)

BEGINNING AT A POINT ON THE EAST LINE OF U.S. ROUTE 460, SAID POINT BEING 829.87' SOUTH OF THE SOUTH LINE OF VALLEY GATEWAY BOULEVARD (RT. 757); THENCE LEAVING THE EAST LINE OF U.S. ROUTE 460 N 89°31' E, 412.81' TO A POINT; THENCE S 1°52' E, 390.15' TO A POINT; THENCE S 79°42'48" W, 135.67' TO A POINT; THENCE N 38°17'08" W, 249.47' TO A POINT; THENCE N 76°57'55" W, 252.43' TO A POINT ON THE EAST LINE OF U.S. ROUTE 460; THENCE ALONG THE EAST LINE OF U.S. ROUTE 460 N 34°33'29" E, 191.79' TO THE POINT OF BEGINNING. CONTAINING 3.148 ACRES OF LAND.

LEGAL DESCRIPTION – 1.346 ACRES
(TAX PARCEL 50.01-1-4)

BEGINNING AT A POINT ON THE EAST LINE OF U.S. ROUTE 460, SAID POINT BEING 618.37' SOUTH OF THE SOUTH LINE OF VALLEY GATEWAY BOULEVARD (RT. 757); THENCE LEAVING THE EAST LINE OF U.S. ROUTE 460 N 79°08'30" E, 268.07' TO A POINT; THENCE S 1°52' E, 203.06' TO A POINT; THENCE S 89°31' E, 412.81' TO A POINT ON THE EAST LINE OF U.S. ROUTE 460; THENCE ALONG THE EAST LINE OF U.S. ROUTE 460 N 42°31' E, 211.50' TO THE POINT OF BEGINNING. CONTAINING 1.346 ACRES OF LAND.

County of Roanoke

DEVELOPMENT APPLICATION

(Please Type or Print)

DATE: August 23, 2006 PROJECT NUMBER: _____

☐ SITE PLAN ☐ SUBDIVISION PLAN

APPLICANT: The Rebkee Company PHONE: (804) 560-0500 FAX: (804) 560-0778
ADDRESS: 1020 Old Bon Air Road Richmond, VA 23235 E-MAIL ADDRESS: _____

OWNER: James & Patricia Swortzel (540) 977-6113
Thomas Davis PHONE: (540) 977-4702 FAX: _____
3909 Challenger Avenue, Roanoke, VA 24012
ADDRESS: 2343 Sourwood Street, Roanoke, VA 24012 E-MAIL ADDRESS: _____

ENGINEER: Kimley –Horn and Associates PHONE: 804-673-3882 FAX: 804-673-3980
ADDRESS: 1500 Forest Road, Suite 115, Richmond, VA 23229 E-MAIL ADDRESS: _____

CONTRACTOR: N/A at this time PHONE: _____ FAX: _____
E-MAIL ADDRESS: _____

SOURCE OF REVIEW NOTIFICATION (CIRCLE) MAIL - FAX - INTERNET

SITE INFORMATION

PROPERTY ADDRESS: 3909 and 3911 Challenger Avenue, Raonoke, VA 24012
DEVELOPMENT NAME: _____
PROPOSED USE: Retail
DEVELOPED AREA: _____ GRADED AREA: _____
TAX MAP #: 050.01-01-04 & 050.01-01-03 MAGISTERIAL DISTRICT: Vinton
ZONING: _____ TOTAL UNITS: _____ TOTAL LOTS: _____

REQUESTED SERVICE: (CIRCLE)

WATER FACILITIES: (COUNTY - CITY - TOWN OF VINTON - PRIVATE - WELL)

SEWER FACILITIES: (COUNTY - CITY - TOWN OF VINTON - PRIVATE - WELL)

IS BUILDING TO BE SPRINKLERED? Yes FLOW REQUIRED: _____ GPM

It is understood that submission of inaccurate or incomplete information may delay final approval of the comprehensive development plans.

I do hereby certify that I fully understand the provisions of the Erosion and Sediment Control Ordinance and program, and the above-referenced project as approved. I further grant the right-of-entry to this project, as described above, to the designated personnel for the purpose of inspecting and monitoring for compliance with the aforesaid Ordinance.

SIGNATURE OF APPLICANT

Western Virginia Water Authority
Water/Sewer Availability Application

Date: August 23, 2006

Applicant: The Rebkee Company

Mailing Address: 1020 Old Bon Air Road

Richmond, VA 23235

Phone: (804) 560-0500

Cell: _____

Fax: (804) 560-0778

Property Address: 3909 & 3911 Challenger Avenue, Roanoke, VA 24012

City or County: County

Tax Map Number(s): 050.01-01-04 & 050.01-01-03

Development (Subdivision) Name: Bonsack

Single Residential, Duplex, Multi-Residential, Subdivision, or Commercial Facility?

Water Meter Size Requested: _____

Sewer Lateral Size Requested: _____

COMPLETE THE FOLLOWING FOR NON-RESIDENTIAL AND MULTI-RESIDENTIAL SERVICES

Domestic Flow Required? ** _____**GPM**
**** (Attach completed "Sizing Water Service Lines and Meters" Form AND "Non-Residential Sanitary Sewer Checklist", blank forms available on website under "Engineers" section)**

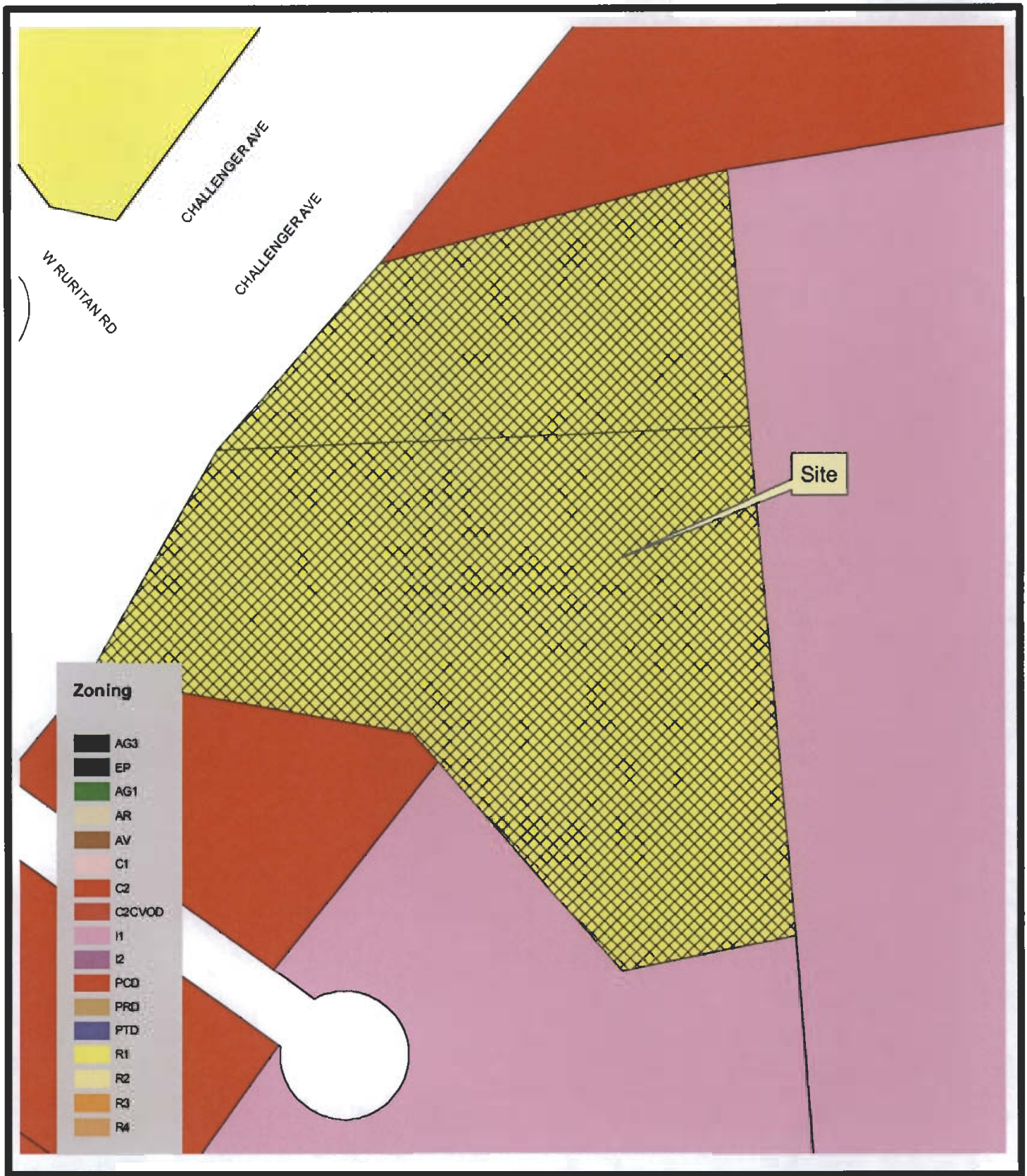
Is Building to be Sprinkled? YES / NO

Minimum Fire Flow Required? _____**GPM**

Return to: Jamie Morris, Engineering Coordinator, Phone: 540-853-1588

Via Mail – 601 South Jefferson Street, Suite 300 Roanoke, VA 24011
Fax: 540-853-1017
E-mail: Jamie.morris@westernvawater.org
Website: westernvawater.org

Rev. 1/06/06



Roanoke County
Department of
Community Development

Applicants Name: The Rebkee Company
Existing Zoning: R1
Proposed Zoning: C2
Tax Map Number: 050.01-01-03.00-0000, 04
Magisterial District: Vinton Area: 4.494 Acres

28 August, 2006 Scale: 1" = 100'

PZ-0600213P

F-2

County of Roanoke
Community Development
Planning & Zoning

5204 Bernard Drive
P O Box 29800
Roanoke, VA 24018-0798
(540) 772-2068 FAX (540) 776-7155

For Staff Use Only

Date received: 8/25/06	Received by: PGT
Application fee: N/A	PC/BZA date: Oct. 3, 2006
Placards issued:	BOS date: Oct. 24, 2006
Case Number 26-10/2006	

ALL APPLICANTS

Check type of application filed (check all that apply)
☐ **Rezoning** ☐ **Special Use** ☐ **Variance** ☐ **Waiver** ☐ **Administrative Appeal** ☒ **Comp Plan (15.2-2232) Review**

Applicants name/address w/zip
Virginia Living Histories, Inc.
11701 Borman Drive, Suite 315
St. Louis, MO 63146

Phone: (314) 994-9070
Work:
Cell #:
Fax No.: (314) 994-9912

Owner's name/address w/zip
Western Virginia Water Authority
601 S. Jefferson Street; Roanoke, VA 24011

Phone #: (540) 853-5700
Work:
Fax No. #: (540) 853-1600

Property Location 3900 Rutrough Road; Roanoke, VA 24014	Magisterial District: Vinton Community Planning area: Mount Pleasant
Tax Map No.: See Attached	Existing Zoning: EP (Explore Park)
Size of parcel(s): Acres: 773.35	Existing Land Use: Explore Park

***REZONING, SPECIAL USE PERMIT, WAIVER AND COMP PLAN (15.2-2232) REVIEW APPLICANTS* (R/S/W/CP)**

Proposed Zoning: N/A
Proposed Land Use: Water & Sewer Line Extensions to Explore Park

Does the parcel meet the minimum lot area, width, and frontage requirements of the requested district? N/A
Yes ☐ No ☐ **IF NO, A VARIANCE IS REQUIRED FIRST.**
Does the parcel meet the minimum criteria for the requested Use Type? Yes ☐ No ☐ N/A
IF NO, A VARIANCE IS REQUIRED FIRST
If rezoning request, are conditions being proffered with this request? Yes ☐ No ☐ N/A

VARIANCE, WAIVER AND ADMINISTRATIVE APPEAL APPLICANTS (V/W/AA)

Variance/Waiver of Section(s) _____ of the Roanoke County Zoning Ordinance in order to:
_____.
Appeal of Zoning Administrator's decision to _____.
Appeal of Interpretation of Section(s):_____ of the Roanoke County Zoning Ordinance
Appeal of Interpretation of Zoning Map to _____.

Is the application complete? Please check if enclosed. **APPLICATION WILL NOT BE ACCEPTED IF ANY OF THESE ITEMS ARE MISSING OR INCOMPLETE.**

R/S/W/CP	V/AA		R/S/W/CP	V/AA		R/S/W/CP	V/AA	
		Consultation			8 1/2" x 11" concept plan			Application fee
		Application			Metes and bounds description			Proffers, if applicable
		Justification			Water and sewer application			Adjoining property owners

I hereby certify that I am either the owner of the property or the owner's agent or contract purchaser and am acting with the knowledge and consent of the owner.

_____ Owner's Signature

JUSTIFICATION FOR COMMUNITY PLAN (15.2-2232) REVIEW REQUESTS

Applicants: Virginia Living Histories, Inc./Western Virginia Water Authority

Please explain how the request furthers the purposes of the Roanoke County Ordinance as well as the purpose found at the beginning of the applicable zoning district classification in the Zoning Ordinance.

In December, 2006, Roanoke County updated its EP (Explore Park) zoning district and, upon the application of Virginia Living Histories, Inc. ("VLH") and with the consent of the Virginia Recreational Facilities Authority ("VFRA") rezoned the property commonly known as Explore Park to that new district. The updated EP zoning district and the 2006 rezoning of the property commonly known as Explore Park was intended to enhance Explore Park's emergence as a family destination resort. The application filed by VLH noted that public water and sewer extensions would be required. Thus, this request for the extension of water and sewer service to serve Explore Park was contemplated when the ordinance revisions and rezoning occurred and is in furtherance of the purposes of the EP zoning ordinance.

Please explain how the project conforms to the general guidelines and policies contained in the Roanoke County Community Plan.

As noted in VLH's 2006 rezoning application, and as reinforced by the December, 2006 actions of the Board of Supervisors related to Explore Park, the Park represents a unique opportunity to provide education, recreation as well as the commercial support services associated with a family destination resort.

Please describe the impact(s) of the request on the property itself, the adjoining properties, and the surrounding area, as well as the impacts on public services and facilities, including water/sewer, roads, schools, parks/recreation and fire and rescue.

While Explore Park is currently served by well and septic systems, it was noted and recognized during the 2006 rezoning and ordinance changes, that existing methods of obtaining water and sewer are not adequate for Explore Park's development. Without public water and sewer, Explore Park cannot become the family destination attraction envisioned by the VRFA ,VLH, and Roanoke County. To limit impacts on adjoining properties, buffers were provided between Explore Park and its neighbors, as more fully described in the proffers associated with the 2006 rezoning.

CONCEPT PLAN CHECKLIST

A concept plan of the proposed project must be submitted with the application. The concept plan shall graphically depict the land use change, development or variance that is to be considered. Further, the plan shall address any potential land use or design issues arising from the request. In such cases involving rezonings, the applicant may proffer conditions to limit the future use and development of the property and by so doing, correct any deficiencies that may not be manageable by County permitting regulations.

The concept plan should not be confused with the site plan or plot plan that is required prior to the issuance of a building permit. Site plan and building permit procedures ensure compliance with State and County development regulations and may require changes to the initial concept plan. Unless limiting conditions are proffered and accepted in a rezoning or imposed on a special use permit or variance, the concept plan may be altered to the extent permitted by the zoning district and other regulations.

A concept plan is required with all rezoning, special use permit, waiver, community plan (15.2-2232) review and variance applications. The plan should be prepared by a professional site planner. The level of detail may vary, depending on the nature of the request. The County Planning Division staff may exempt some of the items or suggest the addition of extra items, but the following are considered minimum:

ALL APPLICANTS

____ a. Applicant name and name of development

____ b. Date, scale and north arrow

____ c. Lot size in acres or square feet and dimensions

____ d. Location, names of owners and Roanoke County tax map numbers of adjoining properties

____ e. Physical features such as ground cover, natural watercourses, floodplain, etc.

____ f. The zoning and land use of all adjacent properties

____ g. All property lines and easements

____ h. All buildings, existing and proposed, and dimensions, floor area and heights

____ i. Location, widths and names of all existing or platted streets or other public ways within or adjacent to the development

____ j. Dimensions and locations of all driveways, parking spaces and loading spaces

Additional information required for REZONING and SPECIAL USE PERMIT APPLICANTS

____ k. Existing utilities (water, sewer, storm drains) and connections at the site

____ l. Any driveways, entrances/exits, curb openings and crossovers

____ m. Topography map in a suitable scale and contour intervals

____ n. Approximate street grades and site distances at intersections

____ o. Locations of all adjacent fire hydrants

____ p. Any proffered conditions at the site and how they are addressed

____ q. If project is to be phased, please show phase schedule

I certify that all items required in the checklist above are complete

Virginia Living Histories, Inc.

Signature of applicant Larry Vander Maten, President

8-22-06
Date

EXPLORE PARK PROPERTY LISTING

Tax Map No.	Acreage
071.03-01-15.00-0000	18.78
071.03-01-10.00-0000	24.16
071.03-01-11.00-0000	3.75
080.00-01-35.00-0000	21.96
080.00-01-34.03-0000	0.07
080.00-01-34.02-0000	3.83
080.00-02-36.00-0000	0.30
080.00-02-35.00-0000	5
080.00-02-32.00-0000	8.67
080.00-02-33.00-0000	23
080.00-02-34.00-0000	13.86
071.00-01-03.00-0000	47.7
080.00-05-17.00-0000	13.95
080.00-05-24.00-0000	488.28
080.00-05-34.00-0000	1.75
080.00-05-31.00-0000	2.23
080.00-05-30.00-0000	1
080.00-05-32.00-0000	2.23
080.00-05-26.00-0000	10
080.00-05-27.00-0000	18.12
080.00-05-29.00-0000	22.66
071.00-01-12.00-0000	9
071.00-01-13.00-0000	33.05

ORDINANCE 122005-12 TO REZONE 774+/- ACRES FROM EP, EXPLORE PARK DISTRICT WITH EXISTING MASTER PLAN AND EXISTING PROFFERED CONDITIONS, TO EP, EXPLORE PARK DISTRICT WITH NEW MASTER PLAN AND NEW PROFFERED CONDITIONS, VINTON MAGISTERIAL DISTRICT, UPON PETITION OF VIRGINIA LIVING HISTORIES, INC. AND THE VIRGINIA RECREATIONAL FACILITIES AUTHORITY

WHEREAS, the first reading of this ordinance was held on November 15, 2005, and the second reading and public hearing were held December 20, 2005; and,

WHEREAS, the Roanoke County Planning Commission held a public hearing on this matter on December 6, 2005; and

WHEREAS, legal notice and advertisement has been provided as required by law.

BE IT ORDAINED by the Board of Supervisors of Roanoke County, Virginia, as follows:

1. That the zoning classification of a certain tract of real estate containing 774 acres, more or less, in the Vinton Magisterial District and as described herein by tax map number, is hereby changed from the zoning classification of EP, Explore Park District with new master plan and existing proffered conditions, to the zoning classification of EP, Explore Park District with new master plan and proffered conditions.

2. That this action is taken upon the application of Virginia Living Histories, Inc. and the Virginia Recreational Facilities Authority.

3. That the owner of the property has voluntarily proffered in writing the following conditions which the Board of Supervisors of Roanoke County, Virginia, hereby accepts:

(1) All prior zoning conditions and proffers associated with Explore Park are removed.

(2) As shown on the Master Plan prepared by Hayes, Seay, Mattern & Mattern dated November 30, 2005, ("Master Plan"), the primary access for visitors to Explore Park shall continue to be the Roanoke River Parkway. VLH shall work with the Blue Ridge Parkway to determine the specifics of that usage, including road maintenance responsibilities. Except as permitted in proffer #3 below, Rutrough Road shall be used only for construction traffic, commercial deliveries to Explore Park, internal transportation by Explore Park personnel, and for emergency vehicle access. This will not preclude, however, the connection of internal Explore Park roads over and across Rutrough Road, as generally indicated on the Master Plan. Those crossings shall be designed to prevent their use as independent points of public access to Explore Park. Use of Rutrough Road for Explore Park road crossing purposes will require the administrative review and approval of Roanoke County and VDOT.

(3) The Mayflower Hills parcels (Roanoke County Tax Map Nos. 80.00-2-32, 80.00-2-33, 80.00-2-34, and 80.00-2-35) currently use Rutrough Road as their access. Notwithstanding the limitation on the use of Rutrough Road imposed by proffer #2 above, Rutrough Road may be used for general public access to the Mayflower Hills parcels. A portion of the Mayflower Hills parcels currently serves as a neighborhood park pursuant to the terms of a lease agreement. Should VLH's development of the Mayflower Hills parcels diminish the value of the park to the neighbors, which determination shall be made solely by the Roanoke County Board of Supervisors, then, at its expense, VLH shall find an alternate location for the neighborhood park.

(4) In an effort to meet the objectives of the Blue Ridge Parkway to protect Parkway viewsheds which could be impacted when the Mayflower Hills parcels and the parcels along Highland Road are developed, VLH agrees that, unless waived by the Blue Ridge Parkway, no structures visible on June 30 of any year (to recognize the impact of seasonality on views) from the center line of the Blue Ridge Parkway between milepost marker 114 ½ and 117 shall be constructed on the Mayflower Hills parcels (identified in paragraph 3 above) or the parcels along Highland Road (having Roanoke County tax map parcel numbers 71.03-1-10, 71.03-1-11, 80.00-1-34.2, 80.00-1-34.3 and 80.00-1-35), so long as the Blue Ridge Parkway will permit VLH to landscape on Parkway property to shield views of structures to be constructed on said parcels if a Parkway location provides the most effective means for screening a structure.

(5) For improvements visible from the Blue Ridge Parkway, at such points as determined by the Blue Ridge Parkway and VLH, VLH shall comply with Blue Ridge Parkway design standards.

(6) All signs visible from a public right of way shall be no higher than 25 feet and shall have a consistent design treatment. This shall not preclude, however, the use of different sign designs in different sections of Explore Park to enhance the theme of the section within which the sign in placed.

(7) When Explore Park development adjoins a Residential or Civic land use, or a public street right of way for Rutrough Road, Lemon Lane, Highland Road or Hogan Road, a Type E, Option 1 buffer yard (i.e. 75 feet) with Type E, Option 1 landscaping, or equivalent natural vegetation, shall be provided per Section 30-92 of the

Roanoke County Zoning Ordinance, except that, for development adjacent to Tax Map No. 80.00-5-14 (Mayflower Hills Baptist Church), the buffer yard shall be 100 feet.

(8) Maximum structure height shall be 45 feet for structures located at the minimum buffer line. The maximum height may be increased 1 foot for each additional 2 feet of buffer yard provided, up to a maximum height of 125 feet.

(9) VLH may wish to relocate the Blue Ridge Parkway Visitor Center now located within Explore Park. Any new Visitor Center must consist of a building of comparable size to the current Visitor Center, must be accessible to Blue Ridge Parkway travelers and cannot impose a charge for customary public use. Before the Visitor Center can move from its current location, VLH shall provide Roanoke County and the Blue Ridge Parkway with notice of its desire to relocate the Visitor Center including the proposed new location. Within 90 days of the date it receives notice from VLH of its desire to relocate the Visitor's Center, Roanoke County and the Blue Ridge Parkway shall have the exclusive right to provide an alternate location for the Visitor Center on property contiguous to Explore Park, so long as the parcel is accessible to Blue Ridge Parkway travelers, will be ready for on-site grading and have all necessary governmental approvals to commence construction (except for building plans required to be provided by VLH) within 6 months, and the off-site location has been approved by VRFA. Failure of Roanoke County and the Blue Ridge Parkway to designate an alternate location for a new Visitors Center within the 90 day period set out above will allow VLH to proceed with its plans. Any new Visitors Center must be constructed in its entirety before any demolition of the current Visitor's Center.

(10) Utilities providing service to Explore Park shall be underground.

(11) VLH agrees to cooperate with Roanoke County so as to allow a future extension of the Greenway system into the non-fee area of the Park on terms acceptable to Roanoke County and VLH.

(12) Recognizing that internal Explore Park roads will be private, VLH agrees that such roads shall be designed to allow access by emergency vehicles.

4. That said real estate is more fully described as follows:

Tax Map Nos. 71.03-1-15 (18.78 ac.); 71.03-1-10 (24.16 ac.); 71.03-1-11 (3.75 ac.): 80.00-1-35 (21.96 ac.); 80.00-1-34.03 (0.07 ac.); 80.00-1-34.02 (3.83 ac.); 80.00-2-36 (0.30 ac.); 80.00-2-35 (5 ac.); 80.00-2-32 (8.67 ac.); 80.00-2-33 (23 ac.); 80.00-2-34 (13.86 ac.); 71.00-1-3 (47.7 ac.); 80.00-5-17 (13.95 ac.); 80.00-5-24 (488.28 ac.); 80.00-5-34 (1.75 ac.); 80.00-5-31 (2.23 ac.); 80.00-5-30 (1 ac.); 80.00-5-32 (2.23 ac.); 80.00-5-26 (10 ac.); 80.00-5-27 (18.12 ac.); 80.00-5-29 (22.66 ac.); 71.00-1-12 (9 ac.); 71.00-1-13 (33.05 ac.) containing approximately 774 acres, more or less.

5. That this ordinance shall be in full force and effect thirty (30) days after its final passage. All ordinances or parts of ordinances in conflict with the provisions of this ordinance be, and the same hereby are, repealed. The Zoning Administrator is directed to amend the zoning district map to reflect the change in zoning classification authorized by this ordinance.

On motion of Supervisor Altizer to adopt the ordinance with revised proffered conditions submitted on 12/20/05, and carried by the following recorded vote:

AYES: Supervisors McNamara, Church, Wray, Flora, Altizer

NAYS: None

A COPY TESTE:

Brenda J. Holton

Brenda J. Holton, CMC
Deputy Clerk to the Board of Supervisors

cc: File
Arnold Covey, Director, Community Development
Janet Scheid, Chief Planner
David Holladay, Senior Planner
William Driver, Director, Real Estate Valuation
Paul Mahoney, County Attorney

STAFF REPORT

Petitioner:	**Virginia Living Histories, Inc.**
	with consent of the Virginia Recreational Facilities Authority
Request:	**Rezone 774± acres from EP, Explore Park District with existing master plan and proffered conditions, to new EP, Explore Park District with new master plan and proffered conditions.**
Location:	**3900 Rutrough Road**
Magisterial District:	**Vinton**
Proffered/Suggested Conditions:	**See attached proffer statement**

EXECUTIVE SUMMARY:

Virginia Living Histories, Inc. requests on behalf of the Virginia Recreational Facilities Authority to rezone 774± acres from EP, Explore Park District with existing master plan and proffered conditions, to new EP, Explore Park District with new master plan and proffered conditions. The requested rezoning would follow a proposed amendment to the EP, Explore Park District, currently under consideration by the Planning Commission and Board of Supervisors. The proposed rezoning includes a list of proffered conditions addressing issues such as relationships with the Blue Ridge Parkway, access, structure height, and buffer yards. Other regulations such as permitted uses, design standards, and requirements for open space are addressed through a separate preceding action to amend the EP zoning district.

The park and surrounding area are designated Rural Preserve and Rural Village in the 2005 Roanoke County Community Plan. Portions of the Park on the northeast side of the Roanoke River are designated Transition. Parks and outdoor recreational facilities are encouraged land use types in the Rural Preserve and Rural Village areas. The areas between Hardy Road and the Roanoke River were designated Transition in the 2005 update of the Community Plan. The Transition designation encourages orderly development of highway frontage parcels. This designation was applied to the areas near the Vinton Business Center, and Virginia Mountain Country, and includes adjacent Explore Park land.

Future revisions of the Roanoke County Community Plan will need to take into consideration the effects of development at Explore Park on the surrounding transportation system as well as the surrounding community. Public water and sanitary sewer systems are planned for Explore Park. Extensions of these systems to Explore Park will require review for conformance with the Community Plan, per section 15.2-2232 of the Code of Virginia. Extension of public services through areas currently designated as rural would bring substantial change to those rural areas, depending upon the route of construction.

Throughout its history, Explore Park has provided excellent visitor services in a unique outdoor recreation setting. But the park operates under constrained finances, and needs to continue to grow in order to thrive. The Virginia Recreational Facilities Authority, through its lease agreement with Virginia Living Histories, Inc., has seized an opportunity to see the Park thrive. The proposed amendments to the EP zoning district, followed by this petition to rezone the Park property, represent an exciting and challenging change in direction for Explore Park.

Major changes in Park access would require a rezoning petition to amend the master plan. In addition, if additional properties are acquired by the Virginia Recreational Facilities Authority in the future, these

properties would need to be rezoned through the same public legislative process in order to be used for Park facilities. This rezoning is just the beginning of a new and exciting era in the history of Explore Park.

1. APPLICABLE REGULATIONS

Development of the park would be regulated by the amended EP, Explore Park District, as well as proffered conditions accepted by the Board of Supervisors for this rezoning.

US Department of Interior, National Park Service approval is required for any utility crossing of the Blue Ridge Parkway lands.

Virginia Department of Transportation (VDOT) entrance permit is required for any new commercial entrance from state highways.

Site development review is required for conformance with applicable County standards.

2. ANALYSIS OF EXISTING CONDITIONS

Background – The 1987 Explore Park Master Plan was the result of over two years of extensive public process to identify a site for Explore, identify and mitigate community concerns and develop the plan. The Master Plan described a development including the Blue Ridge Traveler's Village and Welcome Center, Ridgeline Resort, University Research Campus, Historic Farm, American Indian Park, Blue Ridge Town, and American Wilderness Park. This original Explore Park concept was an ambitious commercial park endeavor, and included lodging, conference centers, restaurants, museums, visitors' center, and park operations facilities.

In July, 1991, the Roanoke County Board of Supervisors created a new zoning district, the Explore Park (EP) District, in recognition of the unique nature and diversity of uses proposed for the Explore Park. The purpose of this district, as stated in Section 30-71-1 of the zoning ordinance, is to ensure "that areas surrounding Explore Park are afforded any protections necessitated by the Park's development and operation," and "ensure that public facilities and services are planned and are adequate to ensure the safe and efficient operation of the Park with a minimum of impact on the surrounding neighborhood and the larger community."

The Virginia Recreational Facilities Authority (VRFA) is a political subdivision of the Commonwealth of Virginia, formed to own and operate Explore Park. In June, 1993, on application by the VRFA, the Roanoke County Board of Supervisors rezoned 767 acres to the EP district. A detailed description and analysis of the rezoning application is given in a Staff Report prepared by Roanoke County Assistant Director of Planning Mr. Jon Hartley on June 9, 1993. This report is available for review in the Department of Community Development, in file #16-6/93. The staff report offers a history of the planning process for Explore Park, as well as a description of the application documents. The Explore Park master plan that was approved in the 1993 rezoning was scaled back from the original 1987 master plan, and set aside almost 2/3 of the park as natural areas, including a 300-foot perimeter buffer area.

All development in the park has occurred on the southwest side of the Roanoke River, rather than both sides of the river as originally planned. The Roanoke River Parkway was constructed, and links Explore Park to the Blue Ridge Parkway. The Roanoke River Parkway terminates in a central developed area that includes the Taubman Welcome Center, Brugh Tavern, Blue Ridge

Parkway Visitor Center and park administrative offices. Other developed features include a 17th Century Tortero Village, 18th Century Frontier Settlement, 19th Century Valley Community, plus mountain bike and hiking trails and other recreational facilities and opportunities.

By the late 1990s, many of the feasible development sites outside the designated natural areas had already been used for the features mentioned above. Also, potential development areas adjacent to the existing developments were constrained by the natural areas. Realizing these constraints, and the need for future space to plan and expand activities in the park, the VRFA voted in March, 2004 to repeal their natural areas resolution. In their resolution repealing the natural areas, the VRFA also requested the Roanoke County Board of Supervisors to amend the Explore Park District zoning ordinance to reflect the change.

In June 2004, the Board of Supervisors amended the Explore Park master plan to remove the natural areas overlay. That amendment carried over all of the other written and graphic information from the 1993 rezoning request, and added a new proffer designating 75-foot, type E buffer yard and landscaping where park development adjoins residential and civic land uses.

In June 2005, the VRFA executed a fifty-year lease of Explore Park lands to Virginia Living Histories, Inc. (VLH). The lease allows VLH a three-year time frame to study the feasibility of operating a family destination resort at the Explore Park. The June, 2008 construction is expected to commence, unless a mutually agreed upon extension is granted.

The lease also includes a representation and warranty that "The Premises is currently not zoned to permit the development of the Premises for the Tenant's intended use". Virginia Living Histories reviewed the existing EP, Explore Park District and Explore Park Master Plan, and expressed that a complete feasibility study could not be conducted unless amendments were made to the regulations. As a result, the VRFA and VLH have requested that the County consider amending the EP, Explore Park District regulations in order for VLH to proceed with their feasibility study and ultimate commencement of construction. Subsequent to the amendment of the code, VLH has requested to rezone the Explore Park land to the new zoning district with new proffered conditions.

The County of Roanoke has strongly supported Explore Park throughout its history. During the mid and late 1980s, the County helped facilitate an extensive community participation process that led to the 1987 Explore Park Master Plan. In the early 1990s, the County was involved in the Roanoke County Explore Advisory Committee, and later the Explore Management Group. Since that time, the County has provided financial and in-kind support such as annual budget allocations, planning, infrastructure design, surplus vehicle donation, and most recently, County parks and recreation staff support for recreational programs and management services.

Recent and Upcoming Events Involving Virginia Living Histories

In addition to numerous meetings in September, October and November between County staff and representatives of VLH, the following meetings and events have taken place:

September 20, 2005 – Planning Commission holds work session to discuss possible revisions to EP, Explore Park zoning district. Potential list of permitted uses are discussed.

September 29, 2005 – Virginia Living Histories holds a Community Open House at the Explore Park Visitor Center to meet neighbors, answer questions and listen to suggestions for

development of a family destination resort.

October 18, 2005 – Planning Commission holds work session to discuss possible revisions to the EP, Explore Park zoning district. Draft code amendments are reviewed, and comments received.

October 21, 2005 – VRFA and VLH submit application to rezone Explore Park land in Roanoke County to the proposed new zoning district, pending/following amendments to the EP District code.

November 1, 2005 – Staff from Blue Ridge Parkway, Roanoke County, and representative of VLH hold conference call to discuss proposed code amendments, rezoning request, and Blue Ridge Parkway involvement and issues.

November 1, 2005 – Planning Commission passes resolution to consider amendments to the EP, Explore Park District.

November 7, 2005 – Staff from Blue Ridge Parkway, Roanoke County, and representative of VLH meet at Parkway headquarters in Asheville, NC to further discuss code amendments, rezoning request, and Blue Ridge Parkway involvement and issues.

November 15, 2005 – Planning Commission holds second work session to discuss latest draft of proposed code amendments to the EP District, as well as to discuss possible proffered conditions for the proposed rezoning.

November 17, 2005 – Staff from Blue Ridge Parkway and Roanoke County meet at County Administration Center to review latest draft of proposed code amendments and discuss parkway involvement and issues.

November 21, 2005 – Roanoke County staff and representatives of VLH meet to discuss rezoning proffers.

December 6, 2005 – Planning Commission public hearing to review proposed amendments to the EP, Explore Park District, and to hear petition to rezone Explore Park land to the proposed new district.

December 20, 2005 – Board of Supervisors scheduled to hold public hearings for the proposed amendments to the EP, Explore Park District, and for the petition to rezone Explore Park land to the proposed new district; pending Planning Commission recommendation.

Topography/Vegetation – Topography ranges from gently rolling meadows and forests to steep wooded terrain. The steepest terrain drops into the Roanoke River and Back Creek areas. Several small creeks drain the property, and all of the creeks flow to the Roanoke River or Back Creek. The Roanoke River and the river gorge are a major scenic attraction of the park. Virginia Living Histories has made known their intentions to incorporate this scenic resource in their development plans, but at this time does not have any specific development details for the river and the gorge.

Two sections of the zoning ordinance will regulate development along the river. The Floodplain Overlay District and the Roanoke River Conservation and Overlay District will govern any development along the river, especially in the floodplain. Federal regulations will govern any

activity within the navigable waters and streambed of the Roanoke River and Back Creek.

Vegetation consists of maturing and young mixed hardwood and evergreen forests. Some areas of the park are open agricultural pastures and meadows. Other areas have been developed into the existing park attractions and related services.

Surrounding Neighborhood – Adjoining properties in Roanoke County are zoned AR, AG1, AG3, and PCD (Planned Commercial Development). Many adjoining parcels are large acreage tracts containing single family homes and agricultural land uses. These homes are located along Rutrough Road, Highland Road, Lemon Lane and Hogan Lane. Blue Ridge Parkway lands adjoin to the northwest of the property. The Roanoke Valley Resource Authority owns a large tract of adjacent land that contains the now-closed regional landfill. The Roanoke River Parkway crosses the landfill property and connects Explore Park to the Blue Ridge Parkway. Across the Roanoke River, Virginia Mountain Country occupies land zoned Planned Commercial Development. Adjoining properties to the northeast in Bedford County are owned by VRFA and are under consideration for development by VLH. Other adjoining properties in Bedford County, across the Roanoke River are large rural tracts containing single family homes and agricultural land uses.

Community Open House – Virginia Living Histories held a community open house on September 29, 2005 from 1:00pm – 8:00pm at the Explore Park Visitor Center. The meeting was designed to meet neighbors, answer questions, and listen to suggestions for development of a family destination resort. Staff from Explore Park, Roanoke County and the Blue Ridge Parkway, as well as representatives of VLH and VRFA, were available to receive comments and answer questions. Approximately 150 citizens attended, and some completed a brief questionnaire. Many of the previous drawings and plans for Explore Park were displayed around the room. While there were no new plans displayed for review, VLH had creative designers actively drawing concept sketches of possible park scenes and activities as they listened to comments from citizens.

3. ANALYSIS OF PROPOSED DEVELOPMENT

Site Layout/Architecture – The master plan submitted for this rezoning request consists of two drawings of Explore Park, as well as a list of proffered conditions. The first of the two drawings is a large sheet, dated October 2005, containing current aerial photography of the Park along with topographic information, as well as light blue shading of the Park properties. The drawing depicts various existing and planned/possible access points to the Park, as well as the local street network, Blue Ridge Parkway, Norfolk Southern Railway. The second of the two drawings is a smaller sheet, dated November 30, 2005 that shows basically the same information, but without the aerial photography or topographic information. The second drawing also shows nearby homes and churches, as well existing buffer yard information. Discussions of the submitted proffers are found below in various applicable sections of this report. In addition to the Master Plan drawings and proffers, the revised zoning code for the EP District would regulate which land uses are allowed, provide use and design standards for some of those uses, and regulate the percentage of Park land that may be developed.

By proffer submitted with this rezoning petition, the buffer yards would be applied not only where park development adjoins residential or civic land uses, but along public streets as well. The proposed buffer yard is 75 feet, except around the Mayflower Hills Baptist Church, where the buffer yard would be 100 feet. Required landscaping within the buffer yard would consist of

a combination of trees and shrubs, or where sufficient, existing natural vegetation.

Structure height is addressed in Proffer #7. Maximum height is limited to 45 feet for structures located at the minimum buffer line. That height may be increased 1 foot for each 2 feet of additional buffer yard provided, up to a maximum height of 125 feet.

Proffer #4 addresses improvements visible from the Blue Ridge Parkway. For certain areas of the Park, as determined by the NPS and VLH, improvements would comply with Blue Ridge Parkway design standards.

Sign height is limited, by proffer, to 25 feet for any signs visible from a public right of way. Proffer #5 states that signs shall have a consistent design treatment and varying themes through different areas of the park. Most if not all of the signs for park services and features will be located internal to the Park. The intent of the sign proffer is not to regulate internal park signage, but to avoid tall sign structures that project above tree canopies and are visible from outside the park.

In their application to rezone the Park property, VLH states that "Although sections of the Park may well have different architectural styles to emphasize different periods of time or locations, Explore Park will be developed in a unified fashion, through the use of consistent design and architectural themes, providing visitors with a unique experience." While this statement is not a proffer, it may help provide, albeit subjective, a value or standard by which the intent of Virginia Living Histories may be measured in the future.

VLH has indicated their intent to use the existing structures in the Park. Per the lease between VRFA and VLH, VLH has the right to relocate or dismantle the structures in the Park. In any case, VRFA would retain ownership of the structures.

Access/Traffic Circulation – Access to the Park would continue as currently provided. Visitor traffic would enter Explore Park via the Roanoke River Parkway, a spur road from the Blue Ridge Parkway that was constructed specifically as an entrance to the Park. Construction, delivery, service and emergency vehicle access would continue as currently provided from Rutrough Road.

The rezoning application references traffic studies that were conducted when the existing access roads were reviewed and approved. The 1993 rezoning application for Explore Park included trip generation rates for the development. Per the staff report for that rezoning, the traffic projections generally coincided with those considered in the Roanoke River Parkway Environmental Impact Statement. The figures indicated that with the ultimate development in 2020, the level of service on the Roanoke River Parkway would approach Level C during weekday peak periods and Level D during weekend peak periods. In the mid 1990s, the Roanoke River Parkway was constructed based on expectations of steadily increasing visitor traffic to Explore Park.

Mr. Anthony Ford, Roanoke County Transportation Engineering Manager, has expressed concern that the original traffic studies are dated in the late 1980s and early 1990s, and that the base data and methods for evaluating traffic impacts has changed since that time. Mr. Ford states concerns that the capacities of the existing road networks has changed as well. He also noted the need for additional information about proposed land uses in order to more effectively evaluate traffic impacts.

Since the proposed rezoning petition does not include information about specific land developments, it is difficult if not impossible to conduct realistic traffic impact studies at this time. As VLH proceeds with their feasibility study, and subsequently commences development, some traffic and development impact analysis will be needed, for the benefit of all parties involved. The National Park Service will need to plan for future improvements and maintenance of the Parkway roads. The Virginia Department of Transportation and Roanoke County will need to plan for improvements to affected local streets, including the areas around the interchanges between the Parkway and Route 24 and Route 220. Roanoke County will need to evaluate traffic and land development patterns with respect to future land use plans. VLH will need to include traffic studies in their plans for growth in order to ensure the quality of their visitors' experiences.

Several proffers submitted by VLH address traffic and transportation issues.

Proffer #2 refers to the Master Plan dated November 30, 2005. Proffer #2 states that the primary visitor access to Explore Park shall continue to be the Roanoke River Parkway, and that construction, delivery, service and emergency vehicle access will continue via Rutrough Road. The Master Plan uses arrows to indicate points of access. Arrows indicate access from the Blue Ridge Parkway and Rutrough Road. Two of the arrows on the Master Plan are two-directional, indicating possible rail or river access. This indicates possible visitor access via train from downtown Roanoke, or possible visitor access via boat from Smith Mountain Lake.

Three more of the two-directional arrows on the Master Plan indicate internal visitor transportation across the Roanoke River and Rutrough Road. The river crossing would connect property on both sides of the river, and could be a vehicular or pedestrian bridge, or some other form of visitor transport. The Rutrough Road crossings would serve as connections from the internal park road network to properties on the southwest side of Rutrough Road, but would not allow public access from the state highway. This could be bridges or on-grade, gated crossings.

Two-directional arrows are also shown at the existing entrance to Mayflower Hills Park and, through private easement, to property on the north side of the Roanoke River. The arrows at Mayflower Hills Park point toward the existing service road for the now-closed regional landfill. The properties served by this road are owned by the Commonwealth of Virginia and the Roanoke Valley Resource Authority, and that driveway entrance is outside the scope of this rezoning. The access through private easement to properties on the north side of the river is subject to the terms of the easement language granting the access.

Proffer #3 acknowledges the existing driveway and public access to Mayflower Hills Park and the surrounding Explore Park property that was once the American Center for Rare and Endangered Species. This proffer also addresses possible relocation of Mayflower Hills Park, and VHL's responsibility for replacing the county park. Since Proffer #3 really addresses two separate issues, one of continuing public access and another of relocation of Mayflower Hills Park, it may be helpful to split it into two proffers.

Proffer # 10 addresses continuation of the Greenway system into the non-fee area of the Park. It would be helpful to have this proffer refer to the Roanoke Valley Greenway system.

Proffer #11 requires the internal private road network to be designed to allow access by emergency vehicles. It would be helpful to have this proffer also read "constructed" in addition to designed for emergency access.

Blue Ridge Parkway -The Blue Ridge Parkway and Roanoke River Parkway are important neighbors to the development. Both of these parkway roads will function as primary visitor access to the park. The importance of continued cooperation and collaboration between the National Park Service, Roanoke County and Virginia Living Histories cannot be understated.

In a letter dated 11/16/05 to Elmer Hodge, Roanoke County Administrator from Philip Francis, Acting Superintendent of the Blue Ridge Parkway, Mr. Francis states: "From the time that a visitor enters the Blue Ridge Parkway at one of three major interchanges, turns onto the Roanoke River and then enters Explore Park, the National Park Service (NPS) is responsible for the safety and quality of their experience."

Mr. Francis continues in his letter to state that the NPS interest comes "from two fronts in evaluating Virginia Living Histories, Inc. redevelopment plans. First, we believe that their long term park 'theme' should be compatible with the Parkway's mission of '...enhancing the outstanding scenic and recreational qualities of the corridor that it traverses, conserving unimpaired its significant natural and cultural resources, and promoting in perpetuity the public enjoyment and appreciation of the central and southern Appalachian mountains.' Visitors will not easily separate where the Parkway and Explore Park begin and end experientially. What Explore Park becomes will be associated with the Parkway for better or worse." Mr. Francis continues, "Secondly, we are interested in proactively working with Roanoke County through your zoning and project review process to provide our comments and concerns up front."

Several proffers submitted by VLH address parkway issues.

Proffer #2, addresses visitor access via the Roanoke River Parkway. This proffer continues to state that "VLH shall work with the Blue Ridge Parkway to determine the specifics of that usage, including road maintenance responsibilities." This could take the form of a memorandum of agreement between NPS and VLH for snow removal and other road maintenance, and possibly construction. As mentioned above, traffic studies will be needed in order to evaluate these agreements.

For improvements that are visible from certain points on the Parkway, proffer #4 requires the improvements to comply with Parkway design standards. The intent of this proffer is to ensure that critical views from the Parkway are not impaired by new Explore Park development.

Proffer #8 acknowledges that VLH may need to relocate the Blue Ridge Parkway Visitor Center. This proffer spells out the responsibilities of VLH in such relocation, including the provision that a new facility must be constructed in its entirety before demolition of the existing facility. The proffer also requires any new facility to be comparable in size, accessible to Blue Ridge Parkway travelers, and free of charge for customary public use.

The central theme of the relationship between NPS, VLH and Roanoke County is that the Park Service has, and will continue to have, a role in several key functions of Explore Park. The Blue Ridge Parkway and Roanoke River Parkway provide visitor access to the Park, and thus the Park Service has a stake in providing for visitor safety and enjoyment, plus planning for future roadway needs. For extensions of public water and sanitary sewer to Explore Park, any utility easement for crossing Parkway lands would require an Environmental Assessment pursuant to the National Environmental Policy Act. The Park Service has a financial and programming interest in the Parkway Visitor Center, and will play a key role in deciding the location and design of any relocated facility. And, the Park Service will have a role in mitigating impacts to their view areas

and visitor experiences.

Discussions between the National Park Service, Roanoke County and Virginia Living Histories continue, and may result in adjustments to the proffers mentioned above. Park Service staff plan to attend the Planning Commission public hearing on December 6. They will present comments on the proposed code amendments and rezoning petition, and answer any questions from the Commission.

Fire & Rescue/Utilities – Fire and rescue service would continue as currently provided from the Mount Pleasant and Vinton stations. Once fully developed, Explore Park would likely provide its own security and first aid services.

Currently, all electrical and telephone service lines are located underground. Virginia Living Histories has proffered to continue locating these services underground.

An above-ground water tank supplies pressure for a small system of water lines and fire hydrants. This system serves the developed area at the entrance to the Park. In the historic area near the Roanoke River, potable water is supplied by well and fire suppression water is available from the river.

Two drip-irrigation septic systems have been installed in the Park. All other waste water disposal is through conventional septic drain fields.

Public water and sanitary sewer systems are planned for Explore Park. Extensions of these systems to Explore Park will require review for conformance with the Community Plan, per section 15.2-2232 of the Code of Virginia. Extension of public services through areas currently designated as rural would bring substantial change to those rural areas, depending upon the route of construction. Also, if those utility extensions need to cross Blue Ridge Parkway lands, the easement for crossing Parkway lands would require an Environmental Assessment pursuant to the National Environmental Policy Act.

The timing and sequence of ultimate build-out at Explore Park is dependent on construction of water and sanitary sewer systems. Until these services are provided, the Park development will continue functioning on wells and septic systems. Hotels, restaurants and commercial recreation facilities need adequate water, waste water and fire suppression systems. The scale and scope of these facilities will depend on whether they are supported by wells and septic systems, or some sort of water and sewer system.

4. CONFORMANCE WITH ROANOKE COUNTY COMMUNITY PLAN

The park and surrounding area are designated Rural Preserve and Rural Village in the 2005 Roanoke County Community Plan. Portions of the Park on the northeast side of the Roanoke River are designated Transition. The Rural Preserve areas are mostly undeveloped, outlying areas. These rural regions are generally stable and require a high degree of protection to preserve agricultural, forest, recreational and remote rural residential areas. Rural Village areas are generally rural community and farming areas located in between intense suburban development patterns and the Rural Preserve and Conservation areas. Parks and outdoor recreational facilities are encouraged land use types in the Rural Preserve and Rural Village areas. The areas between Hardy Road and the Roanoke River were designated Transition in the 2005 update of the Community Plan. The Transition designation encourages orderly development of highway

frontage parcels. This designation was applied to the areas near the Vinton Business Center, and Virginia Mountain Country, and includes adjacent Explore Park land.

In 1991, the Roanoke County Planning Commission reviewed the Explore Park Master Plan for conformance with the Comprehensive Plan, pursuant to Section 15.2-456 (currently 15.2-2232) of the Code of Virginia. The Commission determined that the Park concept and master plan were in substantial conformance with the Comprehensive Plan. Explore Park is recognized in the Roanoke County Community Plan as an important recreation and tourism resource.

Future revisions of the Roanoke County Community Plan will need to take into consideration the effects of development at Explore Park on the surrounding transportation system as well as the surrounding community. Public water and sanitary sewer systems are planned for Explore Park. Extensions of these systems to Explore Park will require review for conformance with the Community Plan, per section 15.2-2232 of the Code of Virginia. Extension of public services through areas currently designated as rural would bring substantial change to those rural areas, depending upon the route of construction.

5. STAFF CONCLUSIONS

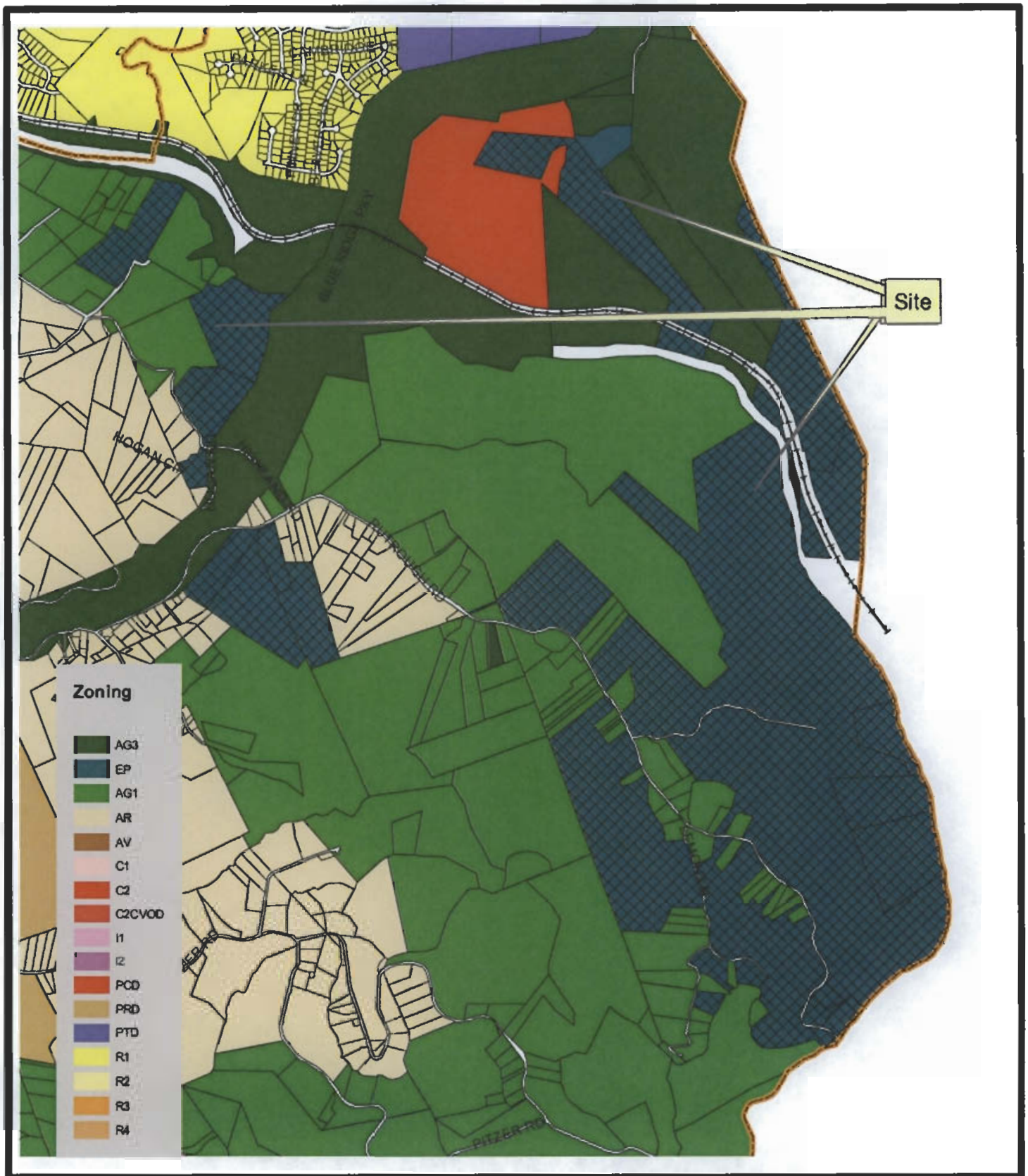
Throughout its history, Explore Park has provided excellent visitor services in a unique outdoor recreation setting. But the park operates under constrained finances, and needs to continue to grow in order to thrive. The VRFA, through its lease agreement with VLH, has seized an opportunity to see the Park thrive. The proposed amendments to the EP zoning district, followed by this petition to rezone the Park property, represent an exciting and challenging change in direction for Explore Park.

Future revisions of the Roanoke County Community Plan will need to take into consideration the effects of development at Explore Park on the surrounding transportation system as well as the surrounding community. Public water and sanitary sewer systems are planned for Explore Park. Extensions of these systems to Explore Park will require review for conformance with the Community Plan, per section 15.2-2232 of the Code of Virginia. Extension of public services through areas currently designated as rural would bring substantial change to those rural areas, depending upon the route of construction.

Major changes in Park access would require a rezoning petition to amend the master plan. In addition, if additional properties are acquired by the VRFA in the future, these properties would need to be rezoned through the same public legislative process in order to be used for Park facilities. This rezoning is just the beginning of a new and exciting era in the history of Explore Park.

CASE NUMBER: **21-12/2005**
PREPARED BY: **David Holladay**
HEARING DATES: **PC: 12/06/05** **BOS: 12/20/05**

Blue Ridge Park
Access
Access
Existing 75 Ft
Buffer
EXPLORE
PARK
Huffman Ln
Wyland Rd
Bedford County
River Access
N
Approximate Scale
750
0
750
1500 Feet
HSMM
30 NOVEMBER 2005



Roanoke County
Department of
Community Development

Applicants Name: Virginia Living Histories, Inc
Existing Zoning: EP
Proposed Zoning: EP
Tax Map Number: 071.00-01-03,12,13; 071.03-01-10,11,15; 080.00-01-34.02,03; 080.00-01-35; 080.00-02-32,33,34,35,36; 080.00-05-17,24,26,27,29,30,31,32,34
Magisterial District: Vinton Area: 773.35 Acres

28 August, 2006 Scale: 1" = 1750'

PZ-0602133

F-3

County of Roanoke
Community Development
Planning & Zoning

5204 Bernard Drive
P O Box 29800
Roanoke, VA 24018-0798
(540) 772-2068 FAX (540) 776-7155

For Staff Use Only

Date received: 8-25-06	Received by:
Application fee: 40.00 PD	PC/~~BZA~~ date: 10/3/06
Placards issued:	BOS date: 10/24/06
Case Number 27-10/2006	

ALL APPLICANTS

Check type of application filed (check all that apply)
☐ **Rezoning** ☑ **Special Use** ☐ **Variance** ☐ **Waiver** ☐ **Administrative Appeal** ☐ **Comp Plan (15.2-2232) Review**

Applicants name/address w/zip
Laura Quarles
821 Dexter Rd.
Roanoke, VA 24019

Phone: 540-904-7476
Work:
Cell #: 540-354-6951
Fax No.:

Owner's name/address w/zip
Lewis Peters
2810 Lochhaven Rd.
Roanoke, VA 24019

Phone #: 540-366-5333
Work:
Fax No. #:

Property Location
7525 Hi Tech Rd.
Roanoke, VA 24019

Magisterial District: Hollins
Community Planning area: Hollins

Tax Map No.: 27.10-9-1
Existing Zoning: I-1

Size of parcel(s): Acres: 1.53
Existing Land Use: Warehouse

***REZONING, SPECIAL USE PERMIT, WAIVER AND COMP PLAN (15.2-2232) REVIEW APPLICANTS* (R/S/W/CP)**

Proposed Zoning:
Proposed Land Use: Commercial Indoor Sports & Recreation

Does the parcel meet the minimum lot area, width, and frontage requirements of the requested district?
(Yes) No **IF NO, A VARIANCE IS REQUIRED FIRST.**
Does the parcel meet the minimum criteria for the requested Use Type? ~~Yes~~ No
IF NO, A VARIANCE IS REQUIRED FIRST
If rezoning request, are conditions being proffered with this request? Yes No

VARIANCE, WAIVER AND ADMINISTRATIVE APPEAL APPLICANTS (V/W/AA)

Variance/Waiver of Section(s) N/A of the Roanoke County Zoning Ordinance in order to: _____.
Appeal of Zoning Administrator's decision to _____.
Appeal of Interpretation of Section(s): _____ of the Roanoke County Zoning Ordinance
Appeal of Interpretation of Zoning Map to _____.

Is the application complete? Please check if enclosed. **APPLICATION WILL NOT BE ACCEPTED IF ANY OF THESE ITEMS ARE MISSING OR INCOMPLETE.**

R/S/W/CP	V/AA		R/S/W/CP	V/AA		R/S/W/CP	V/AA	
✓		Consultation			8 1/2" x 11" concept plan	✓		Application fee
✓		Application	N/A		Metes and bounds description	N/A		Proffers, if applicable
✓		Justification	N/A		Water and sewer application			Adjoining property owners

I hereby certify that I am either the owner of the property or the owner's agent or contract purchaser and am acting with the knowledge and consent of the owner.

Laura W. Quarles Owner's Signature

Excel Tumble & Cheer

August 25, 2006

Excel Tumble and Cheer began as the Roanoke Valley Lancers All Star program in May of 2004. It rented space from a local fitness center until it outgrew the space. We began trying to locate our own building to begin a stand alone cheer gym and give a new home to the All Star program in March of 2005. After many months and looking at many buildings we found a location that suited our needs and had a commercial zoning.

In November of 2005 we began the work to change the use of the building from retail to assembly, removed the drop ceiling, added lighting and opened as Excel Tumble & Cheer shortly after. At the beginning of August we were informed that the building we were operating in was sold to a new owner that would in fact be a user, so once again our search was on.

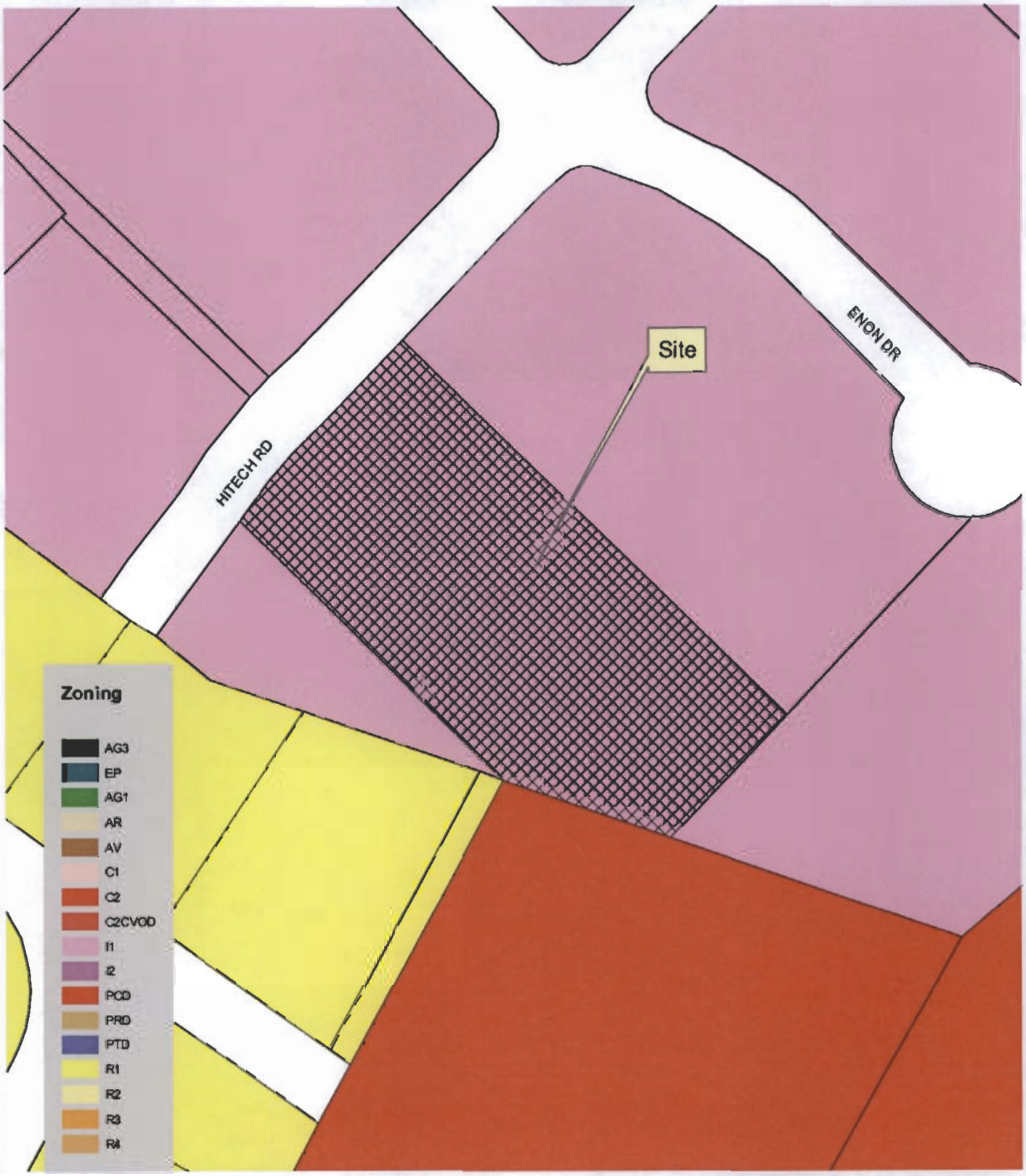
Ironically, that same afternoon we pulled out of the parking lot and took three lefts and found ourselves looking at a building located at 7525 HiTech Road just off of Plantation Road that was empty and looked very nice. After some research on the internet and a phone call to the realtor we were able to look at the building the following Monday and found that it would be a great location and building for our needs.

It has the high ceilings, an open floor plan, ADA bathrooms, a nice lobby area and a safe location for both our parents to drop off and pick up their athletes and for our athletes themselves. After conferring with the owner on the hours of operation we found that our hours would fit nicely around the neighboring building's hours. While theirs are mainly daytime hours Monday through Friday, our hours or operation are the evenings and weekends. Therefore, parking would not be an issue for either building. There is more parking available at this facility than our old facility and getting into and out of the parking area is much safer as well. Before our parents would have to enter and exit directly from Williamson Road and during the evening that would sometimes pose a very big risk.

Excel Tumble & Cheer not only houses the Roanoke Valley Lancers All Star program, but also offers basic cheer classes, preschool and toddler classes and tumbling classes for the beginner to very advanced tumbler. We began with 4 athletes in May 2004 and have now grown to over 150 athletes that utilize the building for either team or classes on a monthly basis.

The average amount of athletes we would have in the building at a given time would be 45-50. Most of these athletes are dropped off and picked up by their parents just in time for their class or practice. This facility would only be used for practices, private instruction and classes, and would not be used for any competitions.

Currently the property lies within an industrial area in Roanoke County and is zoned I-1. We are also aware of the need to change the use of the building to assembly which we had to do to the current building. Excel Tumble & Cheer is requesting to obtain a special use permit that falls within the commercial uses and continue our operation as an Indoor Sports and Recreation Facility at 7525 HiTech Road, Roanoke, VA 24019.



Roanoke County
Department of
Community Development

Applicants Name: Laura Quarles
Existing Zoning: I1
Proposed Zoning: I1
Tax Map Number: 027.10-09-01.00-0000
Magisterial District: Hollins Area: 1.53 Acres

28 August, 2006 Scale: 1" = 100'

PZ-0602137 F-4

County of Roanoke
Community Development
Planning & Zoning

5204 Bernard Drive
P O Box 29800
Roanoke, VA 24018-0798
(540) 772-2068 FAX (540) 776-7155

For Staff Use Only

Date received: 8-25-06	Received by: Jm
Application fee: 1145.00	PC/~~BZA~~ date: 10-3-06
Placards issued:	BOS date: 10-24-06
Case Number 28-10/2006	

ALL APPLICANTS

Check type of application filed (check all that apply)
☒ Rezoning ☒ Special Use ☐ Variance ☐ Waiver ☐ Administrative Appeal ☐ Comp Plan (15.2-2232) Review

Applicants name/address w/zip
Holrob Investments, LLC
6330 Baum Drive
Knoxville, TN 37919

Phone:
Work: 865-342-8726
Cell #:
Fax No : 865-558-6492

Owner's name/address w/zip
SEE SCHEDULE A

Phone #:
Work:
Fax No #:

Property Location
SEE SCHEDULE A

Magisterial District: Cave Spring
Community Planning area: Clearbrook

Tax Map No : SEE SCHEDULE A
Existing Zoning: SEE SCHEDULE A

Size of parcel(s): Acres: SEE SCHEDULE A
Existing Land Use: SEE SCHEDULE A

REZONING, SPECIAL USE PERMIT, WAIVER AND COMP PLAN (15.2-2232) REVIEW APPLICANTS (R/S/W/CP)

Proposed Zoning: C2CVOD
Proposed Land Use: Commercial Shopping Center

Does the parcel meet the minimum lot area, width, and frontage requirements of the requested district?
(Yes) No **IF NO, A VARIANCE IS REQUIRED FIRST.**
Does the parcel meet the minimum criteria for the requested Use Type? (Yes) No
IF NO, A VARIANCE IS REQUIRED FIRST
If rezoning request, are conditions being proffered with this request? Yes (No)

VARIANCE, WAIVER AND ADMINISTRATIVE APPEAL APPLICANTS (V/W/AA)

Variance/Waiver of Section(s) _____ of the Roanoke County Zoning Ordinance in order to:

Appeal of Zoning Administrator's decision to _____
Appeal of Interpretation of Section(s): _____ of the Roanoke County Zoning Ordinance
Appeal of Interpretation of Zoning Map to _____

Is the application complete? Please check if enclosed **APPLICATION WILL NOT BE ACCEPTED IF ANY OF THESE ITEMS ARE MISSING OR INCOMPLETE**

R/S/W/CP	V/AA		R/S/W/CP	V/AA		R/S/W/CP	V/AA	
		Consultation			8 1/2" x 11" concept plan			Application fee
		Application			Metes and bounds description			Proffers, if applicable
		Justification			Water and sewer application			Adjoining property owners

I hereby certify that I am either the owner of the property or the owner's agent or contract purchaser and am acting with the knowledge and consent of the owner

Vice-president Owner's Signature
Holrob Investments, LLC
By: Robyn J. Askew

GLENN
FELDMANN
DARBY
GOODLATTE

MARYELLEN F. GOODLATTE
Direct Dial (540) 224-8018
E-mail mgoodlatte@gfdg.com

210 1st Street S.W.
Suite 200
Post Office Box 2887
Roanoke, Virginia 24001
540.224.8000
Fax 540.224.8050
gfdg@gfdg.com

August 25, 2006

HAND DELIVERED

Mr. David Holladay, Senior Planner
Roanoke County Planning & Zoning
5204 Bernard Drive
Roanoke, Virginia 24018-0798

Re: Holrob Investments, LLC:
Application for Rezoning and Special Use Permit

(A) Parcels for which rezoning is sought:
088.04-01-26.00
088.04-01-34.00
088.04-01-35.00

(B) Parcels for which special use permit is sought:

088.03-01-09.00	088.03-01-06.00
088.03-01-04.01	088.03-01-03.00
088.03-01-02.00	088.03-01-01.01
088.04-01-38.00	088.04-01-39.00
088.04-01-41.00	088.04-01-40.00
088.04-01-36.00	088.04-01-39.01
088.04-01-34.00	088.03-01-01.02
088.03-01-01.03	088.04-01-35.00
088.04-01.26.00	

Dear David:

Enclosed please find our application to rezone the properties identified above and to obtain a special use permit for all of the properties identified above.

As you can see from Schedule A to the application, all of the parcels except for tax map nos. 088.04-01-34.00, 088.04-01-35.00, and 088.04-01-26.00 are already zoned C2CVOD. Those three parcels, currently zoned AR, are requested to be rezoned to C2CVOD.

The three parcels for which rezoning is sought total 4.05 acres. All of the properties, including these three parcels, for which a special use permit is being sought, comprise 39.65 acres.

Planned for the site is a retail shopping center anchored by a national retail store. Small shops and out-parcel development would complement the anchor store. Because all of the properties are or will be subject to the Clearbrook Village Overlay District regulations, we are requesting a special use permit to allow the following uses on the property:

1. Retail use exceeding 50,000 sq. ft. of gross floor area (§ 30-85-24.5(A) and 30-58-4(B));

2. Garden center use (§ 30-58-4(B)); and

3. Automobile repair services minor (§ 30-58-4(B)).

The anchor store will include the customary retail uses and services found in a superstore. In addition to a garden center and tire and lube express, these include a grocery, pharmacy (with a drive-thru), and fast food restaurant. Pursuant to § 30-85-24(A)(2), we have been advised that a fast food restaurant located within the anchor store will not require a special use permit if it does not include drive-in or curb service.

In addition to our application, please find the following supporting materials:

1. Original and one copy of the concept plan;

2. Metes and bounds descriptions;

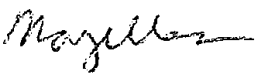
3. List of adjoining property owners; and

4. Property owners' consents approving the rezoning and special use permit application.

Our check in the amount of $1,145.00 for the filing fee is also enclosed.

Thank you for your assistance and cooperation.

Very truly yours,



Maryellen F. Goodlatte

MFG:lnh:5090017

Enclosures

c: Holrob Investments, LLC (w/enc.)

SCHEDULE A

C2CVOD General Commercial / Clearbrook Village Overlay District
AR Agricultural / Residential District

TAX MAP NUMBER	NAME AND ADDRESS	ACREAGE	EXISTING ZONING	EXISTING LAND USE
088.03-01-09.00	Evangel Foursquare Church Trustees 2360 Hardy Road Vinton, Virginia 24179	18.51	C2CVOD	Church (vacant)
088.03-01-06.00	Mod-U-Kraf Homes, Inc. P. O. Box 573 Rocky Mount, Virginia 24151	2.35	C2CVOD	Residential
088.03-01-04.01	Robby Dee Tatum 5216 Clearbrook Lane Roanoke, Virginia 24014	0.95	C2CVOD	Residential
088.03-01-03.00	Gwynn H. Board and Eileen P. Board 6265 Fairway Forest Drive Roanoke, Virginia 24018	2.0	C2CVOD	Residential
088.03-01-02.00	Donald I. Minnix and Emily N. Minnix 5248 Clearbrook Lane Roanoke, Virginia 24014	1.0	C2CVOD	Residential
088.03-01-01.01	Vine & Branch, Inc. 2360 Hardy Road Vinton, Virginia 24179	2.02	C2CVOD	Commercial (vacant)

088.04-01-38.00	Floyd Gray Harmon and Joyce Ann Craft Harmon 5256 Clearbrook Lane Roanoke, Virginia 24014	0.58	C2CVOD	Residential
088.04-01-39.00	Robert R. Young and Robin G. Young 5266 Sunset Drive Roanoke, Virginia 24014	1.71	C2CVOD	Residential
088.04-01-41.00 088.04-01-40.00 088.04-01-36.00 088.04-01-39.01	Lowell T. Foutz and Alice A. Davis Foutz 5276 Sunset Drive Roanoke, Virginia 24014	0.50 0.25 0.50 0.24	C2CVOD C2CVOD C2CVOD C2CVOD	Residential Res. (vacant) Res. (vacant) Res. (vacant)
088.04-01-34.00	Kimberly A. Parenti 5280 Sunset Drive Roanoke, Virginia 24014	1.8	AR	Residential
088.03-01-01.02 088.03-01-01.03	James R. Jackson P. O. Box 21721 Roanoke, Virginia 24018	2.79 2.2	C2CVOD	Commercial (vacant)
088.04-01-35.00	F. Harvey Shell, Jr. and Shirley W. Shell 5247 Singing Hills Road Roanoke, Virginia 24014	1.25	AR	Residential
088.04-01-26.00	Richard M. Sackett and Becky L. Sackett 5251 Singing Hills Road Roanoke, Virginia 24014	1.0	AR	Residential

Total Acreage Zoned C2CVOD: 35.60 ac.
Total Acreage Zoned AR: 4.05 ac.
Total Acreage Subject to SUP Request: 39.65 ac.

JUSTIFICATION FOR REZONING, SPECIAL USE PERMIT WAIVER OR COMP PLAN (15.2-2232) REVIEW REQUESTS

Applicant Holrob Investments, LLC

The Planning Commission will study rezoning, special use permit waiver or community plan (15 2-2232) review requests to determine the need and justification for the change in terms of public health, safety, and general welfare Please answer the following questions as thoroughly as possible. Use additional space if necessary

Please explain how the request furthers the purposes of the Roanoke County Ordinance as well as the purpose found at the beginning of the applicable zoning district classification in the Zoning Ordinance

SEE ATTACHED.

Please explain how the project conforms to the general guidelines and policies contained in the Roanoke County Community Plan

SEE ATTACHED.

Please describe the impact(s) of the request on the property itself, the adjoining properties, and the surrounding area, as well as the impacts on public services and facilities, including water/sewer, roads, schools, parks/recreation and fire and rescue

SEE ATTACHED.

JUSTIFICATION FOR REZONING AND SPECIAL USE PERMIT REQUESTS

Applicant: Holrob Investments, LLC

Please explain how the request furthers the purposes of the Roanoke County Ordinance as well as the purpose found at the beginning of the applicable zoning district classification in the Zoning Ordinance.

Of the 17 tax map parcels which are the subject of this application, all but three are already zoned C2CVOD. Those three parcels for which rezoning to C2CVOD is sought (parcels 088.04-01-34, 088.04-01.35 and 088-04-01-26) adjoin the other parcels and complete the assemblage required for this development. The Clearbrook Overlay District encourages commercial development which is consistent with the community standards and design regulations enumerated in the CVOD ordinances. This proposed shopping center, anchored by a national retail store, will emphasize landscaping, building design, site design, lighting and signage control consistent with the Clearbrook Village Overlay District regulations.

Please explain how the project conforms to the general guidelines and policies contained in the Roanoke County Community Plan.

The County's Community Plan designates the future land use of the parcels which comprise this development as either "core" or "transition". "Core" properties are specifically identified as appropriate for high intensity urban development, including larger-scale highway-oriented retail uses and regionally-based shopping facilities. "Transition" properties, which buffer less intense residential or other development, include planned and clustered retail uses. Property already zoned C2CVOD is designated as a "Primary Area" for development in the Clearbrook Village Design Guidelines. The three parcels for which rezoning to C2CVOD is sought are located in the "Secondary Area". According to the Design Guidelines: "The Secondary Area designation is used primarily as a safety valve to ensure that if and when those properties are rezoned they are evaluated under the same guidelines as the adjoining properties within the Primary Area". By including all these properties within one shopping center development and one rezoning/special use application, comprehensive and consistent development pursuant to the Clearbrook Village Overlay District regulations can be achieved.

Please describe the impact(s) of the request on the property itself, the adjoining properties, and the surrounding area, as well as the impacts on public services and facilities, including water/sewer, roads, schools, parks/recreation and fire and rescue.

The proposed development will be a "value-added" neighbor, providing significantly more revenue to the County than any resultant costs of public services. Not being a residential development, Roanoke County schools will not be adversely impacted. Rather, the national retailer which will be the anchor for the shopping center has established programs by which it "partners" with local schools and other area non-profit organizations to enhance the quality of life for its community. Impacts on traffic will be identified and analyzed by the developer, VDOT and Roanoke County through a traffic impact study and any required improvements to public rights of way will be made. Public water and sewer utilities will be extended to serve the development. Although the concept plan shows on-site storm water management, the developer is aware that Roanoke County is interested in creating a regional storm water management system. If that regional system is available at the time final construction plans for the shopping center are approved by Roanoke County, the developer would be interested in participating.

CONCEPT PLAN CHECKLIST

A concept plan of the proposed project must be submitted with the application The concept plan shall graphically depict the land use change, development or variance that is to be considered Further, the plan shall address any potential land use or design issues arising from the request. In such cases involving rezonings, the applicant may proffer conditions to limit the future use and development of the property and by so doing, correct any deficiencies that may not be manageable by County permitting regulations

The concept plan should not be confused with the site plan or plot plan that is required prior to the issuance of a building permit Site plan and building permit procedures ensure compliance with State and County development regulations and may require changes to the initial concept plan Unless limiting conditions are proffered and accepted in a rezoning or imposed on a special use permit or variance, the concept plan may be altered to the extent permitted by the zoning district and other regulations

A concept plan is required with all rezoning, special use permit, waiver, community plan (15.2-2232) review and variance applications. The plan should be prepared by a professional site planner The level of detail may vary, depending on the nature of the request. The County Planning Division staff may exempt some of the items or suggest the addition of extra items, but the following are considered minimum:

ALL APPLICANTS

- ✓ a. Applicant name and name of development
- ✓ b. Date, scale and north arrow
- ✓ c. Lot size in acres or square feet and dimensions
- ✓ d. Location, names of owners and Roanoke County tax map numbers of adjoining properties
- ✓ e. Physical features such as ground cover, natural watercourses, floodplain, etc
- ✓ f. The zoning and land use of all adjacent properties
- ✓ g. All property lines and easements
- ✓ h. All buildings, existing and proposed, and dimensions, floor area and heights
- ✓ i. Location, widths and names of all existing or platted streets or other public ways within or adjacent to the development
- ✓ j. Dimensions and locations of all driveways, parking spaces and loading spaces

Additional information required for REZONING and SPECIAL USE PERMIT APPLICANTS

- ✓ k. Existing utilities (water, sewer, storm drains) and connections at the site
- ✓ l. Any driveways, entrances/exits, curb openings and crossovers
- ✓ m. Topography map in a suitable scale and contour intervals
- ✓ n. Approximate street grades and site distances at intersections
- ✓ o. Locations of all adjacent fire hydrants
- ✓ p. Any proffered conditions at the site and how they are addressed
- ✓ q. If project is to be phased, please show phase schedule

I certify that all items required in the checklist above are complete

vice president — 08/25/06

Signature of applicant — Date

Holrob Investments, LLC
By: Robyn J. Askew

Community Development Planning & Zoning Division

NOTICE TO APPLICANTS FOR REZONING, SUBDIVISION WAIVER, PUBLIC STREET WAIVER, OR SPECIAL USE PERMIT PETITION

PLANNING COMMISSION APPLICATION ACCEPTANCE PROCEDURE

The Roanoke County Planning Commission reserves the right to continue a Rezoning, Subdivision Waiver, Public Street Waiver or Special Use Permit petition if new or additional information is presented at the public hearing If it is the opinion of the majority of the Planning Commissioners present at the scheduled public hearing that sufficient time was not available for planning staff and/or an outside referral agency to adequately evaluate and provide written comments and suggestions on the new or additional information prior to the scheduled public hearing then the Planning Commission may vote to continue the petition This continuance shall allow sufficient time for all necessary reviewing parties to evaluate the new or additional information and provide written comments and suggestions to be included in a written memorandum by planning staff to the Planning Commission The Planning Commission shall consult with planning staff to determine if a continuance may be warranted.

POTENTIAL OF NEED FOR TRAFFIC ANALYSES AND/OR TRAFFIC IMPACT STUDY

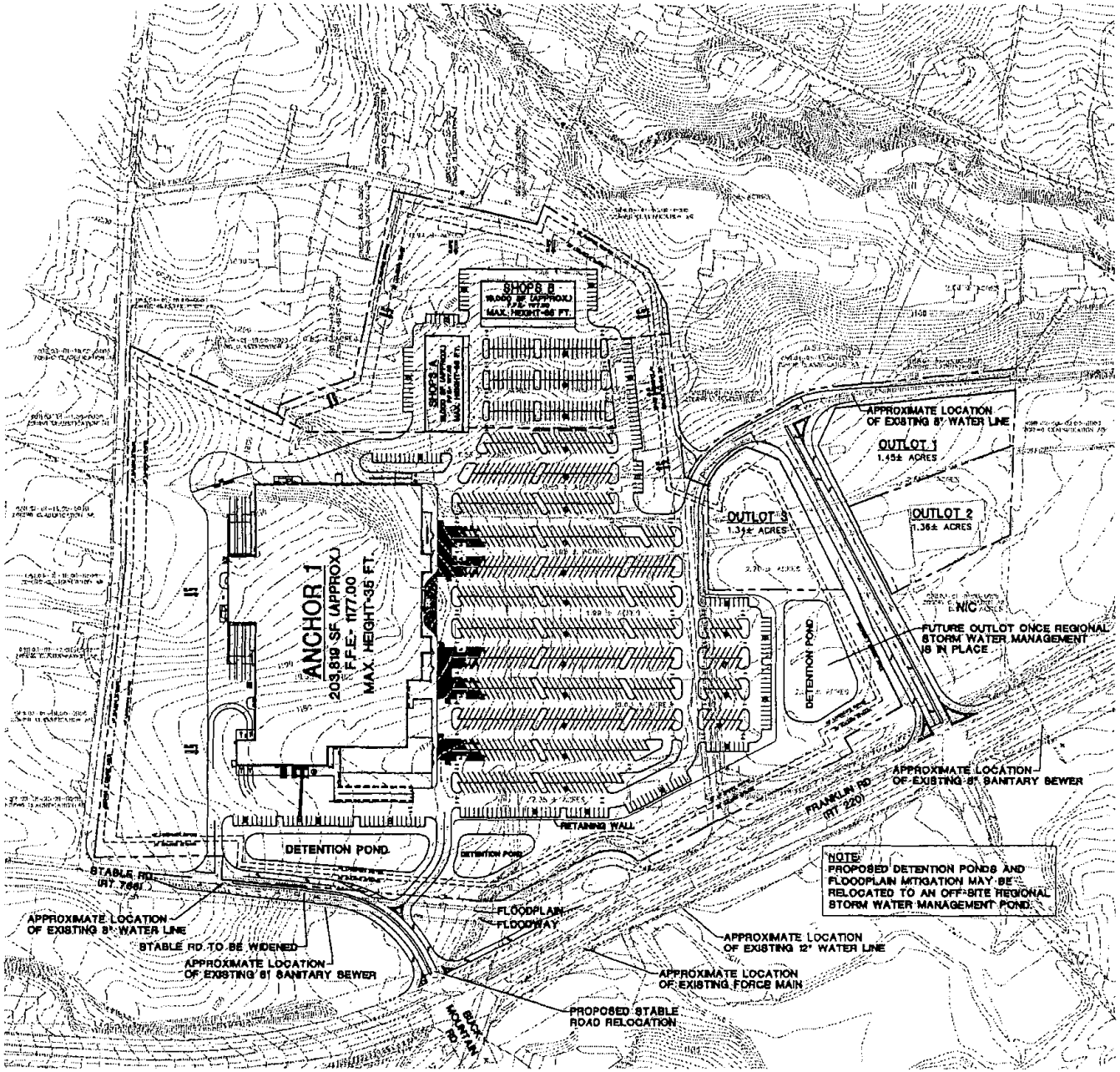
The Roanoke County Planning Commission reserves the right to continue a Rezoning, Subdivision Waiver, Public Street Waiver, or Special Use Permit petition if the County Transportation Engineering Manager or staff from the Virginia Department of Transportation requests further traffic analyses and/or a traffic impact study that would be beneficial in making a land use decision (*Note: a list of potential land uses and situations that would necessitate further study is provided as part of this application package*).
This continuance shall allow sufficient time for all necessary reviewing parties to evaluate the required traffic analyses and/or traffic impact study and to provide written comments and/or suggestions to the planning staff and the Planning Commission If a continuance is warranted, the applicant will be notified of the continuance and the newly scheduled public hearing date.

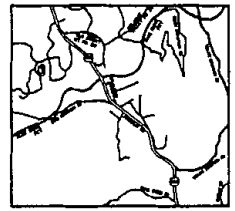
Effective Date: April 19, 2005

Holrob Investments, LLC
Name of Petition

Vice-President
Petitioner's Signature By: /Robyn J. Askew

08/25/06
Date





VICINITY MAP
NO SCALE

OVERALL SITE AREA ANALYSIS

ANCHOR 1 TRACT	31.34 ± AC.
SHOPS	5.98 ± AC.
OUTLOT #1	1.45 ± AC.
OUTLOT #2	1.36 ± AC.
OUTLOT #3	1.34 ± AC.
RETAIL TRACT	11.73 ± AC.
PROJECT SITE AREA	41.47 ± AC.

OVERALL SITE ANALYSIS

ANCHOR 1	203,819 S.F.
SHOPS	32,000 S.F.
SHOPPING CENTER	235,819 S.F.
CART CORRAL	20 SPACES
PROPOSED PARKING	1,137 SPACES
TOTAL PARKING	1,157 SPACES
RATIO	4.90/1,000 S.F.

SHOPS SITE ANALYSIS

SHOPS A	16,000 S.F.
SHOPS B	16,000 S.F.
SHOPS	32,000 S.F.
TOTAL PARKING	179 SPACES
RATIO	5.59/1,000 S.F.
SHOPS TRACT	5.98 ± AC.

ANCHOR 1 SITE ANALYSIS

ANCHOR 1	203,819 S.F.
CART CORRALS	20 SPACES
STANDARD SPACES	931 SPACES
HANDICAP SPACES	27 SPACES
TOTAL PARKING	978 SPACES
RATIO	4.60/1,000 S.F.
ANCHOR 1 TRACT	31.34 ± AC.

SITE PLAN

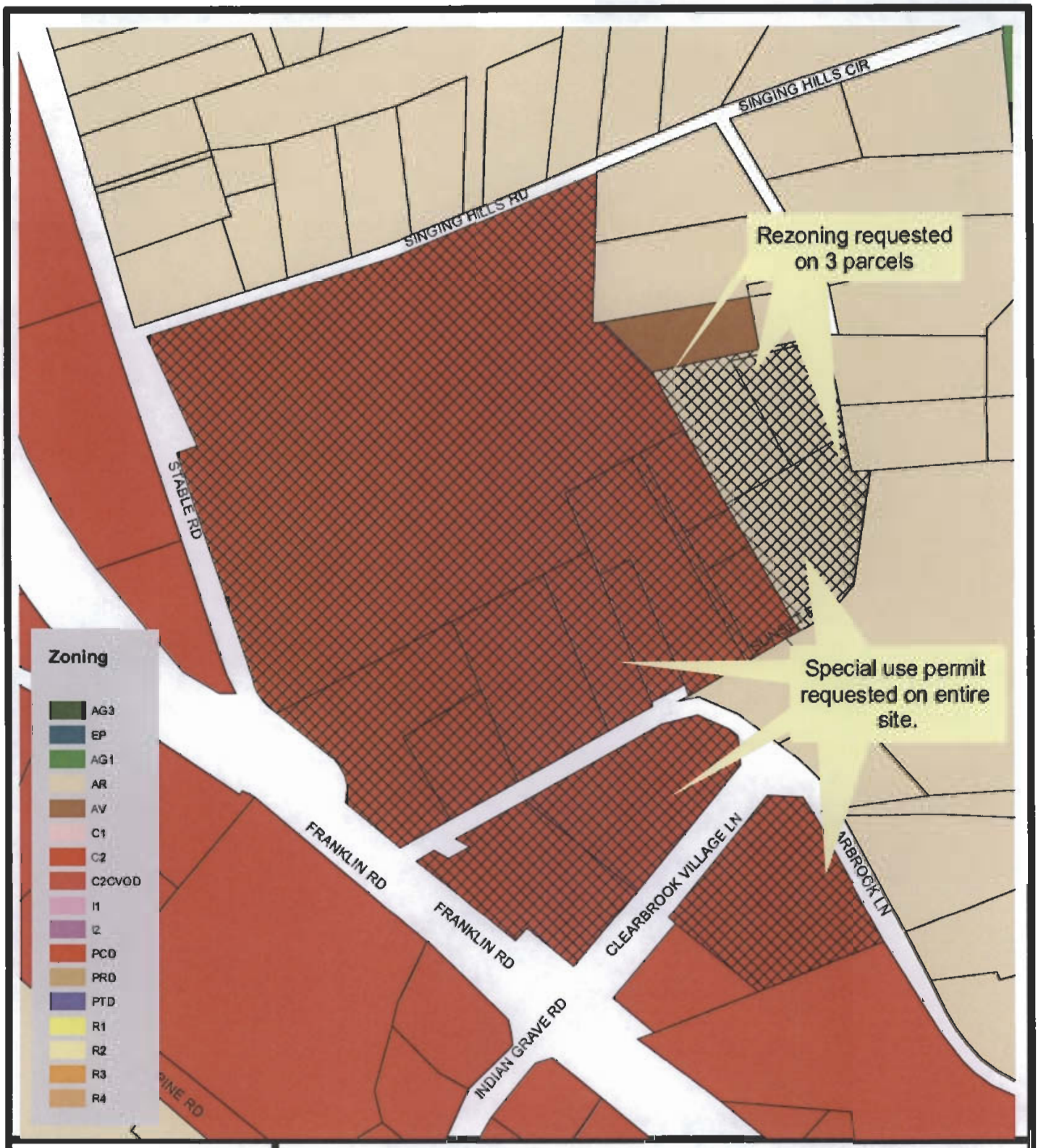
Wolverton & Associates
Consulting Engineers • Land Surveyors
6016 Superior Parkway • Suite 100 • Duluth, Georgia 30097
Phone: (770) 447-4999 • Fax: (770) 447-5070
www.wolvertonassoc.com

Project Title
PROPOSED COMMERCIAL DEVELOPMENT
ROANOKE COUNTY, VA
BY: HOLROB INVESTMENTS, LLC
KNOXVILLE, TN

REVISIONS	BY

DRAWN BY	RD/BJB
CHECKED BY	DMW
DATE	08/24/2006
SCALE	NO SCALE
JOB No.	05-211
SHEET NUMBER	C-1
OF SHEETS	

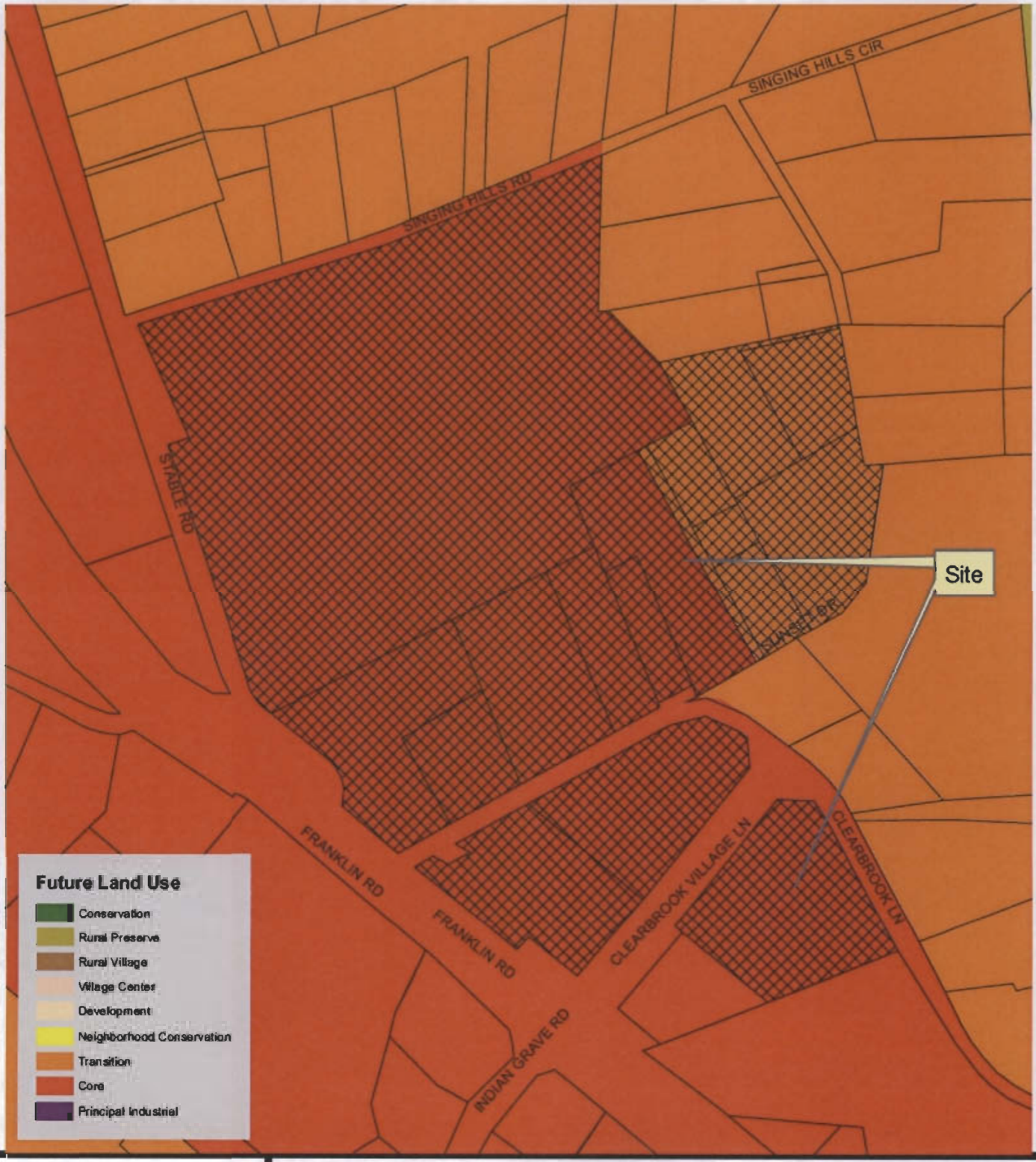
05-211/LDWG



Roanoke County
Department of
Community Development

Applicants Name: *Holrob Investments, LLC*
Existing Zoning: *AR, C2/CVOD*
Proposed Zoning: *C2/CVOD, Special Use Permit*
Tax Map Number: *88.03-01-01.01, 88.03-01-01.02, 88.03-01-01.03, 88.03-01-02, 88.03-01-03, 88.03-01-04.01, 88.03-01-06, 88.03-01-09, 88.04-01-26, 88.04-01-34, 88.04-01-35, 88.04-01-36, 88.04-01-38, 88.04-01-39, 88.04-01-39.01, 88.04-01-40, 88.04-01-41*
Magisterial District: *Cave Spring* *Area: 41+/- Acres*

28 August, 2006 Scale:1 inch equals 300 feet



Roanoke County
Department of
Community Development

Applicants Name: *Holrob Investments, LLC*
Existing Zoning: *AR, C2/CVOD*
Proposed Zoning: *C2/CVOD, Special Use Permit*
Tax Map Number: *88.03-01-01.01, 88.03-01-01.02, 88.03-01-01.03, 88.03-01-02, 88.03-01-03, 88.03-01-04.01, 88.03-01-06, 88.03-01-09, 88.04-01-26, 88.04-01-34, 88.04-01-35, 88.04-01-36, 88.04-01-38, 88.04-01-39, 88.04-01-39.01, 88.04-01-40, 88.04-01-41*
Magisterial District: *Cave Spring* *Area: 41+/- Acres*

28 August, 2006 **Scale:1 inch equals 300 feet**

PZ-0602138

F-5

County of Roanoke
Community Development
Planning & Zoning

5204 Bernard Drive
P O Box 29800
Roanoke, VA 24018-0798
(540) 772-2068 FAX (540) 776-7155

For Staff Use Only

Date received: 8/25/06	Received by: Pat
Application fee: pd 1610.00	PC/BZA date: Oct. 3, 2006
Placards issued:	BOS date: Oct. 24, 2006
Case Number 29-10/2006	

ALL APPLICANTS

Check type of application filed (check all that apply)
☒ **Rezoning** ☐ **Special Use** ☐ **Variance** ☐ **Waiver** ☐ **Administrative Appeal** ☐ **Comp Plan (15.2-2232) Review**

Applicants name/address w/zip
Hidden Valley Villas, LLC, c/o James Thorpe
14350 Sommerville Court
Midlothian, VA 23113

Phone: (804) 419-2556
Work:
Cell #: (804) 221-1260
Fax No.: (804) 419-2558

Owner's name/address w/zip
Please see Attachment A

Phone #:
Work:
Fax No. #:

Property Location
4800 Keagy Road
Roanoke, VA 24018

Magisterial District: Windsor Hills
Community Planning area: Neighborhood Conservation

Tax Map No.: Please see Attachment A
Existing Zoning: R-1

Size of parcel(s): Acres: 24.46
Existing Land Use: Single Family Home

***REZONING, SPECIAL USE PERMIT, WAIVER AND COMP PLAN (15.2-2232) REVIEW APPLICANTS* (R/S/W/CP)**

Proposed Zoning: R-3
Proposed Land Use: Single Family Attached/Multi-Family Attached/Retirement Community

Does the parcel meet the minimum lot area, width, and frontage requirements of the requested district?
Yes ☒ No ☐ **IF NO, A VARIANCE IS REQUIRED FIRST.**
Does the parcel meet the minimum criteria for the requested Use Type? Yes ☒ No ☐
IF NO, A VARIANCE IS REQUIRED FIRST
If rezoning request, are conditions being proffered with this request? Yes ☒ No ☐

VARIANCE, WAIVER AND ADMINISTRATIVE APPEAL APPLICANTS (V/W/AA)

Variance/Waiver of Section(s) _____ of the Roanoke County Zoning Ordinance in order to: _____

Appeal of Zoning Administrator's decision to _____

Appeal of Interpretation of Section(s): _____ of the Roanoke County Zoning Ordinance

Appeal of Interpretation of Zoning Map to _____

Is the application complete? Please check if enclosed. **APPLICATION WILL NOT BE ACCEPTED IF ANY OF THESE ITEMS ARE MISSING OR INCOMPLETE.**

R/S/W/CP	V/AA		R/S/W/CP	V/AA		R/S/W/CP	V/AA	
X		Consultation	X		8 1/2" x 11" concept plan	X		Application fee
X		Application			Metes and bounds description			Proffers, if applicable
X		Justification	X		Water and sewer application			Adjoining property owners

I hereby certify that I am either the owner of the property or the owner's agent or contract purchaser and am acting with the knowledge and consent of the owner.

Hidden Valley Villas, LLC _____ Owner's Signature

By: _____
Mike Morgan, II

GENTRY LOCKE
RAKES & MOORE
A Limited Liability Partnership

Attorneys at Law
540•983•9300
Facsimile 540•983•9400

10 Franklin Road, S.E.
Post Office Box 40013
Roanoke, Virginia 24022-0013
www.gentrylocke.com

August 24, 2006

Direct Dial: (540) 983-9312
mike_pace@gentrylocke.com

HAND-DELIVERED

Mr. David Holladay
Senior Planner, County of Roanoke
Department of Community Development, Planning Division
5204 Bernard Drive
Roanoke, Virginia 24018

Re: Hidden Valley Villas, LLC, Keagy Road, Windsor Hills Magisterial District
Parcel 1: Tax Map Numbers: 067.17-01-01 (19.78 acres) and 067.17-01-01.01 (2.5 acres) (Victor F. Foti, Jr.)
Parcel 2: Tax Map Numbers: 067.18-02-06 (1.0 acres) and 067.18-02-05 (0.3 acre) (Earle C. and Marcelene S. Atkins)
Parcel 3: Tax Map Numbers: 067.18-02-07 (0.88 acre) (Hidden Valley Villas, LLC)

Dear David:

We have the privilege of representing Hidden Valley Villas, LLC ("HVV"), and Triangle Development Company, LLC ("Triangle"), the contract purchaser/owner and the developer, respectively, of a unique planned residential community known as Hidden Valley Villas. The development features ranch home-style units ranging in price from $275,000 to $350,000, grouped in "quads." There would be 27 four-unit buildings and 9 two-unit buildings, for a total of 126 units as shown on the concept plan. Each unit would be owned by the homeowner, but with a condominium form of governance through a unit owner's association made up of residents as members.

Similar communities developed by Triangle include Jefferson Villas near Poplar Forest in Bedford County, the Orchard Villas in Bonsack, and another one in York County, Virginia. These and the one proposed are EPCON developments, of which there are 325 in the United States. The target market is people over 55 years old whose families are grown, which alleviates any stress on county schools. Residents typically drive during off-peak hours and generate approximately 48 percent of the traffic created by a standard single-family subdivision. They contribute to the tax base without using many of the services provided other residents in the County. The streets in Hidden Valley Villas would be private and trash collection would be handled by a commercial waste disposal company. The community would be served by public water and sewer.

The property is currently zoned R-1 Low Density Residential District. The proposed development requires a rezoning to R-3 Medium Density Multi-Family Residential District due to some definitional issues. The "quad" concept provides significant benefits in aesthetics and design, but because they are connected only by garages, the units technically fall under the "multi-family" definition in the zoning ordinance. The property is also designated as Neighborhood Conservation in the County's Community Plan. As shown on the architectural renderings included in the rezoning application, these units are definitely single-family in appearance and design, at least 90 percent of which will be two-bedroom homes ranging in size from 1,400 to 1,900 square feet. As a result, this residential community has a single-family look and feel rather than what may otherwise be considered a typical multi-family residential development.

We know that during the Keagy Village rezoning, the issues of traffic and additional development along Keagy Road were discussed. To address these concerns, HVV has commissioned a traffic study based on the projected number of occupants and the experience at other EPCON communities so that interested parties and decision-makers can see for themselves that this development will have minimal impact.

HVV has included with this application for rezoning voluntary proffered conditions, one of which is that it will obtain the consent of Kahn to permit access to Hidden Valley Villas through the Keagy Village commercial entrance. These details are currently being worked out as part of a co-development agreement between HVV and Kahn with respect to utilities, grading, the entrance and other matters. Accordingly, any approval of the requested rezoning will be conditioned on obtaining authorization for the entrance from Kahn.

Significantly, Hidden Valley Villas provides for parks, open space, landscaped walking trails and recreation areas, including a walking connection to Keagy Village. The development proposed by HVV, as compared with a permitted R-1 single-family use, is substantially less intensive:

R-1 Single Family Attached (2 units)	**HVV**
Setbacks:	
Front: 30 ft.	40 ft.
Side: 10 ft.	30 ft.
Rear: 25 ft.	25 ft.
Density:	
3 units per acre (3 people per unit) = 220.5 people	5.2 units per acre (1.75 people per unit) = 223 people
Building Coverage:	
30%	25%

Maximum Building Height:	
45 ft.	25 ft.
Traffic:	
10.1 trips per unit (73 units)	4.8 trips per unit (126 units)
= 737.3 trips per day	= 604.8 trips per day
• Additional school impact	• No impact on schools
• Travel at peak hours	• Off-peak hours travel

We are confident that after considering what is proposed, everyone should be pleased with the benefits that the County provided a community like Hidden Valley Villas.

Thank you for your consideration.

Sincerely,

GENTRY LOCKE RAKES & MOORE, LLP

G. Michael Pace Jr.

GMP:st

Enclosures

cc: Mr. James W. Thorpe
Mr. Michael A. Littleton
Mike Morgan, II, PE
Mr. Victor F. Foti, Sr.
Mr. Victor F. Foti, Jr.

PROFFERS

HIDDEN VALLEY VILLAS, LLC, HEREBY VOLUNTARILY PROFFERS AND AGREES IF THE PROPERTY THE SUBJECT TO THIS REZONING APPLICATION IS REZONED AS REQUESTED, THAT THE REZONING WILL BE SUBJECT TO, AND THAT HIDDEN VALLEY VILLAS, LLC, WILL ABIDE BY, THE FOLLOWING CONDITIONS:

1. THE PROPERTY SHALL BE USED FOR ONLY THE FOLLOWING PERMITTED USES: RESIDENTIAL USE: RESIDENTIAL CONDOMINIUMS, USED FOR PRIVATE RESIDENTIAL PURPOSES WITH A MAXIMUM OF FOUR UNITS PER BUILDING. OFFICE USE: LIMITED TO MAINTAINING A SALES OFFICE AND MANAGEMENT OFFICE DIRECTLY RELATED TO THIS PROJECT.

2. NO MORE THAT 126 DWELLING UNITS MAY BE CONSTRUCTED ON THE PROPERTY.

3. THE MINIMUM SQUARE FOOTAGE FOR UNITS WILL BE 1,270 SQUARE FEET AND THE MAXIMUM SQUARE FOOTAGE WILL BE 2,000 SQUARE FEET (not including the Clubhouse). THESE SQUARE FOOTAGES ARE HEATED SPACES ONLY. NINETY (90) PERCENT OF THE UNITS WILL CONTAIN TWO BEDROOMS OR LESS.

4. THE MAXIMUM HEIGHT OF BUILDINGS SHALL NOT EXCEED 30 FEET.

5. THE CONDOMINIUM DOCUMENTS GOVERNING THE DEVELOPMENT WILL BE SUBSTANTIALLY SIMILAR TO THOSE FOR ORCHARD VILLAS LOCATED IN ROANOKE COUNTY, VIRGINIA, INCLUDING BUT NOT LIMITED TO: PUBLIC OFFERING STATEMENT, DECLARATION, BYLAWS AND RULES AND REGULATIONS.

6. MANAGEMENT OF THE COMMON AREAS, WHEN TURNED OVER TO THE PROPERTY OWNERS ASSOCIATION, SHALL BE BY A CERTIFIED PROPERTY MANAGER, WITH A WRITTEN MANAGEMENT AGREEMENT IN A FORMAT SUBSTANTIALLY SIMILAR TO THE ONE FOR ORCHARD VILLAS IN ROANOKE, VIRGINIA.

7. ARCHITECTURAL STANDARDS FOR THE BUILDINGS WILL BE HARDI PLANK SIDING, OR SIMILAR CEMENT FIBER SIDING PRODUCTS, ACCENTED WITH ROCK OR BRICK. SIDING AND ROCK/BRICK ACCENTS ARE TO BE TO GRADE. ARCHITECTURAL GRADE SHINGLES ARE ALSO TO BE USED. BUILDING ARCHITECTURAL STYLE SHALL BE SIMILAR AS THOSE AT ORCHARD VILLAS IN ROANOKE, VIRGINIA, WITH THE EXCEPTION OF THE ROOFLINES.

HIDDEN VALLEY VILLAS WILL HAVE TALLER ROOFLINES THAN ORCHARD VILLAS FOR AESTHETICS.

8. THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE MASTER DEVELOPMENT PLAN DATED AUGUST 23, 2006, PREPARED BY MIKE MORGAN ENGINEERING, LLC., EXCEPT AS MODIFIED BY THESE PROFFERS AND AS MODIFIED BY THE FINAL SITE DEVELOPMENT PLAN.

9. ALL NEW STREETS WILL HAVE STREETLIGHTS INSTALLED BY THE DEVELOPER AT THE TIME OF THE CONSTRUCTION OF EACH SECTION. NO ON-SITE LIGHTING SHALL ILLUMINATE ANY OFF-SITE PROPERTY OR RIGHT OF WAY. THE STREETLIGHTS SHALL NOT EXCEED 20 FEET IN HEIGHT, SHALL PROVIDE LOW LEVELS OF ILLUMINATION AND SHALL BE SIMILAR TO THOSE USED AT THE ORCHARD VILLAS PROJECT IN ROANOKE, VIRGINIA.

10. AT LEAST 20% OF THE TOTAL LAND AREA SHALL BE KEPT AS OPEN SPACE.

11. LANDSCAPING ON THE SITE WILL CONSIST OF SOD LAWNS WITH A HEAVY DISTRIBUTION OF ORNAMENTAL TREES AND SHRUBS. THE LANDSCAPING PLAN WILL BE DESIGNED BY A LICENSED LANDSCAPE ARCHITECT AND SHALL BE APPROVED BY COUNTY STAFF IN THE SITE DEVELOPMENT PLAN PROCESS. THE PROPERTY OWNER'S ASSOCIATION WILL PERMANENTLY MAINTAIN ALL LANDSCAPING THROUGHOUT THE PROJECT.

12. THERE SHALL BE A TWENTY-FIVE FOOT WIDE MINIMUM BUFFER AROUND THE THREE SIDES OF THE PROPERTY THAT ADJOIN OTHER RESIDENTIAL PROPERTIES. THE BUFFER WILL CONSIST OF NEW LANDSCAPE PLANTINGS AS THE EXISTING VEGETATION MAY HAVE TO BE REMOVED DUE TO GRADE RESTRAINTS. ALONG KEAGY ROAD THE DEVELOPER WILL CONSTRUCT A BUFFER OF LANDSCAPE TREES AND SHRUBS TO SCREEN THE DEVELOPMENT FROM KEAGY ROAD. A PORTION OF THE BUFFER ALONG KEAGY ROAD WILL CONSIST OF UNDISTURBED ORIGINAL VEGETATION. ALL BUFFERS WILL BE DESIGNED BY A LICENSED LANDSCAPE ARCHITECT AND SHALL BE APPROVED BY COUNTY STAFF IN THE SITE DEVELOPMENT PLAN PROCESS. THE BUFFERS WILL CONSIST OF EVERGREEN TREES AND EVERGREEN SHRUBS AND DECIDUOUS TREES.

13. PAVEMENT SECTIONS FOR THE PRIVATE ROADWAYS WITHIN THE DEVELOPMENT SHALL BE BUILT TO THE STANDARDS OF THE VIRGINIA DEPARTMENT OF TRANSPORTATION BASED ON THE NUMBER OF VEHICLE TRIPS PER DAY. ALL NEW STREETS WITHIN THE DEVELOPMENT WILL BE CONSTRUCTED WITH CURB AND

GUTTER. ALL NEW STREETS WITHIN THE DEVELOPMENT WILL BE CONSTRUCTED TO A MINIMUM WIDTH OF 24' AND DRIVEWAYS A MINIMUM WIDTH OF 12'.

14. VEHICULAR ACCESS TO THE DEVELOPMENT IS CONDITIONED ON APPLICANT OBTAINING THE APPROVAL OF KAHN DEVELOPMENT COMPANY, INC., TO USE THE PROPOSED ENTRANCE TO KEAGY VILLAGE AS A SHARED ENTRANCE TO HIDDEN VALLEY VILLAS.

15. PUBLIC WATER AND SEWER WILL BE UTILIZED IN THE DEVELOPMENT OF THIS PROJECT, HOWEVER THE UTILITY MAINS ONSITE SHALL BE PRIVATELY CONSTRUCTED AND MAINTAINED.

CONSENT

Tax Parcel 067.17-01-01 (19.78 acres)
Tax Parcel 067.17-01-01.01 (2.58 acres)

WHEREAS, Victor F. Foti, Jr., the owner of the property parcels listed above, that are the subject of the application of Hidden Valley Villas, LLC, for rezoning from R-1 Low Density Residential District to R-3 Medium Density Multi-Family Residential District, hereby consents to this rezoning application and agrees to be bound by any conditions that are proffered in this petition.

Victor F. Foti, Jr.

Victor F. Foti, Jr.

August 24, 2006
Date

CONSENT

Tax Parcel 067.18-02-06 (1.0 acres)
Tax Parcel 067.18-02-05 (0.3 acres)

WHEREAS, Earle C. and Marcelene S. Atkins, the owners of the property parcels listed above, that are the subject of the application of Hidden Valley Villas, LLC, for rezoning from R-1 Low Density Residential District to R-3 Medium Density Multi-Family Residential District, hereby consent to this rezoning application and agree to be bound by any conditions that are proffered in this petition.

Earle C. Atkins — August 24, 2006
Earle C. Atkins — Date

Marcelene S. Atkins — August 24, 2006
Marcelene S. Atkins — Date

JUSTIFICATION FOR REZONING, SPECIAL USE PERMIT WAIVER OR COMP PLAN (15.2-2232) REVIEW REQUESTS

Applicant HIDDEN VALLEY VILLAS

The Planning Commission will study rezoning, special use permit waiver or community plan (15.2-2232) review requests to determine the need and justification for the change in terms of public health, safety, and general welfare. Please answer the following questions as thoroughly as possible. Use additional space if necessary.

Please explain how the request furthers the purposes of the Roanoke County Ordinance as well as the purpose found at the beginning of the applicable zoning district classification in the Zoning Ordinance.

PLEASE SEE ATTACHMENT B.

Please explain how the project conforms to the general guidelines and policies contained in the Roanoke County Community Plan.

PLEASE SEE ATTACHMENT B.

Please describe the impact(s) of the request on the property itself, the adjoining properties, and the surrounding area, as well as the impacts on public services and facilities, including water/sewer, roads, schools, parks/recreation and fire and rescue.

PLEASE SEE ATTACHMENT B.

JUSTIFICATION FOR VARIANCE REQUEST

Applicant HIDDEN VALLEY VILLAS

The of Zoning Appeals is required by Section 15.2-2309 of the Code of Virginia to consider the following factors before a variance can be granted. Please read the factors listed below carefully and in your own words, describe how the request meets each factor. If additional space is needed, use additional sheets of paper.

1. The variance shall not be contrary to the public interest and shall be in harmony with the intended spirit and purpose of the Zoning Ordinance.

N/A

2. The strict application of the zoning ordinance would produce undue hardship; a hardship that approaches confiscation (as distinguished from a special privilege or convenience) and would prohibit or unreasonably restrict the use of the property.

N/A

3. The hardship is not shared by other properties in the same zoning district or vicinity. Such hardships should be addressed by the Board of Supervisors as amendments to the Zoning Ordinance.

N/A

4. The variance will not be of a substantial detriment to the adjacent properties or the character of the district.

N/A

JUSTIFICATION FOR ADMINISTRATIVE APPEAL REQUEST

Applicant HIDDEN VALLEY VILLAS

Please respond to the following as thoroughly as possible. If additional space is needed, use additional sheets of paper.

1. Reasons for appeal:

N/A

2. Evidence supporting claim:

N/A

CONCEPT PLAN CHECKLIST

A concept plan of the proposed project must be submitted with the application. The concept plan shall graphically depict the land use change, development or variance that is to be considered. Further, the plan shall address any potential land use or design issues arising from the request. In such cases involving rezonings, the applicant may proffer conditions to limit the future use and development of the property and by so doing, correct any deficiencies that may not be manageable by County permitting regulations.

The concept plan should not be confused with the site plan or plot plan that is required prior to the issuance of a building permit. Site plan and building permit procedures ensure compliance with State and County development regulations and may require changes to the initial concept plan. Unless limiting conditions are proffered and accepted in a rezoning or imposed on a special use permit or variance, the concept plan may be altered to the extent permitted by the zoning district and other regulations.

A concept plan is required with all rezoning, special use permit, waiver, community plan (15.2-2232) review and variance applications. The plan should be prepared by a professional site planner. The level of detail may vary, depending on the nature of the request. The County Planning Division staff may exempt some of the items or suggest the addition of extra items, but the following are considered minimum:

ALL APPLICANTS

✓ a. Applicant name and name of development

✓ b. Date, scale and north arrow

✓ c. Lot size in acres or square feet and dimensions

✓ d. Location, names of owners and Roanoke County tax map numbers of adjoining properties

✓ e. Physical features such as ground cover, natural watercourses, floodplain, etc.

✓ f. The zoning and land use of all adjacent properties

✓ g. All property lines and easements

✓ h. All buildings, existing and proposed, and dimensions, floor area and heights

✓ i. Location, widths and names of all existing or platted streets or other public ways within or adjacent to the development

✓ j. Dimensions and locations of all driveways, parking spaces and loading spaces

Additional information required for REZONING and SPECIAL USE PERMIT APPLICANTS

✓ k. Existing utilities (water, sewer, storm drains) and connections at the site

✓ l. Any driveways, entrances/exits, curb openings and crossovers

✓ m. Topography map in a suitable scale and contour intervals

✓ n. Approximate street grades and site distances at intersections

✓ o. Locations of all adjacent fire hydrants

✓ p. Any proffered conditions at the site and how they are addressed

N/A q. If project is to be phased, please show phase schedule

I certify that all items required in the checklist above are complete.

Signature of applicant

8/25/06
Date

Community Development Planning & Zoning Division

NOTICE TO APPLICANTS FOR REZONING, SUBDIVISION WAIVER, PUBLIC STREET WAIVER, OR SPECIAL USE PERMIT PETITION

PLANNING COMMISSION APPLICATION ACCEPTANCE PROCEDURE

The Roanoke County Planning Commission reserves the right to continue a Rezoning, Subdivision Waiver, Public Street Waiver or Special Use Permit petition if new or additional information is presented at the public hearing. If it is the opinion of the majority of the Planning Commissioners present at the scheduled public hearing that sufficient time was not available for planning staff and/or an outside referral agency to adequately evaluate and provide written comments and suggestions on the new or additional information prior to the scheduled public hearing then the Planning Commission may vote to continue the petition. This continuance shall allow sufficient time for all necessary reviewing parties to evaluate the new or additional information and provide written comments and suggestions to be included in a written memorandum by planning staff to the Planning Commission. The Planning Commission shall consult with planning staff to determine if a continuance may be warranted.

POTENTIAL OF NEED FOR TRAFFIC ANALYSES AND/OR TRAFFIC IMPACT STUDY

The Roanoke County Planning Commission reserves the right to continue a Rezoning, Subdivision Waiver, Public Street Waiver, or Special Use Permit petition if the County Traffic Engineer or staff from the Virginia Department of Transportation requests further traffic analyses and/or a traffic impact study that would be beneficial in making a land use decision (*Note: a list of potential land uses and situations that would necessitate further study is provided as part of this application package*).
This continuance shall allow sufficient time for all necessary reviewing parties to evaluate the required traffic analyses and/or traffic impact study and to provide written comments and/or suggestions to the planning staff and the Planning Commission. If a continuance is warranted, the applicant will be notified of the continuance and the newly scheduled public hearing date.

Effective date: April 19, 2005

Hidden Valley Villas, LLC.
Name of Petition

Petitioner's Signature

9-11-06
Date

ATTACHMENT A
TO REZONING APPLICATION

Applicant's Name: Hidden Valley Villas, LLC

Owners' Information

Victor F. Foti, Jr. 5041-A Benois Rd Roanoke, VA 24014	Phone: (540) 725-4460 Fax: (540) 725-4490	Parcel 1 Tax Map Numbers: 067.17-01-01 (19.78 acres) 067.17-01-01.01 (2.5 acres)
Earle C. and Marcelene S. Atkins 4926 Keagy Road Roanoke, VA 24018	Phone: (540) 774-6064	Parcel 2 Tax Map Numbers: 067.18-02-06 (1.0 acres) 067.18-02-05 (0.3 acre)
Hidden Valley Villas, LLC c/o James W. Thorpe and Michael A. Littleton P. O. Box 1462 Midlothian, VA 23113	Phone: (804) 221-1260 Fax: (804) 897-6276	Parcel 3 Tax Map Number: 067.18-02-07 (0.88 acre)

ATTACHMENT B
TO REZONING APPLICATION FOR
HIDDEN VALLEY VILLAS, LLC

The Planning Commission will study rezoning, special use permit waiver, or community plan (15.2-2232) review requests to determine the need and justification for the change in terms of public health, safety and general welfare. Please answer the following questions as thoroughly as possible. Use additional space as necessary.

Please explain how the request furthers the purposes of the Roanoke County Ordinance as well as the purpose found at the beginning of the applicable zoning district classification in the Zoning Ordinance.

According to Section 30.45 of the Code of Roanoke County, the purpose of the R-3 Medium Density Multi-Family Residential District is to:

> "Provide areas in the County within the urban service area where existing middle-high density development ((six) 6 to twelve (12) units per acre) has been established and land areas which generally appear to be appropriate for such development. This district is intended to coincide with the development and transition land use categories contained in the Community Plan. They are designated based on access to major streets, sewer and water, and schools with suitable capacity to accommodate development at the stated density, and where parcel sizes allow for well-planned residential development. The areas designated in this district are also intended to serve as a buffer between less intensive residential areas and more intensive office, commercial and industrial areas in districts. A variety of housing densities and styles is encouraged in order to permit a diversity and flexibility in design and layout. Additional standards are established to provide for amenities and higher density developments."

Hidden Valley Villas provides a quiet, safe and attractive neighborhood for seniors, active adults and retirement-aged adults within a well-planned community that has proven in other areas to be a very good neighbor to surrounding residents. Its design and character are consistent with the size and shape of traditional single family residences, with floor plans from 1,270 to 2,000 square feet, 90% of which will have only two bedrooms. This unique and well-planned residential community will promote the public health, safety and general welfare by acting as an appropriate transition from the commercial corridor along Route 419, and between the Keagy Village and the existing residential neighborhoods without increasing demand on County services, including schools and roads. Access to major streets, sewer and water are currently sufficient to accommodate this development, with parcel sizes that allow for this well-planned residential community.

The current R-1 zoning allows for attached single-family dwellings of up to two attached living units. Hidden Valley Villas would technically have only two attached single-family units, but as many as four units would be connected by the roofline of garages in the middle of each "quad." R-1 allows for a density of three units per acre, while Hidden Valley Villas would have 5.2 units per acre, with the same number of people per unit.

Hidden Valley Villas includes walking trails and other outdoor amenities for its residents that preserve or create open space for the convenience and recreation of residents.

The proposed development would improve the available housing stock in this part of the County by providing active adult and retirement housing which currently exists only in modest quantities, and by permitting diversity and flexibility in design, layout and amenities.

Please explain how the project conforms to the general guidelines and policies contained in the Roanoke County Community Plan.

Hidden Valley Villas is in an area designated under the County's Community Plan as Neighborhood Conservation. The primary objective of the Neighborhood Conservation area is to preserve and enhance the existing character of established neighborhoods through boundary protection and the addition of desired amenities. Guidelines include appropriate screening and buffering with respect to adjacent uses; incorporation of greenways within neighborhoods and to adjacent institutional services, other neighborhoods and commercial centers; and the infill of vacant land with similar density housing near well-designed low impact service oriented businesses.

These objectives and guidelines are wholly consistent with the benefits provided by the Hidden Valley Villas residential community. The proposed development provides for a well-planned, inter-connected residential experience providing its residents with shared recreational facilities and amenities and a maintenance-free living environment that ensures an attractive and appropriately maintained neighborhood. Hidden Valley Villas would maintain and utilize the scenic beauty of the surrounding mountainside and ridgelines through use of outdoor amenities, recreation areas and walking trails that meander through the development and connect to Keagy Village. The majority of the existing tree buffer along Keagy Road will be maintained as a natural vegetative buffer with the addition of appropriate screening and buffering as shown on the concept plan. All of this enhances the existing character of the established neighborhoods in the area by providing a positive linkage between the 419 commercial corridor, Keagy Village and adjoining residential areas.

Please describe the impact(s) of the request on the property itself, the adjoining properties, and the surrounding area, as well as the impacts on public services and facilities, including water/sewer, roads, schools, parks/recreation and fire and rescue.

The property consists of woods and open fields, with three residential homes. The homes will be raised to permit the development as shown on the concept plan, which includes significant landscaping and existing and additional buffering and screening.

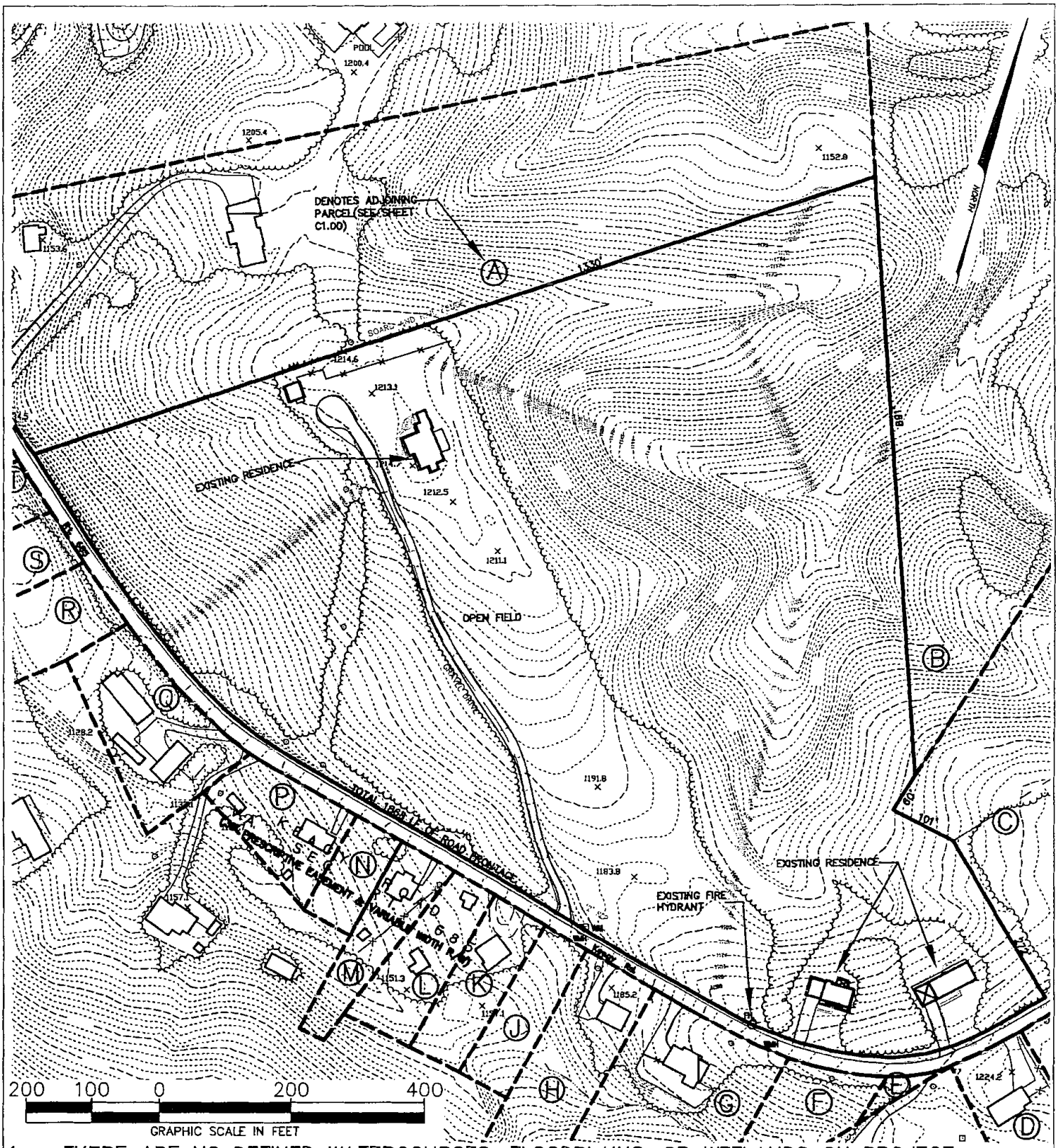
Residents on adjoining properties will see little, if any, of Hidden Valley Villas. The maximum height of each building is 25 feet, which is 20 feet lower than allowed under the current R-1 ordinance. The development is designed to slope away from Keagy Road and uses existing tree buffering and proposed landscape berms to shield the neighborhood from view from surrounding areas.

The rezoning request includes voluntary proffers, one of which is that access to Hidden Valley Villas is proposed to be through the commercial entrance to Keagy Village, subject to the consent of Kahn Development Company, Inc., which must be obtained. The applicant and Kahn Development Company, Inc. are finalizing a co-development agreement that addresses this and other shared attributes of their respective properties. If granted, the shared entrance will provide a significant enhancement to the community by not requiring a separate entrance onto Keagy Road.

Hidden Valley Villas will have little or no impact on public services and facilities. As previously stated, residents of Hidden Valley Villas will primarily be empty nesters, alleviating any impact on public schools. Water and sewer service will be provided by the Western Virginia Water Authority without added cost, since all utility mains will be constructed and maintained as private utilities for Hidden Valley Villas.

Hidden Valley Villas would provide varied options for outdoor recreation for its residents by means as recreation areas and walking trails throughout the development and connected to adjacent properties.

Hidden Valley Villas would provide no impediment to fire and rescue services provided by the County. Trash removal, street maintenance and snow removal will all be provided by the property owners association through contracts with private companies to provide such services.

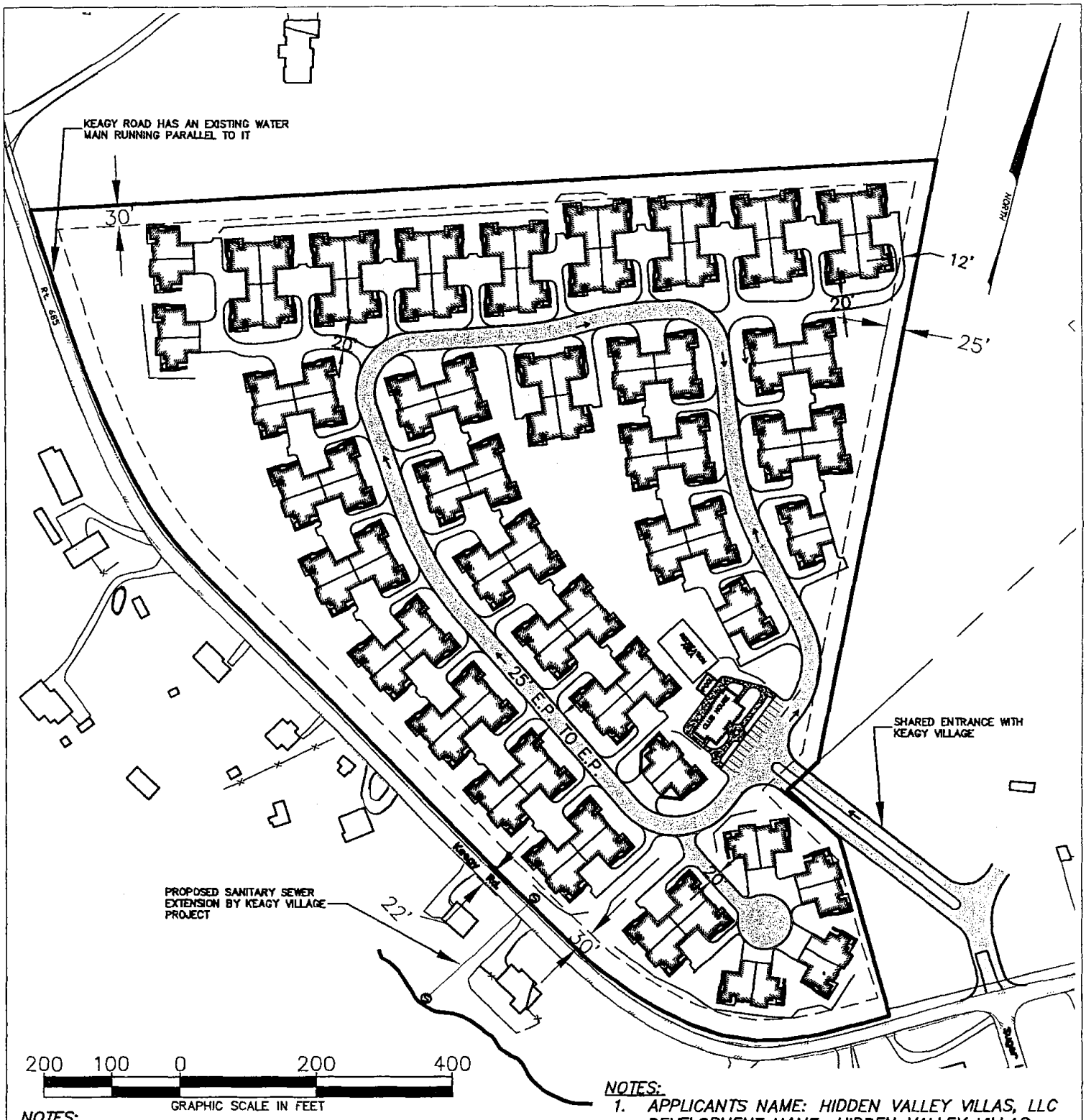


1. THERE ARE NO DEFINED WATERCOURSES, FLOODPLAINS, OR WETLANDS ON PROJECT
2. SITE IS COVERED WITH OPEN GRASS FIELDS AND PARTIALLY WOODED AREAS
3. NO EXISTING EASEMENTS CURRENTLY ONSITE THAT WILL NOT BE VACATED
4. CURRENTLY NO STORM SEWER OR SANITARY SEWER EXISTS ONSITE. PUBLIC WATER MAIN RUNS PARALLEL TO KEAGY ROAD
5. EXISTING ENTRANCE ONTO KEAGY ROAD WILL BE ELIMINATED

MIKE MORGAN ENGINEERING, LLC
14350 SOMMERVILLE COURT
MIDLOTHIAN, VA 23113
OFFICE: 804.419.2559
FAX: 804.419.2558

CONCEPT PLAN FOR REZONING OF HIDDEN VALLEY VILLAS ROANOKE, VIRGINIA

DATE: 08/23/2006	SHEET NO.
PROJECT #: 2006-100	C2.00
DRAWN BY: MDM	
CHECK BY: MDM	



NOTES:

1. DRIVEWAYS ARE 12' WIDE UNLESS NOTED OTHERWISE
2. PARKING SPACES ARE 9' x 18" UNLESS NOTED OTHERWISE
3. BUILDING FLOOR AREAS RANGE FROM 1,300 – 1,900 SQ. FT. DEPENDING ON UNIT TYPE
4. EACH UNIT HAS 2 CAR GARAGE AND 2 PARKING SPACES OUTSIDE GARAGE. CLUBHOUSE HAS 15 SPACES
5. MAXIMUN RESIDENTIAL BUILDING HEIGHT IS 25' UNLESS NOTED OTHERWISE
6. CLUBHOUSE WILL BE APPRX. 3,000 SQUARE FEET
7. KEAGY ROAD IS 22' WIDE WITH A VARIABLE WIDTH R/W, ADJACENT TO PARCEL

NOTES:

1. APPLICANTS NAME: HIDDEN VALLEY VILLAS, LLC
   DEVELOPMENT NAME: HIDDEN VALLEY VILLAS
2. 24.46 ACRES
3. PROPOSED: 126 2–3 BEDROOM UNITS
   1,300 TO 1,900 SQ. FT. PER UNIT
4. PRIVATE WATER AND SAN. SEWER SYSTEMS ONSITE CONNECTED TO PUBLIC SYSTEMS
5. ALL ROADWAYS TO BE PRIVATE
6. SETBACKS (PROFFERED) ABUTTING R–1
   FRONT: 30'
   SIDE: 30'
   REAR: 25'

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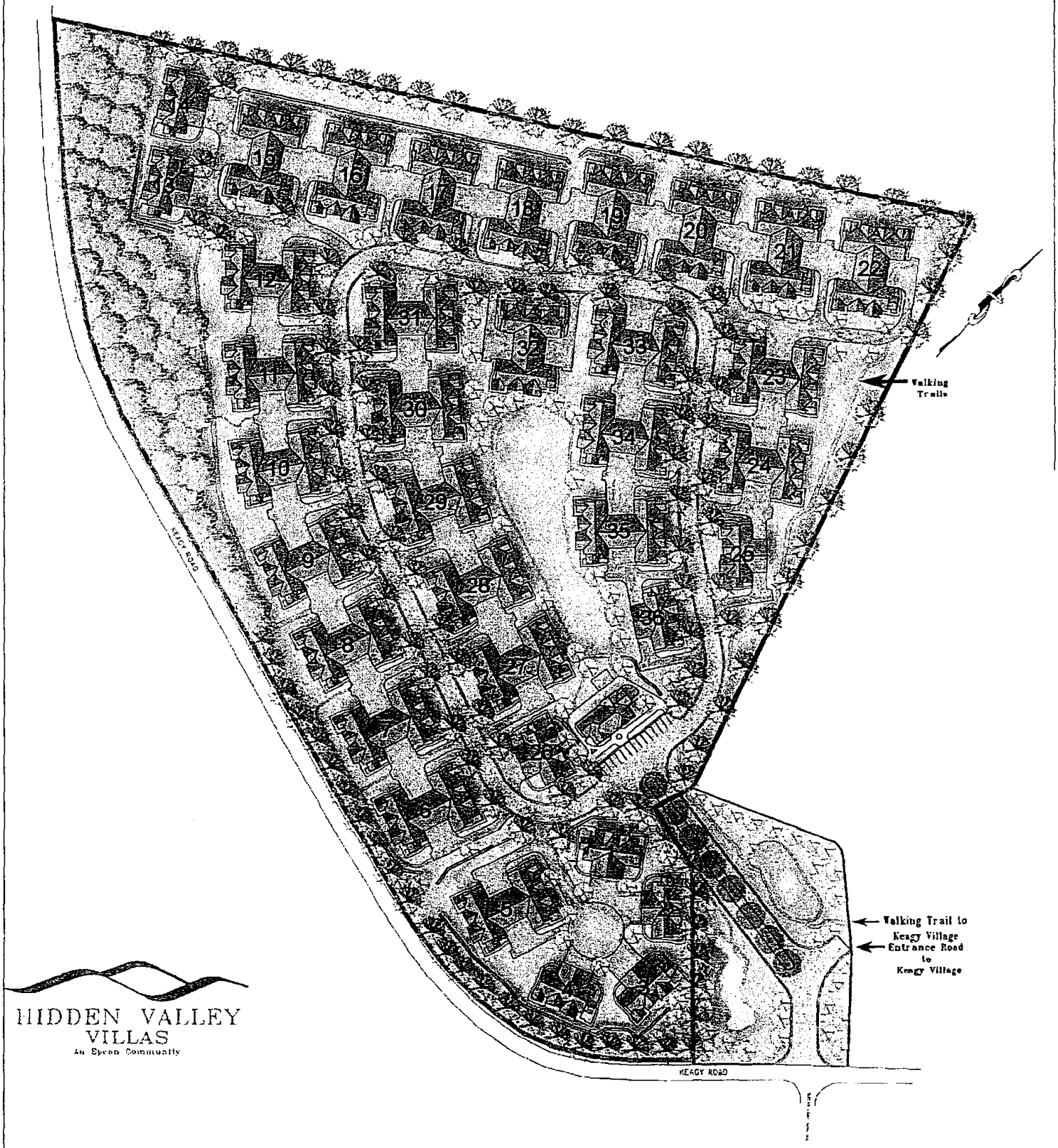
MIDLOTHIAN, VA 23113
OFFICE: 804.419.2559
FAX: 804.419.2558

CONCEPT PLAN FOR REZONING OF HIDDEN VALLEY VILLAS ROANOKE, VIRGINIA

DATE: 08/23/2006	SHEET NO.
PROJECT #: 2006-100	C3.00
DRAWN BY: MDM	
CHECK BY: MDM	



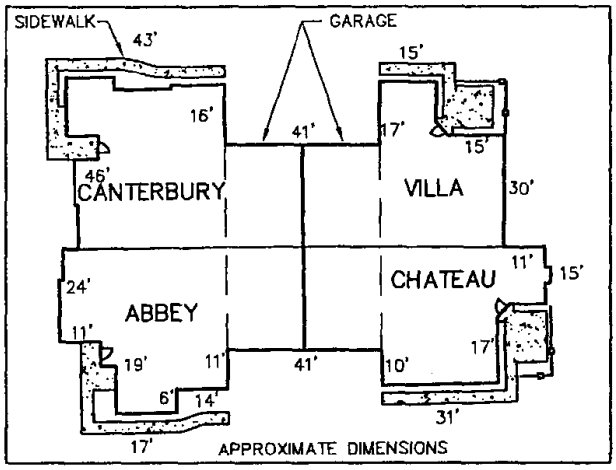
THIS DRAWING IS NOT TO SCALE

MIKE MORGAN ENGINEERING, LLC
14350 SOMMERVILLE COURT
MIDLOTHIAN, VA 23113
OFFICE: 804.419.2559
FAX: 804.419.2558

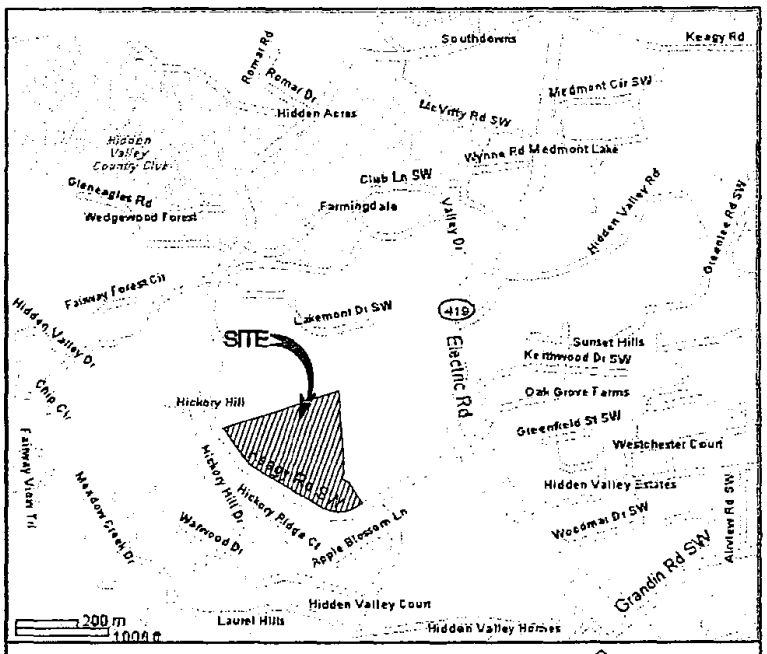
CONCEPT PLAN FOR REZONING OF HIDDEN VALLEY VILLAS ROANOKE, VIRGINIA

DATE: 08/23/2005	SHEET NO.
PROJECT #: 2006-100	C4.00
DRAWN BY: MDM	
CHECK BY: MDM	

APPLICANT NAME: HIDDEN VALLEY VILLAS, LLC
PROJECT NAME: HIDDEN VALLEY VILLAS
PARCEL SIZE 24.46 ACRES



TYPICAL 4-UNIT BUILDING
(FINAL DIMENSIONS WILL VARY DEPENDING ON UNIT TYPE, ALL 4-UNIT TYPES ARE SHOWN ABOVE)



VICINITY MAP

N.T.S.

ADJOINING PARCEL INFORMATION (SEE SHEET C 2.00)					
SYMBOL	OWNER	TAX MAP #	ZONING	LANDUSE	MAILING ADDRESS
A	GREENE, NELSON B. & BRENDA Z	067.17-01-02.00-0000	R1S	SINGLE FAMILY HOMES	4712 KEAGY RD. ROANOKE VA., 24018
B	VIA EDWARD B	067.14-02-04.00-0000	R2	VACANT	1775 ELECTRIC RD. ROANOKE VA., 24018
C	KEAGY VILLAGE, LLC.		C	SHOPPING CENTER	
D	ALDRIDGE, VERA G.	067.18-02-11.00-0000	R1	SINGLE FAMILY HOMES	4913 KEAGY RD. ROANOKE VA., 24018
E	GWYN, MARY ANN	067.18-02-37.00-0000	R1	SINGLE FAMILY HOMES	WARWOOD DR. ROANOKE VA., 24018
F	GARDNER, TROY & NORMA M.	067.18-02-08.00-0000	R1	SINGLE FAMILY HOMES	KEAGY RD. ROANOKE VA., 24018
G	WORDSWORTH, MARIAN H.	067.17-01-30.01-0000	R1	SINGLE FAMILY HOMES	4835 KEAGY RD. ROANOKE VA., 24018
H	GREEN, RODNEY E. & RICKEY F.	067.17-01-30.00-0000	R1	SINGLE FAMILY HOMES	4825 KEAGY RD. ROANOKE VA., 24018
J	MAYCOCK, JERRY R. & CATHERINE F.	067.17-05-31.00-0000	R1	SINGLE FAMILY HOMES	4817 KEAGY RD. ROANOKE VA., 24018
K	SINGH, NAVTEJ & MALKIAT KAUR	067.17-05-30.00-0000	R1	SINGLE FAMILY HOMES	4809 KEAGY RD. ROANOKE VA., 24018
L	WIGGINGTON, LEAH	067.17-05-29.00-0000	R1	SINGLE FAMILY HOMES	4801 KEAGY RD. ROANOKE VA., 24018
M	MCBRIDE, JEAN G.	067.17-01-27.00-0000	R1	SINGLE FAMILY HOMES	4797 KEAGY RD. ROANOKE VA., 24018
N	MCBRIDE, JEAN G.	067.17-01-27.01-0000	R1	SINGLE FAMILY HOMES	4791 KEAGY RD. ROANOKE VA., 24018
P	DILLON, DANNY R. & TAMMY L. TRS	067.17-01-25.00-0000	R1	SINGLE FAMILY HOMES	4783 KEAGY RD. ROANOKE VA., 24018
Q	SCHNEIDER, NEVILLE FELLOWES	067.17-01-24.00-0000	R1	SINGLE FAMILY HOMES	4759 KEAGY RD. ROANOKE VA., 24018
R	BENJAMIN, CARL M. & TERRIE A.	067.17-01-08.00-0000	R1	SINGLE FAMILY HOMES	4748 KEAGY RD. ROANOKE VA., 24018
S	FOWLER, RALPH J. & BETTY R.	067.17-01-07.00-0000	R1	SINGLE FAMILY HOMES	4742 KEAGY RD. ROANOKE VA., 24018
T	DEGIDIO, KEVIN P. & WANDA J.	067.17-01-06.00-0000	R1	SINGLE FAMILY HOMES	4734 KEAGY RD. ROANOKE VA., 24018

MIKE MORGAN ENGINEERING, LLC
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MIDLOTHIAN, VA 23113
OFFICE: 804.419.2559
FAX: 804.419.2558

CONCEPT PLAN FOR REZONING OF HIDDEN VALLEY VILLAS ROANOKE, VIRGINIA

DATE: 08/23/2006
PROJECT #: 2006-100
DRAWN BY: MDM
CHECK BY: MDM

SHEET NO. **C1.00**

Western Virginia Water Authority
Water/Sewer Availability Application

Date: 8/25/06

Applicant: HIDDEN VALLEY VILLAS, LLC

Mailing Address: 14350 SOMMERVILLE COURT
MIDLOTHIAN, VA 23113

Phone: (804) 419-2556

Cell: (804) 221-1260

Fax: (804) 419-2558

Property Address: 4800 KEACY ROAD

City or County: COUNTY

Tax Map Number(s): 067.17-01-01.01-0000

Development (Subdivision) Name: HIDDEN VALLEY VILLAS

Single Residential, Duplex, Multi-Residential, Subdivision, or Commercial Facility?

Water Meter Size Requested: MASTER 4"

Sewer Lateral Size Requested: 6"

COMPLETE THE FOLLOWING FOR NON-RESIDENTIAL AND MULTI-RESIDENTIAL SERVICES

Domestic Flow Required? ** ≈ 160 GPM
** (Attach completed "Sizing Water Service Lines and Meters" Form AND "Non-Residential Sanitary Sewer Checklist", blank forms available on website under "Engineers" section)

Is Building to be Sprinkled? YES / NO

Minimum Fire Flow Required? 500 GPM

Return to Jamie Morris; Phone: 540-853-1588; Fax: 540-853-1017
Postal Mail: 601 S. Jefferson Street, Suite 300, Roanoke, VA 24011
Jamie.morris@westernvawater.org; www.westernvawater.org Rev. 1/06/06

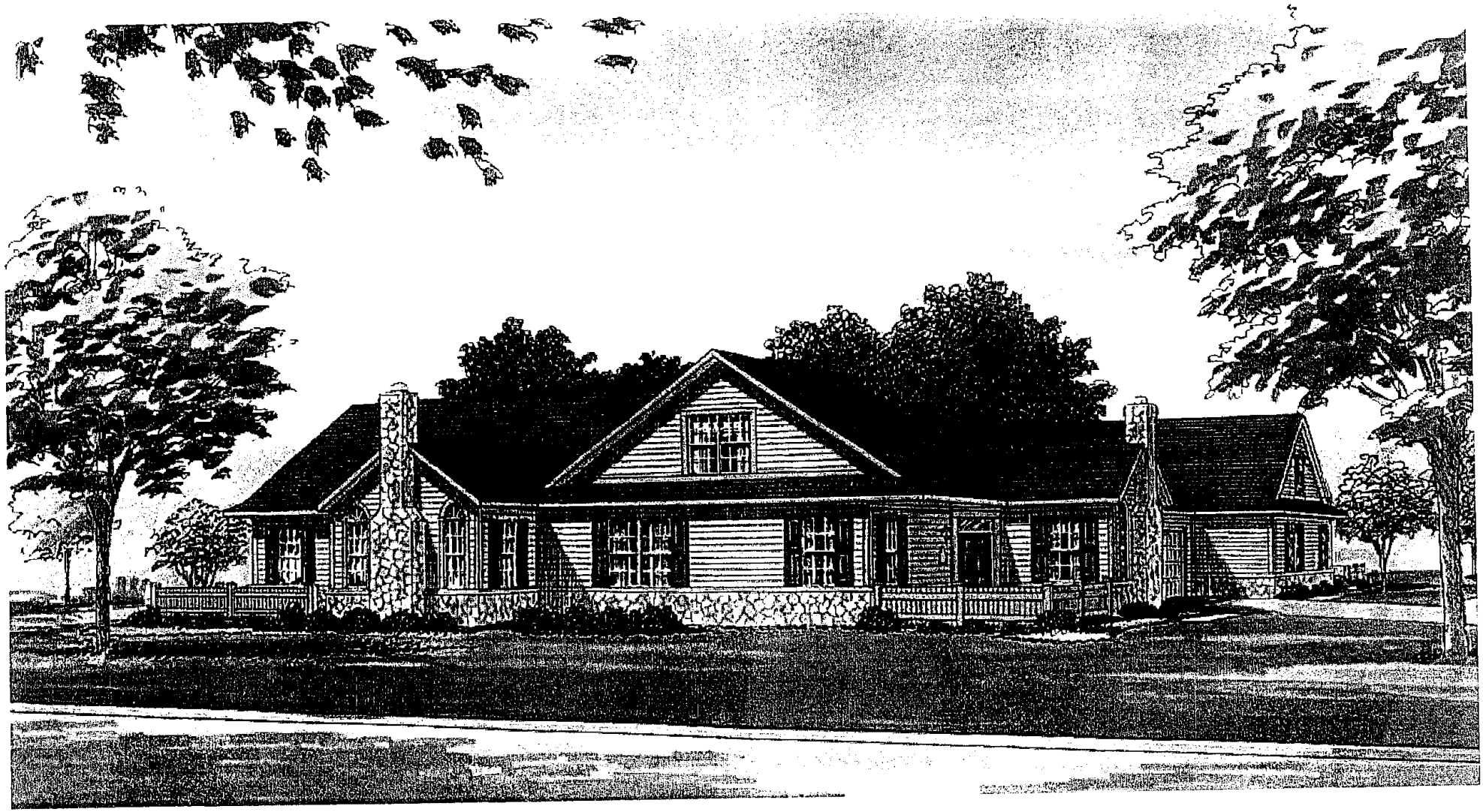
Western Virginia Water Authority

Sizing Water Service Lines and Meters

Development: HIDDEN VALLEY VILLAS

Type of Occupancy: RESIDENTIAL

Plumbing Fixture		No. of Fixtures
Bathtub		126
Bedpad Washers		N/A
Combination Sink & Tray		N/A
Dental Unit		N/A
Dental Lavatory		N/A
Drinking Fountain - Cooler		1
Drinking Fountain - Public		N/A
Sink	1/2" Connection	508
	3/4" Connection	N/A
Lavatory	3/8" Connection	—
	1/2" Connection	—
Laundry Tray	1/2" Connection	~~126~~ N/A
	3/4" Connection	—
Shower Head (Shower only)		126
Urnial -	Pedistal Flush Valve	—
	Wall Flush Valve	1
	Trough (2 foot unit)	—
Wash Sink (each set of faucets)		—
Water Closet -	Flush Valve	—
	Tank Type	318
Dishwasher -	1/2" connection	127
	3/4" connection	—
Washing Machine -	1/2" connection	126
	3/4" connection	—
	1" connection	—
Hose Connection (Wash Down)	1/2"	—
	3/4"	—
Hose (50 foot Wash Down)	1/2"	127
	5/8"	—
	3/4"	—



Classic Stone Exterior – Classic Building 12/31/05

EPCON

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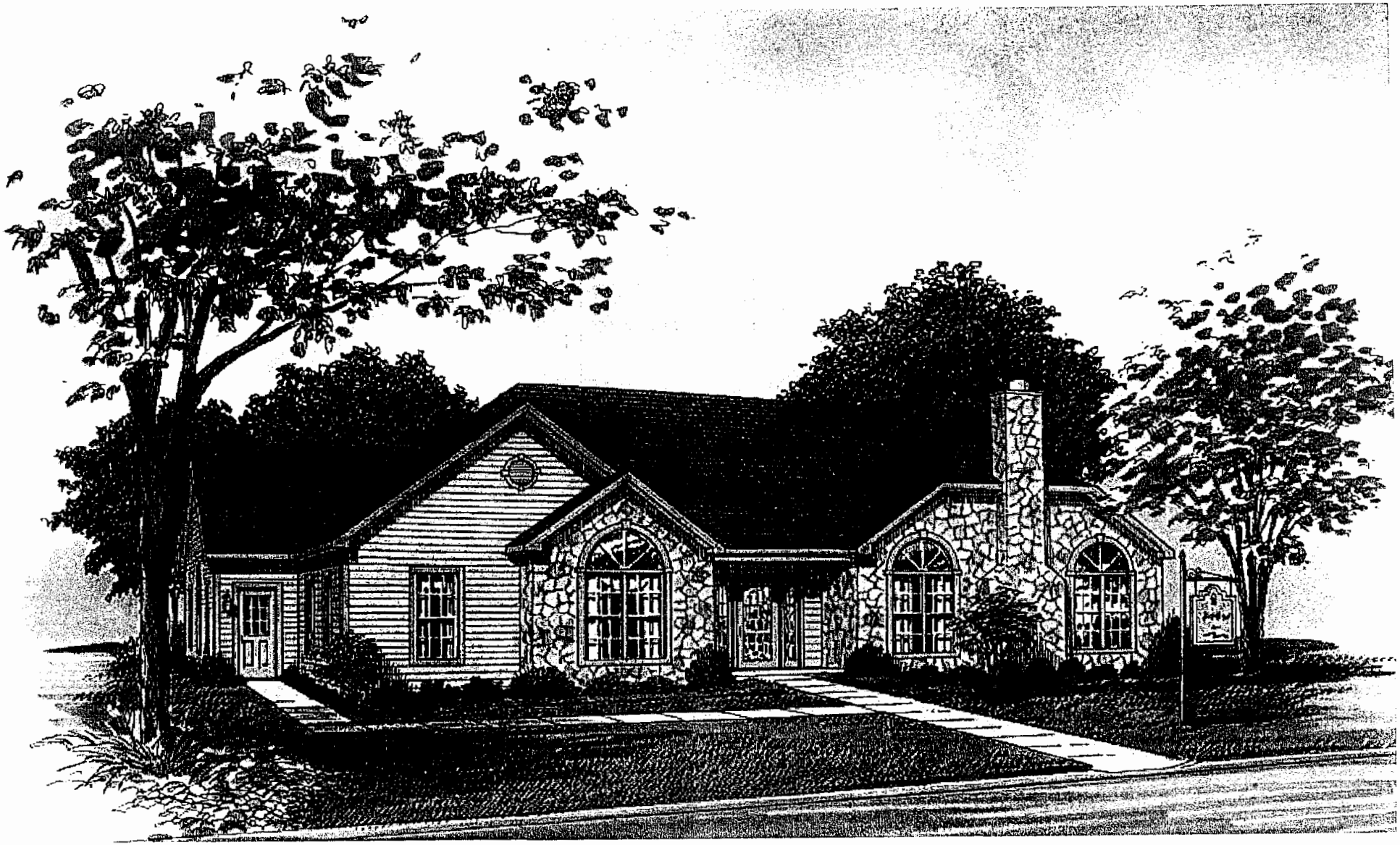

Classic Stone Exterior – Clubhouse 12/31/05

EPCON

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EPCON™
Communities

Where Life Comes Together™

Hidden Valley Villas

An Epcon Community

Developed by: Triangle Development Group, LLC

HIDDEN VALLEY
VILLAS
An Epcon Community

Our Mission is: To Build Homes, Neighborhoods and Lifestyle that provide One Remarkable Experience SM

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HIDDEN VALLEY VILLAS
An Epcon Community

EPCON Communities

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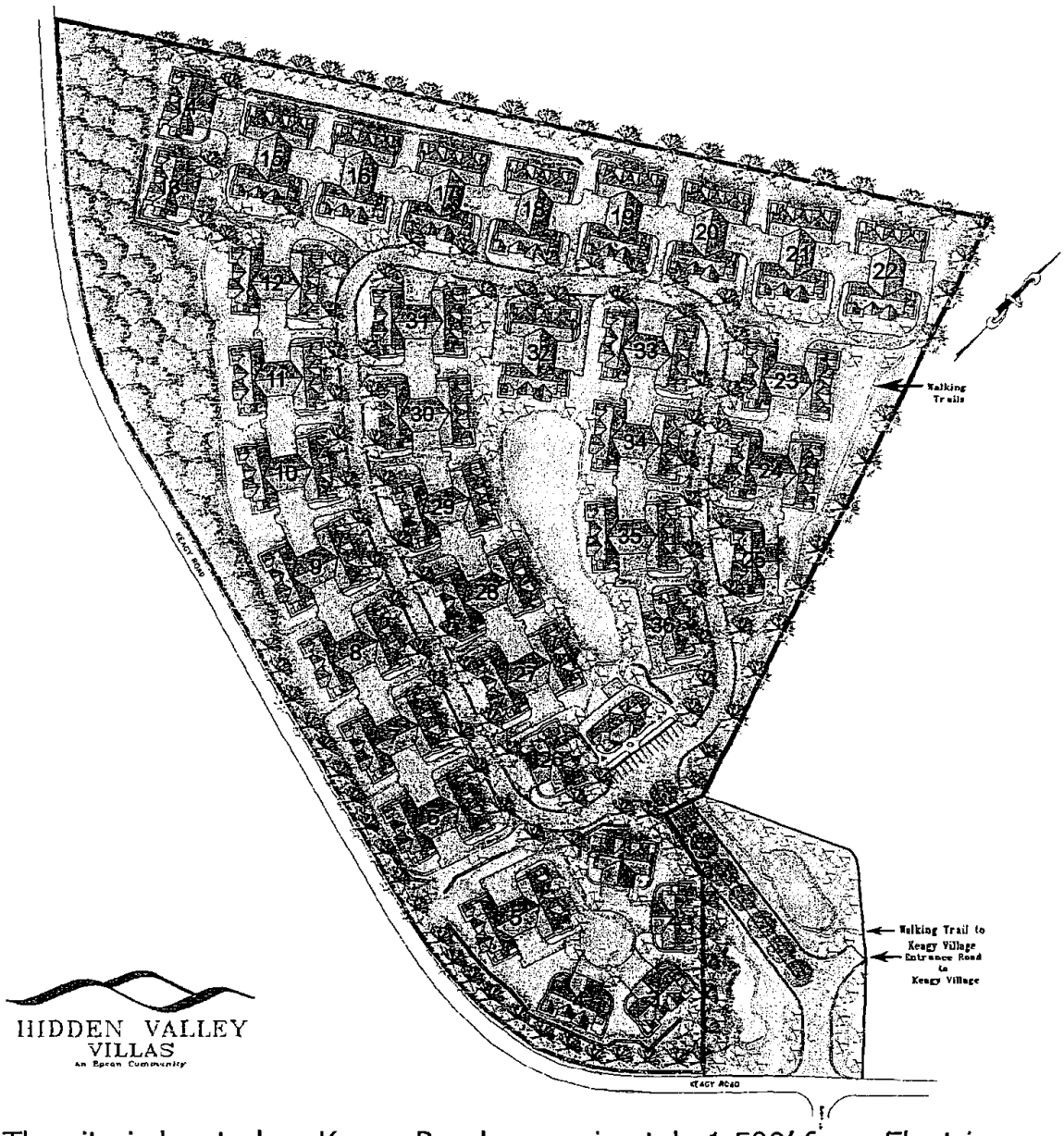
I. Site Description

HIDDEN VALLEY VILLAS
An Epcon Community

EPCON Communities

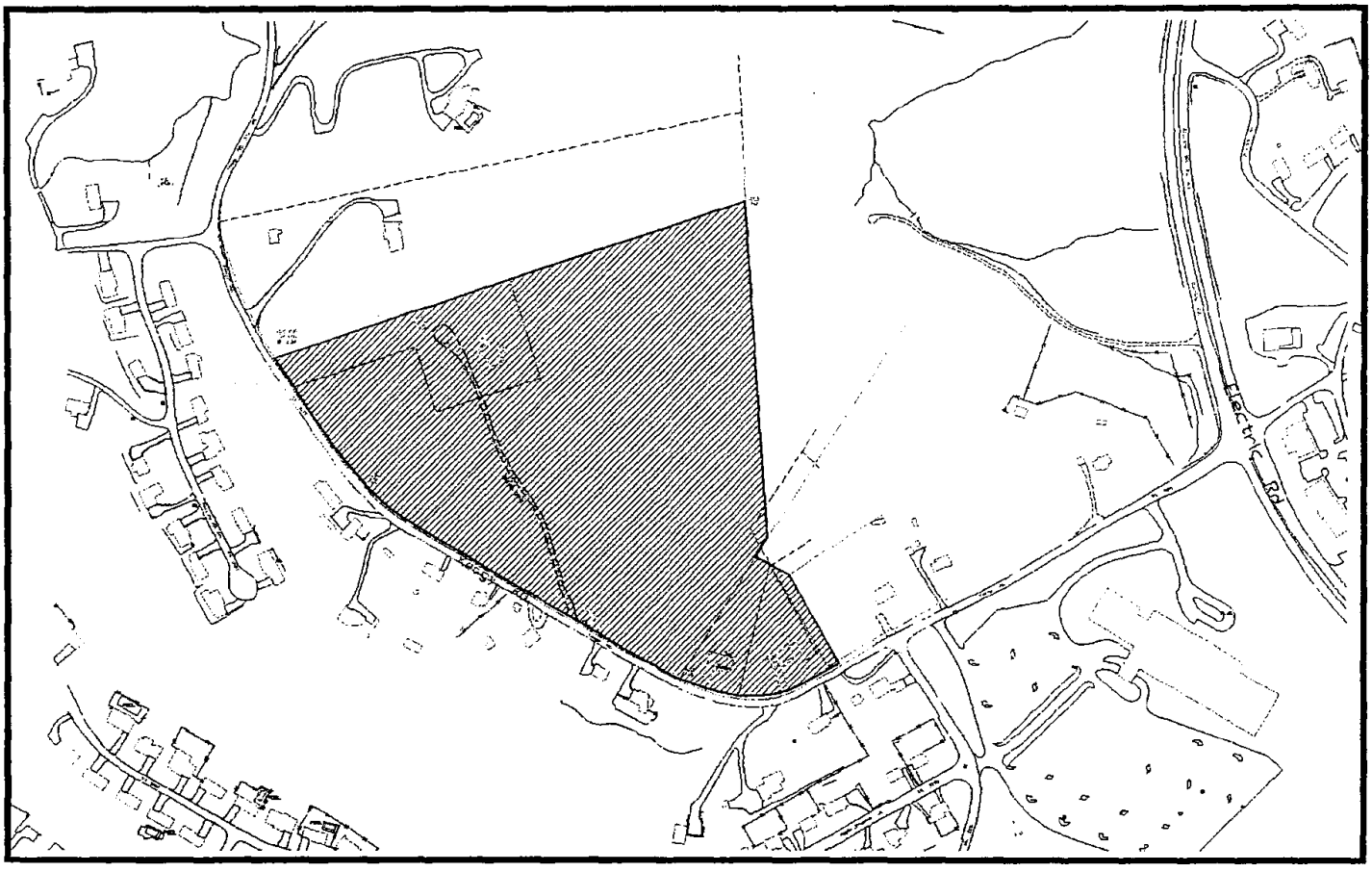
Location & Size



HIDDEN VALLEY VILLAS
An Epcon Community

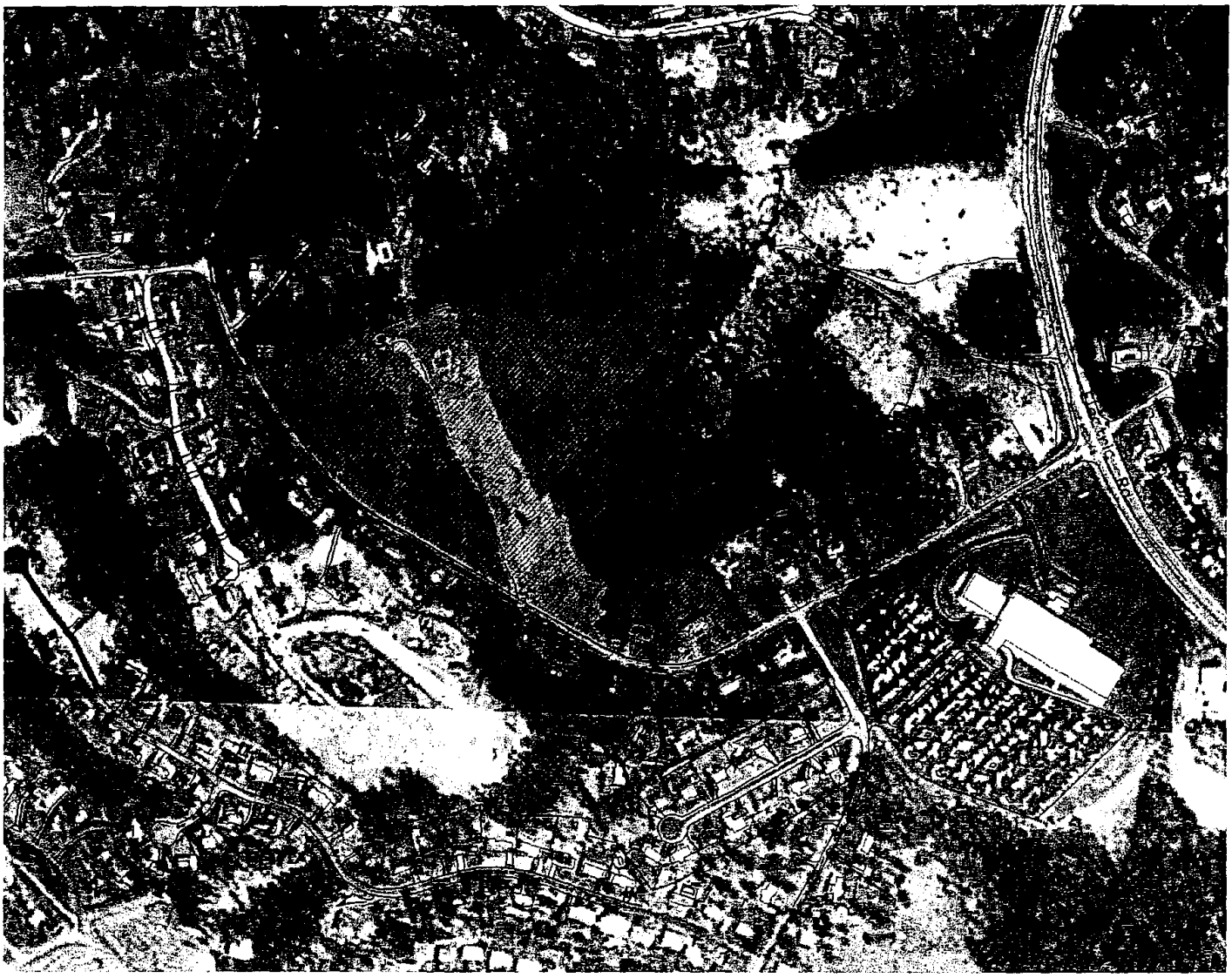
- The site is located on Keagy Road approximately 1,500' from Electric Road and adjacent to the future Keagy Village project.
- The parcel is approximately 24.5 Ac of which 20 Ac will be developed

Existing and surrounding land uses



- The Roanoke County Land Use Plan Map designates the site as R1
- The parcel to the North is undeveloped, the parcel to the east is the future Keagy Village project, the parcels to t he south are R1 single family houses across from Keagy Road and to the west is an R1 single family home.
- The existing land use is a single family home.

Existing conditions and character



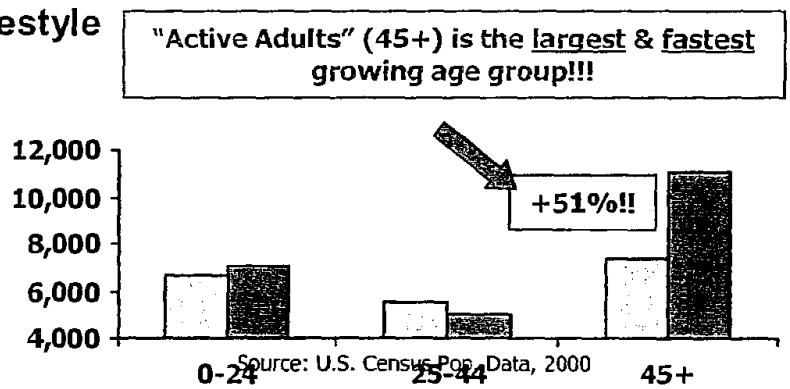
• The existing site is composed of the Foti property which contains a single family dwelling and the Sheetz and Atkins property which also contain single family homes. The site is currently partially wooded and partially open mowed fields.

Epcon Communities and Triangle Development Group

- Epcon Communities
  - Founded in 1986 by Ed Bacome and Phil Fankhauser
  - Concentrate exclusively on ranch-style condominiums
  - Began franchising in 1995
  - To date, Epcon Communities and its franchisees have built over 20,000 homes in over 325 communities across 26 states

- Triangle Development Group, LLC
  - Founded in 1998 by a Custom Home Builder and a Developer
  - The Triangle team brings over 75 years of combined building and developing experience in luxury custom homes
  - Has currently constructed 5 Epcon Luxury developments
  - Seeks to build luxurious, safe, quiet, active adult neighborhoods that are professionally maintained.

- Typical Epcon Communities Customer
  - Active Adult, Baby Boomer
  - Over 60% of Epcon Communities residents are over 55*
  - 57% of Epcon Communities residents consider themselves retired or semi-retired*
  - Have a desire for downsized homes, condominium services, carefree lifestyle



Project Overview

The concept plan presented in this application proposes a community that meets the demands of aging residents while providing a beautiful transition from the surrounding single family homes, to the future Keagy Village shopping center.

The site plan achieves the following:

- Directs all traffic through the Keagy Village entrance to eliminate any traffic from in front of the existing single family homes
- Preserves 900′ of the existing tree buffer along Keagy road while adding over 600′ of landscaped berms to buffer the proposed site from the existing neighborhoods.
- Integrates coordinated development patterns with interconnected open space, streets and walking trails
- Creates direct access to the future Keagy Village to eliminate the need for residents to drive onto Keagy road to shop and dine
- Site is graded so that only a few units will be visible from Keagy Road
- Only the front door of a unit will be visible to Keagy Road.

Benefits of Hidden Valley Villas to the surrounding neighborhood

Hidden Valley Villas will be designed to make much less of an impact to the surrounding neighborhood than a single family home subdivision.

Through research of previous projects and valuation of Hidden Valley Villas:

- Extra buffering through berms and landscaping far exceeding Roanoke County requirements
- Serve as an effective attractive buffer between the existing single family neighborhood and the future Keagy Village Project
- Traffic is directed beyond the existing residential neighborhood to mix with the traffic from Keagy Village so that there is no traffic impact to the single family neighborhood
- Active Adult Condominium developments produce 48% less traffic than same size single family projects (per various independent traffic studies) and the majority of Epcon residents are retired which means that they do not travel during peak traffic density hours which even further lessens the impact on existing traffic loads
- HVV will be geared towards retired age adults with no school age children living full time in the community, therefore no school impact
- Condominium units will sell at the same price range (or more) as the existing single family homes in the neighborhood
- Greater tax revenue for the County than a single family development
- The view at every angle of a building is the front of a residential home, therefore there are no unsightly sides or rears of a residence that is usually not as attractive as the front entrances

Benefits of Hidden Valley Villas to the surrounding neighborhood

- Only one front door is visible from any angle which makes each building appear as one residential home
- Garages are recessed into the building which buffers the garages from view
- Cars are not allowed to be parked on the street to alleviate any unsightly views of the project.
- Construction is completed rapidly usually the project duration from groundbreaking to final punch lists is approximately 2 years. This is much quicker paced than a single family subdivision that is only completed once all of the homes are sold
- Studies have shown that Epcon projects have half the residents per unit as a single family home on average which means less density of people per acre that a single family subdivision. This means more revenue in taxes for the County with very little impact
- All roadways, utilities, and services are private which means no demand on the County and local government services
- Epcon communities have noise restrictions that keep the neighborhood not only quiet and relaxing for the residents themselves but also for the surrounding neighborhood
- Hidden Valley Villas will raise the property value of the surrounding neighborhood

II. Project Description

HIDDEN VALLEY VILLAS
An Epcon Community

EPCON Communities

Proposed land use

Residential --

- 126 attached condominium units (27 four-unit buildings & 9 two-unit buildings)
- Parks and open space with fully landscaped walking trails and recreation areas

Hidden Valley Villas compared to R-1 Zoning Requirements

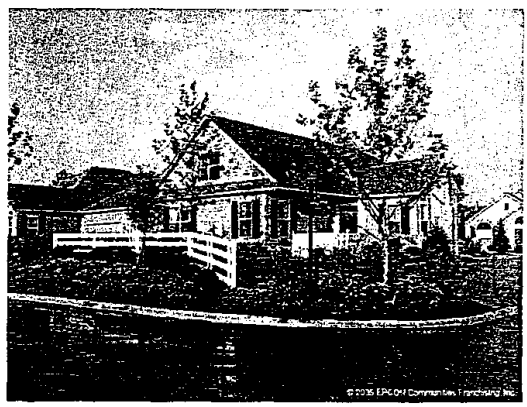
R1	HVV
Single family attached (2 units)	Only 2 units attached
Front: 30'	Front: 40'
Side: 10'	Side: 30'
Rear: 25'	Rear: 25'
3 units/Ac at 3 people/unit	5.2units/Ac at 1.75 people/unit
= 220.5 people	=223 people
30% bldg coverage	25% bldg coverage
Max Bldg Ht. 45'	Max Bldg Ht. 25'

Traffic Analysis

R1	HVV
10.1 trips/unit at 73 units = 737.3 trips/day	4.8 trips/unit at 126 units = 604.8 trips/day
Added school bus traffic	No school bus traffic
Added County trash pickup	Private trash pickup
Travel at peak traffic hours	Do not travel at peak hours

Description of residential properties

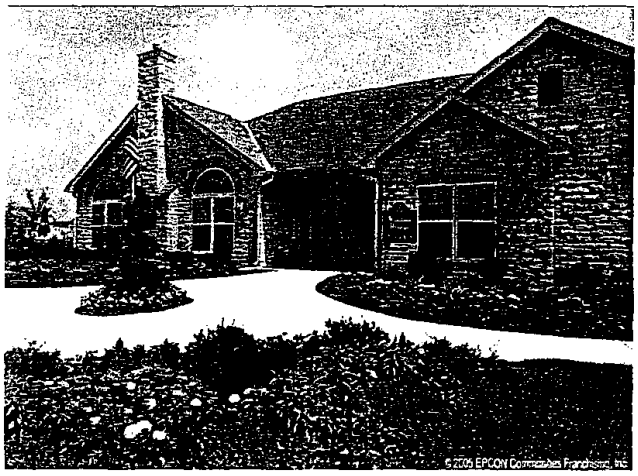
- Ranch style condominium homes
- Four unit buildings with several floor plans for architectural variety and almost limitless interior options for personal customization
- Homes range in size from 1,300 to 1,900 square feet
- Each corner of the homes presents the view of a large single family home
- Garages are internalized and recessed in order to screen and lessen effect on overall appearance
- Exterior finish in European Country which features stone and wood with brick accents
- Professionally maintained landscapes and exteriors
- Community to offer safe neighborhood for Residents
- Quiet, relaxing, beautifully maintained neighborhood with a sense of community for its residents



Community amenities

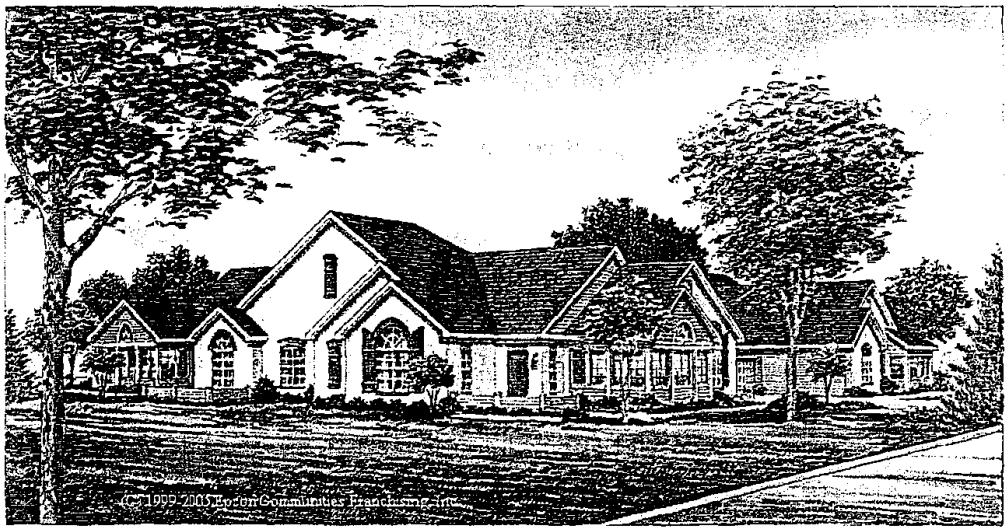
- Clubhouse
  - Fitness Room
  - Community Room with kitchen and pool table
  - Heated Pool
  - Outdoor Kitchen (Grill and Patio)

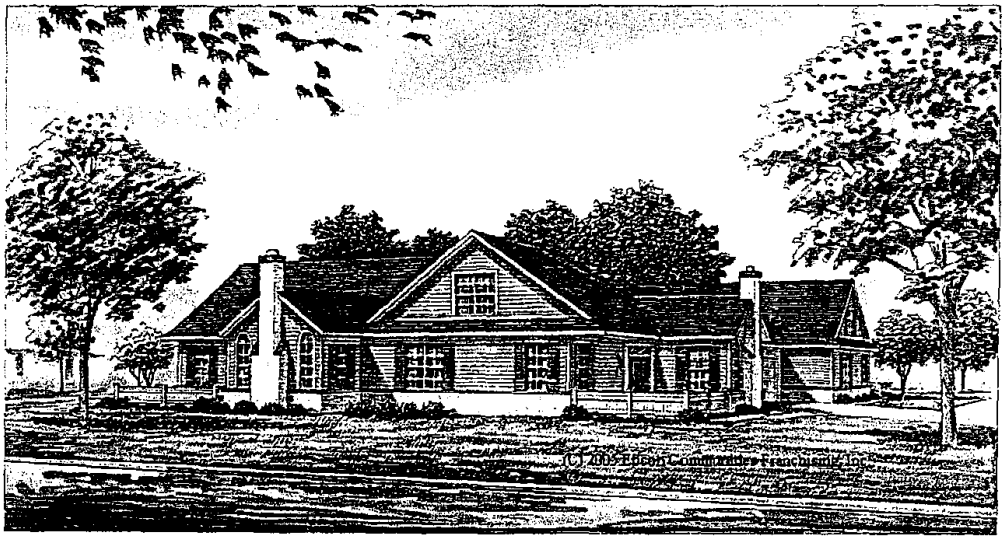
- Bike/Walking Paths
- Water features
- Putting Green
- Full exterior Maintenance: Trash removal, snow removal, lawn maintenance (sod & irrigation)
- Maintenance Free building exteriors: stone, architectural roof lines, brick, Hardi-Plank siding (no vinyl siding)



Examples of existing Epcon Communities clubhouses...

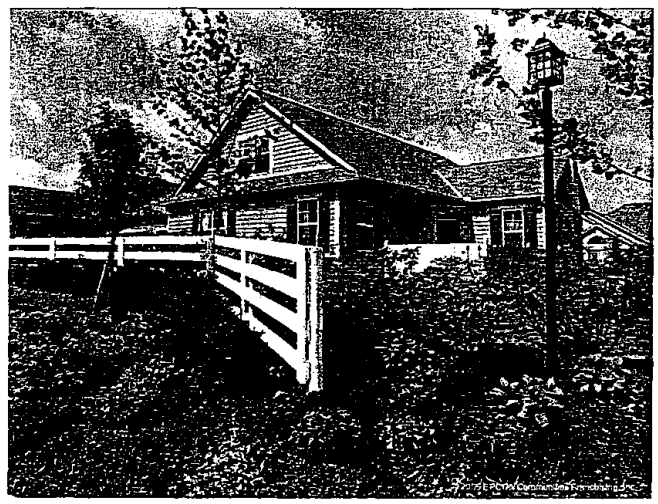
Artists renderings of Hidden Valley Villas



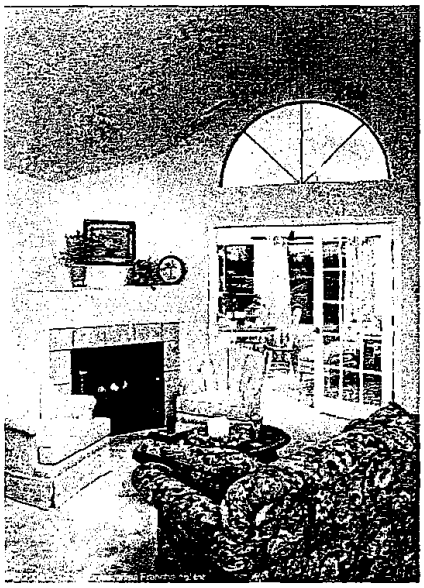


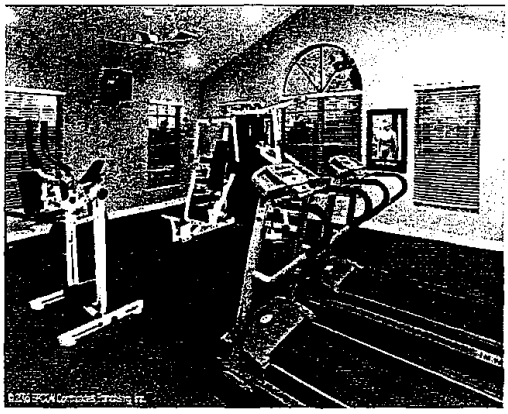
III. Exhibits

Exterior home pictures



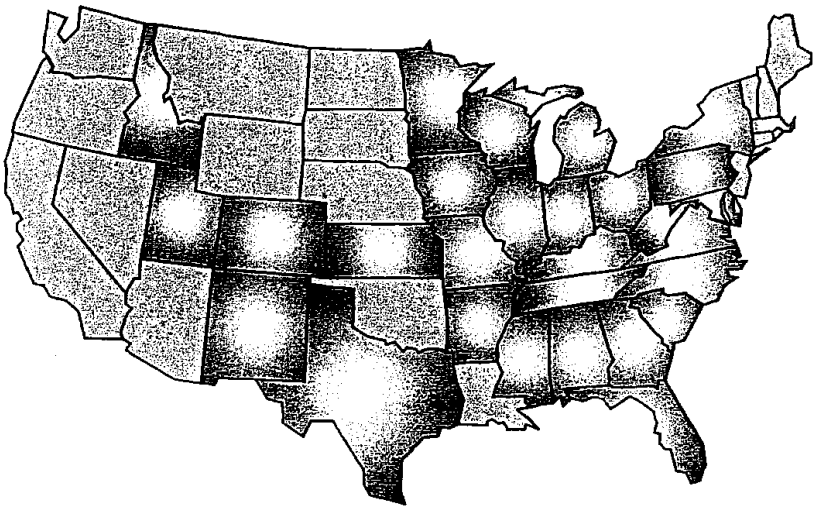
Interior home pictures





III. Exhibits

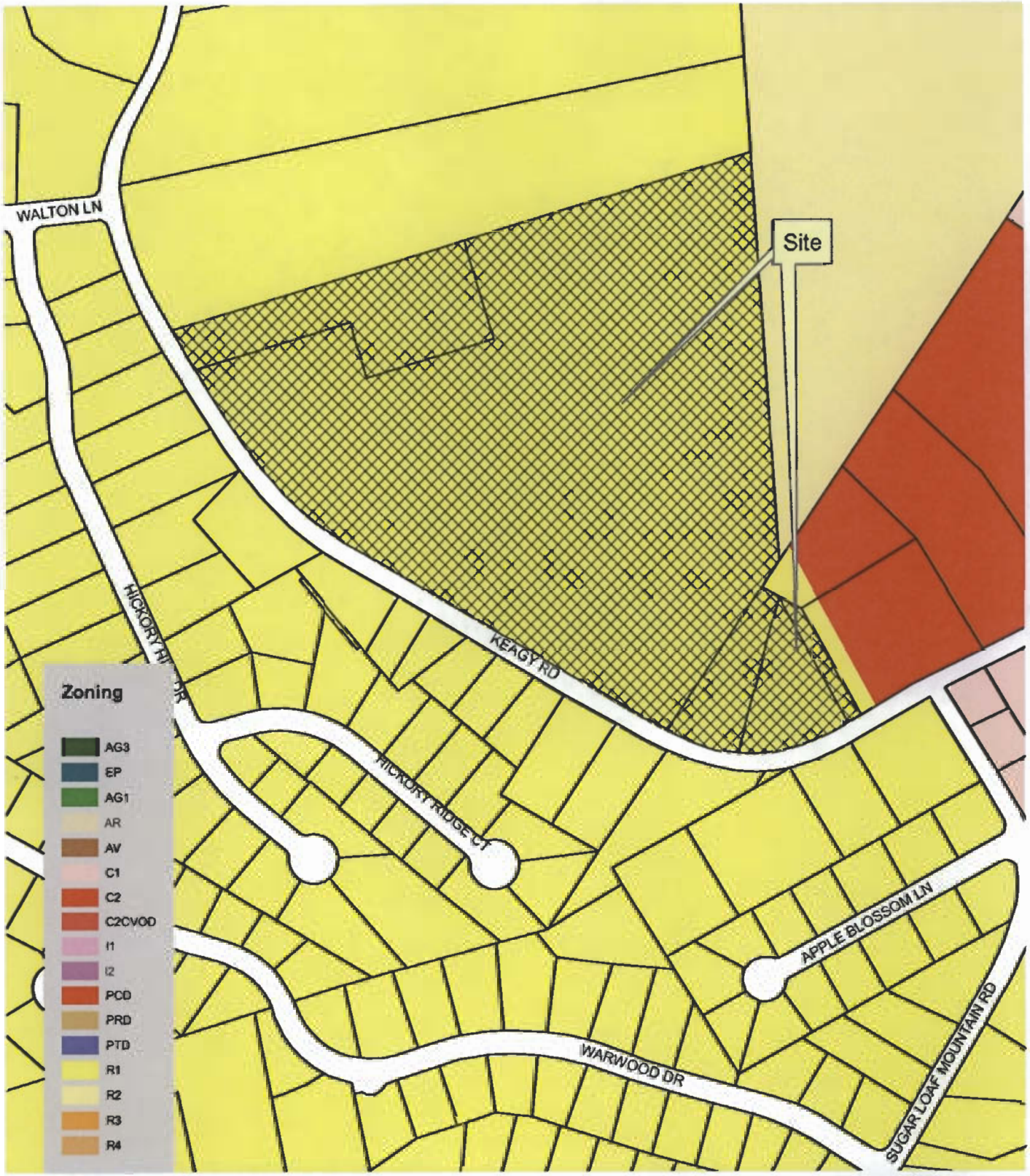
Locations of current Epcon Communities



Your area's demographic information

Demographics	
Age group	% of total population
45 to 54 years	13.7
55 to 59 years	4.7
60 to 64 years	3.8
65 to 74 years	6.6
75+	6.5
Total % >45	35.3

Source: U.S. Census Bureau summary 2000 file



Roanoke County
Department of
Community Development

Applicants Name: Hidden Valley Villas, LLC
Existing Zoning: R1
Proposed Zoning: R3
Tax Map Number: 067.17-01-01, 01.01; 067.18-02-05,06; 067.18-02-07
Magisterial District: Windsor Hills Area: 24.46 Acres

28 August, 2006 Scale: 1" = 300'

ACTION NO. _____

ITEM NO. H-1

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROANOKE COUNTY, VIRGINIA HELD AT THE ROANOKE COUNTY ADMINISTRATION CENTER

MEETING DATE: September 26, 2006

AGENDA ITEM: Second reading of an ordinance authorizing the acquisition of certain real estate from Len DeShano and Dorothy DeShano consisting of approximately 8.9 acres for future County use, Hollins Magisterial District

SUBMITTED BY: Anne Marie Green
Director of General Services

APPROVED BY: Elmer C. Hodge
County Administrator

COUNTY ADMINISTRATOR'S COMMENTS:
Recommend Approval

SUMMARY OF INFORMATION:

Roanoke County is in the process of obtaining parcels of land for several important projects including a new County garage and an additional North County fire station. On July 13, the County entered into an option agreement with Len DeShano and Dorothy DeShano, owners of an 8.9 acre tract of land bordered by Hershberger and John Richardson Roads in Roanoke County. The property is currently assessed at $365,000 and the County requested 45 days to perform geotechnical and environmental assessments of the property. The County paid $5,000 to the Deshanos as a deposit towards the sale price of $415,000. The option was verbally extended until September 27 in order to allow the County to complete the necessary assessment work and hold two readings of this ordinance.

The Board had the opportunity to view the site during a tour earlier in the summer. The property has enough buildable space for either a County garage or a fire station, although it is not large enough for both facilities. It is currently zoned C2, which is appropriate for a fire station; however, it will have to be rezoned to I1 to construct a County garage. It is well positioned for either facility as it is located close to the intersection of Plantation and Hershberger Roads, and has potential for two entrances: one onto Hershberger and one onto John Richardson Road.

The geotechnical and Phase I environmental reviews did not indicate any serious problems with the property, although further testing will be required to determine costs for site preparation. The County has issued a Request for Proposals for an architectural and engineering firm to help design and prepare cost estimates for a facility on the site and the proposals are due back September 20.

It is anticipated that the preliminary design phase for the project will be completed in January 2007, with final design finished in the spring, and the project bid out in the early summer of 2007.

Staff has met with the Western Virginia Water Authority to discuss a long term contract for the maintenance and repair of its fleet. Having the Authority as a customer will allow us to set a rate structure to meet the costs of building and operating the facility. Once the terms have been negotiated, the contract will be brought back to the Board for approval.

FISCAL IMPACT:

Funds for purchase of this property have been set aside in a capital account for construction of a new County garage.

ALTERNATIVES:

1. Approve second reading of the ordinance exercising the option to purchase the 8.9 acre tract located near the intersection of Hershberger and Plantation Roads and authorize the County Administrator or his designee to sign the necessary documents.

2. Do not approve the second reading of the ordinance and direct staff to locate other property for construction of a new County garage and/or North County fire station.

STAFF RECOMMENDATION:

Staff recommends Alternative 1. The property is well located and large enough for either the garage or the fire station and purchase of the land will allow plans to go forward for a necessary county facility.

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROANOKE COUNTY, VIRGINIA, HELD AT THE ROANOKE COUNTY ADMINISTRATION CENTER ON TUESDAY, SEPTEMBER 26, 2006

ORDINANCE AUTHORIZING THE ACQUISITION OF CERTAIN REAL ESTATE FROM LEN DESHANO AND DOROTHY DESHANO CONSISTING OF APPROXIMATELY 8.9 ACRES (TAX MAP NO. 38.16-1-7) FOR FUTURE COUNTY USE, HOLLINS MAGISTERIAL DISTRICT

WHEREAS, Section 18.04 of the Roanoke County Charter directs that the acquisition and conveyance of real estate interests be accomplished by ordinance; the first reading of this ordinance was held on September 12, 2006, and the second reading was held on September 26, 2006.

NOW, THEREFORE, be it ordained by the Board of Supervisors of Roanoke County, Virginia, as follows:

1. That the acquisition of approximately 8.9 acres of real estate (Tax Map No. 38.16-1-7) located off John Richardson Road and Hershberger Road owned by Len DeShano and Dorothy DeShano for the sum of Four Hundred Fifteen Thousand Dollars ($415,000) is hereby authorized and approved.

2. That an additional sum of Ten Thousand Dollars ($10,000) is hereby appropriated to pay ancillary costs of this transaction including a Phase 1 environmental study and geotechnical work, surveying costs, title insurance and other closing costs.

3. That funds were previously appropriated into the Garage Account in the Major County Capital Fund to pay all of the costs of this acquisition.

4. That the County Administrator or Assistant County Administrator are hereby authorized to execute such documents and take such actions on behalf of Roanoke County in this matter as are necessary to accomplish the acquisition of this real estate, all of which shall be approved as to form by the County Attorney.

ACTION NO. _____

ITEM NO. I1-4

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROANOKE COUNTY, VIRGINIA HELD AT THE ROANOKE COUNTY ADMINISTRATION CENTER

MEETING DATE: September 26, 2006

AGENDA ITEM: Appointments to Committees, Commissions and Boards

SUBMITTED BY: Diane S. Childers, CMC
Clerk to the Board

APPROVED BY: Elmer C. Hodge
County Administrator

COUNTY ADMINISTRATOR'S COMMENTS:

SUMMARY OF INFORMATION:

1. **Building Code Board of Adjustments and Appeals (Fire Code Board of Appeals)**

   The four-year term of Richard L. Williams will expire on October 24, 2006.

2. **Capital Improvement Program (CIP) Review Committee (Appointed by District)**

   The one-year term of Jason B. Perdue, Hollins District, expired on August 31, 2006.

3. **Economic Development Authority**

   The four-year terms of Craig W. Sharp and Allan Robinson, Jr. will expire on September 26, 2006.

4. **Grievance Panel**

   The three-year terms of Beth Anderson and Jim Garlow, Alternate Members, will expire on October 28, 2006. Ms. Anderson and Mr. Garlow have indicated that they are willing to serve an additional term, and confirmation of these appointments has been added to the consent agenda.

J1-6

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROANOKE COUNTY, VIRGINIA, HELD AT THE ROANOKE COUNTY ADMINISTRATION CENTER ON TUESDAY, SEPTEMBER 26, 2006

RESOLUTION APPROVING AND CONCURRING IN CERTAIN ITEMS SET FORTH ON THE BOARD OF SUPERVISORS AGENDA FOR THIS DATE DESIGNATED AS ITEM J - CONSENT AGENDA

BE IT RESOLVED by the Board of Supervisors of Roanoke County, Virginia, as follows:

1. That the certain section of the agenda of the Board of Supervisors for September 26, 2006, designated as Item J - Consent Agenda be, and hereby is, approved and concurred in as to each item separately set forth in said section designated Items 1 through 6, inclusive, as follows:

1. Approval of minutes –September 12, 2006

2. Request from the Police Department to accept a United States Department of Justice grant in the amount of $21,677

3. Request from the Community Development Department to accept a Virginia Department of Conservation and Recreation grant in the amount of $148,000 for the Mudlick Creek urban stream restoration at Garst Mill Park

4. Resolution amending and readopting guidelines for the implementation of the Public-Private Education Facilities and Infrastructure Act of 2002

5. Request to accept and appropriate reimbursement in the amount of $32,909.28 for time/resources as part of the 800MHz rebanding project

6. Confirmation of committee appointments

2. That the Clerk to the Board is hereby authorized and directed where required by law to set forth upon any of said items the separate vote tabulation for any such item pursuant to this resolution.

ACTION NO. _____

ITEM NO. J-2

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROANOKE COUNTY, VIRGINIA HELD AT THE ROANOKE COUNTY ADMINISTRATION CENTER

MEETING DATE: September 26, 2006

AGENDA ITEM: Request from the Police Department to accept a United States Department of Justice grant in the amount of $21,677

SUBMITTED BY: James R. Lavinder
Chief of Police

APPROVED BY: Elmer C. Hodge
County Administrator

COUNTY ADMINISTRATOR'S COMMENTS:

Recommend approval

SUMMARY OF INFORMATION:

The United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, has awarded the Police Department a grant in the amount of $21,677. The grant was approved for the purchase and installation of four wireless sites for paperless reporting and the wireless cards for Mobile Data Terminals. The grant does not require any matching funds.

FISCAL IMPACT:

None

ALTERNATIVES:

None

STAFF RECOMMENDATION:

Staff recommends acceptance of this United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance grant in the amount of $21,677.

ACTION NO. _____

ITEM NO. J-3

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROANOKE COUNTY, VIRGINIA HELD AT THE ROANOKE COUNTY ADMINISTRATION CENTER

MEETING DATE: September 26, 2006

AGENDA ITEM: Request from the Community Development Department to accept a Department of Conservation and Recreation grant in the amount of $148,000 for the Mudlick Creek urban stream restoration at Garst Mill Park

SUBMITTED BY: George W. Simpson, III, P.E.
County Engineer

APPROVED BY: Elmer C. Hodge
County Administrator

COUNTY ADMINISTRATOR'S COMMENTS:

Recommend approval

SUMMARY OF INFORMATION:

The Virginia Department of Conservation & Recreation awards competitive grants to localities and other organizations for the purpose of restoring and improving the quality of state waters under the Virginia Water Quality Improvement Act of 1997 (WQIA). The Department of Community Development, in partnership with the Department of Parks, Recreation & Tourism filed an application and has been notified of a grant award in the amount of $148,000 for the "Mudlick Creek Urban Stream Restoration at Garst Mill Park" in Roanoke County.

The purpose of the project is to address stream bank erosion along Mudlick Creek through the heavily visited Garst Mill Park using "natural channel" stream restoration techniques. These techniques may include native vegetation plantings, restoration of stream habitat structure, and equilibrium of stream channel geometry. We hope to demonstrate with the project a significant reduction in sediment loads to Mudlick Creek and to the Roanoke River.

The Department of Community Development has been conducting stream assessment along Mudlick Creek for several years. The Mudlick Creek watershed has been viewed as the County's "pilot" watershed for looking at urban stream restoration, flooding and stormwater quality issues since construction of the Hidden Valley stormwater management facility at Hidden Valley High School, which was funded with a previous WQIA grant to the County. The Mudlick Creek Urban Stream Restoration Project at Garst Mill Park is a logical extension of stormwater management efforts along this tributary of the Roanoke River.

FISCAL IMPACT:

No appropriation of funds is being requested. It is anticipated that the $148,000 will be matched with in-kind services from the crews of both departments performing the work and supplemented with current budgets.

ALTERNATIVES:

Alternative #1 Accept the grant and authorize staff to sign the agreement and begin the project.

Alternative #2: Decline the grant at this point in time.

STAFF RECOMMENDATION:

Staff recommends Alternative #1.

ACTION NO. _____

ITEM NO. J-4

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROANOKE COUNTY, VIRGINIA HELD AT THE ROANOKE COUNTY ADMINISTRATION CENTER

MEETING DATE: September 26, 2006

AGENDA ITEM: Resolution amending and readopting guidelines for the implementation of the Public-Private Education Facilities and Infrastructure Act of 2002

SUBMITTED BY: Paul M. Mahoney
County Attorney

COUNTY ADMINISTRATOR'S COMMENTS:

Recommend approval

SUMMARY OF INFORMATION:

On April 25, 2006, the Board adopted revisions to its guidelines to implement the Public-Private Education Facilities and Infrastructure Act of 2002 (PPEA). The General Assembly made further revisions to the PPEA and outside counsel has recommended that it may be necessary to amend the guidelines to incorporate these legislative revisions.

The amendments include requirements that public entities:

1. Make written determinations of the necessity and scope of exclusion from public disclosure of records that a private entity submits as part of a public-private procurement and seeks to protect as confidential (Va. Code § 2.2-3705.6.11, as amended).

2. Post conceptual proposals received from private entities for public inspection and comment within 10 days after their acceptance (Va. Code § 56-573.1:1 A; Va. Code § 56-575.17 A).

3. Post and make available for public inspection any interim or comprehensive agreement the public entity intends to enter into with a private entity after such agreement is negotiated but before entry into it (Va. Code § 56-575.17 C).

4. Once an agreement has been entered into, make procurement records for the procurement leading to that agreement available to the public for inspection upon

request, with the exception of trade secrets, as defined in the Uniform Trade Secrets Act, financial records of the private entity not generally available to the public through regulatory disclosure, and cost estimates prepared by or for the public entity (Va. Code § 56-573.1:1 D & E; Va. Code § 56-575.17 D & E).

These changes apply to any proposals received after July 1, 2006.

The amendments to "D. Freedom of Information Act" and "IV Unsolicited Proposals" are designed to address the requirements that the County must make its own determination with respect to information to exempt from disclosure. Previously, a Virginia public entity could use a procedure for designation of a proposer's confidential commercial information as exempt from public disclosure relying upon the proposer's designation of portions of its proposal to be protected from disclosure under the Freedom of Information Act, and the public entity could then rely upon such designations, absent a challenge to them. In contrast, with the enactment of the 2006 legislation, a Virginia public entity doing a procurement under the PPEA using competitive negotiation now must affirmatively make its own independent review and written determinations regarding information submitted that proposers contend to be exempt from public release.

The review and determination required by this amendment necessarily must be done within a short period of time. In the case of competing proposals submitted in response to an unsolicited proposal or in response to a request for proposals, where the dates of "acceptance" and receipt are typically synonymous, the time will be within 10 days of receipt.

Another significant change made by the 2006 amendments is that now a Virginia public entity must finalize the agreement it makes pursuant to the PPEA and make it available to the public for inspection and comment prior to entry into the agreement. Before this amendment, it was common practice for Virginia public entities not to make agreements public until after entry into them. This common practice was similar to the practice followed in procurement by competitive negotiation in the federal sector and in the Virginia public sector under the Virginia Public Procurement Act, Va. Code § 2.2-4300, et seq. Furthermore, prior to these amendments, public entities often authorized entry into agreements before all details had been finalized. This no longer will be possible, adding time to the process.

Since it is generally the County's practice that such documents are completed at least a week before submittal to the Board for review and approval, this amendment provides for making the comprehensive agreement available for public inspection 7 days before Board action. This amendment is inserted in two different locations (in Section IV and VIII) in the Guidelines.

STAFF RECOMMENDATION:

It is recommended that the Board approve these amendments to the guidelines for the implementation of the Public-Private Education Facilities and Infrastructure Act of 2002.

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROANOKE COUNTY, VIRGINIA, HELD AT THE ROANOKE COUNTY ADMINISTRATION CENTER ON TUESDAY, SEPTEMBER 26, 2006

RESOLUTION AMENDING AND READOPTING GUIDELINES FOR THE IMPLEMENTATION OF THE PUBLIC-PRIVATE EDUCATION FACILITIES AND INFRASTRUCTURE ACT OF 2002

WHEREAS, the Board of Supervisors of Roanoke County determined that it is in the best interest of the County to adopt procedures for the implementation of the Public-Private Education Facilities and Infrastructure Act of 2002 pursuant to the provisions of Section 56-575.16.4 of the 1950 Code of Virginia, as amended; and

WHEREAS, on May 13, 2003, the Board of Supervisors of Roanoke County adopted Resolution 051303-4 which adopted procedures for the implementation of the Public-Private Education Facilities and Infrastructure Act of 2002; and

WHEREAS, on April 25, 2006, the Board adopted Resolution 042506-3b amending and readopting the PPEA Guidelines; and

WHEREAS, the Board has determined that it is in the best interests of the County to amend these previously adopted procedures to incorporate recent amendments to the Code of Virginia.

NOW, THEREFORE, BE IT RESOLVED that Board of Supervisors of Roanoke County, Virginia, hereby adopts the following amendments to the Guidelines for the Implementation of the Public-Private Education Facilities and Infrastructure Act of 2002 as amended.

1. That the Guidelines are hereby amended as follows:

D. Freedom of Information Act

Generally, proposal documents submitted by private entities are subject to the Virginia Freedom of Information Act ("FOIA"). In accordance with § 2.2-3705.6 of the Code, such documents may be released if requested, except to the extent that they relate to (i) confidential proprietary information submitted to the County under a promise of confidentiality or (ii) memoranda, working papers or other records related to proposals if making public such records would adversely affect the financial interest of the Commonwealth or the private entity or the bargaining position of either party by following the procedures under subdivision 11 of Section 2.2-3705.6.

Subsection 56-575.4 G of the PPEA imposes an obligation on the County to protect confidential proprietary information submitted by a private entity or operator. When the private entity requests that the County not disclose information, the private entity must (i) invoke the exclusion when the data or materials are submitted to the County or before such submission, (ii) identify the data and materials for which protection from disclosure is sought, and (iii) state why the exclusion from disclosure is necessary. A private entity may request and receive a determination from the County as to the anticipated scope of protection prior to submitting the proposal. The County is authorized and obligated to protect only confidential proprietary information, and thus will not protect any portion of a proposal from disclosure if the entire proposal has been designated confidential by the proposer without reasonably differentiating between the proprietary and non-proprietary information contained therein.

Upon receipt of a request that designated portions of a proposal be protected from disclosure as confidential and proprietary, the County shall determine whether such protection is appropriate under applicable law and, if appropriate, the scope of such appropriate protection, and shall communicate its determination to the proposer. If the determination regarding protection or the scope thereof differs from the proposer's request, then the County will accord the proposer a reasonable opportunity to clarify and justify its request. Upon a final determination by the County to accord less protection than requested by the proposer, the proposer will be accorded an opportunity to withdraw its proposal. A proposal so withdrawn should be treated in the same manner as a proposal not accepted for publication and conceptual-phase consideration as provided in section IV.A.2 below.

IV. Unsolicited Proposals

The PPEA permits the County to receive, evaluate and select for negotiations unsolicited proposals from private entities to develop or operate a qualifying project.

From time to time the County may publicize its needs and may encourage interested parties to submit unsolicited proposals subject to the terms and conditions of the PPEA. When such proposals are received without issuance of an RFP, the proposal shall be treated as an unsolicited proposal. Unsolicited proposals should be

submitted to the County Administrator by delivering six complete copies, together with the required review fee. A working group may be designated by the County Administrator to review and evaluate all unsolicited proposals.

A. Decision to Accept and Consider Unsolicited Proposal; Notice

1. The County reserves the right to reject any and all proposals at any time.

2. Upon receipt of any unsolicited proposal, or group of proposals, and payment of the required fee by the proposer or proposers, the County should determine whether to accept the unsolicited proposal for publication and conceptual-phase consideration. If the County determines not to accept the proposal, it shall return the proposal, together with all fees and accompanying documentation, to the proposer.

3. a. If the County chooses to accept an unsolicited proposal for conceptual-phase consideration, within 10 working days after acceptance of such proposal, it shall post a notice on the County's electronic procurement website, and in such other public area(s) as may be regularly used for posting of public notices, for a period of not less than 45 days. The County shall also publish, at least once, the same notice in the Roanoke Times and World News, a newspaper of general circulation in the County, providing notice of pending or potential action in not less than 45 days. In addition the notice shall also be advertised in *Virginia Business Opportunities* and on the Commonwealth's electronic procurement website. At least one copy of the proposals shall be made available for public inspection. The County may provide for more than 45 days in situations where the scope or complexity of the original proposal warrants additional time for potential competitors to prepare proposals.

b. The notice shall state that the County (i) has received and accepted an unsolicited proposal under the PPEA, (ii) intends to evaluate the proposal, (iii) may negotiate a comprehensive agreement with the proposer based on the proposal, and (iv) will accept for simultaneous consideration any competing proposals that comply with the procedures adopted by the County and the provisions of the PPEA. The notice will summarize the proposed qualifying project or projects, and identify their proposed locations. Copies of unsolicited proposals shall be available upon request, subject to the provisions of FOIA and § 56-575.4 G of the PPEA.

c. Prior to posting of the notices provided for in this subsection the County shall receive from the private partner or partners the balance due, if any, of the required project proposal review fee.

d. In addition to the posting requirements in sub-section a., for thirty (30) days prior to entering into a comprehensive agreement, the County shall provide an opportunity for public comment on the proposals. This public comment period may include a public hearing in the sole discretion of the

Board of Supervisors. At the end of the public comment period, no additional posting shall be required.

4. Once the negotiation of a comprehensive agreement under VIII of these Guidelines is complete, but before a comprehensive agreement is entered into, the County shall make available the proposed agreement for public inspection at least 7 days before any proposed action by the Board of Supervisors.

B. Initial Review by the County at the Conceptual Stage (Part 1)

After reviewing the original proposal, and any competing proposals submitted during the notice period, the County Administrator may recommend to the Board of Supervisors:

(i) not to proceed further with any proposal,

(ii) to proceed to the detailed (Part 2) phase of review with the original proposal,

(iii) to proceed to the detailed (Part 2) phase with a competing proposal, or

(iv) to proceed to the detailed (Part 2) phase with multiple proposals.

In the event that more than one proposal will be considered in the detailed (Part 2) phase of review, the County Administrator shall recommend to the Board of Supervisors whether the unsuccessful private entity, or entities, shall be reimbursed, in whole or in part, for costs incurred in the detailed phase of review. In such case reasonable costs may be assessed to the successful proposer as part of any ensuing comprehensive agreement.

VIII. Comprehensive Agreement

The Board of Supervisors shall approve any comprehensive agreement entered into pursuant to the PPEA between the County and a private entity. The County shall accept no liability for developing or operating the qualifying project prior to entering into a properly executed comprehensive agreement. Each comprehensive agreement shall define the rights and obligations of the responsible public entity and the selected proposer with regard to the project. Once the negotiation of a comprehensive agreement under VIII of these Guidelines is complete, but before a comprehensive agreement is entered into, the County shall make available the proposed agreement for public inspection at least 7 days before any proposed action by the Board of Supervisors.

The scope of the comprehensive agreement shall include but not be limited to:

1. The delivery of maintenance, performance and payment bonds or letters of credit in connection with any acquisition, design, construction, improvement, renovation, expansion, equipping, maintenance, development or operation of the qualifying project, in the forms and amounts satisfactory to the County;

2. The review and approval of plans and specifications for the qualifying project by the County;

3. The rights of the County to inspect the qualifying project to ensure compliance with the comprehensive agreement;

4. The maintenance of a policy or policies of liability insurance or self-insurance, each in form and amount satisfactory to the County reasonably sufficient to insure coverage of the project and the tort liability to the public and employees and to enable the continued operation of the qualifying project;

5. The monitoring of the practices of the operator by the County to ensure proper maintenance;

6. The terms under which the private entity will reimburse the County for services provided;

7. The policy and procedures that will govern the rights and responsibilities of the County and the operator in the event that the comprehensive agreement is terminated or there is a material default by the private entity including the conditions governing assumption of the duties and responsibilities of the private entity by the County and the transfer or purchase of property or other interests of the private entity by the County;

8. The terms under which the private entity will file appropriate financial statements on a periodic basis;

9. The mechanism by which user fees, lease payments, or service payments, if any, may be established from time to time upon agreement of the parties. Any payments or fees shall be set at a level that is the same for persons using the facility under like conditions and that will not materially discourage use for the qualifying project;

    a. A copy of any service contract shall be filed with the County.

    b. A schedule of the current user fees or lease payments shall be made available by the private entity to any member of the public upon request.

c. Classifications according to reasonable categories for assessment of user fees may be made.

10. The terms and conditions under which the County may contribute financial resources, if any, for the qualifying project;

11. A periodic reporting procedure that incorporates a description of the impact of the project on the Commonwealth and the County; and

12. Such other terms as the County may find necessary and convenient, that are agreed to by the private partner(s).

Any changes in the terms of the comprehensive agreement as may be agreed upon by the parties from time to time shall be added to the comprehensive agreement only by written amendment.

Parties submitting proposals understand that representations, information and data supplied in support of, or in connection with proposals play a critical role in the competitive evaluation process and in the ultimate selection of a proposal by the Commonwealth. Accordingly, as part of the Comprehensive Agreement, the private entity and its team members shall certify that all material representations, information and data provided in support of, or in connection with, a proposal is true and correct. Such certifications shall be made by authorized individuals who have knowledge of the information provided in the proposal. In the event that material changes occur with respect to any representations, information or data provided for a proposal, the prospective operator shall immediately notify the County of same. Any violation of this section of the Comprehensive Agreement shall give the County the right to terminate the Agreement, withhold payment or other consideration due, and seek any other remedy available under the law.

A copy of the Comprehensive Agreement shall be submitted to the Auditor of Public Accounts within 30 days of its execution.

2. That this Resolution and these amendments shall be in full force and effect from and after the date of their adoption.

ACTION NO. _____

ITEM NO. J-5

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROANOKE COUNTY, VIRGINIA HELD AT THE ROANOKE COUNTY ADMINISTRATION CENTER

MEETING DATE: September 26, 2006

AGENDA ITEM: Request to accept and appropriate reimbursement in the amount of $32,909.28 for time/resources as part of the 800MHz rebanding project

SUBMITTED BY: Elaine Carver
Director of Information Technology

APPROVED BY: Elmer C. Hodge
County Administrator

COUNTY ADMINISTRATOR'S COMMENTS:

Recommend approval

SUMMARY OF INFORMATION:

Funds in the amount of $32,909.28 were received from Nextel as reimbursement to the Information Technology Department as per the Frequency Relocation Agreement (FRA) to complete Wave 1(Stage 1) of the 800MHz rebanding project.

FISCAL IMPACT:

None

STAFF RECOMMENDATION:

Staff recommends accepting and appropriating funds from Nextel in the amount of $32,909.28 to reimburse Information Technology Department for work on Wave 1 (Stage 1) of the 800MHz Rebanding effort.

ACTION NO. _____

ITEM NO. J-6

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROANOKE COUNTY, VIRGINIA HELD AT THE ROANOKE COUNTY ADMINISTRATION CENTER

MEETING DATE: September 26, 2006

AGENDA ITEM: Confirmation of committee appointments

SUBMITTED BY: Diane S. Childers, CMC
Clerk to the Board

APPROVED BY: Elmer C. Hodge
County Administrator

COUNTY ADMINISTRATOR'S COMMENTS:

SUMMARY OF INFORMATION:

1. Grievance Panel

The three-year terms of Beth Anderson and Jim Garlow, Alternate Members, will expire on October 28, 2006. Ms. Anderson and Mr. Garlow have indicated that they are willing to serve an additional term, and confirmation of these appointments has been added to the consent agenda.

GENERAL FUND UNAPPROPRIATED BALANCE
COUNTY OF ROANOKE, VIRGINIA

	Amount	% of General Amount
Unaudited Balance at June 30, 2006	$13,261,742	8.07%
Balance at September 26, 2006	13,261,742	8.07%

Note: On December 21, 2004, the Board of Supervisors adopted a policy to maintain the General Fund Unappropriated Balance for 2006-07 at a range of 8%-9% of General Fund Revenues

2006 - 2007 General Fund Revenue	$164,315,790
8% of General Fund Revenues	$13,145,263
9% of General Fund Revenues	$14,788,421

Submitted By Rebecca E. Owens
Director of Finance

Approved By Elmer C. Hodge EHS
County Administrator

N-2

COUNTY OF ROANOKE, VIRGINIA
CAPITAL RESERVES

Minor County Capital Reserve

(Projects not in the CIP, architectural/engineering services, and other one-time expenditures.)

	Amount
Unaudited Balance at June 30, 2006	$5,834,217.50
Balance at September 26, 2006	$5,834,217.50

$5,000,000 of this reserve is being used to upgrade Public Safety Radio System

Major County Capital Reserve

(Projects in the CIP, debt payments to expedite projects identified in CIP, and land purchase opportunities.)

Unaudited Balance at June 30, 2006	$679,628.00
2006-07 Capital Improvements Program-New County Garage	(500,000.00)
Balance at September 26, 2006	$179,628.00

Submitted By Rebecca E. Owens
Director of Finance

Approved By Elmer C. Hodge EH
County Administrator

RESERVE FOR BOARD CONTINGENCY
COUNTY OF ROANOKE, VIRGINIA

		Amount
	Unaudited Balance at June 30, 2006	$ 23,297.00
	From 2006-2007 Original Budget	100,000.00
July 11, 2006	Appropriation to hire County Gypsy Moth Program, Inc. to serve as the Gypsy Moth Coordinator	($10,000.00)
July 11, 2006	Appropriation for Legislative Liaison	($18,000.00)
	Balance at September 26, 2006	$ 95,297.00

Submitted By Rebecca E. Owens
Director of Finance

Approved By Elmer C. Hodge *ECH*
County Administrator

FUTURE DEBT PAYMENT RESERVE
COUNTY OF ROANOKE, VIRGINIA

Unaudited Balance at June 30, 2006		$ 5,941,772
FY 2006-2007 Original budget appropriation	2,000,000	
Less increase in debt service	(3,079,903)	
Add Economic Development Dropoff	811,000	(268,903)
FY 2006-2007 Annual Capital Contribution		
County	600,000	
Schools	600,000	1,200,000
Balance at September 26, 2006		$ 6,872,869

Submitted By Rebecca E. Owens
Director of Finance

Approved By Elmer C. Hodge ECH
County Administrator

ACTION NO. _____

ITEM NO. N-5

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROANOKE COUNTY, VIRGINIA HELD AT THE ROANOKE COUNTY ADMINISTRATION CENTER

MEETING DATE: September 26, 2006

AGENDA ITEM: Accounts Paid–August 2006

SUBMITTED BY: Rebecca E. Owens
Director of Finance

APPROVED BY: Elmer C. Hodge ECH
County Administrator

COUNTY ADMINISTRATOR'S COMMENTS:

SUMMARY OF INFORMATION:

	Direct Deposit	Checks	Total
Payments to Vendors	$ -	$ -	$ 3,492,466.19
Payroll 08/11/06	956,993.86	145,246.79	1,102,240.65
Payroll 08/25/06	906,093.52	122,297.53	1,028,391.05
Manual Checks	-	849.28	849.28
Voids	-	-	-
Grand Total			$ 5,623,947.17

A detailed listing of the payments is on file with the Clerk to the Board of Supervisors.

County of Roanoke, Virginia

Schedule of Expenditures, Encumbrances and Appropriations

For the 02 Month Period Ended 08/31/06

Fund 100 General Fund		Budget	Monthly Expenditures	Outstanding Encumbrance	Expenditures & Encumbrance Year to Date	Unencumbered Balance	Year to Date Expend & Encumb as a % of Budget
0101	Legislative	365,528.00	28,414.94	14,415.34	92,998.91	272,529.09	25.44
0102	General & Financial Administra	10,239,801.00	975,503.42	160,370.46	1,756,852.02	8,482,948.98	17.16
0103	Electoral Board & Officials	286,745.00	15,729.54	0.00	28,776.68	257,968.32	10.04
0100	**General Government Administrat**	**10,892,074.00**	**1,019,647.90**	**174,785.80**	**1,878,627.61**	**9,013,446.39**	**17.25**
0201	Courts	1,209,558.00	79,766.95	0.00	162,779.67	1,046,778.33	13.46
0202	Other Judicial Support	857,182.00	72,580.10	0.00	130,516.17	726,665.83	15.23
0200	**Judicial**	**2,066,740.00**	**152,347.05**	**0.00**	**293,295.84**	**1,773,444.16**	**14.19**
0301	Law Enforcement & Traffic Cont	12,928,625.04	960,701.21	385,621.41	2,262,132.69	10,666,492.35	17.50
0302	Fire and Rescue	10,689,996.35	778,781.03	154,079.98	1,944,640.18	8,745,356.17	18.19
0303	Correction & Detention	6,408,184.00	488,603.09	4,699.40	900,154.27	5,508,029.73	14.05
0304	Animal Control	427,779.00	34,578.63	0.00	71,072.02	356,706.98	16.61
0300	**Public Safety**	**30,454,584.39**	**2,262,663.96**	**544,400.79**	**5,177,999.16**	**25,276,585.23**	**17.00**
0401	General Services	417,597.00	48,210.83	32,877.00	109,554.42	308,042.58	26.23
0402	Refuse Disposal	4,759,191.00	445,284.45	24,611.26	674,602.38	4,084,588.62	14.18
0403	Maint Buildings & Grounds	3,897,253.00	360,221.24	14,624.14	607,594.64	3,289,658.36	15.59
0404	Engineering	3,024,716.75	286,186.39	100,947.48	536,745.40	2,487,971.35	17.75
0405	Inspections	1,027,776.00	80,366.57	0.00	161,853.14	865,922.86	15.75
0406	Garage Complex	376,702.00	61,863.61	4,406.50	35,825.58	340,876.42	9.51
0400	**Public Works**	**13,503,235.75**	**1,282,133.09**	**177,466.38**	**2,126,175.56**	**11,377,060.19**	**15.75**
0501	Mental Health	32,475.00	12,872.40	0.00	12,872.40	19,602.60	39.64
0503	Public Health	509,668.00	0.00	0.00	0.00	509,668.00	.00
0504	Social Services Administration	4,491,206.00	346,394.99	980.00	675,779.38	3,815,426.62	15.05
0505	Comprehensive Services Act	5,976,206.00	118,082.33	0.00	142,824.65	5,833,381.35	2.39
0506	Public Assistance	2,619,500.00	281,212.54	0.00	627,417.16	1,992,082.84	23.95
0507	Institutional Care	33,100.00	26,114.82	0.00	26,114.82	6,985.18	78.90
0508	Social Services Organizations	177,085.00	130,000.00	0.00	130,000.00	47,085.00	73.41
0500	**Health and Welfare**	**13,839,240.00**	**914,677.08**	**980.00**	**1,615,008.41**	**12,224,231.59**	**11.67**

County of Roanoke, Virginia

Schedule of Expenditures, Encumbrances and Appropriations

For the 02 Month Period Ended 08/31/06

Fund 100 General Fund		Budget	Monthly Expenditures	Outstanding Encumbrance	Expenditures & Encumbrance Year to Date	Unencumbered Balance	Year to Date Expend & Encumb as a % of Budget
0601	Parks & Recreation	3,661,668.00	594,725.61	7,715.00	816,596.46	2,845,071.54	22.30
0602	Library	2,523,898.67	202,616.62	0.00	382,121.60	2,141,777.07	15.14
0603	Cultural Enrichment	401,191.00	79,150.00	0.00	131,750.00	269,441.00	32.84
	0600 Parks, Recreation & Cultural	**6,586,757.67**	**876,492.23**	**7,715.00**	**1,330,468.06**	**5,256,289.61**	**20.20**
0701	Planning & Zoning	803,755.00	111,191.97	0.00	156,813.42	646,941.58	19.51
0702	Cooperative Extension Program	94,129.00	0.00	0.00	6,202.48	87,926.52	6.59
0703	Economic Development	648,938.00	178,966.45	8,326.00	227,915.61	421,022.39	35.12
0705	Contribution to Human Service	108,215.00	86,800.00	0.00	86,800.00	21,415.00	80.21
	0700 Community Development	**1,655,037.00**	**376,958.42**	**8,326.00**	**477,731.51**	**1,177,305.49**	**28.87**
0801	Employee Benefits	3,167,822.00	13,246.82	0.00	47,246.89	3,120,575.11	1.49
0802	Dixie Caverns Landfill Cleanup	35,000.00	2,154.73	0.00	2,209.51	32,790.49	6.31
0803	Miscellaneous	3,339,178.00	280,332.96	0.00	592,678.24	2,746,499.76	17.75
0804	Tax Relief/Elderly & Handicapp	600,000.00	0.00	0.00	0.00	600,000.00	.00
0806	Refuse Credit Vinton	351,500.00	0.00	0.00	0.00	351,500.00	.00
0807	Contingency Balance	72,000.00	0.00	0.00	0.00	72,000.00	.00
	0800 Non-Departmental	**7,565,500.00**	**295,734.51**	**0.00**	**642,134.64**	**6,923,365.36**	**8.49**
0901	Interfund Transfers Out	76,651,450.00	5,599,111.02	0.00	5,649,111.02	71,002,338.98	7.37
0902	Intrafund Transfers Out	1,869,294.56	295,910.62	0.00	317,430.48	1,551,864.08	16.98
	0900 Transfers Out	**78,520,744.56**	**5,895,021.64**	**0.00**	**5,966,541.50**	**72,554,203.06**	**7.60**
	Grand Totals	**165,083,913.37**	**13,075,675.88**	**913,673.97**	**19,507,982.29**	**145,575,931.08**	**11.82**

County of Roanoke, Virginia

Statement of Estimated and Actual Revenues

For the 02 Month Period Ended 08/31/06

Fund 100	General Fund	Budget	Monthly Revenues	Year to Date Revenues	Unrealized Balance	Year to Date Revenues as a % of Budget
010	Real Estate Taxes	74,214,425	415,911	2,270,128	71,944,297	3.06
011	Personal Property Taxes	27,000,000	184,973	164,812	26,835,188	.61
012	Public Service Corp Base	2,400,000			2,400,000	.00
013	Penalities & Interest On Prope	590,000	69,125	62,330	527,670	10.56
014	Payment In Lieu Of Taxes	137,500			137,500	.00
020	Local Sales Tax	8,060,000	704,684	704,683	7,355,317	8.74
021	Consumers Utility Tax	7,028,242	534,346	593,996	6,434,246	8.45
022	Business License Tax	5,369,500	87,059	109,812	5,259,688	2.05
023	Franchise Tax	1,360,000		245,482	1,114,518	18.05
024	Motor Vehicle License Fees	1,865,000	27,300	24,237	1,840,763	1.30
025	Taxes On Recordation & Wills	1,550,000	134,181	134,181	1,415,819	8.66
026	Utility License Tax	550,000	28,560	28,560	521,440	5.19
027	Hotel & Motel Room Taxes	640,000	70,624	70,624	569,376	11.04
028	Taxes - Prepared Foods	3,090,000	270,450	270,450	2,819,550	8.75
029	Other Taxes	105,000	11,561	11,561	93,439	11.01
030	Animal Control Fees	27,000	1,761	3,477	23,524	12.88
031	Land and Building Fees	295,100	39,855	82,290	212,810	27.89
032	Permits	262,500	27,551	49,641	212,859	18.91
034	Fees	48,000	10,880	17,630	30,370	36.73
037	Clerk of Court Fees	41,648	4,192	4,192	37,456	10.06
038	Photocopy Charges	500	20	20	480	4.00
039	Fines and Forfeitures	696,500	57,034	61,378	635,122	8.81
040	Revenues from Use of Money	600,088	107,559	84,846	515,242	14.14
041	Revenues From Use of Property	20,608	2,304	4,820	15,788	23.39
042	Charges for Services	4,191,352	368,315	441,671	3,749,681	10.54
048	Charges for Public Sevices	3,611,733	312,102	611,647	3,000,086	16.94
050	Reimb-Shared Programs Salem	381,350		97,063	284,287	25.45
051	Miscellaneous Revenue	153,779	65,402	125,955	27,824	81.91
056	Recovered Costs	522,000	24,279	12,078	509,922	2.31
060	Non-Categorical Aid	211,000	160,454	111,970	99,030	53.07
061	Shared Expenses	5,066,678	402,955	609,913	4,456,765	12.04
064	Welfare & Social Servies-Categ	1,759,188	181,947	181,947	1,577,241	10.34
067	Education Aid-State					.00
073	Other State Categorical Aid	5,719,910	498,805	85,835	5,634,075	1.50
080	Welfare & Social Services	3,368,249	406,241	406,241	2,962,008	12.06
086	Other Categorical Aid	493,069	42,586	131,440-	624,509	26.66-
090	Sale of Land and Buildings	48,300	48,300	48,300		100.00
092	Other Financing Sources	9,627			9,627	.00

County of Roanoke, Virginia

Statement of Estimated and Actual Revenues

For the 02 Month Period Ended 08/31/06

Fund 100 General Fund	Budget	Monthly Revenues	Year to Date Revenues	Unrealized Balance	Year to Date Revenues as a % of Budget
093 Transfers	3,596,068	308,671	342,952	3,253,116	9.54

County of Roanoke, Virginia

Statement of Estimated and Actual Revenues

For the 02 Month Period Ended 08/31/06

Fund 100 General Fund	Budget	Monthly Revenues	Year to Date Revenues	Unrealized Balance	Year to Date Revenues as a % of Budget
Grand Totals	165,083,913	5,609,985	7,943,278	157,140,635	4.81

Report Parameters

Fiscal Month Entered: 02

Report Date Entered: 08/31/06

Fiscal Year Ending Entered: 2,007

PUBLIC SAFETY CENTER BUILDING PROJECT
BUDGET REPORT
COUNTY OF ROANOKE, VIRGINIA

Date	Description		Northrop-Grumman Contract Amount	Contingency
12/03/04	Opening Balance		$ 26,030,769	$ 780,817
01/27/05	Change Order (001)		21,065	(21,065)
01/27/05	Change Order (002)	*	53,835	-
01/28/05	Progress Payment #1		(1,456,157)	-
02/24/05	Progress Payment #2		(403,222)	-
03/24/05	Progress Payment #3		(375,678)	-
05/13/05	Progress Payment #4		(855,272)	-
06/10/05	Progress Payment #5		(401,210)	-
06/20/05	Change Order (003) - Establish Guaranteed Maximum Price		(51,387)	51,387
06/28/05	Change Order (004) - Foundation change		319,034	(319,034)
07/14/05	Progress Payment #6		(378,417)	-
07/27/05	Progress Payment #7		(445,669)	-
08/10/05	Progress Payment #8		(759,513)	-
08/23/05	Change Order (005) - Sewer Line Replacement		124,407	(124,407)
10/05/05	Progress Payment #9		(774,442)	-
10/13/05	Change Order (006) - Convert Citations and Warrants Databases		no cost	-
10/20/05	Progress Payment #10		(664,909)	-
12/08/05	Progress Payment #11		(1,196,297)	-

Date	Description	Northrop-Grumman Contract Amount	Contingency
12/08/05	Change Order (007) - Minor Changes to Radio Equipment	no cost	-
12/08/05	Change Order (008) - Additional conduits for redundant 911 feed	no cost	-
12/08/05	Change Order (009) - Regrading slope from road cut south side of Cove Road	3,737	(3,737)
12/08/05	Change Order (010) - Coordination of sewer line with Glen Cove School water line	no cost	-
12/28/05	Progress Payment #12	(1,130,054)	-
01/03/06	Change Order (011) - Refrigerated storage for evidence storage	24,621	(24,621)
01/20/06	Change Order (012) - Modifications to voice radio transition plan (cost offset by E911 funds)	84,060	-
02/02/06	Progress Payment #13	(1,099,134)	-
03/09/06	Progress Payment #14	(1,164,468)	-
04/05/06	Progress Payment #15	(1,464,883)	-
04/18/06	Change Order (013) - Extension of 8" Fire Service Line to rear property line	no cost	-
04/20/06	Progress Payment #16	(1,671,792)	-
06/01/06	Progress Payment #17	(1,307,330)	-
06/15/06	Progress Payment #18	(1,902,683)	-
06/21/06	Change Order (014) - Modifications to IT Carpet Squares, DAC ES Cards & Console Upgrades	4,823	(4,823)

Date	Description	Northrop-Grumman Contract Amount	Contingency
06/21/06	Change Order (015) - Utility/Permit Allowance for WVWA new Fire Hydrang Fee	no cost	-
07/20/06	Change Order (016) - Additional security features and office space addition to Police Evidence Storage area	31,723	(31,723)
07/20/06	Change Order (017) - Addition of EIFS material to roof screens for improved appearance and additional electrical boxes in Police Polygraph area	49,085	(49,085)
07/27/06	Progress Payment #19	(1,592,012)	-
09/13/06	Change Order (018) - Increase in size and structural support for Police records section, addition of plumbing in Police forensics section, deletion of transformer structure and additional WAN links for communications redundancy	8,090	(8,090)
Balance at September 26, 2006		$ 7,660,720	$ 245,619

• The funds to be used for change order #002 were taken from departmental E911 funds.

Submitted By,
Dan O'Donnell
Asst. County Administrator

Approved By,
Elmer Hodge
County Administrator

PUBLIC SAFETY CENTER BUILDING PROJECT
CHANGE ORDER REPORT
COUNTY OF ROANOKE, VIRGINIA

Change Order Number	Date Approved	Description of Change Order	Amount
001	January 27, 2005	6 GHz Microwave and Vinton Related Costs	$ 21,065
002	January 27, 2005	Delete several CAD servers, add CAD and related CAD software (paid from departmental E911 funds)	53,835
003	June 20, 2005	Establish Guaranteed Maximum Price (GMP)	(51,387)
004	June 28, 2005	Revised foundation due to soft soils	319,034
005	August 23, 2005	Replace the sanitary sewer line	124,407
006	October 13, 2005	Convert Citations and Warrants Databases for new CAD System	no cost
007	December 8, 2005	Minor changes to Radio Equipment specifications	no cost
008	December 8, 2005	Additional conduits for redundant 911 feed	no cost
009	December 8, 2005	Regrading slope from road cut south side of Cove Road	3,737
010	December 8, 2005	Coordination of sewer line with Glen Cove School water line	no cost
011	January 3, 2006	Changes to the Evidence Storage Room	24,621
012	January 20, 2006	Modifications to voice radio transition plan (cost offset by E911 funds)	84,060
013	April 18, 2006	Extension of 8" Fire Service Line across site	no cost
014	June 21, 2006	Modifications to IT carpet squares, DAC ES Cards, & Console Upgrades	4,823

Change Order Number	Date Approved	Description of Change Order	Amount
015	June 21, 2006	Allocation of funds from Utility/Permit Allowance for WVWA new Fire Hydrant Use Fee	no cost
016	July 20, 2006	Additional security features and office space addition to Police Evidence Storage area	31,723
017	July 20, 2006	Addition of EIFS material to roof screens for improved appearance and additional electrical boxes in Police Polygraph area	49,085
018	September 13, 2006	Increase in size and structural support for Police records section, addition of plumbing in Police forensics section, deletion of transformer structure and additional WAN links for communications redundancy	8,090
Total as of September 26, 2006			$ 673,093

Submitted By,
Dan O'Donnell
Asst. County Administrator

Approved By,
Elmer Hodge
County Administrator

N-9

County of Roanoke

Proclamation

DECLARING OCTOBER 1 THROUGH 7, 2006, AS
MENTAL ILLNESS AWARENESS WEEK
IN THE COUNTY OF ROANOKE

WHEREAS, mental health is essential to good health and every individual, family and community must understand that mental health is a necessary part of overall health care and suicide prevention must be increased by reducing the stigma of seeking care; and

WHEREAS, it is essential to eliminate disparities in mental health care by promoting well-being for all, regardless of race, ethnicity, language, place of residence or age and ensure equity of access, delivery of services and improvement of outcomes, through public and private partnership to ensure culturally competent care to all; and

WHEREAS, individuals and families must have the necessary information and the opportunity to exercise choice over their care decisions, including individualized plans of care, expanded supported employment, enhanced rights protections, better criminal and juvenile justice diversion and re-entry programs, improved access to housing, and an end to chronic homelessness; and

WHEREAS, every individual must have the opportunity for early and appropriate mental health screening, assessment and referral to treatment; and

WHEREAS, adults and children with mental illness must have ready access to evidence-based best treatments, services and supports leading to recovery; and

WHEREAS, the mental health system must provide consumers, providers and the public with quality, accessible and accountable information supporting improved care.

NOW, THEREFORE, I, Michael A. Wray, Chairman, of the Board of Supervisors of Roanoke County, Virginia, do hereby proclaim October 1 through 7, 2006, as MENTAL ILLNESS AWARENESS WEEK throughout the County of Roanoke to increase public awareness of mental illness to promote greater access to effective treatments for those who suffer from the potentially disabling symptoms of these disorders.

Diane S. Childers
Diane S. Childers, Clerk

Michael A. Wray
Michael A. Wray, Chairman

Elmer Hodge
Elmer C. Hodge, County Administrator

N-9

County of Roanoke

Proclamation

DECLARING SEPTEMBER 25, 2006, AS
FAMILY DAY — A DAY TO EAT DINNER WITH YOUR CHILDREN
IN THE COUNTY OF ROANOKE

WHEREAS, the use of illegal drugs and the abuse of alcohol and nicotine constitutes the greatest threats to the well-being of America's children; and

WHEREAS, surveys conducted by The National Center on Addiction and Substance Abuse at Columbia University have found that children and teenagers who routinely eat dinner with their families are less likely to use illegal drugs, alcohol, and cigarettes; and

WHEREAS, these surveys found that teenagers who rarely eat dinner with their families are 72 percent more likely than the average teenager to use illegal drugs, alcohol, and cigarettes; and

WHEREAS, teenagers who almost always eat dinner with their families are 31 percent less likely than the average teenager to use illegal drugs, alcohol, and cigarettes; and

WHEREAS, the correlation between family dinners and reduced risk for teen substance abuse are well documented, and parental influence is known as one of the most crucial factors in determining the likelihood of substance abuse by teenagers; and

WHEREAS, Family Day, which was established in 2001 by the National Center on Addiction and Substance Abuse at Columbia University and is celebrated on the fourth Monday of September, emphasizes the importance of regular family activities in parent-child communication and encourages Americans to make family dinners a regular feature of their lives.

NOW THEREFORE, I, Michael A. Wray, Chairman of the Board of Supervisors of Roanoke County, Virginia, do hereby proclaim and recognize September 25, 2006, as FAMILY DAY — A DAY TO EAT DINNER WITH YOUR CHILDREN in the County of Roanoke; and

FURTHER, urge all citizens to observe Family Day by making family dinners a regular part of their children's lives.

Diane S. Childers
Diane S. Childers, Clerk

Michael A. Wray
Michael A. Wray, Chairman

Elmer Hodge
Elmer C. Hodge, County Administrator

ACTION NO. _____

ITEM NO. P-1

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROANOKE COUNTY, VIRGINIA HELD AT THE ROANOKE COUNTY ADMINISTRATION CENTER

MEETING DATE: September 26, 2006

AGENDA ITEM: Work session to present initial findings with respect to the Parks, Recreation and Tourism Master Plan

SUBMITTED BY: Pete Haislip
Director of Parks, Recreation and Tourism

APPROVED BY: Elmer C. Hodge ECH
County Administrator

COUNTY ADMINISTRATOR'S COMMENTS:

SUMMARY OF INFORMATION:

This work session is the first of two which been scheduled to receive recommendations for the priority projects identified in the draft of the Parks, Recreation and Tourism Master Plan. Leon Younger, PROS Consulting, will present the key findings to the Board. Mr. Younger will review the top recommendations which include the following: a multi-generational indoor recreation center, greenways and trails, land acquisition for passive recreation areas, and a sports complex. These priorities were identified through information obtained at seven community meetings, 10 focus groups, stakeholder interviews, and a comprehensive County-wide community attitude and interest survey.

The following recommendations will be discussed at the work session:

Multi-generational indoor recreation center: proposed location, size of the building, square footage of major program components, pricing, yearly operating costs, and cost of construction.

Greenways and trails: strategies for expansion of greenways and trails throughout Roanoke County and as part of the regional greenway system.

Land acquisition: identify current deficits in land for passive recreation areas based on existing inventory and proposed standards, as well as identify priority locations for acquisition opportunities.

Sports complex: feasibility study results regarding need, location, and potential costs and revenues.

Q

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROANOKE COUNTY, VIRGINIA, HELD AT THE ROANOKE COUNTY ADMINISTRATION CENTER ON TUESDAY, SEPTEMBER 26, 2006

RESOLUTION CERTIFYING THE CLOSED MEETING WAS HELD IN CONFORMITY WITH THE CODE OF VIRGINIA

WHEREAS, the Board of Supervisors of Roanoke County, Virginia has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the Board of Supervisors of Roanoke County, Virginia, that such closed meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Roanoke County, Virginia, hereby certifies that, to the best of each members knowledge:

1. Only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting which this certification resolution applies, and

2. Only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board of Supervisors of Roanoke County, Virginia.

PETITIONER: **Wayne Fralin**
CASE NUMBER: **22-9/2006**

Planning Commission Hearing Date: November 7, 2006 (continued from September 5, 2006)

Board of Supervisors Hearing Date: November 14, 2006 (continued from September 26, 2006)

A. REQUEST

The petition of Wayne Fralin to obtain a Special Use Permit for the construction of a mini-warehouse facility on 14.559 acres, located at 5627 Williamson Road and Florist Road, Hollins Magisterial District.

B. CITIZEN COMMENTS

No citizens spoke in favor of or against the petition at the public hearing.

Citizen comments were made at a community meeting held on August 29, 2006, concerning moving the building backing to Florist Road forward into the complex to retain additional trees and to increase the buffer along Florist Road, and concerning the configuration of the vehicle storage parking spaces for large vehicles with limited turning radii.

C. SUMMARY OF COMMISSION DISCUSSION

The Planning Commission motioned to postpone the application until the October 3rd meeting to give the applicant an opportunity to resolve two issues and to show how the issues were addressed on the Preliminary Site Plan:

1. Increase the setback along Florist Road to a minimum of 45 feet which would move the building backing to Florist Road into the site 10 feet and would increase the buffer between the building and Florist Road; and
2. Determine the most effective means of buffering the residences along Bonhill Drive from the outdoor storage area by either:
   a. Complying with Condition 2; or
   b. Moving the building backing to the Bonhill Drive residences into the site 10 feet and planting a double row of dense evergreen trees (such as Leyland Cypress) in the new 10-foot-wide space created behind the building.

The Planning Commission also requested a detail of the proposed sign and other outstanding information requested by staff.

D. CONDITIONS

1. The site shall be developed in substantial conformance with the Preliminary Site Plan for Wayne Fralin, Safe Place Storage Units, dated August 30, 2006; and
2. Additional evergreen screening, such as Leyland Cypress, shall be planted on the interior of the complex along the edge of the vehicle storage area closest to the Bonhill Drive residences in order to screen stored vehicles from the residences.

E. COMMISSION ACTION

Mr. Jarrell made the motion to continue the petition until October 3, 2006 PCPH. Motion carried 5-0. **The applicant has requested that the petition be continued until November 7, 2006.**

F. DISSENTING PERSPECTIVE

G. ATTACHMENTS:

__ Concept Plan __ Vicinity Map
__ Staff Report __ Other

Philip Thompson, Secretary
Roanoke County Planning Commission

Wayne Fralin
5627 Williamson Road
Roanoke, VA 24012

Phillip Thompson,
Planning Commission Secretary
Roanoke County, Virginia

September 19, 2006

Mr. Thompson,

I am requesting a postponement of the storage facility application by the Roanoke County Planning Commission until it's meeting on November 7, 2006.

Thank you,

Wayne Fralin, Applicant
A Safe Place Self Storage

STAFF REPORT

Petitioner:	Wayne Fralin, Owner/Applicant 408 Wendover Road Daleville, Virginia 24083
Request:	Special Use Permit for a Mini-Warehouse Facility in the C-2 General Commercial District
Location:	5627 Williamson Road and Florist Road
Magisterial District:	Hollins
Suggested Conditions:	1) The site shall be developed in substantial conformance with the Preliminary Site Plan for Wayne Fralin, Safe Place Storage Units, dated August 30, 2006; and 2) Additional evergreen screening, such as Leyland Cypress, shall be planted on the interior of the complex along the edge of the vehicle storage area closest to the Bonhill Drive residences in order to screen stored vehicles from the residences.

EXECUTIVE SUMMARY:

A mini-warehouse (self-storage) facility is proposed to span five parcels zoned C-2 General Commercial District. Six storage buildings and an office building are planned for the site with vehicle storage located between the buildings.

The Roanoke County Community Plan Future Land Use Map designates the subject property as "Core". As a commercial property on a major road (Williamson Road, Route 11), the proposal meets the "Core" definition. Staff concludes that the proposal is in conformance with the Community Plan.

The application meets the requirements of the Zoning Ordinance. Staff endorses a favorable recommendation to the Board of Supervisors, with suggested conditions.

1. APPLICABLE REGULATIONS

The subject parcels are zoned C-2 General Commercial District. The requested commercial mini-warehouse use is permitted with a Special Use Permit in the C-2 district (Section 30-54-2(B)(2)). Additional standards apply for mini-warehouses (Section 30-85-19).

2. ANALYSIS OF EXISTING CONDITIONS

Background

Five parcels measuring 14.559 acres comprise the subject site. Two small parcels front on Williamson Road, two larger parcels front on Florist Road and the remaining large parcel has access from Hazelridge Road. All of the parcels are vacant except for one which is partially developed by three commercial structures. Rough gravel roads remain from when portions of the site were used as a trailer park.

Topography/Vegetation

The site has a rolling topography with some low points. At least 50 percent of the property is wooded, with significant vegetation along Florist Road. The perimeter of the site is wooded except for along the property line adjacent to the Roanoke Mental Hygiene Service and along the

rear of the adjacent residential properties on Bonhill Road.

Surrounding Neighborhood
The site is bordered by mostly single-family detached residences and a few commercial properties across Florist Road to the northeast, the City boundary and single-family detached homes fronting on Bonhill Road and Florist Road to the southeast, the Roanoke Mental Hygiene Service to the south, commercial businesses fronting Williamson Road to the west and vacant commercial parcels and Affordable Efficiency Inns to the north.

3. ANALYSIS OF PROPOSED DEVELOPMENT

Site Layout – The applicant proposes six storage buildings on the site with large, striped parking spaces in the center of the site for outdoor storage of boats, recreational vehicles and other vehicles. Four of the buildings will be grouped together on the west side of the site, near the commercial properties along Williamson Road. These buildings will have 226 units and will be configured with exterior doors for drive-up loading and unloading. The remaining two buildings will be air conditioned and will back to Florist Road and to the residences along Bonhill Road. A total of 228 air conditioned storage units will be provided with either exterior access or interior access through a hallway. The six buildings will measure 65,200 square feet and will contain 454 storage units ranging in size from five feet by five feet to 10 feet by 30 feet. A six-foot-tall brick pier and iron security fence will surround and connect to the buildings to create a secure complex. Two keypad-access entrance gates, one for the Williamson Road entrance and one for the Florist Road entrance, will be located adjacent to the proposed office building. A dumpster pad and enclosure are proposed for the southeast corner of the site.

Architecture – The storage buildings will measure eight feet six inches tall at the front and nine feet four inches tall at the back of the structures. Wall pack lights will be located above the storage unit doors. The color palette proposed is neutral with a sandstone color for the structure and a dark green color for the doors.

Landscaping – A 30-foot-wide "Screen C" buffer is planned between the storage building and the property line adjacent to the residences. From the property line, a double row of shrubs will be planted backed by deciduous trees and a six-foot-tall masonry and wrought-iron screening fence.

A 10-foot-wide buffer of evergreen trees and evergreen shrubs is proposed against the Roanoke Mental Hygiene Service property. Deciduous trees will also be planted outside the 10-foot-wide buffer on the subject property.

The buffer along Florist Road will measure 35 feet and will include retained existing vegetation supplemented with new deciduous trees.

Other stands of trees will also be retained on the northern end of the site, and deciduous trees are proposed to fill in the gaps between the security fence and the property boundary. The proposed retention basin at the northeast corner of the site near the Florist Road entrance will also be surrounded by a double row of shrubs.

Access/Traffic Circulation – The mini-warehouses can be accessed by either Williamson Road or by Florist Road. Right turn tapers and turn lanes are planned for both entrances. Cut-through traffic from both roads will be discouraged with curbing and landscaping crossing the driveway to direct drivers to the facility gates. Utilizing the ITE Trip Generation Manual to estimate mini-warehouse trip generation rates, staff estimates the facility will generate the following vehicle

trips based upon the building square footage:

Weekday Trips – 163 vehicle trips
Weekday Morning Peak Hour (between 7 and 9 a.m.) – 10 vehicle trips
Weekday Evening Peak Hour (between 4 and 6 p.m.) – 17 vehicle trips

Fire & Rescue/Utilities – The site can be accessed by Fire and Rescue. Utilities are available to serve the property. The project should minimally impact these services.

4. CONFORMANCE WITH ROANOKE COUNTY COMMUNITY PLAN

The Future Land Use Map identifies the subject parcels as Core, where "high intensity urban development is encouraged... Core areas may also be appropriate for larger-scale highway-oriented retail uses and regionally-based shopping facilities." The proposal is a larger-scale commercial project, encompassing over 14 acres, in comparison to most of the other commercial properties in the area that are situated on lots measuring about one acre or less. A mini-warehouse is also well-suited to be located in close proximity to a highway or major road, such as Williamson Road (Route 11). Staff concludes that the proposal is in conformance with the Roanoke County Community Plan.

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5. STAFF CONCLUSIONS

A community meeting was held on August 29, 2006 at the Hollins Fire Station. The attendees asked questions and made comments pertaining to:

- Configuration of the vehicle storage parking spaces for large vehicles with limited turning radii; and
- Moving the building backing to Florist Road forward into the complex to retain additional trees and to increase the buffer along Florist Road.

The proposed application conforms with the Zoning Ordinance and the Community Plan. Staff is concerned, however, about the view of the storage facility from the Bonhill Drive residences. The homes sit high enough above the subject site that, until the proposed deciduous trees mature, residents should be able to see over the proposed buffer, screening fence and storage building to view the outdoor vehicle storage area. Staff recommends that additional evergreen screening, such as Leyland Cypress, be planted on the interior of the complex along the edge of the vehicle storage area closest to the Bonhill Drive residences in order to screen stored vehicles from the residences.

CASE NUMBER: 22-9/2006
PREPARED BY: Megan G. Cronise
HEARING DATES: PC: September 5, 2006 BOS: September 26, 2006
ATTACHMENTS: Zoning Map
Future Land Use Map
Application
C-2 General Commercial District Regulations
Mini-Warehouse Use and Design Standards

PZ-060183 |

County of Roanoke
Community Development
Planning & Zoning

5204 Bernard Drive
P O Box 29800
Roanoke, VA 24018-0798
(540) 772-2068 FAX (540) 776-7155

For Staff Use Only

Date received: 7/21/06	Received by: TWW
Application fee: # 40	PC/~~BZA~~ date: 9/5/06
Placards issued:	BOS date: 9/26/06
Case Number 22-9/2006	

ALL APPLICANTS

Check type of application filed (check all that apply)
☐ **Rezoning** ☒ **Special Use** ☐ **Variance** ☐ **Waiver** ☐ **Administrative Appeal** ☐ **Comp Plan (15.2-2232) Review**

CONTACT: Richard White 345-0675 LMW, PC

Applicants name/address w/zip
Wayne Fralin
408 Wendover Road
Daleville, VA. 24083

Phone: 777-1750
Work:
Cell #:
Fax No.: 777-1753

Owner's name/address w/zip
Wayne Fralin
408 Wendover Road
Daleville, VA. 24083

Phone #: 777-1750
Work:
Fax No. #: 777-1753

Property Location
5627 Williamson Road
Roanoke, VA.

Magisterial District: Hollins
Community Planning area:

Tax Map No.: 038.10-07-38+39.00-0000
038.10-07-25.00-0000 (Part)
038.10-07-19+20.00-0000

Existing Zoning: C-2

Size of parcel(s): Acres: ~~14.76~~ 14.559

Existing Land Use: Vacant

***REZONING, SPECIAL USE PERMIT, WAIVER AND COMP PLAN (15.2-2232) REVIEW APPLICANTS* (R/S/W/CP)**

Proposed Zoning: C-2
Proposed Land Use: Self Storage

Does the parcel meet the minimum lot area, width, and frontage requirements of the requested district?
(Yes) No **IF NO, A VARIANCE IS REQUIRED FIRST.**
Does the parcel meet the minimum criteria for the requested Use Type? (Yes) No
IF NO, A VARIANCE IS REQUIRED FIRST
If rezoning request, are conditions being proffered with this request? Yes No

VARIANCE, WAIVER AND ADMINISTRATIVE APPEAL APPLICANTS (V/W/AA)

Variance/Waiver of Section(s) _____ of the Roanoke County Zoning Ordinance in order to:
_____.
Appeal of Zoning Administrator's decision to _____.
Appeal of Interpretation of Section(s):_____ of the Roanoke County Zoning Ordinance
Appeal of Interpretation of Zoning Map to _____.

Is the application complete? Please check if enclosed. **APPLICATION WILL NOT BE ACCEPTED IF ANY OF THESE ITEMS ARE MISSING OR INCOMPLETE.**

R/S/W/CP	V/AA		R/S/W/CP	V/AA		R/S/W/CP	V/AA	
✓		Consultation	✓		8 1/2" x 11" concept plan	✓		Application fee
✓		Application	✓	■	Metes and bounds description		■	Proffers, if applicable
✓		Justification	✓	■	Water and sewer application	✓		Adjoining property owners

I hereby certify that I am either the owner of the property or the owner's agent or contract purchaser and am acting with the knowledge and consent of the owner.

✓ Wayne Fralin Owner's Signature

JUSTIFICATION FOR REZONING, SPECIAL USE PERMIT WAIVER OR COMP PLAN (15.2-2232) REVIEW REQUESTS

Applicant Dr. Wayne Fralin

The Planning Commission will study rezoning, special use permit waiver or community plan (15.2-2232) review requests to determine the need and justification for the change in terms of public health, safety, and general welfare. Please answer the following questions as thoroughly as possible. Use additional space if necessary.

Please explain how the request furthers the purposes of the Roanoke County Ordinance as well as the purpose found at the beginning of the applicable zoning district classification in the Zoning Ordinance.

The mini-warehouse will be located in an area adjacent to Williamson Road, Arterial STreet System, and Florist Road. The facility will be screened from surrounding neighborhoods by the required buffer zone and landscaping. The project will be low profile, clean with very little noise.

Please explain how the project conforms to the general guidelines and policies contained in the Roanoke County Community Plan.

The property is designated Core by the 2005 Future Land Use Map. This project fits within the land use determinations of the Core designation: Areas of existing and future commercial uses, serviced by an Arterial Street System and in close proximity to populated areas.

Please describe the impact(s) of the request on the property itself, the adjoining properties, and the surrounding area, as well as the impacts on public services and facilities, including water/sewer, roads, schools, parks/recreation and fire and rescue.

The property will be utilized for the storage of personal property, boats, trailers and recreational vehicles. Since there will not be permanent housing on site, there will be minimal impact on public utilities, roads, schools and parks/recreational facilities. The proposed structures will be constructed of metal and concrete and therefore, should not have any negative impact on fire/rescue services.

Community Development Planning & Zoning Division

NOTICE TO APPLICANTS FOR REZONING, SUBDIVISION WAIVER, PUBLIC STREET WAIVER, OR SPECIAL USE PERMIT PETITION

PLANNING COMMISSION APPLICATION ACCEPTANCE PROCEDURE

The Roanoke County Planning Commission reserves the right to continue a Rezoning, Subdivision Waiver, Public Street Waiver or Special Use Permit petition if new or additional information is presented at the public hearing. If it is the opinion of the majority of the Planning Commissioners present at the scheduled public hearing that sufficient time was not available for planning staff and/or an outside referral agency to adequately evaluate and provide written comments and suggestions on the new or additional information prior to the scheduled public hearing then the Planning Commission may vote to continue the petition. This continuance shall allow sufficient time for all necessary reviewing parties to evaluate the new or additional information and provide written comments and suggestions to be included in a written memorandum by planning staff to the Planning Commission. The Planning Commission shall consult with planning staff to determine if a continuance may be warranted.

POTENTIAL OF NEED FOR TRAFFIC ANALYSES AND/OR TRAFFIC IMPACT STUDY

The Roanoke County Planning Commission reserves the right to continue a Rezoning, Subdivision Waiver, Public Street Waiver, or Special Use Permit petition if the County Transportation Engineering Manager or staff from the Virginia Department of Transportation requests further traffic analyses and/or a traffic impact study that would be beneficial in making a land use decision (*Note: a list of potential land uses and situations that would necessitate further study is provided as part of this application package*).
This continuance shall allow sufficient time for all necessary reviewing parties to evaluate the required traffic analyses and/or traffic impact study and to provide written comments and/or suggestions to the planning staff and the Planning Commission. If a continuance is warranted, the applicant will be notified of the continuance and the newly scheduled public hearing date.

Effective Date: April 19, 2005

WAYNE FRALIN
Name of Petition

Wayne Fralin
Petitioner's Signature

7/26/06
Date

CONCEPT PLAN CHECKLIST

A concept plan of the proposed project must be submitted with the application. The concept plan shall graphically depict the land use change, development or variance that is to be considered. Further, the plan shall address any potential land use or design issues arising from the request. In such cases involving rezonings, the applicant may proffer conditions to limit the future use and development of the property and by so doing, correct any deficiencies that may not be manageable by County permitting regulations.

The concept plan should not be confused with the site plan or plot plan that is required prior to the issuance of a building permit. Site plan and building permit procedures ensure compliance with State and County development regulations and may require changes to the initial concept plan. Unless limiting conditions are proffered and accepted in a rezoning or imposed on a special use permit or variance, the concept plan may be altered to the extent permitted by the zoning district and other regulations.

A concept plan is required with all rezoning, special use permit, waiver, community plan (15.2-2232) review and variance applications. The plan should be prepared by a professional site planner. The level of detail may vary, depending on the nature of the request. The County Planning Division staff may exempt some of the items or suggest the addition of extra items, but the following are considered minimum:

ALL APPLICANTS

✓ a. Applicant name and name of development

✓ b. Date, scale and north arrow

N/A c. Lot size in acres or square feet and dimensions

✓ d. Location, names of owners and Roanoke County tax map numbers of adjoining properties

✓ e. Physical features such as ground cover, natural watercourses, floodplain, etc.

✓ f. The zoning and land use of all adjacent properties

✓ g. All property lines and easements

✓ h. All buildings, existing and proposed, and dimensions, floor area and heights

✓ i. Location, widths and names of all existing or platted streets or other public ways within or adjacent to the development

✓ j. Dimensions and locations of all driveways, parking spaces and loading spaces

Additional information required for REZONING and SPECIAL USE PERMIT APPLICANTS

✓ k. Existing utilities (water, sewer, storm drains) and connections at the site

✓ l. Any driveways, entrances/exits, curb openings and crossovers

✓ m. Topography map in a suitable scale and contour intervals

___ n. Approximate street grades and site distances at intersections

✓ o. Locations of all adjacent fire hydrants

___ p. Any proffered conditions at the site and how they are addressed

N/A q. If project is to be phased, please show phase schedule

I certify that all items required in the checklist above are complete.

Wayne Fralin
Signature of applicant

1/20/06
Date

Western Virginia Water Authority
Water/Sewer Availability Application

Date: 07/18/2006

Applicant: WAYNE FRALIN

Mailing Address: 408 WENDOVER ROAD
DALEVILLE, VA. 24083

Phone: 777-1750

Cell: _____

Fax: 777-1753

Property Address: 5627 WILLIAMSON ROAD

City or County: ROANOKE

Tax Map Number(s): 038.10-07-25.00-0000

Development (Subdivision) Name: SAFE PLACE STORAGE

Single Residential, Duplex, Multi-Residential, Subdivision, or Commercial Facility? COMMERCIAL

Water Meter Size Requested: _____

Sewer Lateral Size Requested: _____

COMPLETE THE FOLLOWING FOR NON-RESIDENTIAL AND MULTI-RESIDENTIAL SERVICES

Domestic Flow Required? ** _____**GPM**
**** (Attach completed "Sizing Water Service Lines and Meters" Form AND "Non-Residential Sanitary Sewer Checklist", blank forms available on website under "Engineers" section)**

Is Building to be Sprinkled? YES / NO

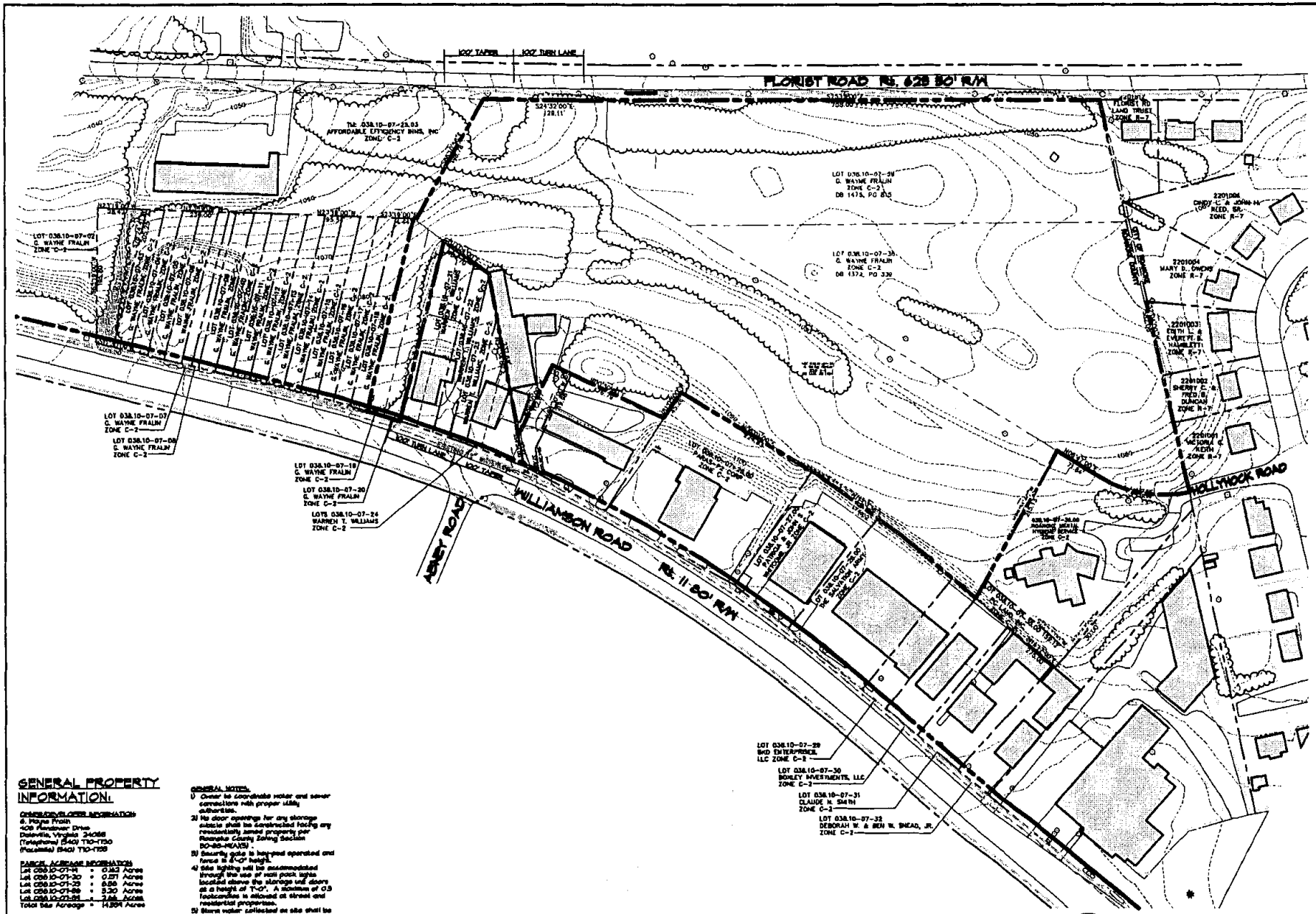
Minimum Fire Flow Required? _____**GPM**

Return to: Jamie Morris, Engineering Coordinator, Phone: 540-853-1588

Via Mail – 601 South Jefferson Street, Suite 300 Roanoke, VA 24011
Fax: 540-853-1017
E-mail: Jamie.morris@westernvawater.org
Website: westernvawater.org

Rev. 1/06/06

Revised 8-30-04



GENERAL PROPERTY INFORMATION:

OWNER/DEVELOPER INFORMATION

G. Wayne Fralin
409 Piedmont Drive
Daleville, Virginia 24083
(Telephone) (540) 110-1750
(Facsimile) (540) 110-1755

PARCEL ACREAGE INFORMATION

Lot 038.10-07-14	=	0.343 Acres
Lot 038.10-07-30	=	0.251 Acres
Lot 038.10-07-29	=	6.56 Acres
Lot 038.10-07-08	=	5.20 Acres
Lot 038.10-07-24	=	2.44 Acres
Total Site Acreage	=	14.804 Acres

PARCEL ZONING INFORMATION

Lot 038.10-07-14	=	C-2
Lot 038.10-07-30	=	C-2
Lot 038.10-07-29	=	C-2
Lot 038.10-07-08	=	C-2
Lot 038.10-07-24	=	C-2

GENERAL NOTES:

1) Owner to coordinate water and sewer connections with proper utility authorities.
2) No door openings for any storage outside shall be constructed facing any residentially zoned property per Roanoke County Zoning Section 30-85-4(A)(5).
3) Security gate to be manual operated and fence is 8'-0" height.
4) Site lighting will be accomodated through the use of wall pack lights located above the storage unit doors at a height of 7'-0". A maximum of 0.5 footcandles is allowed at street and residential properties.
5) Storm water collected on site shall be piped through to the road side ditch along Florist Road.
6) If required by the City of Roanoke, the Owner will provide an easement and/or a maintenance agreement for storm water discharge points.

LMW PC
Engineering
Planning
Surveying
Landscape Design
102 Albermarle Ave
Roanoke, Virginia
24013
www.lmwpc.com
ph: 540.345.0675
fax: 540.342.4436
lmwpc@lmwpc.com

Safe Place Storage Units
PRELIMINARY SITE PLAN
Roanoke County, Virginia

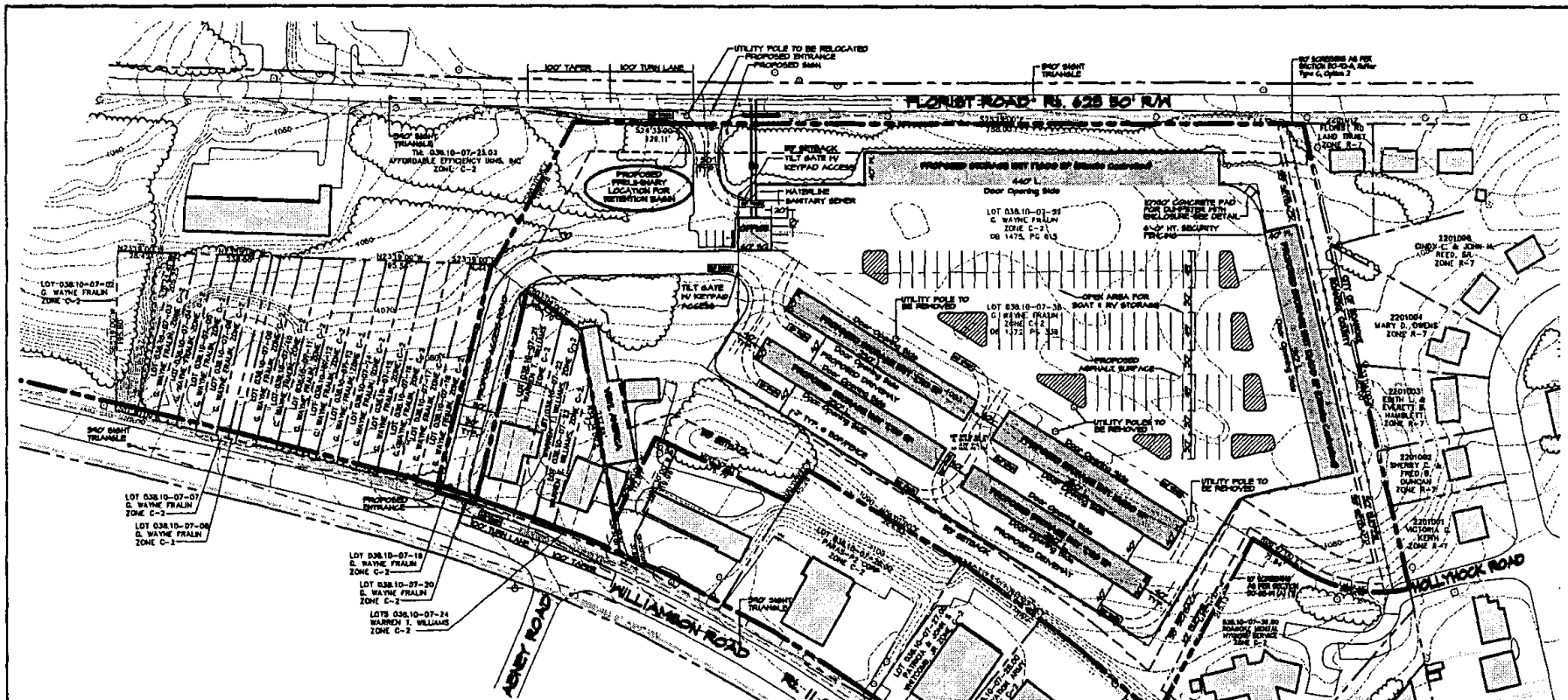
NO.	DATE	DESCRIPTION	BY
1	08/28/08	PER ROANOKE COUNTY COMMENTS	MDH

EXISTING CONDITIONS PLAN

RICHARD C. WHITE
NO. 020031
PROFESSIONAL ENGINEER

Designed By	RCW
Drawn By	WDH/MDH
Checked By	RCW
Approved By	RCW
Submitted By	WDH
Drawing	1154
Date	12/2005
Scale	1" = 60'
Commission No.	3154
Sheet	1 of 1

Revised 8/30/04



GENERAL PROPERTY INFORMATION:

OWNER/DEVELOPER INFORMATION
B. Hope Frale
409 Rainbow Drive
Gladstone, Virginia 24055
(Telephone) (540) 710-1750
(Facsimile) (540) 710-1755

PARCEL ACREAGE INFORMATION
Lot 038.10-07-19 = 0.92 Acres
Lot 038.10-07-20 = 0.91 Acres
Lot 038.10-07-25 = 0.38 Acres
Lot 038.10-07-26 = 0.30 Acres
Lot 038.10-07-29 = 2.14 Acres
Total Site Acreage = 14.384 Acres

PARCEL ZONING INFORMATION
Lot 038.10-07-19 = C-2
Lot 038.10-07-20 = C-2
Lot 038.10-07-25 = C-2
Lot 038.10-07-26 = C-2
Lot 038.10-07-29 = C-2

GENERAL NOTES:
1) Owner to coordinate water and sewer connections with proper utility authorities.
2) No door openings for any storage cubicle shall be constructed facing any residentially zoned property per Roanoke County Zoning Section 30-69-M(A)(5).
3) Security gate to be keypad operated and fence is 6'-0" height.
4) Site lighting will be accomodated through the use of roof pack lights located above the storage unit doors at a height of 7'-0". A maximum of 0.0 footcandles is allowed at street and residential properties.
5) Storm water collected on site shall be piped through to the road side ditch along Florist Road.
6) If required by the City of Roanoke, the Owner will provide an easement and/or a maintenance agreement for storm water discharge points.

DEVELOPMENT INFORMATION:

PROPOSED USE
Safe Place Storage (Self Storage Units)
Hours Of Operation: 7
Number Of Employees/Day: 1

PROPOSED STORAGE UNITS
3 - 250' x 30' Buildings (22500 SF) = 63 Units
1 - 280' x 30' Buildings (7200 SF) = 24 Units
1 - 280' x 40' Buildings (10400 SF) = 96 Units
1 - 190' x 40' Buildings (13400 SF) = 84 Units
1 - 440' x 40' Buildings (17600 SF) = 80 Units
Total Storage Units (68800 SF) = 443 Units

SITE INFORMATION
Total Site Acreage: 14.384 Acres
Total Disturbed Area Acreage: 7 Acres

ZONING SITE REQUIREMENTS
Maximum Lot Coverage Percentage Allowed: 40%
Proposed Lot Coverage Percentage: 32%

Maximum Building Coverage Percentage: 30%
Proposed Building Coverage Percentage: 12%

Maximum Building Height Allowed: 45'
Proposed Building Height: Front 31'-6" Ht. & Back 17'-4" Ht.

ZONING SETBACK REQUIREMENTS
Front Setback: 50'
Side Setback: NONE
Rear Setback: 15'

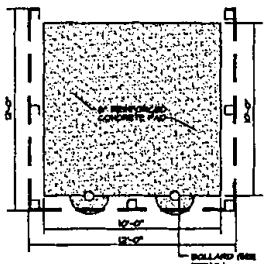
ZONING PARKING REQUIREMENTS
Self Storage: 1 Spaces / Employee
2 Spaces / First 100 Storage Units
1 Spaces / Each Additional 100 Units

Office Parking Spaces Required: 1
First 100 Storage Units Parking Spaces Required: 2
Each Additional 100 Units Parking Spaces Required: 4

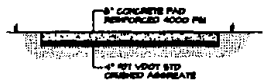
Total Parking Spaces Required: 6
Total Parking Spaces Provided: 7

Total Handicap Spaces Required: 1
Total Handicap Spaces Provided: 1

Total Parking Spaces Provided On Site: 8



CONCRETE DUMPSTER PAD TOP VIEW
NTS



CONCRETE DUMPSTER PAD SECTION VIEW
NTS

102 Absarokee Ave
Roanoke, Virginia
24013
www.lmwpc.com
ph: 540.345.0815
fax: 540.342.4456
lmwpc@mac.com
LMWPC
Engineering
Architecture
Surveying
Landscape Design

Safe Place Storage Units
PRELIMINARY SITE PLAN
Roanoke County, Virginia

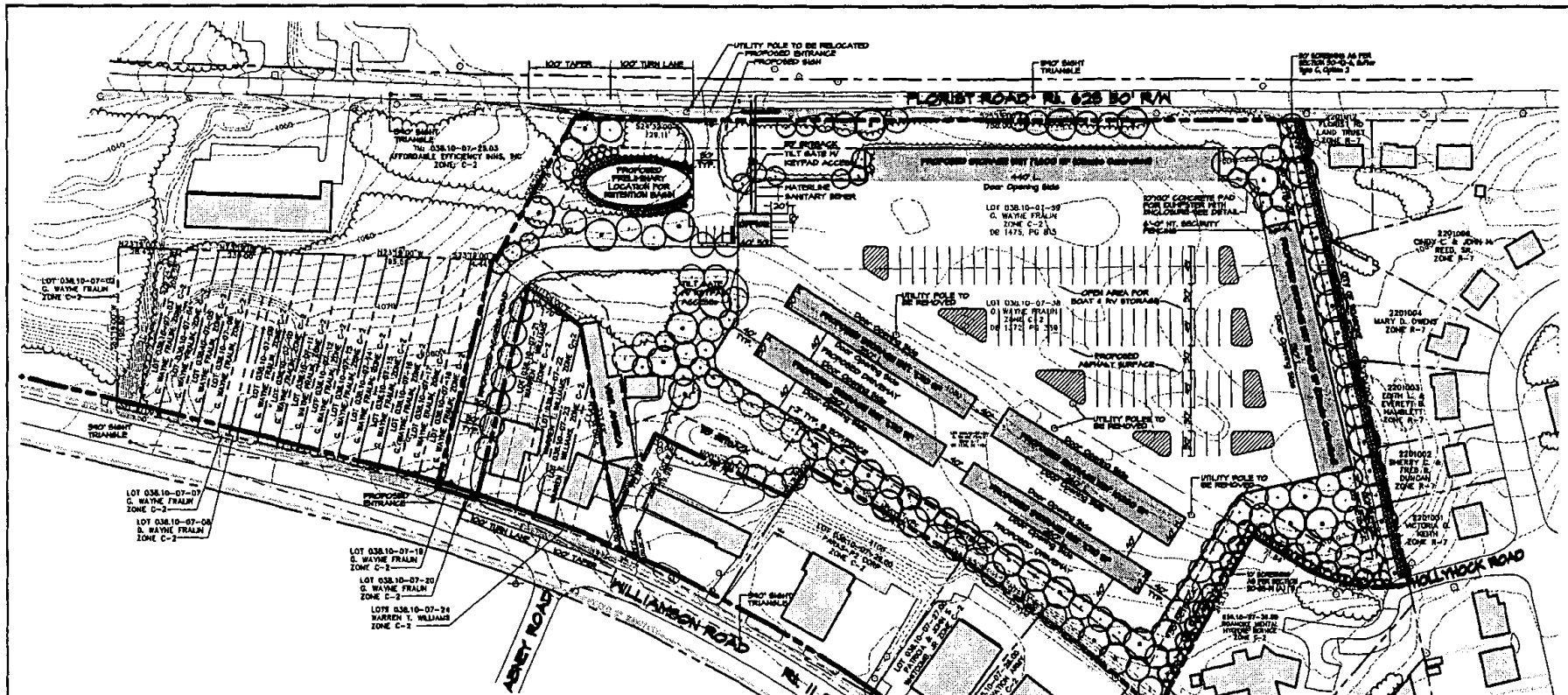
NO.	DATE	DESCRIPTION	BY
1	7/6/04	FOR ROANOKE COUNTY COMMENTS	MBH
2	8/30/04	FOR ROANOKE COUNTY COMMENTS	MBH

PRELIMINARY LAYOUT PLAN

COMMONWEALTH OF VIRGINIA
RICHARD C. WHITE
NO. 020021
PROFESSIONAL ENGINEER

Designed By	RCW
Drawn By	WDH/MBH
Checked By	RCW
Approved By	RCW
Submitted By	WDH
Drawing	3154
Date	12/22/03
Scale	1" = 60'
Commission No.	3154
Sheet	2 of 3

Revised 8/30/04



GENERAL PROPERTY INFORMATION:

OWNER/DEVELOPER DESIGNATION
G. Wayne Fraun
408 Hanover Drive
Daleville, Virginia 24083
(Telephone) (540) 110-1750
(Facsimile) (540) 110-1528

PARCEL ACREAGE INFORMATION
Lot 038.10-07-11 = 0.83 Acres
Lot 038.10-07-20 = 0.97 Acres
Lot 038.10-07-23 = 8.50 Acres
Lot 038.10-07-29 = 3.30 Acres
Lot 038.10-07-31 = 3.84 Acres
Total Site Acreage = 14.394 Acres

PARCEL ZONING INFORMATION
Lot 038.10-07-11 = C-2
Lot 038.10-07-20 = C-2
Lot 038.10-07-23 = C-2
Lot 038.10-07-29 = C-2
Lot 038.10-07-31 = C-2

GENERAL NOTES:

1) Owner to coordinate water and sewer connections with proper utility authorities.
2) No door openings for any storage cubicle shall be constructed facing any residentially zoned property per Roanoke County Zoning Section 30-68-16(A)(5).
3) Security gates to be open operated and fence to 8'-0" height.
4) Site lighting will be accommodated through the use of wall pack lights located above the storage unit doors at a height of 7'-0". A maximum of 0.5 footcandles is allowed at street and residential properties.
5) Storm water collected on site shall be piped through to the road side ditch along Florist Road.
6) If required by the City of Roanoke, the Owner will provide an easement and/or a maintenance agreement for storm water discharge points.

LANDSCAPE INFORMATION:

SITE INFORMATION
Total Site Acreage: 14.394 Acres (627,140.04 SF)
20% Tree Canopy Required: 3.10 Acres (135,028.21 SF)

Existing Preserved Tree Canopy: 46,103.00 SF
Needed Tree Canopy To Meet Requirement: 118,924.21 SF

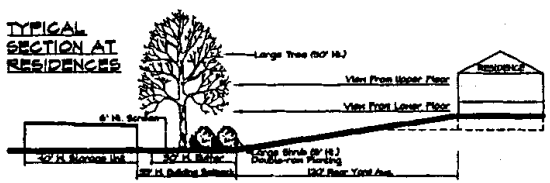
REQUIRED BUFFER AT ADJACENT RESIDENTIAL PROPERTIES
Per Section 30-42-4, Buffer Type C, Option 2 = 583 LF
- 30' Wide Buffer
- 6' Screen (Fence) = 583 LF Fencing
- 1 Large Deciduous Tree / 50 LF = 30 Trees (25,000 SF)
- 4 Shrubs / 10 LF = 233 Shrubs (2,330 SF)

REQUIRED BUFFER AT ADJACENT MEDICAL PROPERTIES
Per Section 30-65-4 = 408 LF
- 10' Wide Buffer
- 1 Large Evergreen Tree = 15 Trees (9,000 SF)
- 4 Evergreen Shrubs / 45 Shrubs (450 SF)

REMAINING REQUIRED TREES FOR CANOPY COVERAGE
Per Section 30-42-4:
- 105 Large Trees = 191,250 SF
- 15 Small Trees = 4,300 SF
- 35 Large Shrubs = 840 SF

Total Proposed Canopy Coverage: 119,940.00 SF
Surplus Canopy Coverage: 126.A SF

TYPICAL SECTION AT RESIDENCES



LMW P.C.
Engineering
Planning
Surveying
Landscape Design
102 Absecon Ave
Roanoke, VA 24014
www.lmwpc.com
ph: 540.345.0875
fax: 540.342.4456
lmwpc@lmwpc.com

Safe Place Storage Units
PRELIMINARY SITE PLAN
Roanoke County, Virginia

NO.	DATE	DESCRIPTION	BY
1	06/29/04	PER ROANOKE COUNTY COMMENTS	MSH
2	08/30/04	PER ROANOKE COUNTY COMMENTS	MSH

PRELIMINARY LANDSCAPE PLAN

RICHARD C. WHITE
NO. 020021

Designed By	RCW
Drawn By	WCH/MSH
Checked By	RCW
Approved By	RCW
Submitted By	WHH
Drawing	3154
Date	12/23/03
Scale	1" = 60'
Commission No.	3154
Sheet	3 of 3

SEC. 30-54. C-2 GENERAL COMMERCIAL DISTRICT.

Sec. 30-54-1. Purpose.

(A) The purpose of this district is to provide locations for a variety of commercial and service related activities within the urban service area serving a community of several neighborhoods or large areas of the county. This district is intended for general application throughout the county. General Commercial Districts are most appropriately found along major arterial thoroughfares which serve large segments of the county's population.

The C-2 district permits a wide variety of retail and service related uses. Land uses permitted in this district are generally consistent with the recommendations set forth in the Transition and Core land use categories of the Comprehensive Development Plan. Site development regulations are designed to ensure compatibility with adjoining land uses.

Sec. 30-54-2. Permitted Uses.

(A) The following uses are permitted by right subject to all other applicable requirements contained in this ordinance. An asterisk (*) indicates additional, modified or more stringent standards are listed in Article IV, Use and Design Standards, for those specific uses.

1. *Residential Uses*

Accessory Apartment •

Home Beauty/Barber Salon •

Home Occupation, Type I *

Multi-Family Dwelling •

Two-Family Dwelling •

2. *Civic Uses*

Administrative Services

Clubs

Cultural Services

Day Care Center •

Educational Facilities, College/University

Educational Facilities, Primary/Secondary •

Family Day Care Home •

Guidance Services

Park and Ride Facility •

Post Office

Public Assembly

Public Parks and Recreational Areas •

Safety Services •

Utility Services, Minor

3. *Office Uses*

Financial Institutions *

General Office

Medical Office

Laboratories

4. *Commercial Uses*

Agricultural Services *

Antique Shops

Automobile Dealership, New *

Automobile Repair Services, Minor *

Automobile Rental/Leasing

Automobile Parts/Supply, Retail •

Bed and Breakfast *

Boarding House

Business Support Services

Business or Trade Schools

Commercial Indoor Entertainment

Commercial Indoor Sports and Recreation

Commercial Outdoor Entertainment

Commercial Outdoor Sports and Recreation

Communications Services

Construction Sales and Services *

Consumer Repair Services

Funeral Services

Garden Center *

Gasoline Station •

Hospital

Hotel/Motel/Motor Lodge

Kennel, Commercial •

Pawn Shop

Personal Improvement Services

Personal Services

Restaurant, General

Restaurant, Family

Retail Sales

Studio, Fine Arts

Veterinary Hospital/Clinic

5. *Industrial Uses*

Recycling Centers and Stations *

6. *Miscellaneous Uses*

Amateur Radio Tower *

Parking Facility *

(B) The following uses are allowed only by Special Use Permit pursuant to Section 30-19. An asterisk (*) indicates additional, modified or more stringent standards are listed in Article IV, Use and Design Standards, for those specific uses.

1. *Civic Uses*

Adult Care Residences

Halfway House

Life Care Facility

Nursing Home

Religious Assembly

Utility Services, Major *

2. *Commercial Uses*

Automobile Dealership, Used *

Automobile Repair Services, Major *

Car Wash *

Commercial Indoor Amusement

Convenience Store *

Dance Hall

Equipment Sales and Rental *

Manufactured Home Sales *

Mini-warehouse *

Outpatient Mental Health and Substance Abuse Center

Recreational Vehicle Sales and Service *

Restaurant, Drive-in and Fast Food *

Surplus Sales

Truck Stop *

3. *Industrial Uses*

Custom Manufacturing *

Landfill, Rubble *

Transportation Terminal

4. *Miscellaneous Uses*

Broadcasting Tower *

Outdoor Gatherings *

(Ord. No. 82493-8, § 2, 8-24-93; Ord. No. 022796-14, § 1, 2-27-96; 042297-14, § 1, 4-22-97; Ord. No. 042799-11, § 2, 4-27-99; Ord. No. 102803-15, § 2, 10-28-03)

Sec. 30-85-19. Mini-warehouse.

(A) General standards:

1. The minimum lot size shall be two (2) acres.

2. The minimum front yard setback shall be thirty-five (35) feet.

3. No security fencing, security gate or other obstruction to vehicle access shall be permitted in the required front yard setback or in any buffer yard required pursuant to Section 30-92.

4. All interior driveways shall be at least twenty-six (26) feet wide when cubicles open onto one side only and at least thirty (30) feet wide when cubicles open onto both sides to accommodate loading and unloading at individual cubicles. Adequate turning radiuses shall be provided, where appropriate, for a thirty-foot long single unit truck or moving van. Materials and design shall otherwise conform to the standards contained in*Public Street and Parking Design Standards Manual.*

5. No door openings for any cubicle shall be constructed facing any residentially zoned property.

6. The following uses shall be prohibited:

   a. Auctions by tenants, commercial wholesale or retail sales, or miscellaneous or garage sales.

   b. The servicing, repair or fabrication of motor vehicles, boats, trailers, lawn mowers, appliances or other similar equipment.

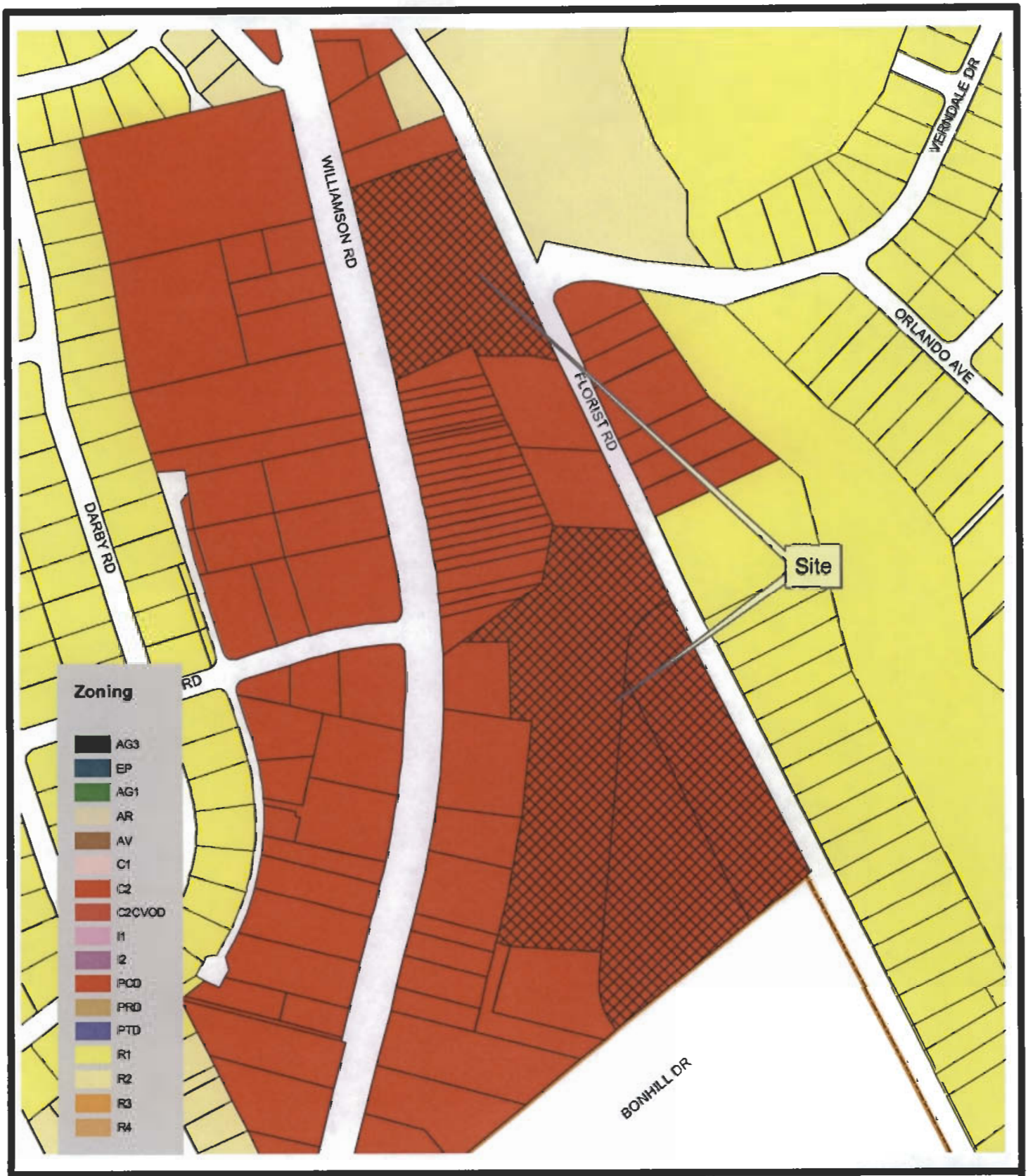
   c. The operation of power tools, spray-painting equipment, table saws, lathes, compressors, welding equipment, kilns, or other similar equipment.

   d. The establishment of a transfer and storage business.

   e. The storage of flammable, highly combustible, explosive or hazardous materials shall be prohibited.

7. Outdoor storage areas shall be used for the storage of motor vehicles, trailers, and recreational vehicles only. All outdoor storage areas shall be screened from adjoining properties by a ten-foot landscaped area consisting of small evergreen trees and evergreen shrubs in accordance with Section 30-92.

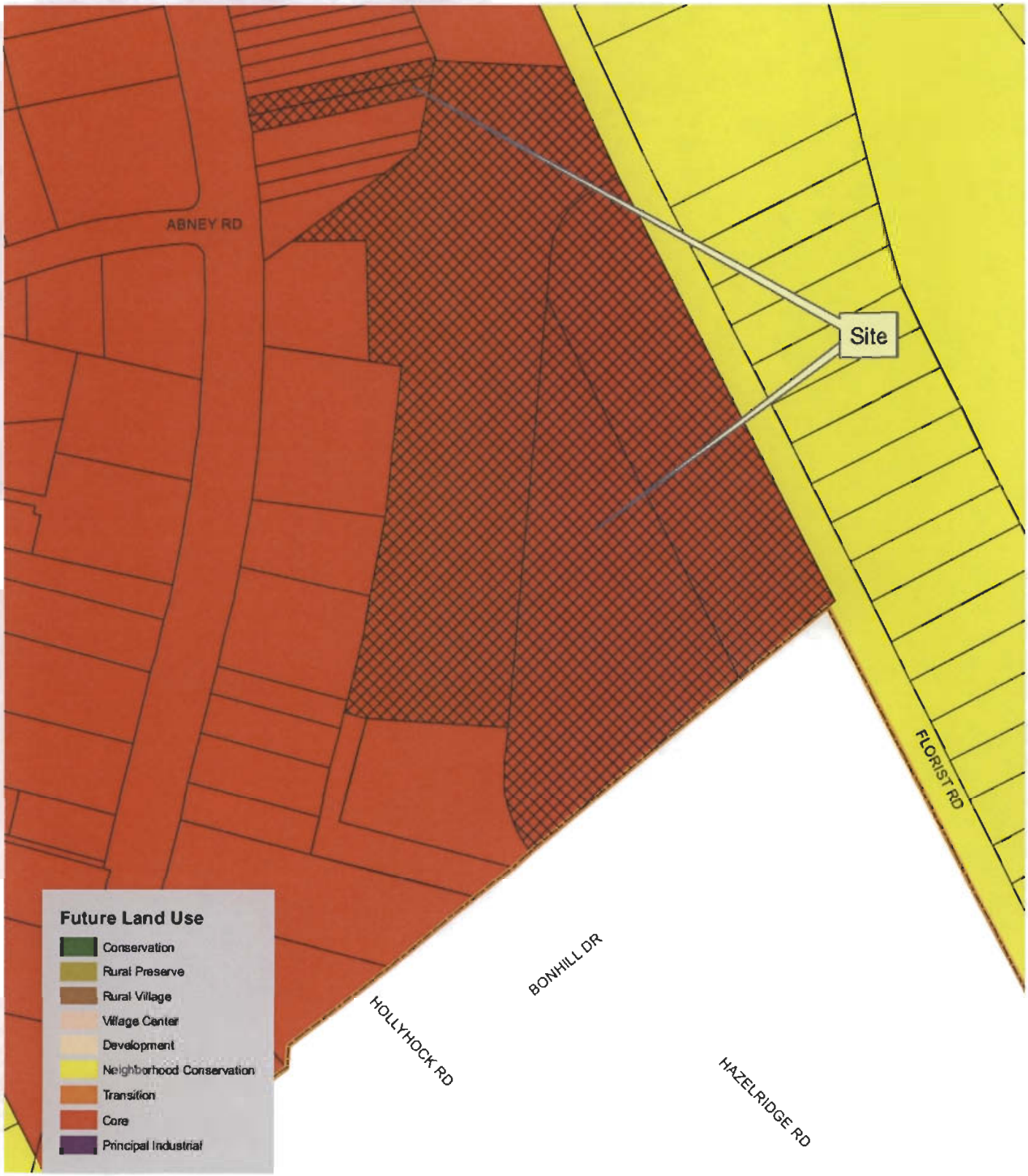
8. Accommodations for a live-in manager shall be permitted.



Roanoke County
Department of
Community Development

Applicants Name: Wayne Fralin
Existing Zoning: C2
Proposed Zoning: C2
Tax Map Number: 038.10-07-25.00-0000, 38, 39
Magisterial District: Hollins Area: 14.76 Acres

July 24, 2006 Scale: 1" = 300'



Roanoke County
Department of
Community Development

Applicants Name: Wayne Fralin
Existing Zoning: C2
Proposed Zoning: C2
Tax Map Number: 038.10-07-25.00-0000, 38, 39
Magisterial District: Hollins Area: 14.76 Acres

July 24, 2006 Scale: 1" = 200'

Safe Place Storage Mini-Warehouse Special Use Permit

Wayne Fralin
Case # 22-9/2006
August 29, 2006

N

1 inch equals 192 feet

Roanoke County
Department of Community Development
5204 Bernard Drive
Roanoke, Virginia 24018
(540) 772-2065

Safe Place Storage Parcels
Parcels
Roanoke County Boundary

PETITIONER: **Qwiz Construction and Investments, LLC**
CASE NUMBER: **23-9/2006**

Planning Commission Hearing Date: September 5, 2006

Board of Supervisors Hearing Date: September 26, 2006

A. REQUEST

The petition of Qwiz Construction and Investments, LLC to rezone 8.829 acres from R-1, Low Density Residential District, to PRD, Planned Residential Development District, at 5815 Bent Mountain Road in the Windsor Hills Magisterial District in order to construct a 10-home residential community called Summer Hill.

B. CITIZEN COMMENTS

Several citizens spoke in opposition to the project citing ridge-top development, increased traffic, viewsheds, infrastructure, and slope development as concerns.

C. SUMMARY OF COMMISSION DISCUSSION

Mr. Joshua Gibson presented the staff report. The petitioner spoke on his own behalf and addressed questions from the Commission. Members of the planning commission asked questions of the petitioner and staff concerning roads, slopes, entrances, fire response, and proposed VDOT projects near the site. Commissioners cited concerns such as slopes, open space value, and traffic issues.

D. CONDITIONS

None

E. COMMISSION ACTION(S)

Mr. Thomason made a motion to recommend denial of the rezoning request. Motion passed 5-0.

F. DISSENTING PERSPECTIVE

None

G. ATTACHMENTS:

_ Concept Plan **_ Vicinity Map**
_ Staff Report **_ Other**

Philip Thompson, Secretary
Roanoke County Planning Commission

STAFF REPORT

Petitioner:	Qwiz Construction and Investments, LLC
Request:	Rezone 8.829 acres from R-1, Low Density Residential District, to PRD, Planned Residential Development District
Location:	5815 Bent Mountain Road
Magisterial District:	Windsor Hills
Proffered Conditions:	Attached PRD rezoning petition materials

EXECUTIVE SUMMARY:

Qwiz Construction and Investments, LLC has submitted an application to rezone 8.829 acres from R-1, Low Density Residential District, to PRD, Planned Residential Development District, at 5815 Bent Mountain Road in the Windsor Hills Magisterial District in order to construct a 10-home residential community called Summer Hill. Some of the challenges to development include steep slopes and an existing roadway with excessive grades. The master plan shows that this driveway will be upgraded during development to a 20-foot wide private road with a maximum allowable grade of 19%. Proposed open space exceeds the PRD minimum requirements but does not meet the minimum guidelines detailed in the 2005 Community Plan. The proposal does conform to many objectives of the Community Plan, including a reduction in driveways fronting on public roads, an attempt to conserve natural resources and provide recreation, and clustering homes and utilizing buffers for the benefit of community residents and neighbors. However, issues arising from topography and the proposed private road dimensions may present challenges during and after development.

1. APPLICABLE REGULATIONS

Per Section 30-47-5 (B) of the zoning ordinance, any application to rezone land to the PRD designation shall constitute proffers pursuant to Section 30-15. Once the Board of Supervisors has approved the final master plan, all accepted proffers shall constitute conditions pursuant to Section 30-15. (**PRD District Regulations attached**)

Current zoning is R-1 Low Density Residential District. (**R-1 District Regulations attached**)

Virginia Department of Transportation (VDOT) commercial entrance permit will be required for the proposed development.

Virginia Department of Health approval is required for all private septic system permits.

Roanoke County site development review will be required.

2. ANALYSIS OF EXISTING CONDITIONS

Background –

The petitioner wishes to have property at 5815 Bent Mountain Road in the Windsor Hills Magisterial District rezoned from R-1 to PRD. The purpose of this rezoning request is to construct a planned residential community called Summer Hill. The total size of the parcel is 8.829 acres, and one single-family home currently exists on the property. This home will be included as a part of the planned development.

Topography / Vegetation / Natural Features –
The area to be rezoned varies in elevation from around 1220 feet above sea level to 1340 feet. The topography consists of a small area of relatively level terrain that adjoins similar land on neighboring property. This comparatively level region slopes down to adjacent roadways (Bent Mountain Road and Ran Lynn Drive). These slopes appear to vary between 0% and more than 50% on the property. The majority of the property is wooded. Trees consist of a pine and hardwood mix. One stream borders the northern and eastern boundaries of the property.

Surrounding Neighborhood –
Properties immediately to the north, east and west of the property are zoned R-1 Low Density Residential. Properties to the south are zoned AR, Agricultural Residential, and R-1, Low Density Residential (**Zoning Map attached**). Many of these tracts contain single-family homes. The vegetation on surrounding property is similar to that on the applicant's property.

According to the 2005 Roanoke County Community Plan, the properties surrounding the proposed Summer Hill subdivision are designated Neighborhood Conservation, Rural Village, and Development (**Future Land Use Map attached**). Neighborhood Conservation areas contain established single-family neighborhoods where the conservation of existing development patterns is encouraged. Rural Village land use areas have historically experienced limited development activity and suburban and urban development is discouraged in these areas. Most new neighborhood development in the County will occur in the areas designated as Development on the Future Land Use Map.

3. ANALYSIS OF PROPOSED DEVELOPMENT

Site Layout/Architecture –
The master plan for the proposed Summer Hill planned residential community shows a development totaling 8.829 acres accessible by a private road (**Summer Hill Master Plan attached**). Ten single-family homes are shown situated around the existing driveway, which will be upgraded during development. Lots are generally located on hillsides, and the existing home is slated to remain intact on a separate parcel near the highest point of the property. Minimum proposed lot size is 0.35 acre (15,246 square feet). Minimum lot size in the property's current R-1 zoning (with public water access and private septic) is 0.46 acre (20,000 square feet), although no public water is currently provided on the property. In part, the developer wishes to use the PRD designation to reduce by-right lot sizes so that more homes can be constructed than allowed by right and more open space can be preserved. The position of the homes should also allow for an open space buffer from the adjacent public streets. Taking into account the total size of the development and the number of lots, the density of the proposed development is 1.13 units per acre or an average density of one house per 0.88 acre. PRD zoning district regulations allow proffering up to 5 dwelling units per acre. The developer proposes a minimum frontage of 50 feet along the development's private road. The maximum area allowed for clearing trees for a home site is 10,000 square feet, exclusive of drainfields.

Open Space –
According to the County Zoning Ordinance, the PRD zoning district requires at least 15% of the gross area of the project to be designated common open space and/or recreational area. A minimum of 25% of this site has been proffered for preservation through dedicated open space. An additional minimum of 10% of the property will be preserved through

"conservation/recreation easements on individual lots". No roads or residences will be allowed within the proposed open space. Site amenities to be allowed in open space include pedestrian trails, playgrounds, picnic areas, and gazebos. The main conservation areas will include "the stream at the north corner of the property, the steepest slopes, and other environmentally sensitive areas," according to the petitioner (**Summer Hill Master Plan attacehd**). All floodplain areas on the property will also be preserved as open space to mitigate risks from future flood events.

In the Roanoke County Zoning Ordinance PRD site development regulations, Sec. 30-47-3-(A) states that "common open space shall be of an appropriate nature and location to serve the residents of the district." It further requires that the minimum horizontal dimension for open space is 50 feet, except where such areas contain facilities allowed for use as open space. Any open space areas counting toward the final percentage must be 5,000 contiguous square feet and cannot include road right-of-ways or driveways. All commonly-held open space must itself be 50-feet in width; these widths cannot be counted in combination with open space on private lots.

The open space proposed for the Summer Hill subdivision does not appear to give residents of the PRD substantial recreational opportunity due to the steep nature of the terrain. Although the open space in the master plan appears to utilize some of the steepest slopes as a means of preserving areas upon which development would be more difficult, recreational opportunities may be limited as a result (**Summer Hill Existing Slope Map attached**). However, the open space appears to provide some value to residents as a buffer. Its location should buffer residents in the development from traffic on Ran Lynn Drive and Bent Mountain Road, and should provide some screening of the homes inside the development from the views of surrounding landowners. It should also help to mitigate some of the effects of stormwater runoff from the development.

Access/Traffic Circulation –
The petitioner has proposed a single privately-maintained road within the development, accessible from Bent Mountain Road. The private road will be maintained by the Summer Hill PRD homeowners association. At a minimum, the road will be paved and 20 feet wide with 3-foot shoulders. The road will follow the path of the existing driveway and will be upgraded from its existing condition (approximately 10 feet wide). These proposals are adequate to handle the traffic projections for the proposed subdivision. Driveways to individual lots will connect to this private road as a shared access and minimizing the need for additional access points onto Bent Mountain Road.

According to County staff, an increase in the proposed turning radius on horizontal curves is desired. However, it is noted and the petitioner has maintained that decreasing the turning radius will impact proposed open space and necessitate additional clearing. A "T" type turnaround is planned for the turnaround at the end of the private road. Although comments from Fire and Rescue indicate that 20-foot widths on all portions of the "T" turnaround should be sufficient, more detailed plans should be reviewed and approved by the Fire and Rescue Department prior to construction.

The application states that maximum road grades are not to exceed 16% with grades of up to 19% allowed provided any grades above 16% not exceed 400-feet in length. Staff has suggested a reduction in road grades in order to better accommodate County services, but it is noted that a reduction in grade creates a need for more clearing and thus alters or reduces available open space.

The applicant proposes that trash pickup will be on or adjacent to Bent Mountain Road. The

applicant should be able to show this location and General Services should approve of the location.

It is the opinion of staff that language similar to that required for cluster subdivisions is also appropriate for this development. It states that "the final subdivision plat shall contain the notation that the proposed private streets do not meet the standards for public solid waste collection and that Roanoke County shall not provide solid waste collection on private streets. The applicant shall have the responsibility for addressing the collection of solid waste on private streets. A representative of the Roanoke County Department of General Services shall review proposals for solid waste collection on private streets, prior to plat approval". A similar statement may be appropriate for the provision of school bus service on private roads not meeting standards for school bus service.

The Virginia Department of Transportation has noted that sight distance may be limited in both directions near the entrance and that it should be field verified to determine whether sight easements or rights of way are needed to obtain sight distance in both directions.

The Virginia Department of Transportation has expressed concerns about rezoning the property to allow additional development. Future VDOT Six-Year Plan improvements on and around Bent Mountain Road show a realignment of Ran Lynn Drive with Cotton Hill Road that would require VDOT to secure right-of-way on a portion of the subject property. VDOT has suggested that the right-of-way be incorporated into the PRD design. The County has reviewed the rezoning application with consideration given to current land use conditions only since the planned realignment is considered a proposed but not imminent improvement.

Fire & Rescue/Utilities –
Fire and rescue services are to be provided by the Cave Spring Fire Station. The Fire and Rescue Department has concerns about access from Bent Mountain Road and wants the developer to ensure a right turn may be made into the development. The "T" turnaround proposed by the developer appears to be sufficient for fire apparatus provided all 20-foot road widths also apply to the turnaround, but more detailed plans will be reviewed by Fire and Rescue Department during site plan review.

Water is available at the site and can be provided for the development, according to the Western Virginia Water Authority. Sewer will be provided by private septic systems. All private well and septic systems must be approved by the Virginia Department of Health.

Community Meeting –
A community meeting was held at the Roanoke County Administration Center on Monday, August 21st, at 7:00 pm. Approximately 25-30 people attended including community residents, County staff, and petitioners. County staff answered questions about the PRD zoning district and the public hearing and rezoning process. Mr. Jacob Quesinberry of Qwiz Construction and Investments, LLC presented details of the proposed development and answered questions from those in attendance. Some of the concerns voiced by those in attendance included increased traffic as a result of the development, hazards presented by additional traffic turning onto Bent Mountain Road, viewshed protection, slope development and stability, and the suitability of development despite possible VDOT projects in the area.

4. CONFORMANCE WITH ROANOKE COUNTY COMMUNITY PLAN

The property proposed for rezoning is designated Rural Village in the 2005 Comprehensive Plan. In the areas of the County designated as Rural Village, design strategies should allow land to remain available for productive agricultural activities and open space. Rural view and vista preservation is also a major objective. The proposed rezoning is consistent with several of the objectives from the 2005 Community Plan, but many discrepancies with the Community Plan also exist.

This proposal meets and exceeds minimum requirements for open space from the PRD zoning district, but the proposed concept plan does not meet the preferred quantity for open space stated in the Community Plan guidelines for Rural Village. Chapter 3 of the 2005 Community Plan (Land Use Issues) encourages cluster developments that set aside more than 50% of the development for open space. An increase in the proffered amount of open space would bring the project into better compliance with the Community Plan.

The post-development density is less than that which is allowed by right (assuming future provisions for public water) in the current R-1 zoning district, but it slightly exceeds the rural housing land use guidelines from the 2005 Community Plan (the Community Plan states one unit per acre, and density for this project is about 1.13 units per acre).

The proposed PRD takes into account Community Plan guidelines that state Rural Village subdivisions should be set back away from roadway view. It also reduces the number of driveways fronting onto public roads by utilizing a private road within the development. This is a significant advantage over developing the property with several driveway entrances onto Bent Mountain Road and Ran Lynn Drive.

The 2005 Community Plan has listed "rural view and vista preservation" as an objective for Rural Preserve and Rural Village land use designations. Positioning homes near the top of the property has potentially negative impacts on rural views and vistas, but it is noted that this placement is a deliberate attempt to locate homes in areas where terrain is less sloped. If the rezoning is approved, care should be taken to incorporate homes into the natural surroundings as much as possible in order to preserve viewsheds from surrounding properties in the Rural Village district since some home sites are situated near the property's highest elevations. This should include preserving natural buffers or including landscaping where necessary near home sites to screen them from public rights of way and neighboring homes.

The maximum area allowed for clearing trees for a home site (10,000 sq ft) does not include areas for drain fields. Proffered open space should be of sufficient quantity so that any clearing for drain fields does not affect the overall percentage.

5. STAFF CONCLUSIONS

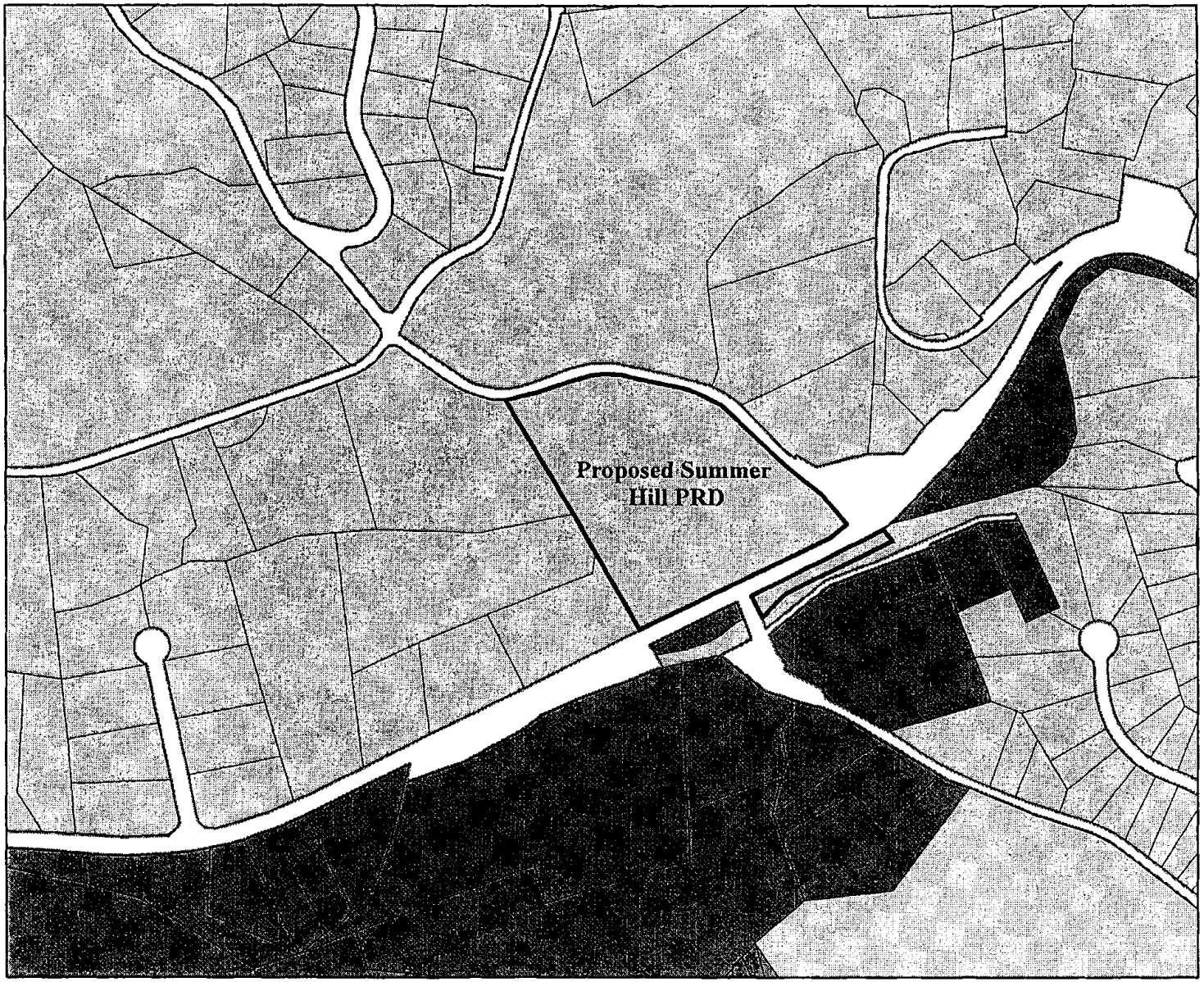
The proposed Summer Hill PRD rezoning has some advantages over the existing zoning district. It allows driveways to be combined so that fewer driveways connect to public roads, it proposes more open space be preserved in perpetuity than would be required by existing zoning, and it uses smaller lot sizes than are currently allowed in order to cluster homes away from sensitive areas. However, it also does not meet open space guidelines for the Rural Village land use designation, and several challenges exist due to the terrain (**Summer Hill Terrain Map attached**). The proposed PRD would allow grades of up to 19% (across a limited horizontal distance) on a privately maintained road, which may

create problems in the future for County services, and some question exists about the functionality of open space to serve residents beyond its value as a buffer.

CASE NUMBER: 23-9/2006
PREPARED BY: Joshua Gibson
HEARING DATES: PC: 9/5/06 BOS: 9/26/06

Attachments:
Zoning Map
Future Land Use Map
Rezoning Application
PRD District Regulations
R-1 District Regulations

SUMMER HILL PRD ZONING MAP



N

Legend

AR

R1

COUNTY OF ROANOKE VIRGINIA 1838

Department of Community Development

SUMMER HILL PRD FUTURE LAND USE MAP

N

Legend

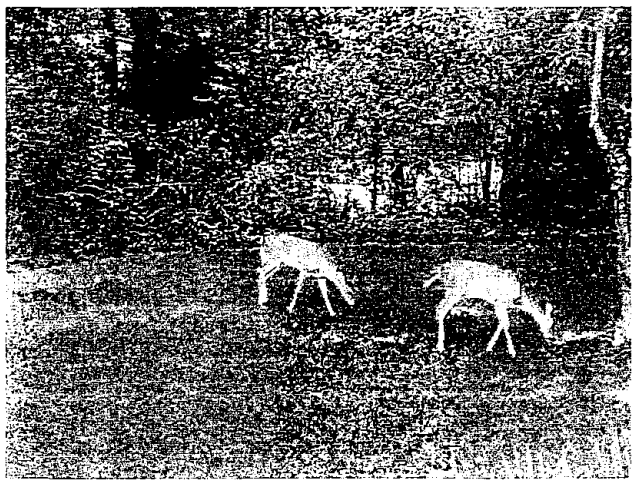
- Rural Village
- Village Center
- Development
- Neighborhood Conservation

COUNTY OF ROANOKE VIRGINIA 1838

Department of Community Development

Summer Hill

A Planned Residential Community



Planning and Design Guidelines

Revised
August 23, 2006

QCI LLC

QWIZ CONSTRUCTION & INVESTMENTS, LLC

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Summer Hill Master Plan	PRD-2
Summer Hill Terrain Map	PRD-3
Summer Hill Slope Map	PRD-4

QCI LLC

QWIZ CONSTRUCTION & INVESTMENTS, LLC

August 23, 2006

Planning & Zoning
Roanoke County Community Development
5204 Bernard Drive
Roanoke, VA 24018

RE: Summer Hill PRD Application:
1) Planning and Design Guidelines
2) Concept Plan Sheets (4) 24x36

Dear Sir or Madam:

Enclosed is a PRD application for tax parcel 96.01-4-1. If you have any questions or need any additional information please contact Jacob Quesinberry at (540) 353-5344 or email at qwiz@qcillc.com.

Thank you,

Jacob Quesinberry
Managing Member
Qwiz Construction & Investments, LLC

Enclosures

DEVELOPMENT SUMMARY

Qwiz Construction and Investments, LLC (Developer), respectfully requests a rezoning of tax parcel 96.01-4-1 from R-1 to Planned Residential Development District (PRD). The proposed development will consist of 10 single-family residential homes. The property, consisting of 8.829-acres, currently has one residence that is served by private well and septic. The existing home is a brick and vinyl colonial style home that features approximately 4,200 square feet of living space. The proposed development would incorporate the existing home. The property is mostly wooded. The proposed development seeks to preserve as much of the wooded environment as possible by dedicating a minimum of 25% of the site as open space. Additional preservation will be achieved through conservation/recreation easements on individual lots.

The property is currently zoned R-1. The "R-1, low density residential district is established for areas of the county...with existing low-middle density residential development, with an average density of from one (1) to three (3) units per acre...". Under the current R-1 zoning with public water and private septic systems the maximum density would be 2.17 units per acre. The proposed Summer Hill subdivision has a maximum density of 1.33 units per acre. The Rural Village land use type of rural housing encourages "low-density single-family residential generally averaging one unit per acre. Cluster developments are encouraged." The proposed development buffers the subdivision from public roadway view and does not change the number of new driveways fronting on public roads. The new homes will be at a lower elevation than the existing home thereby protecting the ridge-line. Thus this development adheres to the land use guidelines provided for the Rural Village designation.

A majority of neighboring and surrounding parcels are zoned R-1 as well. The proposed development is in close proximity to more dense residential development. Existing residential subdivisions can be found to the north, south, and west that have densities in excess of one unit per acre. These areas have a future land use designation of Neighborhood Conservation and Development. Neighborhood Conservation designated areas encourage the infill of vacant lots and allow for higher densities than the surrounding neighborhood. Development designated areas encourages mixed housing types at a gross density range of 4 to 8 units per acre. The proposed development has a maximum development density of 1.33 units per acre. The proposed PRD allows for the homes to be clustered providing for the preservation of open space and natural areas.

Each home will be served by public water, private septic and a private road. The proposed private road will consist of a 20-foot wide asphalt surface conforming to the VDOT commercial entrance requirements at the connection with Bent Mountain Road. Individual driveways for individual residencies will connect to the private road. The private road will utilize as much of the existing driveway alignment as possible to reduce the amount of land disturbance.

Access to this development will be from Route 221 (Bent Mountain Road), classified as a primary arterial roadway. The private road will maintain the existing access point to Bent Mountain Road. The entrance will be upgraded to provide for longer sight distances and increased turning radii. The existing driveway width is variable with a 10-foot minimum. The proposed roadway width for the development is 20 feet. The shared access, as recommended by Roanoke County Transportation, prevents the addition of more vehicular conflict points with Bent Mountain Road and Ran Lynn Drive. The steep terrain would require a great deal of earthwork to construct a public road to VDOT standards within the property. Thus the proposed private road deviates from public road standards with limitations in an effort to preserve as much of the landscape as possible. Construction of the private road will allow for shorter individual driveways thus minimizing the overall amount of land disturbance for roads and driveways. The private road would minimize the amount of earthwork and tree removal thereby protecting the buffer and scene-scape with the adjoining properties.

The improved roadway would allow for better access for fire and rescue vehicles than is currently available to the existing structure. Extension of the of the public water service to this property would allow for the installation of fire hydrants which are currently not in the vicinity of the subject property.

It is the intent of the developer to construct this project and then offer lots for sale to the public. Thus, no phasing is intended.

The Developer proposes to execute a private road maintenance agreement and establish a private homeowners association for this community. The private homeowners association (HOA) will maintain a capital reserve fund for maintenance of all common amenities, common open space, conservation/recreation areas and private roads. Funding will be provided via dues levied to the individual homeowners of the proposed Summer Hill subdivision.

SUMMER HILL SUBDIVISION DESIGN GUIDELINES

Site Design Guidelines and Intent

The following design guidelines are intended to be standards of development for Summer Hill. These guidelines will set the tone and character for the community as well as providing the means by which the community shall be designed. These guidelines are not meant to be comprehensive or to cover all site specific-issues that may be encountered in the design and development process.

Association

A Homeowners Association (HOA) will be formed to maintain all common open space, conservation/recreation areas, private roads, and site amenities. All property owners within the proposed Summer Hill subdivision will be members of the HOA and will have the responsibility to pay dues to the HOA for the maintenance of these facilities. The Homeowners Association shall maintain a capital reserve fund and may, from time to time as necessary, levy assessments to pay for common improvements.

Preservation Areas

A minimum of 25% of the site will be preserved as common open space. The main conservation areas will include the stream at the north corner of the property, the steepest slopes and other environmentally sensitive areas of the property. Preservation areas will encompass all flood plain areas in an effort to reduce environmental impact and risk to future improvements. A portion of the area between Ran Lynn Drive and Bent Mountain Road and the proposed lots will be preserved as a natural buffer between the homes and the existing roads. The buffer area along these roads will be preserved as part of the dedicated open space. An additional minimum of 10% of the site will be preserved through conservation/recreation easements on individual lots. The conservation/recreation easements will serve both as buffer and natural areas. No road or residence will be allowed within the open space or conservation/recreation easements. All open space and conservation/recreation easements will be for the benefit and use of the community residents.

Site amenities and utilities will be allowed in the open space and conservation/recreation easements. Amenities that will be allowed include: pedestrian trails, playgrounds, picnic areas, and gazebos. All amenities and dedicated open space within the community will be owned and maintained by the homeowners association.

Development Areas

The primary areas used for construction will be along the higher elevations of the property. The placement of the homes will allow for the preservation of the more sensitive areas of the property as well to provide a natural buffer around the existing public streets and adjoining properties.

Buffer Yards

A minimum 50-foot natural buffer shall be maintained along a majority of Bent Mountain Road and Ran Lynn Drive. Exceptions will be provided for the private road to access Bent Mountain Road and infrastructure as necessary. A 30-foot natural buffer shall be maintained along all adjacent property lines. Wherever a house, driveway, accessory structure, or drainfield on the property is located 30-feet or closer to an adjacent property line and a natural 30-foot buffer is not maintained two rows of evergreen trees shall be planted as an additional buffer. In no case shall there be a natural buffer between houses, driveways, accessory structures, or drainfields on the Property and an adjacent property line of less than 15-feet. Any and all evergreen trees planted as buffer landscaping shall be a minimum of 6-feet tall at the time of installation.

Roads

The road within Summer Hill will be private. The Homeowners Association will be responsible for maintaining all roads. The roads within Summer Hill will be a minimum of 20-feet wide with 3-foot shoulders. The minimum pavement section will be 6-inches base stone with 2.5-inches of an asphalt surface. The existing driveway surface may be incorporated into the road provided there is a minimum asphalt thickness of 3-inches. The minimum centerline radius will be 95-feet except at the entrance to Bent Mountain Road. The minimum radius at the entrance shall be 25-feet.

The entrance at Bent Mountain Road shall conform to the VDOT commercial entrance standards. The standard maximum road grade will be 16-percent with exceptions. A maximum grade of up to 18-percent may be used provided that any grade above 16-percent not exceed 400-feet in length. A "T" type turn-around will be provided at the end of the street. All "T" type turn-arounds shall be sufficient to accommodate emergency vehicles and school buses.

The proposed private road will not be maintained by the Virginia Department of Transportation or Roanoke County. The Developer acknowledges and will record that the street will only be considered eligible for addition as an element of the secondary system of state highways if it is constructed to the standards of the prevailing subdivision street requirements or other applicable approved standard of the Virginia Department of Transportation, utilizing funds other than those administered by the Department of Transportation and Roanoke County.

Guardrails

Guardrails shall be required along the private road where a downhill slope greater than 35% is encountered within 20-feet of the centerline of the road. The Developer and/or the Homeowners Association may elect to install additional guardrail in areas deemed appropriate. Guardrail openings shall allow sufficient access to residences. All guardrails shall be of a timber type construction.

Retaining Walls

Retaining walls may be built as necessary to accommodate road, building and driveway construction. Retaining walls may also be incorporated into landscape designs. All retaining walls must be approved by the Architectural Review Board prior to construction.

Trails

The Homeowner's Association may elect to provide pedestrian trails within the common open space in the future. The trail surface may be mulch, gravel, asphalt, concrete or wooden and a minimum of 3-feet wide.

Landscaping

Landscaping will be provided at the entrance to the Property. As well, each home will be professionally landscaped around foundation areas and yards.

Tree Preservation

The maximum allowable area to be cleared for any home site shall be 10,000 square-feet. This allowance is exclusive of any required drainfield areas.

Lot Size

The minimum lot size shall be 0.35-acres. The minimum lot frontage shall be 50-feet.

Minimum Building size

The minimum building size shall be 2,500 square-feet for the primary dwelling. The building size requirement shall include all heated and cooled living space within the structure regardless of level.

Maximum Building Height

The maximum building height will be 45-feet.

Accessory Buildings

All accessory structures must be located behind the front plane of the primary structure. The maximum height of accessory structures shall be 25-feet. Any and all accessory structures must be approved by the Homeowner's Association and comply with the Architectural Review Board's requirements.

Setbacks

The minimum front setback shall be 20-feet from any private road.

The minimum side setback shall be 5-feet from any common development lot.

The minimum rear setback shall be 10-feet from any common development lot.

The minimum setback from any adjoining property lines or from any public right of way shall be 30-feet.

The existing home shall be exempt from the front setback requirement. The minimum setback for the existing home shall be 5-feet from any private road.

Density

No more than 10 homes will be built on the property including the existing home as shown on the master plan. The maximum density for the development shall not exceed 1.33 units per acre.

Lighting

Any and all street lighting shall be residential in scale and style. All street lighting shall be post mounted lantern type and shall not exceed 12-feet in height. All street lights shall not exceed 150 watts each.

All exterior lighting, whether street, driveway, walkway or exterior house lighting, shall be top shielded to cast all light downward. All lighting on the exterior of homes and accessory structures shall not exceed 100 watts per fixture.

Water/Sewer

Public water will be made available to the proposed lots via the 24-inch waterline that runs along the north side of Ran Lynn Drive. The Western Virginia Water Authority has provided the preliminary availability analysis that has indicated that connection to this service line is possible for the proposed development. The existing structure is currently served by a private well. The existing home will be connected to the public water system as part of this development. The existing well may remain in use for irrigation purposes.

Public sewer is currently not readily accessible to this site. The nearest public sewer service is more than 300 feet from the site and grades do not facilitate connection to the existing service line. The proposed lots are sized to accommodate private septic systems.

Utilities

All utilities shall be placed underground. Utilities may enter the property above ground at a predetermined location where they will be placed underground and distributed through the development. Utilities may cross common open space as may be required. All heat pumps and other outdoor appurtenances shall be screened from view of the roads or adjacent property owners via decorative wooden curtains or sufficient landscaping. The Architectural Review Board shall approve any and all proposed screening as well as the proposed location prior to installation.

Trash Collection

Trash collection will be individual can pick up. A designated trash collection area will be provided for pick-up on or adjacent to Bent Mountain Road.

Fire Protection

Fire hydrants would be installed along the private road via an 8-inch public water connection that would service the proposed development. The Western Virginia Water Authority has provided the preliminary availability analysis that has indicated that connection to this service line is possible for the proposed development. At present there are no fire hydrants in the vicinity of the subject property.

The improved roadway would allow for better access for fire and rescue emergencies than is currently available to the existing structure.

Summer Hill PRD

Summary Table of Site Design Guidelines

Maximum Development Density	1.33 units per acre
Minimum Lot Area	15,246 SF (0.35 acres)
Minimum Street Frontage	50 FT
Setback Requirements (Common Development)	
Front Yard	20 FT
Side Yard	5 FT
Rear Yard	10 FT
Adjacent Property Setback	30 FT
Minimum Building Size	2,500 SF
Maximum Building Height	45 FT
Maximum Accessory Building Height	25 FT
Minimum Common Open Space	25% of total site
Minimum Conservation/Recreation Easement Area	10% of total site
Buffers	
Minimum Width Adjacent Public Streets	50 FT
Desirable Minimum Width Adjacent Property Lines	30 FT
Minimum Width Adjacent Property Lines	15 FT
Roads	
Minimum Roadway Width	20 FT
Minimum Shoulder Width	3 FT
Maximum Desirable Grade	16%
Maximum Grade for Lengths of 400-feet or Less	18%
Minimum Centerline Radius	95 FT
Minimum Entrance Radius	25FT

SUMMER HILL ARCHITECTURAL DETAILS

It is the developer's intent to develop this project and then offer lots for sale. The following architectural guidelines will serve to guide the style of the homes built within the community. The developer reserves the right to build speculative or custom homes on any of the lots within the community provided that they will be subject to these guidelines as well.

Architectural Review Board

An Architectural Review Board shall be established to review and approve any and all land improvements on the lots to ensure improvements conform to the likeness and design atmosphere intended for the community. The Architectural Review Board may also reject any improvements that would adversely affect the community design and development style. Reviews shall include such items as structure style, house plans, elevations, exterior colors, exterior materials, landscaping, etc.

Exterior Materials

All exterior siding materials shall be brick, stone, wood, synthetic wood, cement-based siding or stucco. A premium vinyl material by be used provided than it does not cover more than 30% of the exterior of the primary structure. All roofing materials shall be architectural asphalt shingles.

Accessory Structures

Any accessory structure proposed shall be reviewed and approved by the Architectural Review Board. Accessory structures shall be constructed to match the primary residence on each lot. Exterior materials of accessory structures will comply with those required for other structures as listed

PLEDGE OF PROFFERED CONDITIONS

The owner/developer hereby proffers that the property, subject to rezoning approval, will be developed with substantial compliance with the "Summer Hill – A Planned Residential Community, Planning and Design Guidelines" prepared by Qwiz Construction and Investments, LLC, revised August 23, 2006.

A private homeowners association (HOA) will be created that will maintain all common open space within the community, all common use amenities, the private road and a capital reserve fund for future improvements and maintenance.

Signed: MANAGING MEMBER Date: 8/23/06

Owner/Developer

ADJOINING PROPERTY OWNERS

Tax Map Nos. 96.01-4-18, 96.01-3-1
Commonwealth of Virginia

Tax Map No. 96.01-4-17
D. J. Cooper
5885 Bent Mountain Road
Roanoke, Va. 24018

Tax Map No. 96.01-4-2
Russell A. & Terance R Grisso
5812 Ran Lynn Drive
Roanoke, Va. 24018

Tax Map Nos. 86.03-2-3, 86.03-2-9
Ran Lynn Farms, LLC
4742 Old Rocky Mount Rd.
Roanoke, Va. 24014

Tax Map No. 86.03-2-7
Charles E. & Kimberly White
5741 Ran Lynn Drive
Roanoke, Va. 24018

METES AND BOUNDS DESCRIPTION

Situated in the County of Roanoke, State of Virginia:

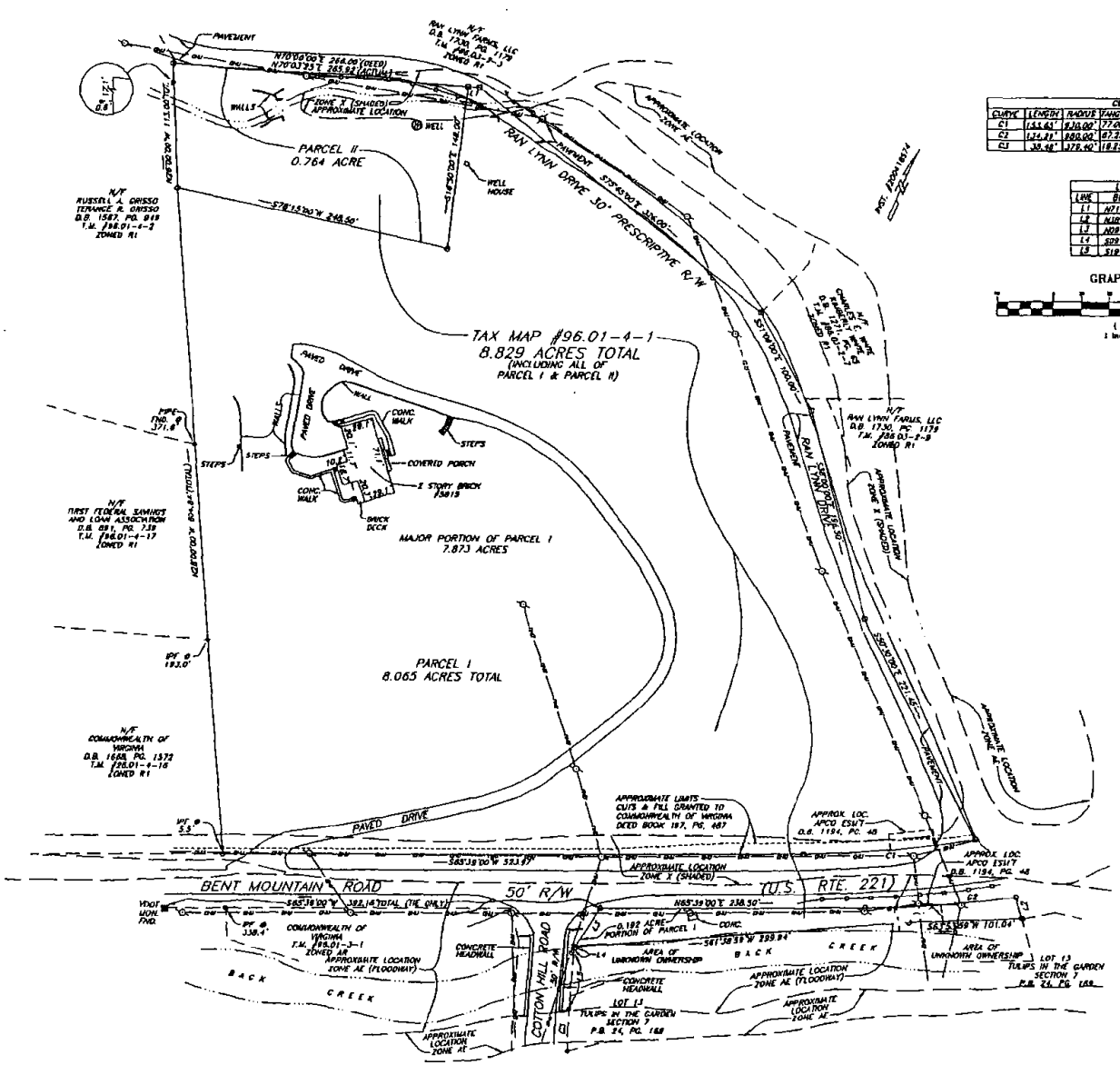
Parcel I: BEGINNING at a stake on the North bank of Back Creek near Willow (Dogwood and Pine called for gone), Corner to Susannah Grisso 28.25 acre tract and J.C. Croft; thence with the J.C. Croft and Riley T. Fralin line, N. 28 degs. W. 28.0 ft. to a point on the Southerly side of U.S. Highway 221 (know locally as Bent Mountain Road), said point being the "Actual Place of Beginning" of the herein described parcel of land; thence leaving the above described Beginning Point, N. 28 degs. W., crossing U.S. Highway 221 (50 ft. wide) and passing an iron pipe in the old fence at 439 ft., in all a total distance of 655 ft. to a stake, corner to the 0.74 acre tract formerly conveyed out of Susannah Griso 28.25 acre tract; thence with the lines of the same, N. 78 degs. 15' E. 285.5 ft. to a stake; thence N. 16 degs. 50' W. 148 ft. to a point in County Road in line of Frank H. Vest property; thence with the middle of the Road and lines of Frank H. Vest, N. 71 degs. 15' E. 10 ft. to a point; thence S. 75 degs. 45' E. 326.0 ft. to a point, corner to No. 2 of Sigmon and Easter land; thence with the same S. 51 degs. E. passing corner to No. 2 at 87.7 ft., in all 100.0 ft. to a point in the middle of road, Corner to No. 3 of Sigmon and Easter Land; thence with the middle of the Road and with lines of Lot 3, S. 38 degs. E. 196.5 ft. to a point; thence S. 50 degs. 30' E. 245.4 ft. to a stake in the Northerly right of way line of U. S. Highway Rt. No. 221; thence with the same, N. 58 degs. E. 41.5 ft. to a stake in branch; thence with the branch crossing under the middle of a concrete bridge, S. 33 degs. 45' E. 94.0 ft. to a stake at the mouth of the branch; thence up the North bank of Back Creek, S. 63 degs. 30' W. 100.0 ft. to a stake; thence S. 61 degs. 15' W., 350.0 ft. to a stake, at the Southeasterly corner of the 0.34 acre tract conveyed to Gladys Hutton by P. A. Grisso and wife; thence with the East line of said 0.34 acre tract; N. 20 degs. W. 41.0 ft. to a Southerly side of U. S. Highway Rt. No. 221 (50 ft. wide, known locally as Bent Mountain Road); thence with the Southerly side of said Road, S. 65 degs. W. 267.6 ft. to the "Actual Place of Beginning", and containing 8.82 acres, more or less.

LESS AND EXCEPT 0.80 acre, more or less, shown on Sheet No. 9 & 10, Project 620A, Route No. 205, Department of Highways plans for Rt. 205 (now redesignated U. S. Rt. 221), conveyed by Susie M. Grisso to the Commonwealth of Virginia by deed dated June 25, 1930, recorded in Deed Book 197, page 487.

LESS AND EXCEPT 0.05 acre, more or less, as shown on Sheet 3 of plans for Route 688 Highway Project 0688-080-125-C-501, recorded in the Clerk's Office of the Circuit Court of Roanoke County, Virginia, in State Highway Plat Book 8, page 1, taken by the Commonwealth of Virginia by Certificate No. C9565, dated April 28, 1965, recorded in Deed Book 770, page 75 and Order entered December 3, 1979, recorded in Deed Book 907, page 398.

PARCEL II: BEGINNING at a point in the middle of a public road called the J. H. Grisso Road, said point being 121 feet S. 26 degs. E. of a White oak and Black oak corner of said Susannah Grisso's land; thence running with the line of R. T. Fralin's land crossing a branch, S. 26 degs. E. 113 feet to a stake at 2; thence a new line N. 78 degs. 15' E. 248.5 feet to a stake at 3; thance N. 16 degs. 50' W. 148 feet again crossing the branch to a point in the middle of the road at 4; thence along the road, S. 70 degs. 00' W. 266 feet to the place of BEGINNING, containing 0.74 acre according to survey and plat made by George L. Poage.

Both parcels being designated as Roanoke County Official Tax Map No. 096.01-4-1.



CURVE TABLE						
CURVE	LENGTH	RADIUS	TANGENT	CHORD BEARING	CHORD	DELTA
C1	153.63'	830.00'	77.00	N82°53'01"E	153.48'	9°27'39"
C2	124.81'	880.00'	87.35	N81°43'38"E	124.18'	7°51'04"
C3	38.46'	378.40'	18.83	S22°06'43"E	38.46'	5°48'38"

LINE TABLE		
LINE	BEARING	LENGTH
L1	N71°15'00"E	10.00'
L2	N32°43'36"W	30.23'
L3	N09°10'11"E	11.86
L4	S09°10'11"W	1.40
L5	S19°12'24"E	32.53

GRAPHIC SCALE

(IN FEET)
1 inch = 80 ft.

SURVEY FOR

QWIZ CONSTRUCTION & INVESTMENTS, LLC

SHOWING 8.829 ACRES
TAX MAP #96.01-4-1

SITUATED ON BENT MOUNTAIN ROAD
AND RAN LYNN DRIVE
WINDSOR HILLS MAGISTERIAL DISTRICT
ROANOKE COUNTY, VIRGINIA
AUGUST 23, 2006

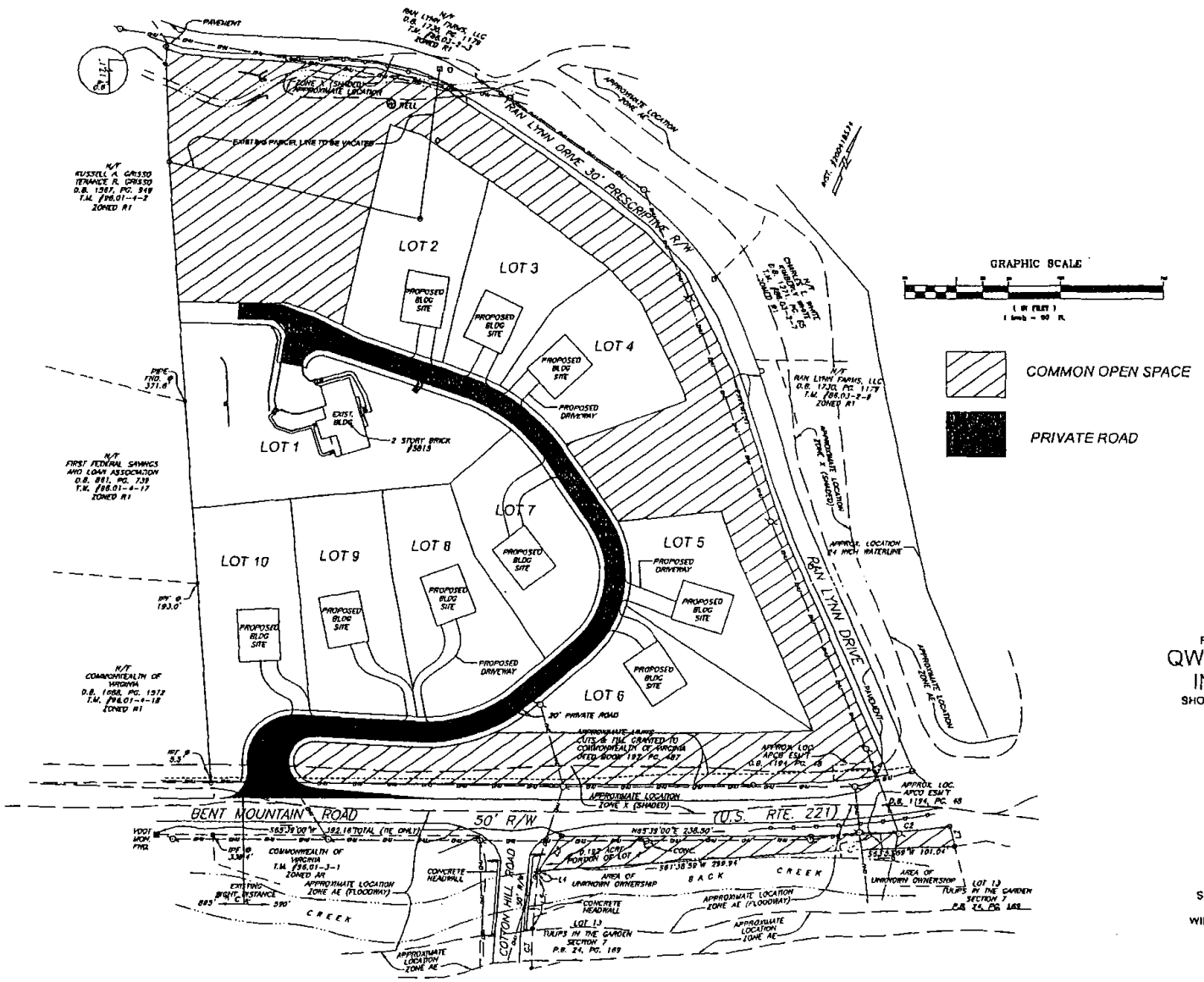
QWIZ CONSTRUCTION AND INVESTMENTS, LLC

EXISTING CONDITIONS
SUMMER HILL - PRD

QCI LLC

DESIGNED BY: JRG
DRAWN BY: JRG
CHECKED BY:
AUGUST 23, 2006

PRD 1



RESUBDIVISION MASTER PLAN FOR

QWIZ CONSTRUCTION & INVESTMENTS, LLC

SHOWING 8.820 ACRES BEING SUBDIVIDED
TAX MAP #98.01-4-1

CREATING HEREON
LOT 1
LOT 2
LOT 3
LOT 4
LOT 5
LOT 6
LOT 7
LOT 8
LOT 9
LOT 10

SITUATED ON BENT MOUNTAIN ROAD
AND RAN LYNN DRIVE
WINDSOR HILLS MAGISTERIAL DISTRICT
ROANOKE COUNTY, VIRGINIA
AUGUST 23, 2006

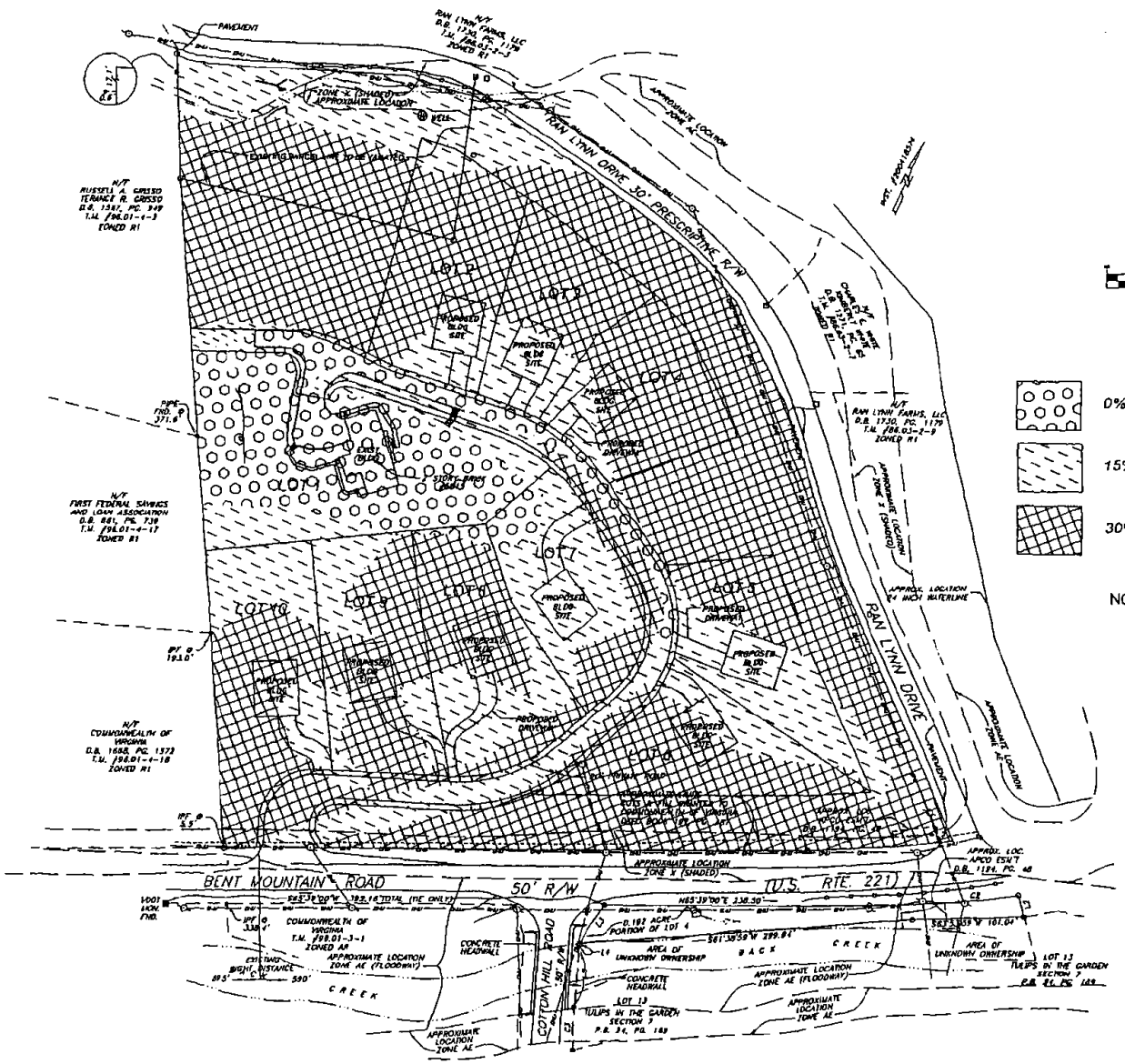
QWIZ CONSTRUCTION AND INVESTMENTS, LLC

MASTER PLAN
SUMMER HILL - PRD

QCI LLC

DESIGNED BY: JRD
DRAWN BY: JRD
CHECKED BY:
AUGUST 23, 2005

PRD 2



GRAPHIC SCALE

(IN FEET)

0% TO 15% SLOPE AREA

15% TO 30% SLOPE AREA

30% TO 50% SLOPE AREA

NOTES: 1) CONTOUR DATA FROM ROANOKE COUNTY TOPOGRAPHIC DATA. ELEVATION AND SLOPE INFORMATION APPROXIMATE.

RESUBDIVISION PLAN FOR

QWIZ CONSTRUCTION & INVESTMENTS, LLC

SHOWING 8.829 ACRES BEING SUBDIVIDED
TAX MAP #96.01-4-1

SITUATED ON BENT MOUNTAIN ROAD
AND RAN LYNN DRIVE
WINDSOR HILLS MAGISTERIAL DISTRICT
ROANOKE COUNTY, VIRGINIA
AUGUST 23, 2006

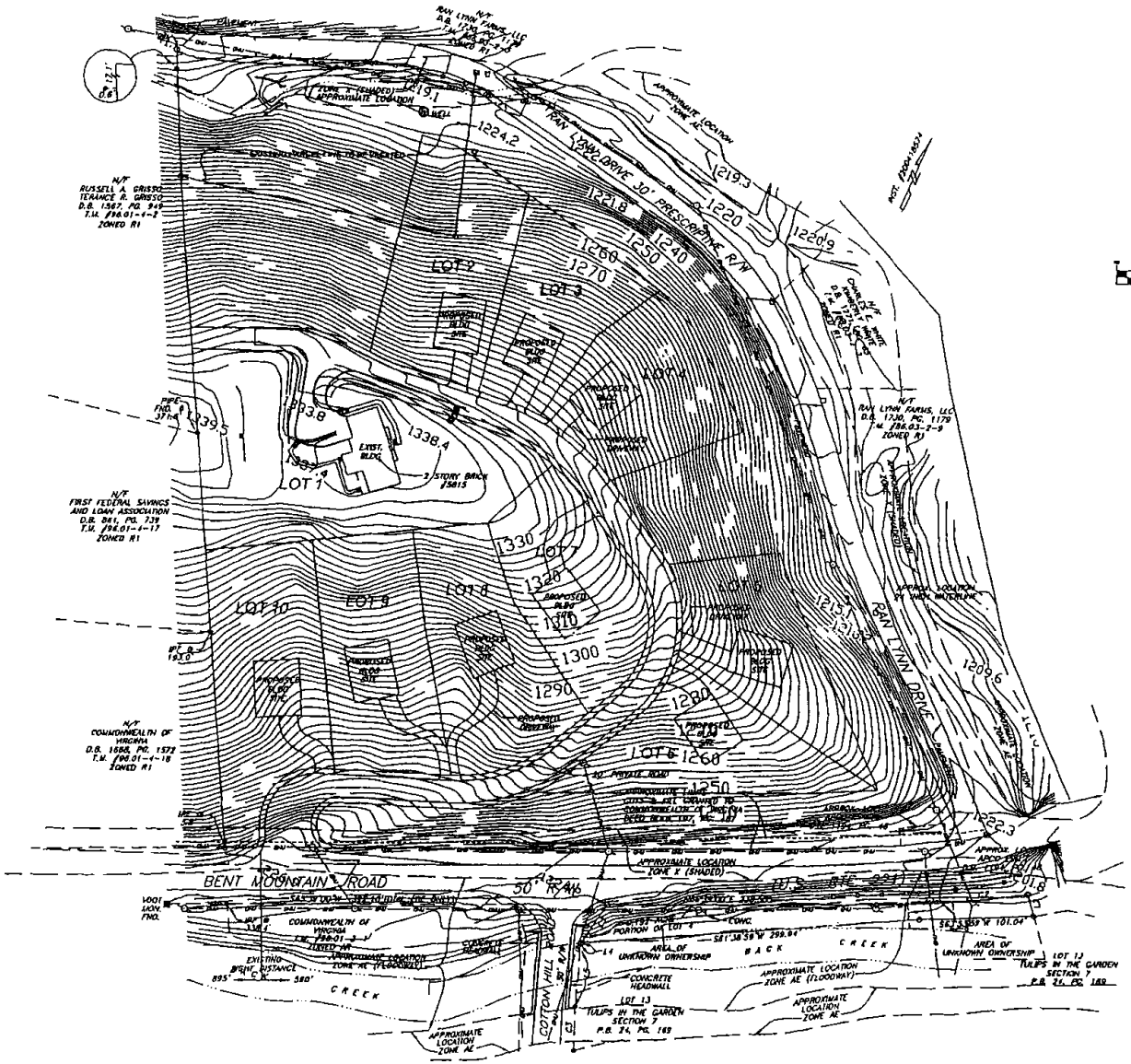
QWIZ CONSTRUCTION AND INVESTMENTS, LLC

EXISTING SLOPE MAP
SUMMER HILL - PRD

QCI LLC

DESIGNED BY: JRD
DRAWN BY: JRD
CHECKED BY:
AUGUST 23, 2006

PRD 4



GRAPHIC SCALE

(IN FEET)
1 inch = 50 ft.

NOTES: 1) CONTOUR DATA FROM ROANOKE COUNTY TOPOGRAPHIC DATA. ELEVATION AND CONTOUR INFORMATION APPROXIMATE.

RESUBDIVISION PLAN FOR

QWIZ CONSTRUCTION & INVESTMENTS, LLC

SHOWING 8.829 ACRES BEING SUBDIVIDED
TAX MAP #96.01-4-1

SITUATED ON BENT MOUNTAIN ROAD
AND RAN LYNN DRIVE
WINDSOR HILLS MAGISTERIAL DISTRICT
ROANOKE COUNTY, VIRGINIA
AUGUST 23, 2006

QWIZ CONSTRUCTION AND INVESTMENTS, LLC

TERRAIN MAP
SUMMER HILL - PRD

QCI LLC

DESIGNED BY: JRD
DRAWN BY: JRD
CHECKED BY:
AUGUST 23, 2006

PRD 3

SEC. 30-47 PRD PLANNED RESIDENTIAL DEVELOPMENT DISTRICT

Sec. 30-47-1 Purpose

(A) The purpose of this district is to provide for the development of planned residential communities that incorporate a variety of housing options as well as certain limited commercial and office uses designed to serve the inhabitants of the district. This district is intended to allow greater flexibility than is generally possible under conventional zoning district regulations by encouraging ingenuity, imagination and high quality design to create a superior living environment for the residents of the planned community. Incorporation of significant areas of open space is a primary component of these provisions as a means to maintain critical natural and cultural resources. This is balanced with development at densities which compensate, or in certain situations reward with bonuses, for maintenance of these resources. The PRD district is particularly appropriate for parcels which contain a number of constraints to conventional development. In addition to an improved quality of design, the PRD district creates an opportunity to reflect changes in the technology of land development, provide opportunities for new approaches to home ownership, and provide for an efficient use of land which can result in reduced development costs.

Sec. 30-47-2 Permitted Uses

(A) The following uses are permitted in the Planned Residential Development district. However, <u>no</u> use shall be permitted except in conformity with the uses specifically included in the Final Master Plan approved pursuant to Section 30-47-5. An asterisk (*) indicates additional, modified or more stringent standards are listed in Article IV, Use and Design Standards, for those specific uses.

1. <u>Residential Uses</u>
   Home Occupation, Type I *
   Multi-family Dwelling
   Residential Human Care Facility
   Single Family Dwelling, Attached
   Single Family Dwelling, Detached
   Townhouse

Two Family Dwelling

2. Civic Uses
   Community Recreation *
   Crisis Center
   Day Care Center *
   Educational Facilities, Primary/Secondary *
   Family Day Care Home *
   Park and Ride Facility *
   Public Parks and Recreational Areas *
   Religious Assembly *
   Safety Services *
   Utility Services, Major *
   Utility Services, Minor

3. Office Uses
   General Office *
   Medical Office *

4. Commercial Uses
   Convenience Store *
   Gasoline Station *
   Personal Services
   Restaurant, Family *

5. Miscellaneous Uses
   Amateur Radio Tower * (Amended Ord. 82493-8)

(B) Other use types which are not listed above and which are determined to be appropriate and compatible with the proposed development and surrounding uses may be permitted in the PRD district where they are specifically proposed in the initial preliminary master plan and approved pursuant to Section 30-47-5.

Sec. 30-47-3 Site Development Regulations

(A) Each planned residential development shall be subject to the following site development standards.

1. Reserved

2. Maximum gross density: 5 dwelling units per acre, excluding any density bonuses provided for below.

3. Minimum common open space and/or recreational areas: 15 percent of the gross area of the PRD district.

4. Criteria for all open space:

   a. Minimum countable open space: 5,000 contiguous square feet.

   b. Minimum horizontal dimension: 50 feet, except that areas with a horizontal distance of not less than 20 feet shall be counted as open space provided such areas contain facilities such as, but not limited to, bikeways, exercise trails, tot lots, gazebos, picnic tables, etc.

   c. Common open space shall not include proposed street right-of-ways, open parking areas, driveways, or sites reserved for schools or places of religious assembly.

   d. Common open space and/or recreational areas shall be of an appropriate nature and location to serve the residents of the district.

5. Open space bonus: for each additional 5 percent of open space the maximum gross density specified in (A) 2. above shall be increased 2.5 dwelling units per acre. The maximum open space bonus shall be 25 percent.

6. A 7.5 percent bonus to the gross density may be approved by the Administrator when a historic site will be preserved and maintained as an integral part of the development proposal. The historic site must be included in the County Historic Resources Inventory and meet one of the following:

   a. The historic site shall be listed on the Virginia Landmarks Register and the National Register of Historic Places;

   b. The historic site shall have been determined to be eligible for listing on the registers cited in a. above by the State Review Board for Historic

Preservation; OR,

c. The historic site shall have been officially designated by the Board of Supervisors as having County or local significance.

7. Maximum area for commercial and/or office uses: 10 percent of the gross area of the PRD. In addition, the following standards shall apply:

a. Commercial and office uses shall be expressly designed for the service and convenience of the PRD;

b. Commercial and office uses shall be screened and landscaped so as to be compatible with adjoining residences;

c. Construction of commercial and office uses shall not begin until 25 percent of the residential units of the total PRD have been completed.

8. Minimum setback requirements shall be specifically established during the review and approval of the Master Plan. The following guidelines shall be used in establishing the building spacing and setbacks:

a. Building spacing shall provide privacy within each dwelling unit;

b. Building spacing shall ensure that each room has adequate light and air;

c. Areas between buildings used as service yards, storage of trash, or other utilitarian purposes should be designed so as to be compatible with adjoining dwellings;

d. Building spacing and design shall provide privacy for outdoor activity areas (patios, decks, etc.) associated with individual dwelling units.

9. Streets in the PRD district may be public in accordance with VDOT and County standards or may be

private. In reviewing the PRD preliminary master plan, the Commission may recommend, and the Board may approve, one or more private streets within the proposed district.

Sec. 30-47-4 Relationship to Existing Development Regulations

(A) All zoning regulations shall apply to the development of the PRD, unless modified in the approval of the final master plan.

Sec. 30-47-5 Application Process

(A) Prior to submitting a formal application for review and approval under these provisions, the applicant and county staff shall meet to discuss the requirements of this section. The purpose of the meeting is to obtain a mutual understanding of the application requirements and process. The applicant is encouraged to submit information on the scope and nature of the proposal to allow staff to become familiar with the proposal in advance of this meeting.

(B) Any application to rezone land to the PRD designation, shall constitute an amendment to the zoning ordinance pursuant to Section 30-14. The written and graphic information submitted by the applicant as part of the application process shall constitute proffers pursuant to Section 30-15 of this ordinance. Once the Board of Supervisors has approved the final master plan, all accepted proffers shall constitute conditions pursuant to Section 30-15.

(C) To initiate an amendment, the applicant shall complete a rezoning application packet. This information shall be accompanied by graphic and written information, which shall constitute a preliminary master plan. All information submitted shall be of sufficient clarity and scale to clearly and accurately identify the location, nature, and character of the proposed district. At a minimum this information shall include:

1. A legal description and plat showing the site boundaries, and existing street lines, lot lines, and easements.

2. Existing zoning, land use and ownership of each parcel proposed for the district.

3. A general statement of planning objectives to be achieved by the PRD district, including a description of the character of the proposed development, the existing and proposed ownership of the site, the market for which the development is oriented, and objectives towards any specific man-made and natural characteristics located on the site.

4. A description and analysis of existing site conditions, including information on topography, archeological and historic resources, natural water courses, floodplains, unique natural features, tree cover areas, etc.

5. A land use plan designating specific uses for the site, both residential and non-residential uses, and establishing site development regulations, including setback, height, building coverage, lot coverage, and density requirements.

6. A circulation plan, including location of existing and proposed vehicular, pedestrian, bicycle, and other circulation facilities and location and general design of parking and loading facilities. General information on the trip generation, ownership and maintenance and proposed construction standards for these facilities should be included. A Traffic Impact Analysis may be required by the Administrator.

7. A public services and utilities plan providing requirements for and provision of all utilities, sewers, and other facilities to serve the site.

8. An open space plan, including areas proposed for passive and active recreational uses, natural and undisturbed areas, and proposed buffer areas proposed around the perimeter of the site. Information on the specific design and location of these areas and their ownership and maintenance should be included.

9. Generalized statements pertaining to architectural and

community design guidelines shall be submitted in sufficient detail to provide information on building designs, orientations, styles, lighting plans, etc.

10. A development schedule indicating the location, extent and sequence of proposed development. Specific information on development of the open space, recreational areas, and non-residential uses should be included.

(D) The completed rezoning application and supporting preliminary master plan materials shall be submitted to the Planning Commission for review and analysis. The Commission shall review this information and make a report of its findings to the Board of Supervisors. The Commission shall as part of its review hold a public hearing pursuant to Section 15.2-2204 of the Code of Virginia, as amended. The proposed district shall be posted with signs indicating the date and time of the Commission public hearing.

(E) The Commission shall make a report of its findings to the Board of Supervisors within 90 days of the receipt of the materials, unless the applicant requests, or agrees to an extension of this time frame. The Commission's report shall recommend approval, approval with modifications, or disapproval of the preliminary master plan. Failure of the Commission to make a report of its findings to the Board of Supervisors within this period shall constitute a Commission recommendation of approval.

(F) If the Commission recommends denial of the preliminary master plan, or approval with modification, the applicant shall, if requested, have 60 days to make any modifications. If the applicant desires to make any modifications to the preliminary master plan, the Board of Supervisor's review and action shall be delayed until such changes are made and submitted for review.

(G) The Board of Supervisors shall review the preliminary master plan, and act to approve or deny the plan within 90 days. Approval of the preliminary master plan shall constitute acceptance of the plan's provisions and concepts as proffers pursuant to Section 30-15 of this ordinance.

The plan approved by the Board of Supervisors shall constitute the final master plan for the PRD. Once approved by the Board of Supervisors, the Administrator shall authorize the revisions to the official zoning map to indicate the establishment of the PRD district.

Sec. 30-47-6 Revisions to Final Master Plan

(A) Major revisions to the final master plan shall be reviewed and approved following the procedures and requirements of Section 30-47-5. Major revisions include, but are not limited to changes such as:

1. Any increase in the density of the development;

2. Substantial change in circulation or access;

3. Substantial change in the mixture of dwelling unit types included in the project;

4. Substantial changes in grading or utility provisions;

5. Substantial changes in the mixture of land uses or an increase in the amount of land devoted to non-residential purposes;

6. Reduction in the approved open space, landscaping or buffering;

7. Substantial change in architectural or site design features of the development;

8. Any other change that the Administrator finds is a major divergence from the approved final master plan.

(B) All other changes in the final master plan shall be considered minor amendments. The Administrator, upon receipt of a written request of the owner, may approve such minor amendments.

1. If the Administrator fails to act on a request for a minor amendment to the Master Plan within 15 calendar days, it shall be considered approved.

2. A request which is disapproved by the Administrator shall be considered a major amendment and shall be subject to the approval process outlined above for such amendments.

Sec. 30-47-7 Approval of Preliminary and Final Site Development Plans

(A) Following the approval of the final master plan, the applicant or its authorized agent, shall be required to submit preliminary and final site development plans for approval. Final site development plans for any phase or component of the PRD that involves the construction of structures or facilities, shall be approved prior to the issuance of a building and zoning permit, and the commencement of construction. Standards for preliminary and final site development plans are found in a document entitled Land Development Procedures, available in the Department of Community Development.

(B) It is the intent of this section that subdivision review under the subdivision regulations be carried out simultaneously with the review of a planned residential development under this section. The plans required under this section shall be submitted in a form which will satisfy the requirements of the subdivision regulations, as determined by the Administrator.

(C) Preliminary and final site development plans submitted for review shall in compliance with the final master plan approved by the Board of Supervisors. Roanoke County shall review and approve or disapprove any Final Site Development Plan within 60 days of its submittal.

(D) No Planned Residential Development shall be approved and no work shall be authorized on construction until all property included in the Final Master Plan is in common ownership.

Sec. 30-47-8 Failure to Begin Development

(A) Failure of the applicant to submit a preliminary site development plan for at least one portion of the planned residential development within 18 months of the approval of the final master plan, shall constitute an application on

the part of applicant to rezone the PRD to the district designations in effect prior to the approval of the final master plan.

Sec. 30-47-9 Control Following Approval of Final Development Plans

(A) The zoning administrator shall periodically inspect the site and review all building permits issued for the development to ensure that the development schedule is generally complied with. The provision and construction of all of the common open space and public and recreational facilities shown on the final development plan must proceed at the same rate as the construction of dwelling units. If the administrator finds that the development schedule has not been followed, no permits, except for the above mentioned facilities, shall be issued until the developer complies with the development schedule, unless the developer has provided a performance bond or similar instrument to guarantee that such common open space and/or public and recreational facilities will be provided for at a specific date.

Sec. 30-47-10 Existing Planned Unit Developments

(A) Any Planned Unit Development approved under procedures in force before the effective date of this Ordinance shall be designated as Planned Residential Development Districts and shall be governed by requirements or restrictions applicable at the time of their approval.

SEC. 30-41 R-1 LOW DENSITY RESIDENTIAL DISTRICT

Sec. 30-41-1 Purpose

(A) The R-1, Low Density Residential district is established for areas of the County within the urban service area with existing low-middle density residential development, with an average density of from one to three units per acre, and land which appears appropriate for such development. These areas are generally consistent with the Neighborhood Conservation land use category as recommended in the Community Plan. In addition, where surrounding development and the level of public services warrant, these areas coincide with the Development category recommended in the Plan. This district is intended to provide the highest degree of protection from potentially incompatible uses and residential development of a significantly different density, size, or scale, in order to maintain the health, safety, appearance and overall quality of life of existing and future neighborhoods.

In addition to single-family residences, only uses of a community nature which are generally deemed compatible are permitted in this district. This would include parks and playgrounds, schools and other similar neighborhood activities.

Sec. 30-41-2 Permitted Uses

(A) The following uses are permitted by right subject to all other applicable requirements contained in this Ordinance. An asterisk (*) indicates additional, modified or more stringent standards are listed in Article IV, Use and Design Standards, for those specific uses.

1. <u>Residential Uses</u>
   Home Occupation, Type I *
   Manufactured Home * (Amend. Ord 62795-10)
   Manufactured Home, Emergency *
   Residential Human Care Facility
   Single Family Dwelling, Detached (For Zero Lot Line Option - *)
   Single Family Dwelling, Attached *

Single Family Dwelling, Attached and Detached, (Cluster Subdivision Option -*)

2. Civic Uses
Community Recreation *
Park and Ride Facility *
Public Parks and Recreational Areas *
Utility Services, Minor

3. Miscellaneous Uses
Amateur Radio Tower * (Amended Ord. 82493-8)

(B) The following uses are allowed only by Special Use Permit pursuant to Section 30-19. An asterisk (*) indicates additional, modified or more stringent standards are listed in Article IV, Use and Design Standards, for those specific uses.

1. Agricultural and Forestry Uses
Stable, Private *

2. Residential Uses
Accessory Apartment *
Alternative Discharging Sewage Systems * (Amended Ord. 42793-20)
Home Beauty/Barber Salon *
Kennel, Private *

3. Civic Uses
Cemetery *
Day Care Center * (Amended Ord. 62293-12)
Crisis Center
Educational Facilities, Primary/Secondary *
Family Day Care Home *
Religious Assembly *
Utility Services, Major *

3.5. Commercial Uses
Bed and Breakfast * (Amended Ord. 62293-12)

4. Miscellaneous Uses
Outdoor Gatherings *

Sec. 30-41-3 Site Development Regulations

General Standards. For additional, modified, or more stringent standards for specific uses, see Article IV - Use and Design Standards.

(A) Minimum lot requirements

1. All lots served by private well and sewage disposal systems:

   a. Area: 0.75 acre (32,670 square feet)

   b. Frontage: 90 feet on a publicly owned and maintained street.

2. Lots served by either public sewer or water:

   a. Area: 20,000 square feet

   b. Frontage: 75 feet on a publicly owned and maintained street.

3. All lots served by both public sewer and water:

   a. Area: 7,200 square feet.

   b. Frontage: 60 feet on a publicly owned and maintained street.

(B) Minimum setback requirements

1. Front yard:

   a. Principal structures: 30 feet.

   b. Accessory structures: behind the front building line. (Amended Ord. 62293-12)

2. Side yard:

   a. Principal structures: 10 feet

b. Accessory structures: 10 feet behind front building line or 3 feet behind rear building line.

3. Rear yard:

a. Principal structures: 25 feet

b. Accessory structures: 3 feet

4. Where a lot fronts on more than one street, front yard setbacks shall apply to all streets.

5. The expansion of a legally established nonconforming structure into the required side or rear yard shall be permitted provided the expansion does not encroach into the required yard any greater than the existing encroachment. (Amended Ord. 42694-12)

(C) Maximum height of structures

1. Height limitations:

a. Principal structures: 45 feet

b. Accessory structures: 15 feet, or 25 feet provided they comply with the setback requirements for principal structures.

(D) Maximum coverage

1. Building coverage: 30 percent of the total lot area for all buildings and 7 percent for accessory buildings.

2. Lot coverage: 50 percent of the total lot area.

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROANOKE COUNTY, VIRGINIA, HELD AT THE ROANOKE COUNTY ADMINISTRATION CENTER, TUESDAY, SEPTEMBER 26, 2006

ORDINANCE TO REZONE 8.829 ACRES FROM R-1 LOW DENSITY RESIDENTIAL DISTRICT TO PRD, PLANNED RESIDENTIAL DEVELOPMENT DISTRICT, FOR THE DEVELOPMENT OF A RESIDENTIAL COMMUNITY CALLED SUMMER HILL LOCATED AT 5815 BENT MOUNTAIN ROAD, WINDSOR HILLS MAGISTERIAL DISTRICT

WHEREAS, the first reading of this ordinance was held on August 22, 2006, and the second reading and public hearing were held September 26, 2006; and,

WHEREAS, the Roanoke County Planning Commission held a public hearing on this matter on September 5, 2006; and

WHEREAS, legal notice and advertisement has been provided as required by law.

BE IT ORDAINED by the Board of Supervisors of Roanoke County, Virginia, as follows:

1. That the zoning classification of a certain tract of real estate containing 8.829 acres, as described herein, and located at 5815 Bent Mountain Road, (Tax Map Number 96.01-4-1) in the Low Density Residential District to the zoning classification PRD, Planned Residential Development District with conditions.

2. That this action is taken upon the application of Qwiz Construction and Investments, LLC.

3. That the owner of the property has voluntarily proffered in writing conditions which are made a part hereof and incorporated herein by reference and which are set out in detail in Exhibit A (filed with the official records for the September 26, 2006 meeting) entitled: "Summer Hill, A Planned Residential Community, Planning and Design

Guidelines, Revised August 23, 2006", which conditions the Board of Supervisors of Roanoke County, Virginia, hereby accepts.

4. That said real estate is more fully described as follows:

Parcel I: BEGINNING at a stake on the North bank of Back Creek near Willow (Dogwood and Pine called for gone), Corner to Susannah Grisso 28.25 acre tract and J.C. Croft; thence with the J.C. Croft and Riley T. Fralin line, N. 28 degs. W. 28.0 ft. to a point on the Southerly side of U.S. Highway 221 (known locally as Bent Mountain Road), said point being the "Actual Place of Beginning" of the herein described parcel of land; thence leaving the above described Beginning Point, N. 28 degs. W., crossing U.S. Highway 221 (50 ft. wide) and passing an iron pipe in the old fence at 439 ft., in all a total distance of 655 ft. to a stake, corner to the 0.74 acre tract formerly conveyed out of Susannah Grisso 28.25 acre tract; thence with the lines of the same, N. 78 degs. 15' E. 285.5 ft. to a stake; thence N. 16 degs. 50' W. 148 ft. to a point in County Road in line of Frank H. Vest property; thence with the middle of the Road and lines of Frank H. Vest, N. 71 degs. 15' E. 10 ft. to a point; thence S. 75 degs. 45' E. 326.0 ft. to a point, corner to No. 2 of Sigmon and Easter land; thence with the same S. 51 degs. E. passing corner to No. 2 at 87.7 ft., in all 100.0 ft. to a point in the middle of road, Corner to No. 3 of Sigmon and Easter Land; thence with the middle of the Road and with lines of Lot 3, S. 38 degs E. 196.5 ft. to a point; thence with the middle of the Road and with lines of Lot 3, S. 38 degs. E. 196.5 ft. to a point; thence S. 50 degs. 30' E. 245.4 ft. to a stake in the Northerly right of way line of U. S. Highway Rt. No. 221; thence with the same, No. 58 degs. E. 41.5 ft. to a stake in branch; thence with the branch crossing under the middle of a concrete bridge, S. 33 degs. 45' E. 94.0 ft. to a stake at the mouth of the branch; thence up the North bank of Back Creek, S. 63 degs. 30' W. 100.0 ft. to a stake; thence S. 61 degs. 15' W, 350.0 ft. to a stake, at the Southeasterly corner of the 0.34 acre tract conveyed to Gladys Hutton by P.A. Grisso and wife; thence with the East line of said 0.34 acre tract; N. 20 degs. W. 41.0 ft. to a Southerly side of U.S. Highway Rt. No. 221 (50 ft. wide, known locally as Bent Mountain Road); thence with the Southerly side of said Road, S. 65 degs, W. 267.6 ft. to the "Actual Place of Beginning", and containing 8.82 acres, more or less.

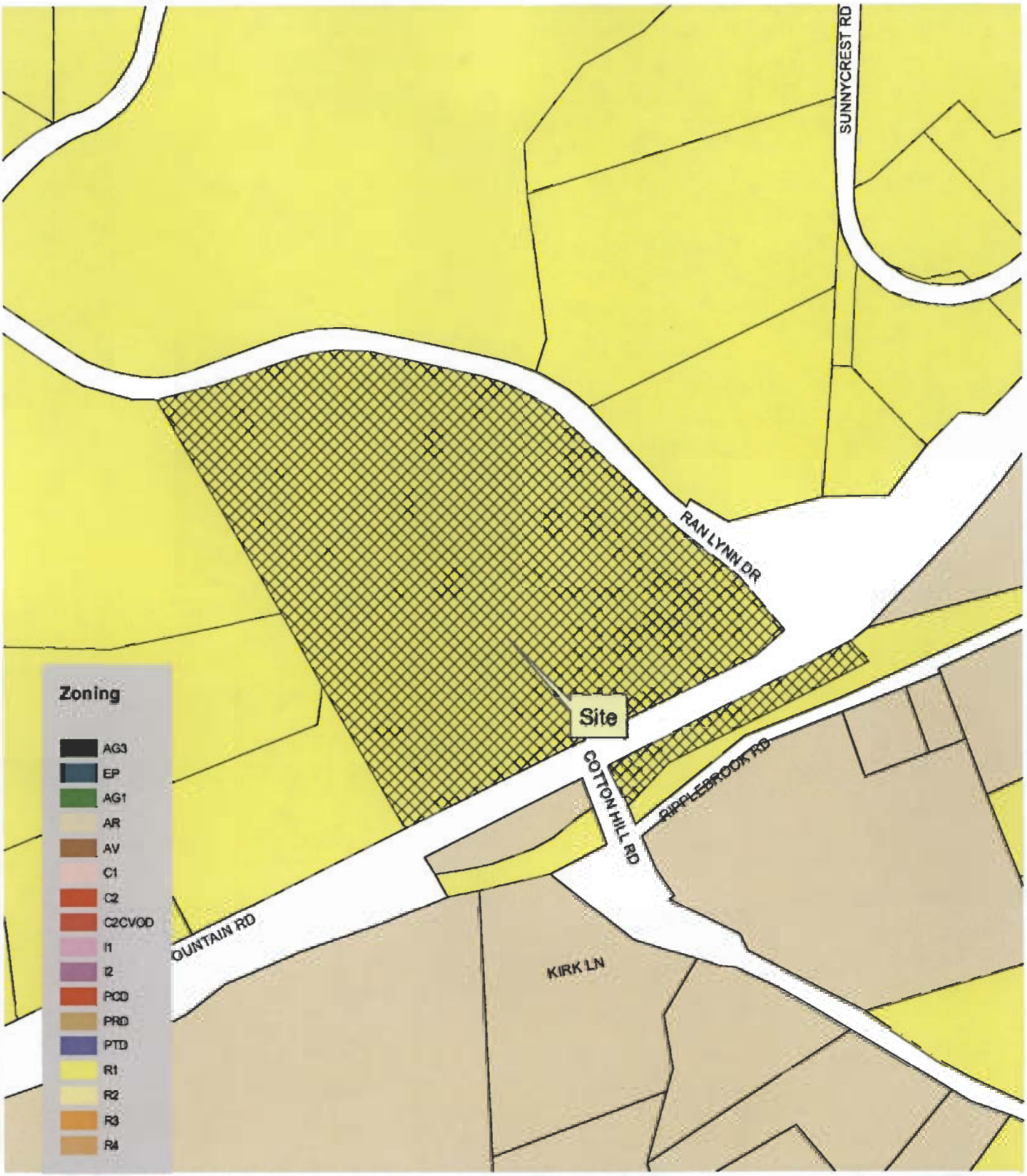
LESS AND EXCEPT 0.80 acre, more or less, shown on Sheet No. 9 & 10, Project 620A., Route No. 205, Department of Highways plans for Rt. 205 (now redesignated U.S. R. 221), conveyed by Susie M. Grisso to the Commonwealth of Virginia by deed dated June 25, 1930, recorded in Deed Book 197, page 487.

LESS AND EXCEPT 0.05 acre, more or less, as shown on Sheet 3 of plans for Route 688 Highway Project 0688-080-125-C-501, recorded in the Clerk's Office of the Circuit Court of Roanoke County, Virginia, in State Highway Plat Book 8, page 1, taken by the Commonwealth of Virginia by Certificate No. C9565, dated April 28, 1965, recorded in Deed Book 770, page 75 and Order entered December 3, 1979, recorded in Deed Book 907, page 398.

PARCEL II: BEGINNING at a point in the middle of a public road called the J. H. Grisso Road, said point being 121 feet S. 26 degs. E. of a White oak and Black oak corner of said Susannah Grisso's land; thence running with the line of R. T. Fralin's land crossing a branch, S. 26 degs. E. 113 feet to a stake at 2; thence a new line N. 78 degs. 15' E. 248.5 feet to a stake at 3; thence N. 16 degs. 50' W. 148 feet again crossing the branch to a point in the middle of the road at 4; thence along the road, S. 70 degs 00' W. 266 feet to the place of BEGINNING, containing 0.74 acre according to survey and plat made by George L. Poage.

Both parcels being designated as Roanoke County Official Tax Map No. 096.01-4-1.

5. That this ordinance shall be in full force and effect thirty (30) days after its final passage. All ordinances or parts of ordinances in conflict with the provisions of this ordinance be, and the same hereby are, repealed. The Zoning Administrator is directed to amend the zoning district map to reflect the change in zoning classification authorized by this ordinance.



Roanoke County
Department of
Community Development

Applicants Name: Qwiz Construction and Investments, LLC
Existing Zoning: R1
Proposed Zoning: PRD
Tax Map Number: 096.01-04-01.00-0000
Magisterial District: Windsor Hills *Area:* 8.829 Acres

July 24, 2006 Scale: 1" = 200'

PETITIONER: R. Fralin Development Corporation
CASE NUMBER: 24–9/2006

Planning Commission Hearing Date: September 5, 2006

Board of Supervisors Hearing Date: September 26, 2006

A. REQUEST

The petition of R. Fralin Development Corporation, to rezone 1.26 acres from R-1, Low Density Residential, to C-1, Office, in order to construct two office buildings, located at 2404 Electric Road, Windsor Hills Magisterial District.

B. CITIZEN COMMENTS

None

C. SUMMARY OF COMMISSION DISCUSSION

Ms. Hooker asked about the height of the retaining wall behind the east parking lot. The petitioner's engineer responded eight feet at the highest point. The commission asked if a fence could be installed above the retaining wall, and the petitioner offered to proffer a safety fence. Mr. Azar inquired about site lighting and the petitioner's engineer described the intended lamp post style and height, as well as the ability to shield individual panels of the fixture if necessary. The petitioner's engineer presented the site plan as well as the architectural rendering.

D. CONDITIONS

1. The site will be developed in substantial conformance with the Site Plan dated 8-29-06, titled "Wentworth Office Park", prepared by Balzer and Associates, Inc.
2. The building will be developed in general conformance with the Architectural Rendering dated 8-29-06, titled "Wentworth Office Park", prepared by Balzer & Associates, Inc.
3. All parking lot lighting shall be post top fixtures no more than 12' tall with fully concealed fixtures.
4. The dumpster shall be serviced between 7 am and 10 pm.
5. The proposed fencing shall be a minimum of 6 feet tall and the side of the fence facing the adjoining properties shall be finished
6. The proposed sign shall be a monument style sign and shall be designed to generally match the architecture and materials of the buildings.
7. A minimum of 6 street trees and 35 shrubs will be planted along the Rt. 419 Right of Way.
8. A safety fence shall be installed along the perimeter of the retaining wall.

E. COMMISSION ACTION

Mr. Thomason then made the motion to recommend approval of the request with the proffered conditions. Motion carried 5-0.

F. DISSENTING PERSPECTIVE

G. ATTACHMENTS:

__ Concept Plan __ Vicinity Map
__ Staff Report __ Other

Philip Thompson, Secretary
Roanoke County Planning Commission

Proffers for Wentworth Office Park
Revised: 9-21-06

1. The site will be developed in substantial conformance with the Site Plan dated 8-29-06, titled "Wentworth Office Park", prepared by Balzer and Associates, Inc.
2. The building will be developed in general conformance with the Architectural Rendering dated 8-29-06, titled "Wentworth Office Park", prepared by Balzer and Associates, Inc.
3. All parking lot lighting shall be post top fixtures no more than 12' tall with fully concealed fixtures and arranged so glare is not cast onto the adjoining properties.
4. The dumpster shall be serviced between 7 am and 10 pm and in accordance with the Roanoke County Noise Ordinance.
5. The proposed fencing shall be a minimum of 6 feet tall and the side of the fence facing the adjoining properties shall be finished
6. The proposed sign shall be a monument style sign and shall be designed to generally match the architecture and materials of the buildings.
7. A minimum of 6 street trees and 35 shrubs will be planted along the Rt 419 Right of Way.
8. A safety fence shall be installed along the perimeter of the retaining wall.

Property Owner: William Herbert Liles II

Signature: William Herbert Liles II

Date: 9/21/06

STAFF REPORT

Petitioner:	R. Fralin Development Corporation
Request:	Rezone 1.26 acres from R-1, Low Density Residential District to C-1, Office District to construct two office buildings
Location:	2404 Electric Road
Magisterial District:	Windsor Hills
Proffered Conditions:	Pending submission by petitioner

EXECUTIVE SUMMARY:

R. Fralin Development Corporation petitions to rezone 1.26 acres from R-1 to C-1 in order to construct two office buildings. Each building would be two-story, and contain 8,000 square feet of gross floor area. Access would be provided through a reconstructed driveway in the Wentworth Road right-of-way. Wentworth Road is an unimproved public right-of-way, platted as part of the City View Heights, Section 3 subdivision in the late 1940s.

The site has adequate public services and access from a principal arterial, primary highway. The proposed site design has many features that conform with the goals and strategies of the 419 Frontage Development Plan. Other site design features may be proffered to ensure quality development. In the Roanoke County Community Plan, the site is designated Neighborhood Conservation, and is adjacent to Electric Road frontage properties designated Transition. The Neighborhood Conservation land use designation is a future land use designation where established single family neighborhoods are delineated, and conservation of the existing development pattern is encouraged. The Transition designation is a future land use designation that encourages orderly development of highway frontage parcels.

Discussions about proffered conditions have taken place between staff and the petitioner. However, at the time of this report, no proffered conditions have been submitted by the petitioner. If the Planning Commission chooses to recommend approval of the petition, it should be with proffered conditions that address the following:

1) Conformance with the concept plan
2) Architectural design
3) Additional screening and buffer yard along the north property line
4) Sign area and height
5) Exterior light fixture height
6) Dumpster location
7) Specific details for front yard landscaping

1. APPLICABLE REGULATIONS

Roanoke County approval is required for site development and building plans.

Virginia Department of Transportation (VDOT) approval is required for the proposed commercial entrance.

2. ANALYSIS OF EXISTING CONDITIONS

Background – According to County records, the existing 3,000 square foot home at 2404 Electric Road was constructed in 1947. The home was constructed at the same time that the subdivision to the north, City View Heights, Section 3, was platted. That subdivision plat dedicated Wentworth Road for public use, but the road was never constructed or accepted into the County or VDOT street system. The property at 2404 Electric Road fronts on the "paper street", as well as Electric Road. Currently, the Wentworth Road right-of-way is used for the driveway to 2404 Electric Road, as well as secondary driveways/access to several homes on Bower Road and Woodley Drive. In December 1974, the Roanoke County Board of Supervisors vacated approximately one half of Wentworth Road, but left open for public use the western half of the right-of-way where it connects to Electric Road.

Topography/Vegetation – The site slopes down from east to west, toward Electric Road. Vegetation consists of open grass yard, with mature shrubs and trees surrounding the home.

Surrounding Neighborhood – Properties to the north, east and south are zoned R-1, Low Density Residential District, and contain single family dwellings along Bower Road and Woodley Drive. Across Electric Road, property is zoned C-1, Office District, and contains an insurance office. A 4.75 acre tract across Electric Road is zoned R-3, Medium Density Multi-Family Residential District, and is undeveloped. Electric Road frontage property that adjoins to the north is zoned C1, Office District, and contains a real estate office.

3. ANALYSIS OF PROPOSED DEVELOPMENT

Site Layout/Architecture – Two 8,000 square foot office buildings are shown on the concept plan. Each of the buildings are proposed as two-story structures, with 4,000 square feet of gross area on each floor. Internal driveways and parking areas are shown on the side and rear of "Building A" and the front, side and rear of "Building B". "Building A" is shown at the minimum setback line from Electric Road. "Building B" is shown behind and to the north of "Building A". In order to have on-grade access to both sides of "Building B", the rear parking area will likely be graded into the topography, with retaining walls around portions of the rear parking lot.

Architectural sketches of the buildings show brick on the exterior of the first floor and a cement board finish exterior on the second floor. Entrances are shown in the center of the front and side of the first floor. The entrance to "Building A" would actually be in the back of the building, with the Electric Road elevation having a similar treatment in the center of the building, with windows in place of the entrance doors. Each building would have a standing seam metal roof, with a hip design, and dormers and gables over the main entrance(s). Per the zoning ordinance, building height is limited to a maximum of 45 feet. Staff has suggested that the petitioner proffer substantial conformance with the architectural design.

Screening and buffer yards are shown on the concept plan along the south and east boundaries where the site adjoins R-1 zoning. Where the proposed development adjoins Wentworth Road right-of-way, the buffer yard is not required. However, staff has suggested that the petitioner continue the typical buffer yard from the northeast corner to the proposed driveway, in order to further screen the development from homes on Bower Road. The concept plan also shows a dumpster located near the southeast corner of the site. Staff has suggested that the petitioner find an alternative location for the dumpster, further away from adjoining residences.

Underground stormwater detention is proposed. Facilities would likely be located under the parking lot closest to Electric Road.

Access/Traffic Circulation – Access would continue by a driveway in the Wentworth Road right-of-way. The existing driveway would be improved and a new commercial entrance would be constructed to connect to Electric Road. Since Wentworth Road is dedicated for public use, the new driveway must be designed and constructed to maintain access to the remainder of Wentworth Road. VDOT staff have commented that commercial entrance plans will be necessary to determine impacts to existing drainage facilities and to include possible turn lanes from Electric Road. The proposed entrance is not located at a median cross-over, so vehicular access would be right in and right out from the Wentworth Road driveway onto Electric Road.

Fire & Rescue/Utilities – Fire and Rescue service would continue as currently provided from the Cave Spring stations. The new buildings would require annual fire marshall inspection. No negative impacts are anticipated to fire and rescue services. Public water and sanitary sewer is available for the proposed development. A 4-inch water line and 8-inch sanitary sewer line are located along the Electric Road frontage. No negative impacts are anticipated to public water and sanitary sewer services.

Community Meeting – A community meeting was held on August 29, 2006 to discuss the petition. Eight citizens attended. Most of those attending lived in homes directly adjoining the property. Planning staff and the petitioners presented information about the legislative process and the proposed site development plans and building plans. The citizens inquired about site design, building design, screening and buffering, stormwater management, and traffic access to the site. Several neighbors offered suggestions about the proposed site and building plans, but none voiced opposition to the proposal.

4. CONFORMANCE WITH ROANOKE COUNTY COMMUNITY PLAN

In the Roanoke County Community Plan, the site is designated Neighborhood Conservation, and is adjacent to Electric Road frontage properties designated Transition. The Neighborhood Conservation land use designation is a future land use designation where established single family neighborhoods are delineated, and conservation of the existing development pattern is encouraged. The proposed rezoning does not conform to the Neighborhood Conservation designation. However, the property is located on a primary highway, with adequate public water and sanitary sewer, and adjoins a new office development. In addition, the 1.26 acre site was not platted as part of either of the adjoining residential subdivisions, and is accessed from Electric Road, rather than through an existing neighborhood street. Because of the property's location and land area, it is fairly debatable whether the redevelopment of the land should be for residential or office use.

The 419 Frontage Development Plan, dated February 1987, is adopted by reference into the Community Plan. The 419 Plan has goals, design guidelines and implementation strategies to encourage quality economic development along Electric Road, and avoid haphazard strip development of the corridor. The 419 Plan encourages buildings to be prominent from the public street view, using the building architecture as a means of business advertisement. The 419 Plan encourages building scale appropriate to the lot size and light pole height consistent with the building scale. Parking lots located to the side and rear of the buildings, and landscaped front yards are also encouraged. The proposed site plan incorporates many of these design features.

Other design features, such as architectural design, building height, and light pole height could be presented as proffered conditions. The 419 Plan contains Future Land Use designations that are tied to the Community Plan. The site is designated Neighborhood Conservation in the 419 Plan.

5. STAFF CONCLUSIONS

The proposed rezoning from R-1 to C-1 raises the question about what is the appropriate future use of the property at 2404 Electric Road. The site has adequate public services and access from a principal arterial, primary highway. The proposed site design has many features that conform with the goals and strategies of the 419 Frontage Development Plan. Other site design features may be proffered to ensure quality development. In the Roanoke County Community Plan, the site is designated Neighborhood Conservation, and is adjacent to Electric Road frontage properties designated Transition. The Neighborhood Conservation land use designation is a future land use designation where established single family neighborhoods are delineated, and conservation of the existing development pattern is encouraged. The Transition designation is a future land use designation that encourages orderly development of highway frontage parcels.

Discussions about proffered conditions have taken place between staff and the petitioner. However, at the time of this report, no proffered conditions have been submitted by the petitioner. If the Planning Commission chooses to recommend approval of the petition, it should be with proffered conditions that address the following:

1) Conformance with the concept plan.
2) Architectural design
3) Additional screening and buffer yard along the north property line
4) Sign area and height
5) Exterior light fixture height
6) Dumpster location
7) Specific details for front yard landscaping

CASE NUMBER: **24-09/2006**
PREPARED BY: **David Holladay**
HEARING DATES: **PC: 09/05/06** **BOS: 09/26/06**

Attachments:

Zoning Map
Future Land Use Map
Application Materials
R-1 Zoning District Regulations
C-1 Zoning District Regulations

PZ-0601833

County of Roanoke
Community Development
Planning & Zoning

5204 Bernard Drive
P O Box 29800
Roanoke, VA 24018-0798
(540) 772-2068 FAX (540) 776-7155

For Staff Use Only

Date received: 7/21/06	Received by: DPM
Application fee: $1009.00	PC/BZA date:
Placards issued:	BOS date:
Case Number 24-9/2006	

ALL APPLICANTS

Check type of application filed (check all that apply)
☒ **Rezoning** ☐ **Special Use** ☐ **Variance** ☐ **Waiver** ☐ **Administrative Appeal** ☐ **Comp Plan** (15.2-2232) **Review**

Applicants name/address w/zip
R. Fralin Development Corporation
P.O. Box 6244
Christiansburg, VA 24068

Phone: (540) 381-9700
Work:
Cell #: (540) 293-3234
Fax No.: (540) 381-3871

Owner's name/address w/zip
William Herbert Liles, II
2404 Electric Road
Roanoke, VA 24018

Phone #: (540) ~~989-6303~~ 314-3691
Work:
Fax No. #:

Property Location
2404 Electric Road

Magisterial District: Windsor Hills
Community Planning area: Windsor Hills

Tax Map No.: 76.11-01-17.00
Existing Zoning: R1

Size of parcel(s): Acres: 1.26
Existing Land Use: Residential

REZONING, SPECIAL USE PERMIT, WAIVER AND COMP PLAN (15.2-2232) REVIEW APPLICANTS (R/S/W/CP)

Proposed Zoning: C-1 Office District
Proposed Land Use: Office Building

Does the parcel meet the minimum lot area, width, and frontage requirements of the requested district?
Yes ☒ No ☐ **IF NO, A VARIANCE IS REQUIRED FIRST.**
Does the parcel meet the minimum criteria for the requested Use Type? Yes ☒ No ☐
IF NO, A VARIANCE IS REQUIRED FIRST
If rezoning request, are conditions being proffered with this request? Yes ☒ No ☐

VARIANCE, WAIVER AND ADMINISTRATIVE APPEAL APPLICANTS (V/W/AA)

Variance/Waiver of Section(s) _____ of the Roanoke County Zoning Ordinance in order to:
_____.
Appeal of Zoning Administrator's decision to _____.
Appeal of Interpretation of Section(s):_____ of the Roanoke County Zoning Ordinance
Appeal of Interpretation of Zoning Map to _____.

Is the application complete? Please check if enclosed. **APPLICATION WILL NOT BE ACCEPTED IF ANY OF THESE ITEMS ARE MISSING OR INCOMPLETE.**

R/S/W/CP	V/AA		R/S/W/CP	V/AA		R/S/W/CP	V/AA	
		Consultation			8 1/2" x 11" concept plan			Application fee
		Application			Metes and bounds description			Proffers, if applicable
		Justification			Water and sewer application			Adjoining property owners

I hereby certify that I am either the owner of the property or the owner's agent or contract purchaser and am acting with the knowledge and consent of the owner.

William Herbert Liles II
_____ Owner's Signature

JUSTIFICATION FOR REZONING, SPECIAL USE PERMIT WAIVER OR COMP PLAN (15.2-2232) REVIEW REQUESTS

Applicant R. Fralin Development Corporation

The Planning Commission will study rezoning, special use permit waiver or community plan (15.2-2232) review requests to determine the need and justification for the change in terms of public health, safety, and general welfare. Please answer the following questions as thoroughly as possible. Use additional space if necessary.

Please explain how the request furthers the purposes of the Roanoke County Ordinance as well as the purpose found at the beginning of the applicable zoning district classification in the Zoning Ordinance.

This request provides an attractive and appropriate office development. This office complex is appropriately located along a major arterial street (Route 419) and is located adjacent to existing commercial development. This property serves as a logical buffer between the neighboring residential properties and Route 419.

Please explain how the project conforms to the general guidelines and policies contained in the Roanoke County Community Plan.

This development does not promote strip/linear commercial development, rather it provides an office complex that is designed around the contour of the land and provides extensive screening and landscaping. Tasteful signage and a unified architectural design will be provided.

Please describe the impact(s) of the request on the property itself, the adjoining properties, and the surrounding area, as well as the impacts on public services and facilities, including water/sewer, roads, schools, parks/recreation and fire and rescue.

This project will have the normal demands of any office development on water, sewer and other utilities. Schools, parks, and recreation will not be affected by this development. A buffer with vegetative and architectural screening is proposed to mitigate any impact on the surrounding properties.

Community Development Planning & Zoning Division

NOTICE TO APPLICANTS FOR REZONING, SUBDIVISION WAIVER, PUBLIC STREET WAIVER, OR SPECIAL USE PERMIT PETITION

PLANNING COMMISSION APPLICATION ACCEPTANCE PROCEDURE

The Roanoke County Planning Commission reserves the right to continue a Rezoning, Subdivision Waiver, Public Street Waiver or Special Use Permit petition if new or additional information is presented at the public hearing. If it is the opinion of the majority of the Planning Commissioners present at the scheduled public hearing that sufficient time was not available for planning staff and/or an outside referral agency to adequately evaluate and provide written comments and suggestions on the new or additional information prior to the scheduled public hearing then the Planning Commission may vote to continue the petition. This continuance shall allow sufficient time for all necessary reviewing parties to evaluate the new or additional information and provide written comments and suggestions to be included in a written memorandum by planning staff to the Planning Commission. The Planning Commission shall consult with planning staff to determine if a continuance may be warranted.

POTENTIAL OF NEED FOR TRAFFIC ANALYSES AND/OR TRAFFIC IMPACT STUDY

The Roanoke County Planning Commission reserves the right to continue a Rezoning, Subdivision Waiver, Public Street Waiver, or Special Use Permit petition if the County Transportation Engineering Manager or staff from the Virginia Department of Transportation requests further traffic analyses and/or a traffic impact study that would be beneficial in making a land use decision (*Note: a list of potential land uses and situations that would necessitate further study is provided as part of this application package*).
This continuance shall allow sufficient time for all necessary reviewing parties to evaluate the required traffic analyses and/or traffic impact study and to provide written comments and/or suggestions to the planning staff and the Planning Commission. If a continuance is warranted, the applicant will be notified of the continuance and the newly scheduled public hearing date.

Effective Date: April 19, 2005

Name of Petition

William Herbert Hee III

Petitioner's Signature

7-21-06

Date

Legal Description
Roanoke County Tax Map #76.11-1-17

Beginning at a point at the southeasterly intersection of the right-of-way line of Electric Road (VA Route 419) and the right-of-way line of Wentworth Road, being the northwesterly corner of a 1.26 acres tract; thence continuing along the southerly right-of-way line of Wentworth Road N85°04'00"E, 310.65 feet to a point at the most northerly corner of Lot 4, Sugar Loaf East, Section 1, Block 1 (Plat Book 7, Page 20); thence leaving said right-of-way line and continuing along the westerly line of said Lot 4 S13°18'00"E, 131.00 feet to a point at the northeasterly corner of Lot 3 of said Sugar Loaf East; thence along the northerly line of Lot 3, Lot 2 & Lot 1 of said Sugar Loaf East S64°33'00"W, 286.64 feet to a point on the easterly right-of-way line of Electric Road; thence leaving the line of Sugar Loaf East and continuing along the easterly right-of-way line of Electric Road N33°41'00"W, 27.85 feet to a point; thence N18°02'00"W, 211.16 feet to the Point of Beginning, containing 1.26 acres as shown on survey entitled "Plat Showing Property of William Herbert Liles, II & Rose Crocker Lilies" dated May 4, 1989 recorded in the Clerk's office of the circuit court of Roanoke County, Virginia in Deed Book 1304, Page 1364.

CONCEPT PLAN CHECKLIST

A concept plan of the proposed project must be submitted with the application. The concept plan shall graphically depict the land use change, development or variance that is to be considered. Further, the plan shall address any potential land use or design issues arising from the request. In such cases involving rezonings, the applicant may proffer conditions to limit the future use and development of the property and by so doing, correct any deficiencies that may not be manageable by County permitting regulations.

The concept plan should not be confused with the site plan or plot plan that is required prior to the issuance of a building permit. Site plan and building permit procedures ensure compliance with State and County development regulations and may require changes to the initial concept plan. Unless limiting conditions are proffered and accepted in a rezoning or imposed on a special use permit or variance, the concept plan may be altered to the extent permitted by the zoning district and other regulations.

A concept plan is required with all rezoning, special use permit, waiver, community plan (15.2-2232) review and variance applications. The plan should be prepared by a professional site planner. The level of detail may vary, depending on the nature of the request. The County Planning Division staff may exempt some of the items or suggest the addition of extra items, but the following are considered minimum:

ALL APPLICANTS

✓ a. Applicant name and name of development

✓ b. Date, scale and north arrow

✓ c. Lot size in acres or square feet and dimensions

✓ d. Location, names of owners and Roanoke County tax map numbers of adjoining properties

✓ e. Physical features such as ground cover, natural watercourses, floodplain, etc.

✓ f. The zoning and land use of all adjacent properties

✓ g. All property lines and easements

✓ h. All buildings, existing and proposed, and dimensions, floor area and heights

✓ i. Location, widths and names of all existing or platted streets or other public ways within or adjacent to the development

✓ j. Dimensions and locations of all driveways, parking spaces and loading spaces

Additional information required for REZONING and SPECIAL USE PERMIT APPLICANTS

✓ k. Existing utilities (water, sewer, storm drains) and connections at the site

✓ l. Any driveways, entrances/exits, curb openings and crossovers

✓ m. Topography map in a suitable scale and contour intervals

✓ n. Approximate street grades and site distances at intersections

✓ o. Locations of all adjacent fire hydrants

✓ p. Any proffered conditions at the site and how they are addressed

✓ q. If project is to be phased, please show phase schedule

I certify that all items required in the checklist above are complete.

William Robert Fox III
Signature of applicant

7-21-06
Date

SITE INFORMATION:

APPLICANT NAME: R. FRALIN DEVELOPMENT CORP.

LOT SIZE: 1.26 AC

TM#-76.11-01-17.00

EXISTING ZONING:R1

PROPOSED ZONING:C1

OFFICE BUILDINGS:
BUILDING 1 – 2 STORY 8,000 SQ.FT.

BUILDING 2 – 2 STORY 8,000 SQ.FT.

BUILDING LOT COVERAGE: 29%

LOT COVERAGE: 47%

PARKING:
REQUIRED: 57 SPACES

PROVIDED: 53 STANDARD SPACES
4 HANDICAP SPACES
57 STANDARD SPACES

BUFFER:
TYPE B 20' BUFFER

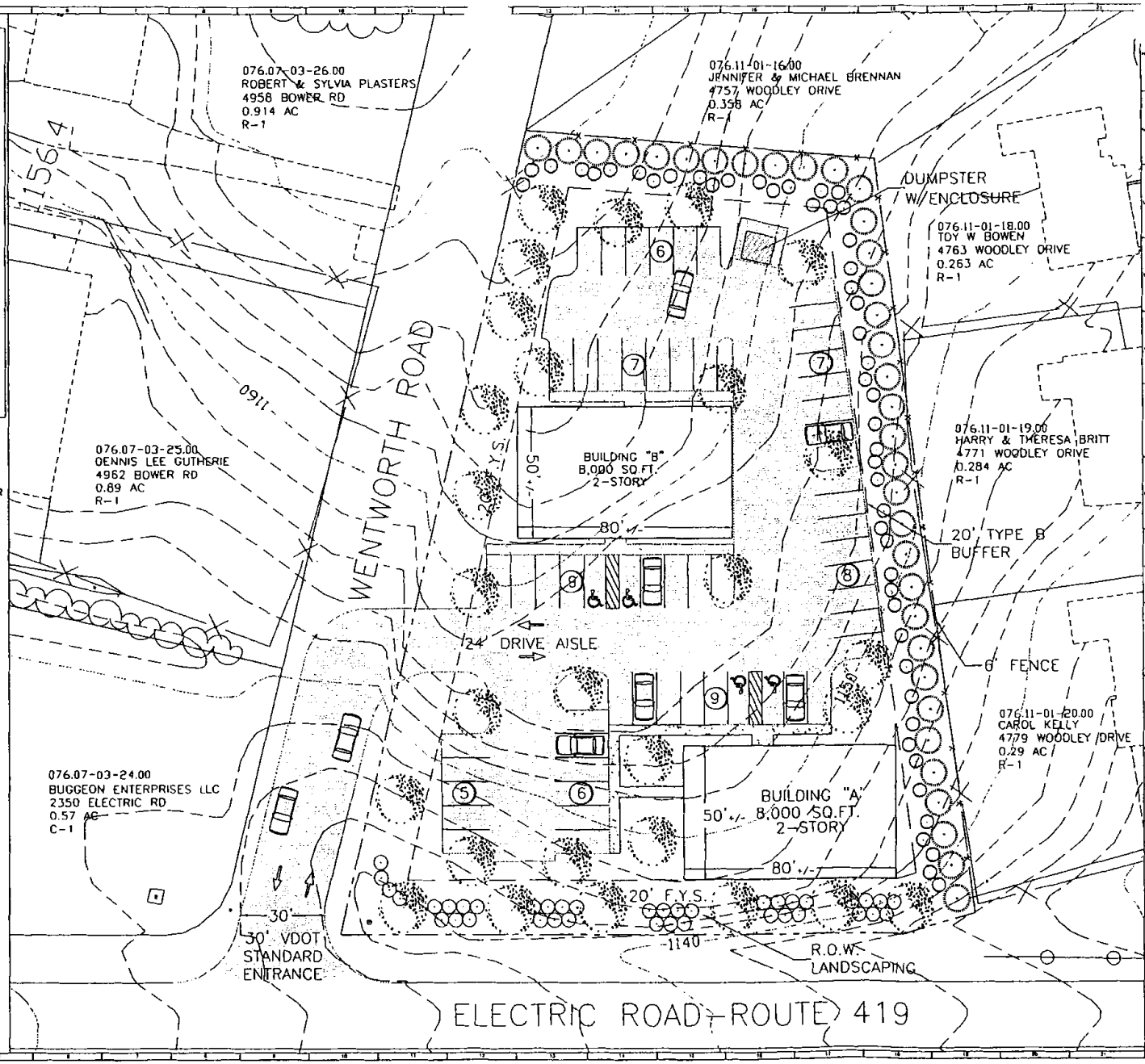
GENERAL NOTES:

1. ALL EXTERIOR LIGHTING SHALL BE DESIGNED, LOCATED, AND ARRANAGED SO AS NOT TO DIRECT GLARE ON ADJOINING STREETS OR RESIDENTIAL PROPERTIES. THE INTENSITY AT ADJOINING STREETS OR RESIDENTIAL PROPERTIES SHALL NOT EXCEED 0.5 FOOT CANDLES.

2. THE DUMPSTER SHALL BE SERVICED DURING NORMAL BUSINESS HOURS.

3. THE RESIDENTIAL HOMES TO THE SOUTH AND EAST WILL HAVE A TYPE B 20' BUFFER WITH A 6' FENCE PER ROANOKE COUNTY'S ORDINANCE.

4. THE SITE SHALL HAVE UNDERGROUND DETENTION TO MEET ROANOKE COUNTY'S STORMWATER MANAGEMENT REQUIREMENTS.



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WENTWORTH OFFICE PARK
CONCEPT
WINDSOR HILLS
ROANOKE COUNTY, VIRGINIA

DRAWN BY: BTC
DESIGNED BY: SMH
CHECKED BY: SMH
DATE: 7-21-08
REVISIONS:

SCALE: 1"=40'
SHEET NO.
C-1
JOB NO.
R060025B.00

SEC. 30-41. R-1 LOW DENSITY RESIDENTIAL DISTRICT.

Sec. 30-41-1. Purpose.

(A) The R-1, low density residential district is established for areas of the county within the urban service area with existing low-middle density residential development, with an average density of from one (1) to three (3) units per acre, and land which appears appropriate for such development. These areas are generally consistent with the neighborhood conservation land use category as recommended in the community plan. In addition, where surrounding development and the level of public services warrant,these areas coincide with the development category recommended in the plan. This district is intended to provide the highest degree of protection from potentially incompatible uses and residential development of a significantly different density, size, or scale, in order to maintain the health, safety, appearance and overall quality of life of existing and future neighborhoods.

In addition to single-family residences, only uses of a community nature which are generally deemed compatible are permitted in this district. This would include parks and playgrounds, schools and other similar neighborhood activities.

(Ord. No. 042799-11, § 1f., 4-27-99)

Sec. 30-41-2. Permitted Uses.

(A) The following uses are permitted by right subject to all other applicable requirements contained in this ordinance. An asterisk (*) indicates additional, modified or more stringent standards are listed in Article IV, Use and Design Standards, for those specific uses.

1. *Residential Uses*

Home Occupation, Type I •

Manufactured Home •

Manufactured Home, Emergency *

Residential Human Care Facility

Single-Family Dwelling, Detached (For Zero Lot Line Option - *)

Single-Family Dwelling, Attached *

Single-Family Dwelling, Attached and Detached (Cluster Subdivision Option - *)

2. *Civic Uses*

Community Recreation •

Park and Ride Facility *

Public Parks and Recreational Areas •

Utility Services, Minor

3. *Miscellaneous Uses*

Amateur Radio Tower •

(B) The following uses are allowed only by Special Use Permit pursuant to Section 30-19. An asterisk (*) indicates additional, modified or more stringent standards are listed in Article IV, Use

and Design Standards, for those specific uses.

1. *Agricultural and Forestry Uses*

Stable, Private •

2. *Residential Uses*

Accessory Apartment *

Alternative Discharging Sewage System *

Home Beauty/Barber Salon *

Multiple Dog Permit •

3. *Civic Uses*

Cemetery •

Crisis Center

Day Care Center *

Educational Facilities, Primary/Secondary •

Family Day Care Home *

Religious Assembly •

Utility Services, Major *

3.5. *Commercial Uses*

Bed and Breakfast *

4. *Miscellaneous Uses*

Outdoor Gatherings •

(Ord. No. 42793-20, § II, 4-27-93; Ord. No. 62293-12, §§ 3, 8, 6-22-93; Ord. No. 82493-8, § 2, 8-24-93; Ord. No. 62795-10, 6-27-95; Ord. No. 042799-11, § 2, 4-27-99; Ord. No. 042500-9, § II, 4-25-00; Ord. No. 072605-7, § 1, 7-26-05)

Sec. 30-41-3. Site Development Regulations.

General Standards. For additional, modified, or more stringent standards for specific uses, see Article IV, Use and Design Standards.

(A)*Minimum lot requirements.*

1. All lots served by private well and sewage disposal systems:
    a. Area: 0.75 acre (32,670 square feet).
    b. Frontage: 90 feet on a publicly owned and maintained street.
2. Lots served by either public sewer or water:
    a. Area: 20,000 square feet.
    b. Frontage: 75 feet on a publicly owned and maintained street.
3. All lots served by both public sewer and water:
    a. Area: 7,200 square feet.

b. Frontage: 60 feet on a publicly owned and maintained street.

(B)*Minimum setback requirements.*

1. Front yard:

a. Principal structures: 30 feet.

b. Accessory structures: Behind the front building line.

2. Side yard:

a. Principal structures: 10 feet.

b. Accessory structures: 10 feet behind front building line or 3 feet behind rear building line.

3. Rear yard:

a. Principal structures: 25 feet.

b. Accessory structures: 3 feet.

4. Where a lot fronts on more than one street, front yard setbacks shall apply to all streets.

5. The expansion of a legally established nonconforming structure into the required side or rear yard shall be permitted provided the expansion does not encroach into the required yard any greater than the existing encroachment.

(C)*Maximum height of structures.*

1. Height limitations:

a. Principal structures: 45 feet.

b. Accessory structures: 15 feet, or 25 feet provided they comply with the setback requirements for principal structures.

(D)*Maximum coverage.*

1. Building coverage: 30 percent of the total lot area for all buildings and 7 percent for accessory buildings.

2. Lot coverage: 50 percent of the total lot area.

(Ord. No. 62293-12, § 10, 6-22-93; Ord. No. 42694-12, § 8, 4-26-94)

SEC. 30-53. C-1 OFFICE DISTRICT.

Sec. 30-53-1. Purpose.

(A) The purpose of the C-1 Office District is to provide for the development of attractive and efficient office uses in the urban service area which serve both community and county-wide needs. The C-1 district allows for varying intensities of office development as part of either a planned office complex or, to a limited degree, small scale office uses. Retail uses are permitted, to a limited extent, where they are supportive of the office environment.

The C-1 districts are most appropriately found along or near major arterial streets where existing commercial development has occurred and/or where commercial zoning has been established, or near existing residential development where it would serve as a logical buffer strip between conflicting land use types.

Land uses permitted in the C-1 Office District are generally consistent with the recommendations forth in the Transition and Core land use categories of the Comprehensive Development Plan. Site development standards are intended to ensure compatibility with adjacent land uses.

Sec. 30-53-2. Permitted Uses.

(A) The following uses are permitted by right subject to all other applicable requirements contained in this ordinance. An asterisk (*) indicates additional, modified or more stringent standards are listed in Article IV, Use and Design Standards, for those specific uses.

1. *Residential Uses*

Accessory Apartment •

Home Beauty/Barber Salon •

Home Occupation, Type I *

Multi-family Dwelling •

Two-family Dwelling •

2. *Civic Uses*

Administrative Services

Clubs

Cultural Services

Day Care Center *

Educational Facilities, College/University

Educational Facilities, Primary/Secondary •

Guidance Services

Park and Ride Facility •

Post Office

Public Parks and Recreational Areas *

Safety Services •

Utility Services, Minor

3. *Office Uses*

Financial Institutions •

General Office

Medical Office

4. *Commercial Uses*

Business Support Services

Business or Trade Schools

Communications Services

Personal Services

Studio, Fine Arts

Veterinary Hospital/Clinic

5. *Miscellaneous Uses*

Amateur Radio Tower •

Parking Facility •

(B) The following uses are allowed only by Special Use Permit pursuant to Section 30-19. An asterisk (*) indicates additional, modified or more stringent standards are listed in Article IV, Use and Design Standards, for those specific uses.

1. *Civic Uses*

Religious Assembly *

Utility Services, Major *

2. *Office Uses*

Laboratories

3. *Commercial Uses*

Commercial Indoor Sports and Recreation

4. *Industrial Uses*

Landfill, Rubble •

5. *Miscellaneous Uses*

Broadcasting Tower *

Outdoor Gatherings *

(Ord. No. 82493-8, § 2, 8-24-93; Ord. No. 042799-11, § 2, 4-27-99; Ord. No. 042203-13, § 1, 4-22-03)

Sec. 30-53-3. Site Development Regulations.

General Standards. For additional, modified, or more stringent standards for specific uses, see Article IV, Use and Design Standards.

(A)*Minimum lot requirements.*

1. Lots served by private well and sewage disposal system;

   a. Area: 1 acre (43,560 square feet).

   b. Frontage: 100 feet on a publicly owned and maintained street.

2. Lots served by either public sewer or water, or both:

   a. Area: 15,000 square feet.

   b. Frontage: 75 feet on a publicly owned and maintained street.

(B)*Minimum setback requirements.*

1. Front yard:

   a. Principal structures: 30 feet, or 20 feet when all parking is located behind the front building line.

   b. Accessory structures: Behind front building line.

2. Side yard:

   a. Principal structures: 10 feet on any one side, with a combined total on both sides of at least 25 feet.

   b. Accessory structures: 10 feet behind the front building line, or 3 feet behind rear building line.

3. Rear yard:

   a. Principal structures: 15 feet.

   b. Accessory structures: 3 feet.

4. Where a lot fronts on more than one street, front yard setbacks shall apply to all streets.

(C)*Maximum height of structures.*

1. Height limitations:

   a. Principal structures: When adjoining property zoned R-1 or R-2, 45 feet, including rooftop mechanical equipment. The maximum height may be increased, provided each required side and rear yard adjoining the R-1 or R-2 district is increased two feet for each foot in height over 45 feet. In all other locations the height is unlimited unless otherwise restricted by this ordinance.

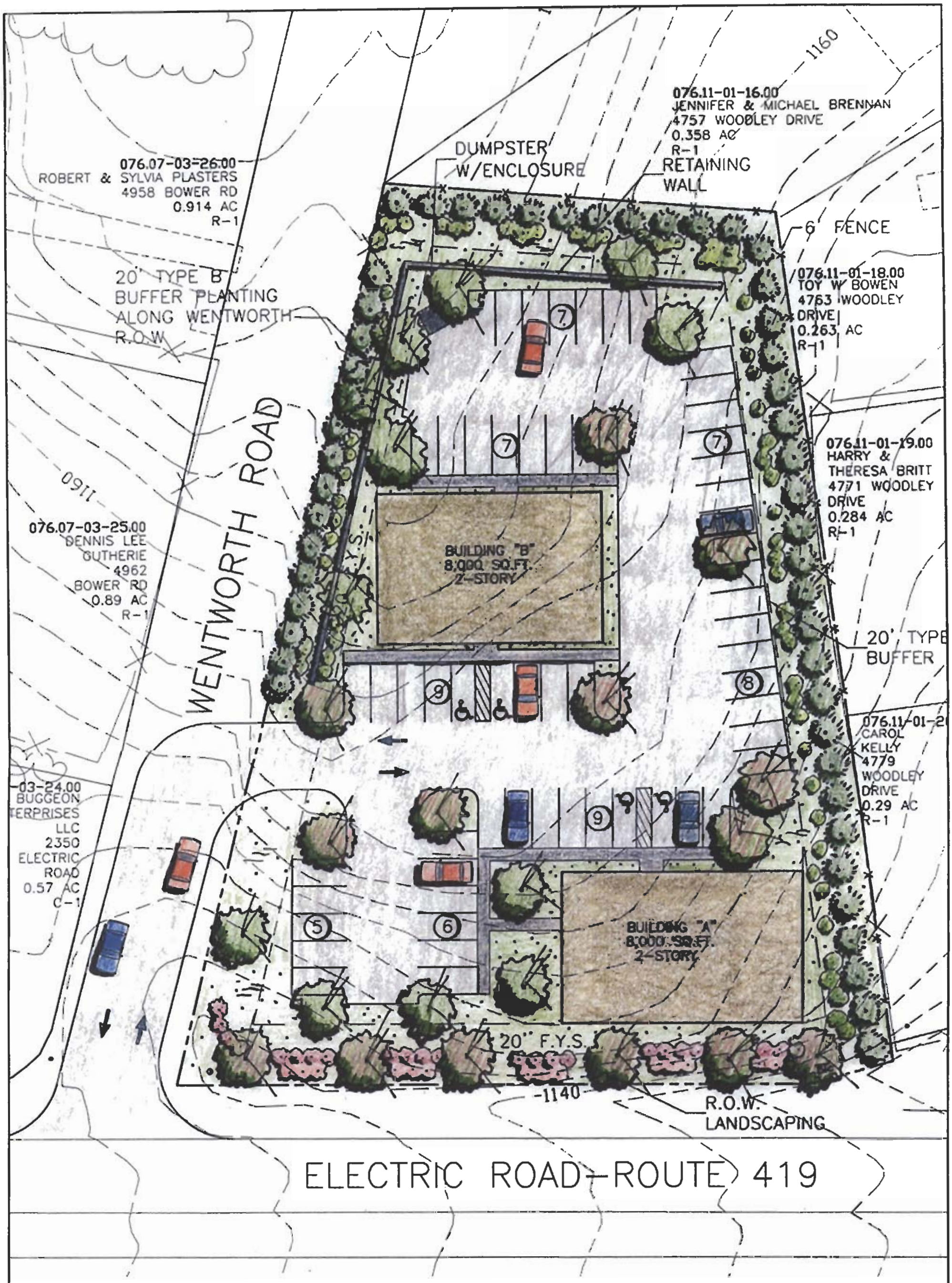
   b. Accessory structures: 15 feet.

(D)*Maximum coverage.*

1. Building coverage: 50 percent of the total lot area.

2. Lot coverage: 80 percent of the total lot area.

(Ord. No. 62293-12, § 10, 6-22-93)

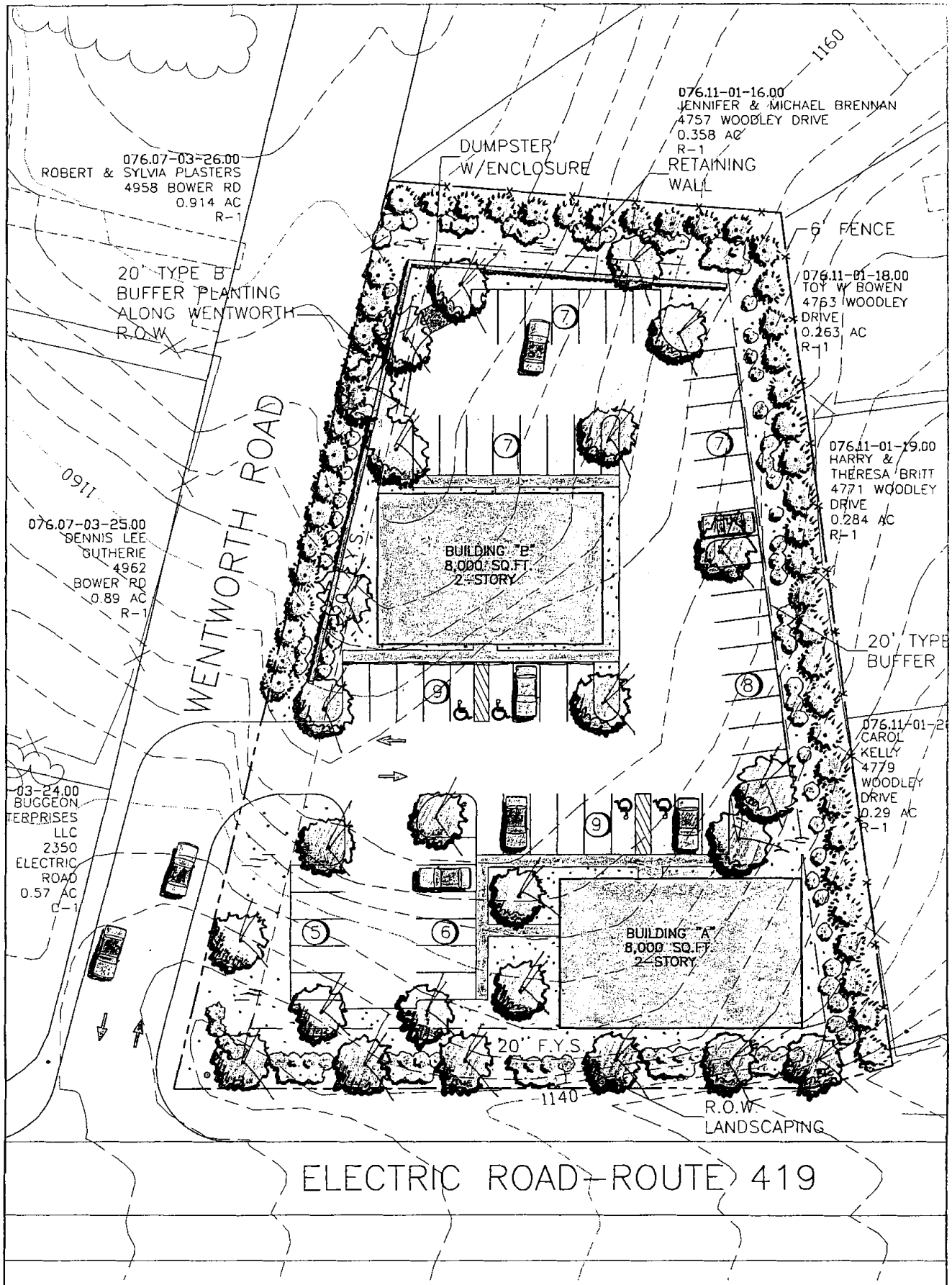


BALZER AND ASSOCIATES INC.
REFLECTING TOMORROW
• PLANNERS • ARCHITECTS
• ENGINEERS • SURVEYORS

WENTWORTH OFFICE PARK

ROANOKE COUNTY, VA

DATE:8-29-06
SCALE:1"=30'



WENTWORTH OFFICE PARK

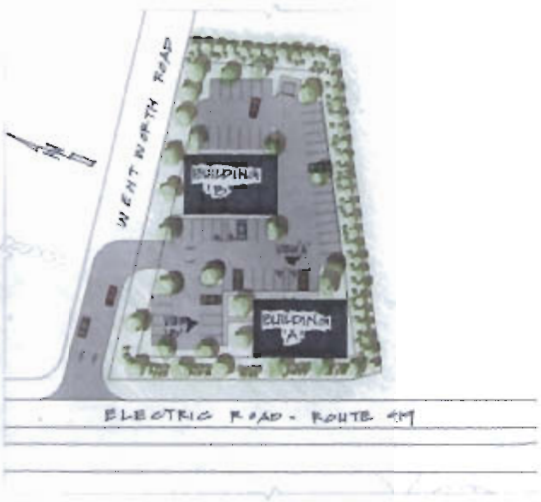
ROANOKE COUNTY, VA

BALZER AND ASSOCIATES INC.
REFLECTING TOMORROW
• PLANNERS • ARCHITECTS
• ENGINEERS • SURVEYORS

DATE:8-29-06
SCALE:1"=30'

CONCEPTUAL FRONT ELEVATION (VIEW 'A')

BUILDING 'A' NO SCALE



CONCEPT SITE PLAN

NO SCALE

CONCEPTUAL RIGHT ELEVATION (VIEW 'B')

BUILDING 'A' NO SCALE

BALZER

WENTWORTH OFFICE PARK

WINDSOR HILLS DISTRICT

ROANOKE CO., VIRGINIA

DRAWN BY: PRT

DESIGNED BY: PRT

CHECKED BY:

DATE: AUG. 28, 2006

REVISIONS

SCALE: AS NOTED

SHEET NO.

JOB NO. R06-0298.00

CONCEPT SITE PLAN & ELEVATIONS

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROANOKE COUNTY, VIRGINIA, HELD AT THE ROANOKE COUNTY ADMINISTRATION CENTER, TUESDAY, SEPTEMBER 26, 2006

ORDINANCE TO REZONE 1.26 ACRES FROM R-1 LOW DENSITY RESIDENTIAL DISTRICT TO C-1, OFFICE DISTRICT TO CONSTRUCT TWO OFFICE BUILDINGS AT 2404 ELECTRIC ROAD, WINDSOR HILLS MAGISTERIAL DISTRICT.

WHEREAS, the first reading of this ordinance was held on August 22, 2006, and the second reading and public hearing were held September 26, 2006; and,

WHEREAS, the Roanoke County Planning Commission held a public hearing on this matter on September 5, 2006; and

WHEREAS, legal notice and advertisement has been provided as required by law.

BE IT ORDAINED by the Board of Supervisors of Roanoke County, Virginia, as follows:

1. That the zoning classification of a certain tract of real estate containing 1.26 acre, as described herein, and located at 2404 Electric Road, (Tax Map Number 76.11-01-17.00) in the Low Density Residential District to the zoning classification C-1, Office District, with conditions.

2. That this action is taken upon the application of R. Fralin Development Corporation.

3. That the owner of the property, William Herbert Liles, II, has voluntarily proffered in writing the following conditions which the Board of Supervisors of Roanoke County, Virginia, hereby accepts:

i. The site will be developed in substantial conformance with the Site Plan dated 8-29-06, titled "Wentworth Office Park", prepared by Balzer and Associates, Inc.

ii. The building will be developed in general conformance with the Architectural Rendering dated 8-29-06, titled "Wentworth Office Park", prepared by Balzer and Associates, Inc.

iii. All parking lot lighting shall be post top fixtures no more than 12' tall with fully concealed fixtures and arranged so glare is not cast onto the adjoining properties.

iv. The dumpster shall be serviced between 7 a.m. and 10 p.m. and in accordance with the Roanoke County Noise Ordinance.

v. The proposed fencing shall be a minimum of 6 feet tall and the side of the fence facing the adjoining properties shall be finished.

vi. The proposed sign shall be a monument style sign and shall be designed to generally match the architecture and materials of the buildings.

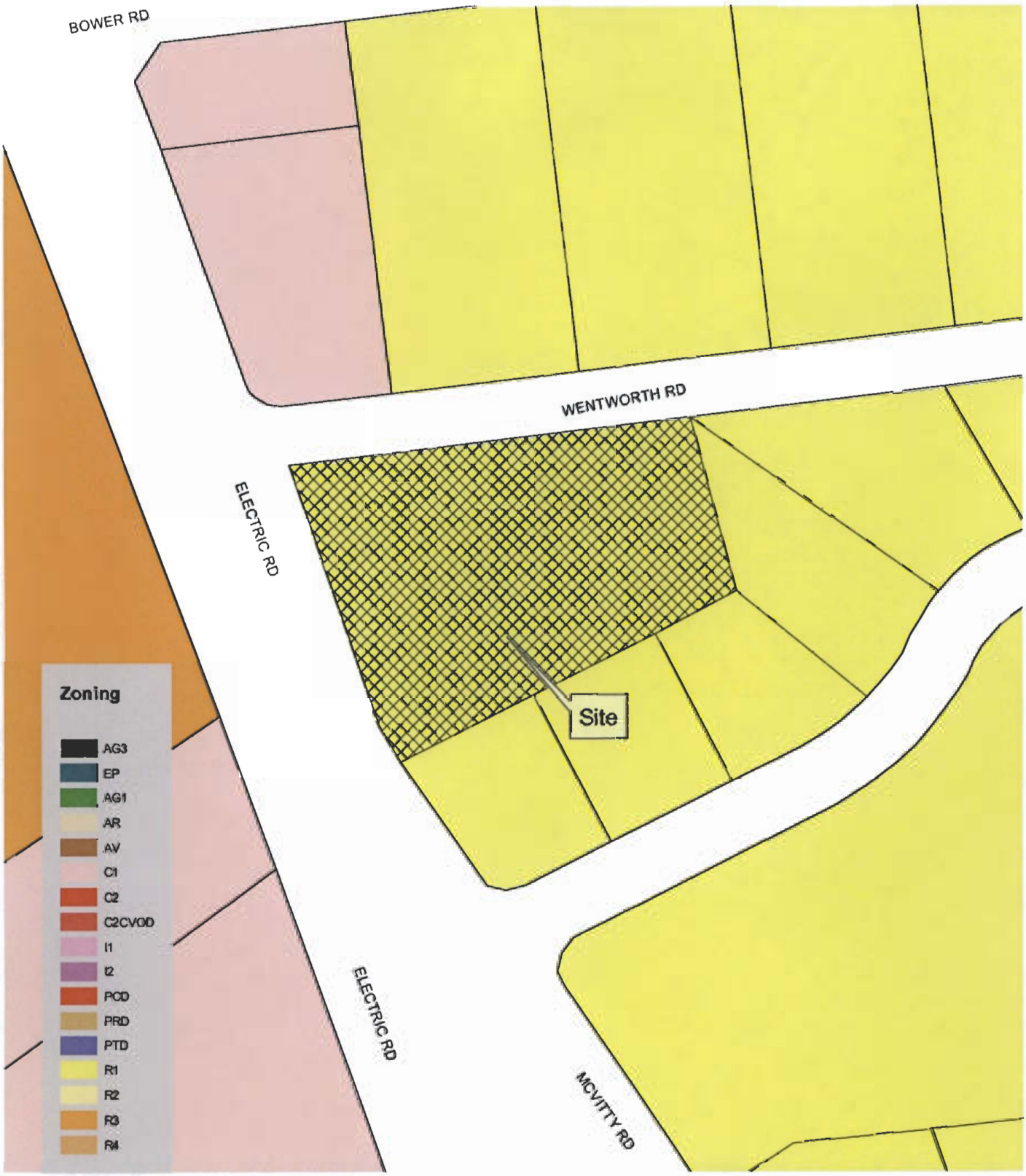
vii. A minimum of 6 street trees and 35 shrubs will be planted along the Rt. 419 Right of Way.

viii. A safety fence shall be installed along the perimeter of the retaining wall.

4. That said real estate is more fully described as follows:

Beginning at a point at the southeasterly intersection of the right-of-way line of Electric Road (VA Route 419) and the right-of-way line of Wentworth Road, being the northwesterly corner of a 1.26 acres tract; thence continuing along the southerly right-of-way line of Wentworth Road N 85° 04'00" E, 310.65 feet to a point at the most northerly corner of Lot 4, Sugar Loaf East, Section 1, Block 1 (Plat Book 7, Page 20); thence leaving said right–of-way line and continuing along the westerly line of said Lot 4 S 13°18' 00" E. 131.00 feet to a point at the northeasterly corner of Lot 3 of said Sugar Loaf East; thence along the northerly line of Lot 3, Lot 2 & Lot 1 of said Sugar Loaf East S 64° 33' 00" W, 286.64 feet to a point on the easterly right-of-way line of Electric Road; thence leaving the line of Sugar Loaf East and continuing along the easterly right-of-way line of Electric Road N 33° 41' 00" W, 27.85 feet to a point; thence N 18° 02' 00" W, 211.16 feet to the Point of Beginning, containing 1.26 acres as shown on survey entitled "Plat Showing Property of William Herbert Liles, II & Rose Crocker Liles" dated May 4, 1989 recorded in the Clerk's Office of the Circuit Court of Roanoke County, Virginia in Deed Book 1304, Page 1364.

5. That this ordinance shall be in full force and effect thirty (30) days after its final passage. All ordinances or parts of ordinances in conflict with the provisions of this ordinance be, and the same hereby are, repealed. The Zoning Administrator is directed to amend the zoning district map to reflect the change in zoning classification authorized by this ordinance.



Roanoke County
Department of
Community Development

Applicants Name: R. Fralin Development Corporation
Existing Zoning: R1
Proposed Zoning: C1
Tax Map Number: 076.11-01-17.00-0000
Magisterial District: Windsor Hills Area: 1.26 Acres

July 24, 2006 Scale: 1" = 100'

R. Fralin Development Corporation
Future Land Use Map

SCALE: 1 inch equals 143.807163 feet

DATE: August 30, 2006

Roanoke County
Department of Community Development
5204 Bernard Drive
Roanoke, Virginia 24018
(540) 772-2065

ACTION NO. _____

ITEM NO. S-4

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROANOKE COUNTY, VIRGINIA HELD AT THE ROANOKE COUNTY ADMINISTRATION CENTER

MEETING DATE: September 26, 2006

AGENDA ITEM: Second reading of an ordinance to vacate, quit-claim and release a 15' width drainage easement and a variable width waterline easement and to accept dedication of a new 15' width drainage easement and new variable width waterline easement over property currently owned by R. Fralin Development Corporation located in the Hanging Rock Terrace subdivision, Catawba Magisterial District

SUBMITTED BY: Arnold Covey
Director of Community Development

APPROVED BY: Elmer C. Hodge Elmer Hodge
County Administrator

COUNTY ADMINISTRATOR'S COMMENTS:

Recommend approval

SUMMARY OF INFORMATION:

The petitioner, R. Fralin Development Corporation, current owner of the subject properties located in Hanging Rock Terrace subdivision in the Catawba Magisterial District, requests the Board of Supervisors to vacate, quit-claim and release a fifteen foot (15') width drainage easement and a variable width waterline easement and to accept the dedication of a new fifteen foot (15') width drainage easement and variable width waterline easement, as shown on Exhibit A-2 and B-2. The existing fifteen foot (15') width drainage easement and existing variable width waterline easement were originally dedicated to the public by recorded subdivision plat recorded in Plat Book 28, Page 128, as shown on Exhibit A-1 and B-1. The new fifteen foot (15') width drainage easement will cross the property of R. Fralin Development Corporation located on Connors Run, as identified by Tax Map Number 035.04-07-15.00-0000. The new variable width waterline easement would cross the same parcel and an abutting parcel owned by R. Fralin Development Corporation located on Connors Run, identified by Tax Map Numbers 035.00-01-27.01-0000 and 035.04-07-15.00-0000.

The Department of Environmental Quality and the Army Corps of Engineers has required the petitioner to re-align the roadway of this new development to ensure protection of an adjacent creek. In turn, this re-alignment of the roadway requires the re-alignment of the public utilities. Therefore, the petitioner requests that the existing fifteen foot (15') width drainage easement and variable width waterline easement be vacated and a new fifteen foot (15') width drainage easement and variable width waterline easement be dedicated in order to re-align the new roadway per state agency requirements.

County staff has reviewed and approved the amendments to the stormwater drainage piping and structures and has determined that the petitioner's request will not have an adverse impact on the drainage in that location. Additionally, the Western Virginia Water Authority has reviewed and approved the amendment to the waterline system and has determined that the petitioner's request will not have an adverse impact on the water system in that location.

FISCAL IMPACT:

R. Fralin Development Corporation will be responsible for all costs associated with the vacation and dedication of the fifteen foot (15') width drainage easement and variable width waterline easement and the recordation of the ordinance.

ALTERNATIVES:

1. Approve the second reading of the proposed ordinance to vacate the drainage and waterline easement shown on the attached plat and accept the new fifteen foot (15') width drainage easement and variable width waterline easement as shown on the plat.

2. Decline to approve the vacation of the drainage and waterline easement and acceptance of the new fifteen foot (15') width drainage easement and variable width waterline easement as shown on the plat.

STAFF RECOMMENDATION:

Staff recommends Alternative 1.

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROANOKE COUNTY, VIRGINIA, HELD AT THE ROANOKE COUNTY ADMINISTRATION CENTER ON TUESDAY, SEPTEMBER 26, 2006

ORDINANCE TO VACATE, QUIT-CLAIM AND RELEASE A FIFTEEN FOOT WIDTH DRAINAGE EASEMENT AND A VARIABLE WIDTH WATERLINE EASEMENT DEDICATED IN PLAT BOOK 28, PAGE 128, AND TO ACCEPT DEDICATION OF A NEW FIFTEEN FOOT WIDTH DRAINAGE EASEMENT AND NEW VARIABLE WIDTH WATERLINE EASEMENT OVER PROPERTY CURRENTLY OWNED BY R. FRALIN DEVELOPMENT CORPORATION (TAX MAP NUMBERS 035.00-00-01-27.01 AND 35.04-07-15.00), LOCATED IN HANGING ROCK TERRANCE SUBDIVISION IN THE CATAWBA MAGISTERIAL DISTRICT

WHEREAS, by an approved subdivision plat recorded in the Clerk's Office of the Circuit Court of Roanoke County, Virginia, in Plat Book 28, page 128, R. Fralin Development Corporation, as owner of the property designated on the Roanoke County Land Records as Tax Map No. 35.04-07-15.00, conveyed to the Board of Supervisors of Roanoke County, Virginia, a fifteen (15') foot width drainage easement and a variable width waterline easement as depicted on Exhibits "A-1" & "A-2", "EASEMENT VACATION SKETCH FOR R. FRALIN DEVELOPMENT CORPORATION SHOWING THE VACATION OF PUBLIC WATER LINE EASEMENTS AND A 15' PUBLIC DRAINAGE EASEMENT ON "REVISED STORMWATER MANAGEMENT AREA" HANGING ROCK TERRACE, SECTION 2, PLAT BOOK 30, PAGE 12O, CATAWBA MAGISTERIAL DISTRICT, ROANOKE COUNTY, VIRGINIA", prepared by Balzer and Associates, dated August 30, 2006.

WHEREAS, R. Fralin Development Corporation is the current owner of Section 1 and Section 2, Hanging Rock Terrace Subdivision, and the subject property is located adjacent to Conners Run, a dedicated public right-of-way in the Catawba Magisterial

District, and is now designated upon the Roanoke County Land Records as Tax Map Nos. 35.04-07-15 and 35.00-01-27; and,

WHEREAS, the Petitioner, R. Fralin Development Corporation, as the current owner of these properties, has requested that the Board of Supervisors vacate, quit-claim and release the above-described existing fifteen (15') foot width drainage easement and variable width waterline easement and accept the dedication of a new fifteen (15') foot width drainage easement and variable width waterline easement (as shown on Exhibits A-1, A-2, B-1 and B-2 attached hereto); and,

WHEREAS, this vacation will not involve any cost to the County and the affected County departments have raised no objection; and,

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Roanoke County, Virginia, as follows:

1. That pursuant to the provisions of Section 18.04 of the Roanoke County Charter, the acquisition and disposition of real estate can be authorized only by ordinance. A first reading of this ordinance was held on September 12, 2006, and a second reading and public hearing were held on September 26, 2006.

2. That pursuant to the provisions of Section 16.01 of the Charter of Roanoke County, the subject real estate (portions of public drainage easement and waterline easement) is hereby declared to be surplus and the nature of the interest in real estate renders it unavailable for other public uses.

3. That subject to the following conditions, the vacation, quit-claim and release of an existing fifteen (15') foot width drainage easement and variable width waterline easement across property of R. Fralin Development Corporation in Section 1

and Section 2, Hanging Rock Terrace subdivision, located adjacent to Conners Run right-of-way in the Catawba Magisterial District of the County of Roanoke, designated as **"EXISTING 15' PUBLIC D.E. AS SHOWN ON 'HANGING ROCK TERRACE' SECTION 1, P.B. 28, PG.128 TO BE VACATED and EXISTING 13.5 PUBLIC W.L.E. & PORTION OF 20' PUBLIC W.L.E. AS SHOWN ON 'HANGING ROCK TERRACE' SECTION 1, P.B. 28, PG. 128, TO BE VACATED"** on Exhibits A-1 & A-2 attached hereto, is hereby authorized and approved.

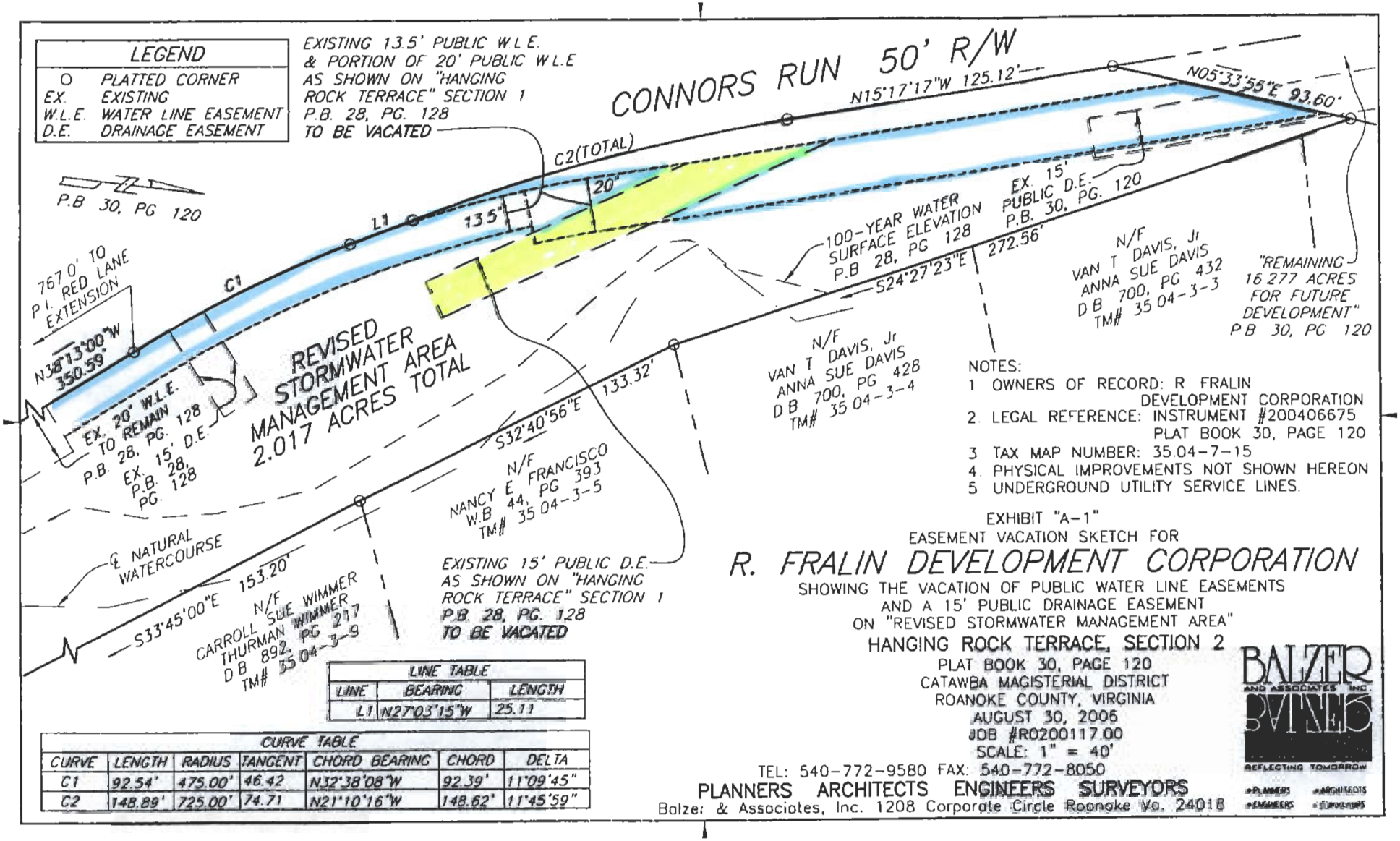
4. That, subject to the following conditions, the acceptance of a new fifteen (15') foot drainage easement and variable width water line easement across property of R. Fralin Development Corporation, Sections 1 & 2, Hanging Rock Terrace subdivision, located adjacent to Conners Run public right-of-way in the Catawba Magisterial District of the County of Roanoke, designated as **"NEW 15' PUBLIC D.E. AS SHOWN ON 'HANGING ROCK TERRACE' SECTION 2, P.B. 30, PG. 120 and NEW 13.5 PUBLIC W.L.E. & PORTION OF 20' PUBLIC W.L.E. AS SHOWN ON 'HANGING ROCK TERRACE' SECTION 2, P.B. 30, PG 120"** on Exhibits B-1 & B-2, attached hereto, is hereby authorized and approved.

5. That Petitioner, R. Fralin Development Corporation shall be responsible for all costs and expenses associated herewith, including but not limited to, all costs associated with the establishment of an easements, alternative drainage system, surveys, publication, and recordation of documents; and,

6. That the County Administrator, or an Assistant County Administrator, is hereby authorized to execute such documents and take such actions as may be

necessary to accomplish this vacation, quit-claim, and release, and dedication of new easements, all of which shall be on form approved by the County Attorney.

7. That this ordinance shall be effective on and from the date of its adoption, and a certified copy of this ordinance shall be recorded in the Clerk's Office of the Circuit Court of Roanoke County, Virginia, in accordance with Section 15.2-2272(2) of the Code of Virginia, 1950, as amended.



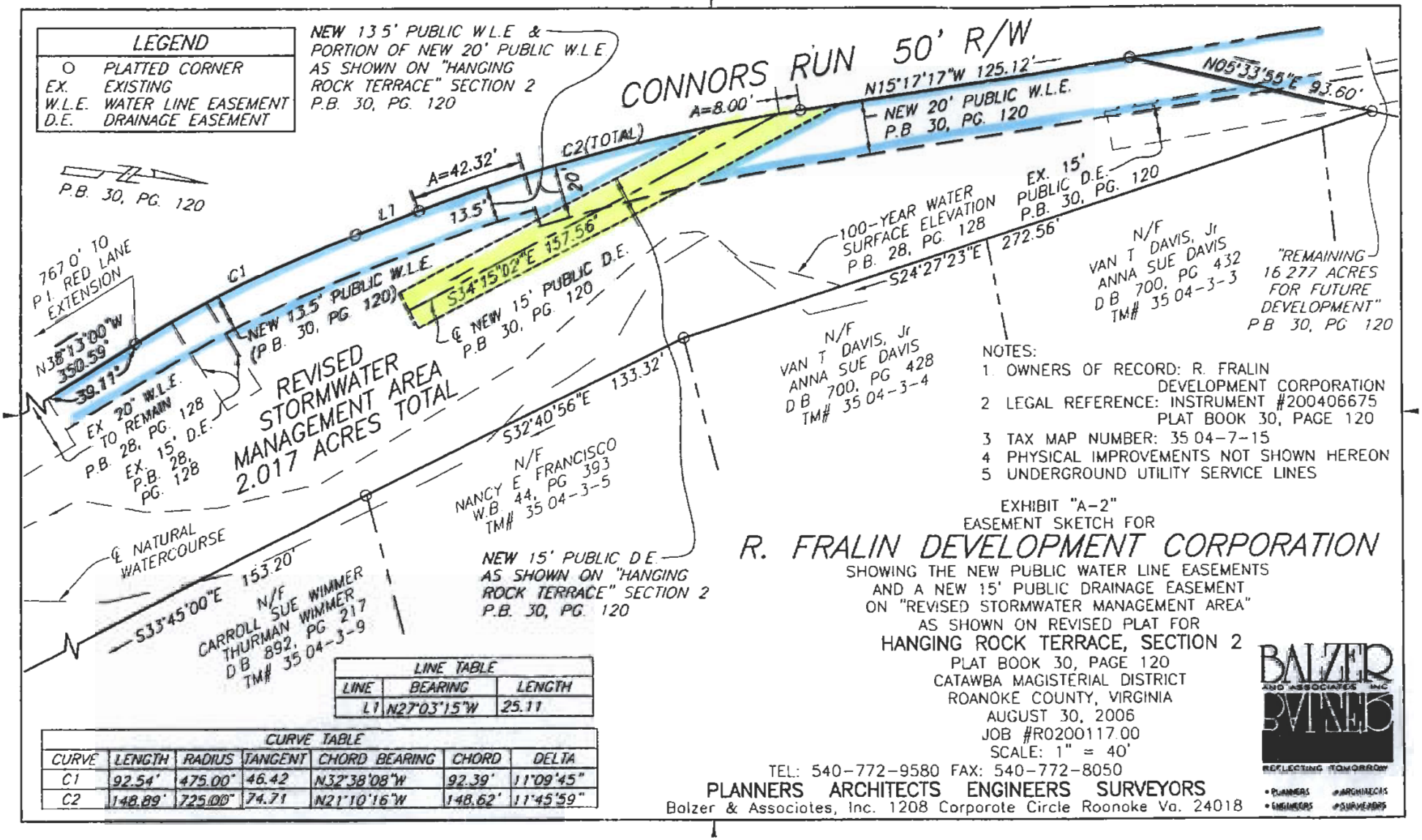
LINE TABLE

LINE	BEARING	LENGTH
L1	N27°03'15"W	25.11

CURVE TABLE

CURVE	LENGTH	RADIUS	TANGENT	CHORD BEARING	CHORD	DELTA
C1	92.54'	475.00'	46.42	N32°38'08"W	92.39'	11°09'45"
C2	148.89'	725.00'	74.71	N21°10'16"W	148.62'	11°45'59"

Exhibit A-1



NOTES:
1. OWNERS OF RECORD: R. FRALIN DEVELOPMENT CORPORATION
2. LEGAL REFERENCE: INSTRUMENT #200406675 PLAT BOOK 30, PAGE 120
3. TAX MAP NUMBER: 35 04-7-15
4. PHYSICAL IMPROVEMENTS NOT SHOWN HEREON
5. UNDERGROUND UTILITY SERVICE LINES

LINE TABLE		
LINE	BEARING	LENGTH
L1	N27°03'15"W	25.11

CURVE TABLE						
CURVE	LENGTH	RADIUS	TANGENT	CHORD BEARING	CHORD	DELTA
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C2	148.89'	725.00'	74.71	N21°10'16"W	148.62'	11°45'59"

EXHIBIT "A-2"
EASEMENT SKETCH FOR

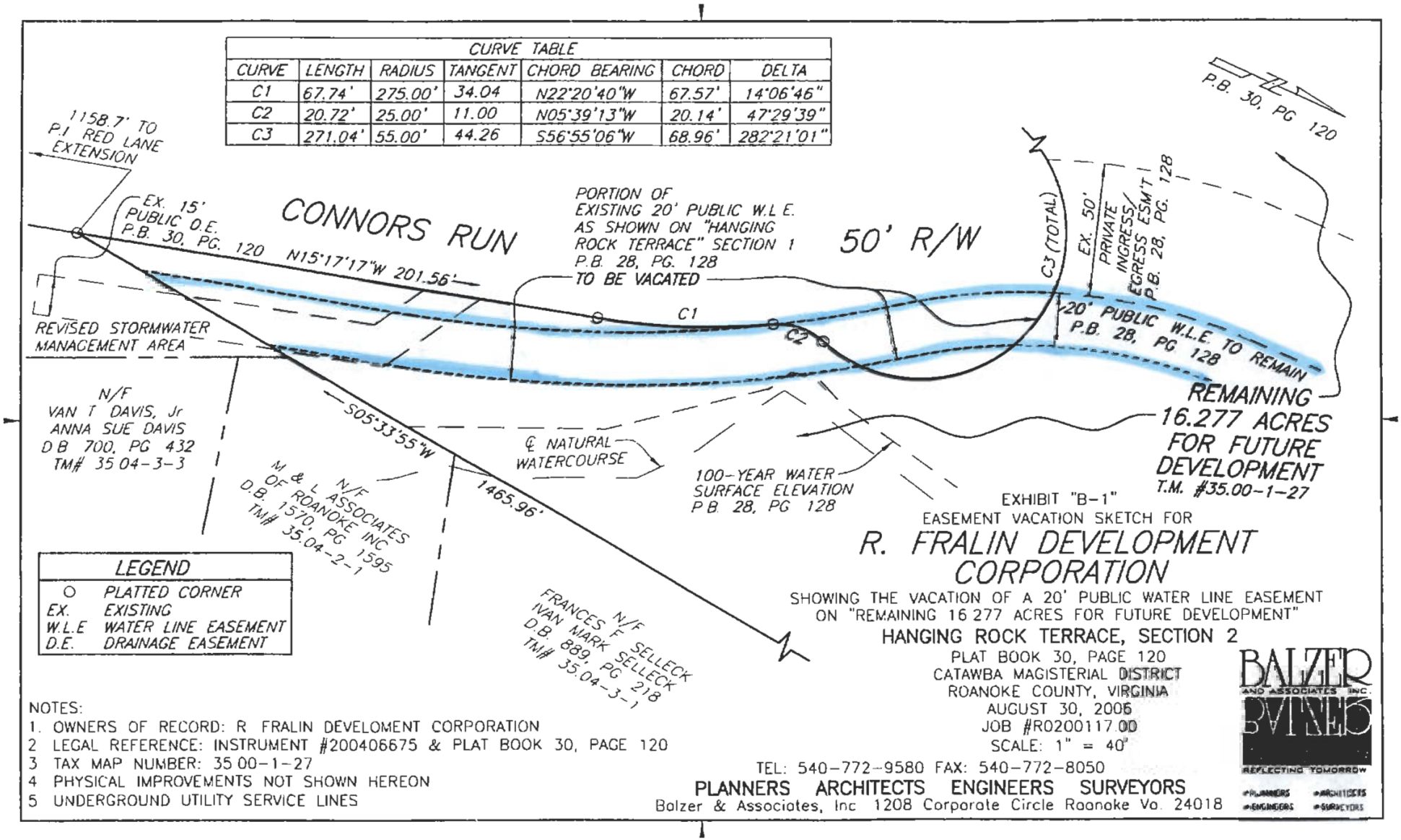
R. FRALIN DEVELOPMENT CORPORATION

SHOWING THE NEW PUBLIC WATER LINE EASEMENTS
AND A NEW 15' PUBLIC DRAINAGE EASEMENT
ON "REVISED STORMWATER MANAGEMENT AREA"
AS SHOWN ON REVISED PLAT FOR
HANGING ROCK TERRACE, SECTION 2
PLAT BOOK 30, PAGE 120
CATAWBA MAGISTERIAL DISTRICT
ROANOKE COUNTY, VIRGINIA
AUGUST 30, 2006
JOB #R0200117.00
SCALE: 1" = 40'

TEL: 540-772-9580 FAX: 540-772-8050
PLANNERS ARCHITECTS ENGINEERS SURVEYORS
Balzer & Associates, Inc. 1208 Corporate Circle Roanoke Va. 24018

Exhibit A-2

CURVE TABLE						
CURVE	LENGTH	RADIUS	TANGENT	CHORD BEARING	CHORD	DELTA
C1	67.74'	275.00'	34.04	N22°20'40"W	67.57'	14°06'46"
C2	20.72'	25.00'	11.00	N05°39'13"W	20.14'	47°29'39"
C3	271.04'	55.00'	44.26	S56°55'06"W	68.96'	282°21'01"



LEGEND	
O	PLATTED CORNER
EX.	EXISTING
W.L.E	WATER LINE EASEMENT
D.E.	DRAINAGE EASEMENT

EXHIBIT "B-1"
EASEMENT VACATION SKETCH FOR

R. FRALIN DEVELOPMENT CORPORATION

SHOWING THE VACATION OF A 20' PUBLIC WATER LINE EASEMENT ON "REMAINING 16.277 ACRES FOR FUTURE DEVELOPMENT"

HANGING ROCK TERRACE, SECTION 2
PLAT BOOK 30, PAGE 120
CATAWBA MAGISTERIAL DISTRICT
ROANOKE COUNTY, VIRGINIA
AUGUST 30, 2006
JOB #R0200117.00
SCALE: 1" = 40'

NOTES:
1. OWNERS OF RECORD: R. FRALIN DEVELOMENT CORPORATION
2. LEGAL REFERENCE: INSTRUMENT #200406675 & PLAT BOOK 30, PAGE 120
3. TAX MAP NUMBER: 35.00-1-27
4. PHYSICAL IMPROVEMENTS NOT SHOWN HEREON
5. UNDERGROUND UTILITY SERVICE LINES

TEL: 540-772-9580 FAX: 540-772-8050
PLANNERS ARCHITECTS ENGINEERS SURVEYORS
Balzer & Associates, Inc. 1208 Corporate Circle Roanoke Va. 24018
BALZER AND ASSOCIATES INC.
REFLECTING TOMORROW
PLANNERS ARCHITECTS ENGINEERS SURVEYORS

Exhibit B-1

CURVE TABLE						
CURVE	LENGTH	RADIUS	TANGENT	CHORD BEARING	CHORD	DELTA
C1	67.74'	275.00'	34.04	N22°20'40"W	67.57'	14°06'46"
C2	20.72'	25.00'	11.00	N05°39'13"W	20.14'	47°29'39"
C3	271.04'	55.00'	44.26	S56°55'06"W	68.96'	282°21'01"

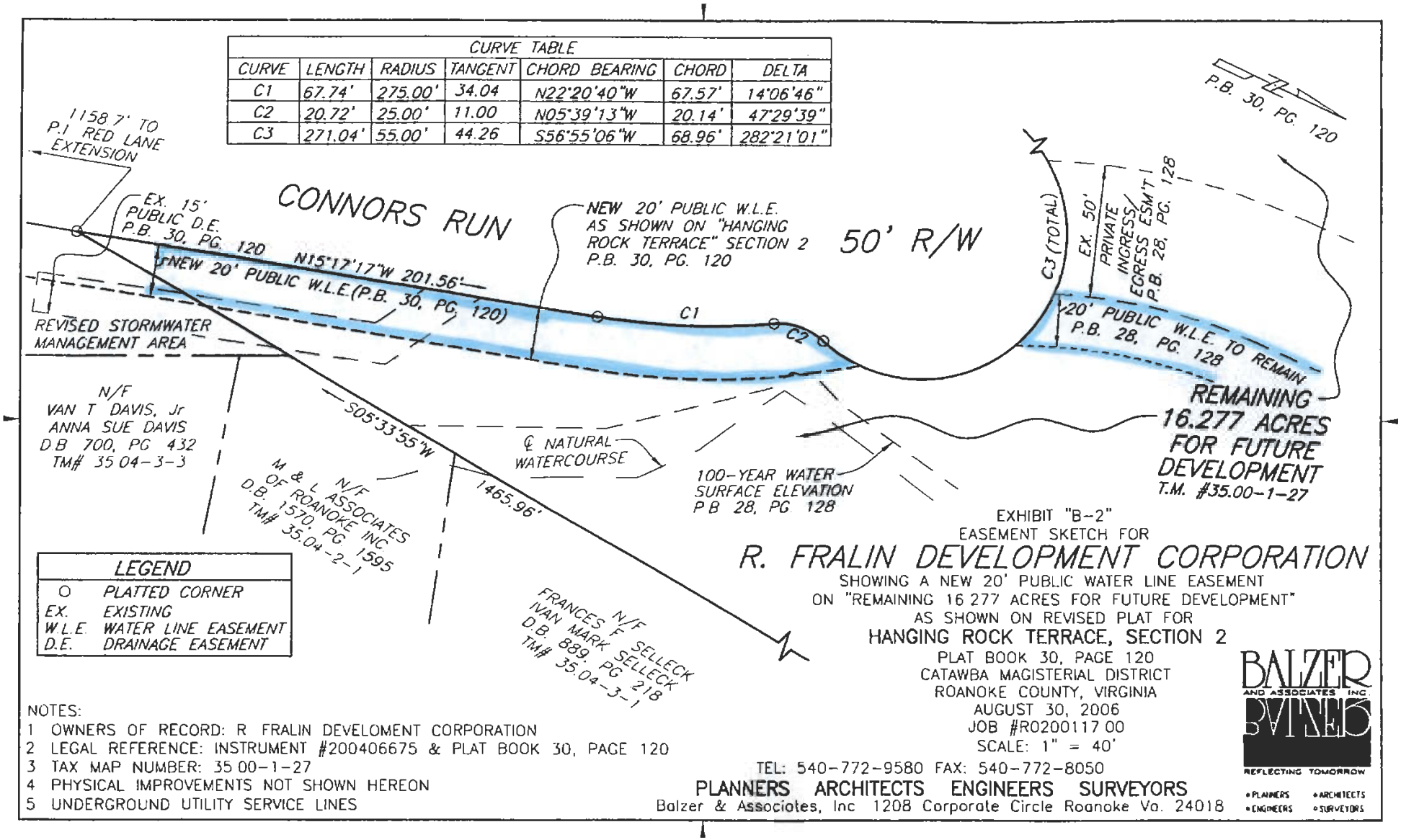


EXHIBIT "B-2"
EASEMENT SKETCH FOR

R. FRALIN DEVELOPMENT CORPORATION

SHOWING A NEW 20' PUBLIC WATER LINE EASEMENT
ON "REMAINING 16.277 ACRES FOR FUTURE DEVELOPMENT"
AS SHOWN ON REVISED PLAT FOR
HANGING ROCK TERRACE, SECTION 2
PLAT BOOK 30, PAGE 120
CATAWBA MAGISTERIAL DISTRICT
ROANOKE COUNTY, VIRGINIA
AUGUST 30, 2006
JOB #R0200117.00
SCALE: 1" = 40'

NOTES:
1. OWNERS OF RECORD: R. FRALIN DEVELOMENT CORPORATION
2. LEGAL REFERENCE: INSTRUMENT #200406675 & PLAT BOOK 30, PAGE 120
3. TAX MAP NUMBER: 35.00-1-27
4. PHYSICAL IMPROVEMENTS NOT SHOWN HEREON
5. UNDERGROUND UTILITY SERVICE LINES

TEL: 540-772-9580 FAX: 540-772-8050
PLANNERS ARCHITECTS ENGINEERS SURVEYORS
Balzer & Associates, Inc. 1208 Corporate Circle Roanoke Va. 24018
BALZER AND ASSOCIATES INC
REFLECTING TOMORROW
• PLANNERS • ARCHITECTS • ENGINEERS • SURVEYORS

Exhibit B-2

ACTION NO. _____

ITEM NO. 5-5

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROANOKE COUNTY, VIRGINIA HELD AT THE ROANOKE COUNTY ADMINISTRATION CENTER

MEETING DATE: September 26, 2006

AGENDA ITEM: Second reading of an ordinance amending Section 5-29. "Same-Impoundment" of Article II. "Dogs, Cats and Other Animals" of Chapter 5. "Animals and Fowl" to increase the daily impoundment fee charged by Roanoke County from $8.75 to $10.00 per day per animal and to increase the pickup fee for the first offense from $20 to $25

SUBMITTED BY: Ray Lavinder
Chief of Police

APPROVED BY: Elmer C. Hodge
County Administrator

COUNTY ADMINISTRATOR'S COMMENTS:

Recommend approval

SUMMARY OF INFORMATION:

When animal control officers are required to pick up and kennel a domestic animal, the animal owners are assessed a fee by the locality. The current fee structure for the localities utilizing the Roanoke Valley SPCA is shown in the chart below:

Locality	Boarding Fee	Pick Up 1st	Pick Up 2nd	Pick Up 3rd and↑
Roanoke County	8.75	20.00	35.00	50.00
Roanoke City	10.00	25.00	35.00	50.00
Vinton	10.00	25.00	35.00	50.00
Botetourt	10.00	20.00	30.00	40.00

The Police Department requests to adjust the daily boarding fee from $8.75 to $10.00 and the first infraction pick up fee from $20.00 to $25.00. This fee increase will be used to cover the increase in fees paid to the Roanoke Valley SPCA who operates the animal shelter on behalf of Roanoke County and other Roanoke Valley governments.

The first reading of the attached ordinance was held on August 22. If approved, the fee increase would become effective upon approval of the second reading of the ordinance on September 26.

FISCAL IMPACT:

The Police Department budgeted $198,000 to cover costs associated with its use of the SPCA. An increase in this year's contract costs to be paid to the SPCA indicates the end of year expenditures will be $212,000, a $14,000 shortfall. In an effort to offset this deficiency, the Police Department seeks a nominal increase in the boarding and pick up fees bringing those fees to the same level that most of the other municipalities assess to minimize our budget deficit.

STAFF RECOMMENDATION:

Staff recommends adoption of the attached ordinance to amend the fees charged for the pickup and boarding of animals effective September 26, 2006.

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROANOKE COUNTY, VIRGINIA, HELD AT THE ROANOKE COUNTY ADMINISTRATION CENTER ON TUESDAY, SEPTEMBER 26, 2006

ORDINANCE AMENDING SECTION 5-29. "SAME-IMPOUNDMENT" OF ARTICLE II. "DOGS, CATS AND OTHER ANIMALS" OF CHAPTER 5. "ANIMALS AND FOWL" TO INCREASE THE DAILY IMPOUNDMENT FEE CHARGED BY ROANOKE COUNTY FROM $8.75 TO $10.00 PER DAY PER ANIMAL AND TO INCREASE THE PICKUP FEE FOR THE FIRST OFFENSE FROM $20.00 TO $25.00

WHEREAS, the Roanoke Valley Society for the Prevention of Cruelty to Animals, Inc. provides housing, care, disposal, and adoption services for animals for several local governments in the Roanoke Valley; and

WHEREAS, operating costs for the RVSPCA are offset by charging the participating localities a per animal per diem fee to provide these services; and

WHEREAS, the RVSPCA has increased its fee from $8.75 to $10.00 per day per animal causing a deficit in the amount budgeted by the Police Department to cover costs associated with its use of the RVSPCA facilities.

NOW, THEREFORE, be it ordained by the Board of Supervisors of Roanoke County as follows:

1. That Section 5-29. Same-Impoundment be, and hereby is, amended to read and provide as follows:

Article II. Dogs, Cats and Other Animals.

Sec. 5-29. Same--Impoundment.

(a) It shall be the duty of the community service officer or other officer to cause any dog found running at large in violation of section 5-28 or any dog or cat creating an animal nuisance in the presence of the officer as defined by section 5-21 to be caught and confined in the county animal shelter. Every reasonable effort shall be made on the part of the community service officer or other officer to determine the ownership of an animal so confined if the animal has an identifying collar, tag, license or tattooed

identification or electronic implant and to notify the owner of its whereabouts. Such officer shall make a reasonable effort within forty-eight (48) hours of the animal's confinement to notify any owner who may be readily identified of such confinement.

(b) A dog or cat or other domestic animal confined under this section or other lawful authority may be claimed by the rightful owner after displaying proof of ownership, a current dog or cat license and proof of current rabies inoculation of the animal. No dog or cat shall be released to any person claiming ownership, unless such license and proof have been displayed.

(c) An owner claiming his animal pursuant to subsection (b) above shall be required to pay the actual expense incurred by the county in keeping the animal confined. Such payment shall be made to the custodial officer at the time of the release of the animal. It shall be the duty of the custodial officer to furnish the owner with a written receipt for such payment, in a form and manner approved by the board of supervisors. Such officer shall keep a carbon copy of all such receipts in a bound book, which shall be turned over to the county treasurer when the book is filled and shall be subject to audit by representatives of the board of supervisors whenever requested. In the event any domestic animal confined at county expense is sold, an amount equal to the actual expense incurred by the county in keeping the animal confined shall be deducted from the sale proceeds as funds payable pursuant to this subsection. Any funds collected pursuant to this subsection shall be remitted to the police department's animal impoundment account. No payment made under this subsection shall relieve the owner from prosecution for violating section 5-28.

(d) Any animal confined pursuant to this section shall be kept for a period of not less than five (5) days, commencing on the day immediately following the day such animal is initially confined, unless sooner claimed by its rightful owner or such owner has surrendered all property rights in such animal, before it may be disposed of. Any animal whose identity may be readily identified shall be kept for an additional period of five (5) days or a total of ten (10) days, before it may be disposed of or delivered to an individual for adoption and payment of all required fees.

(e) A pickup fee of ~~twenty dollars ($20.00)~~ twenty-five dollars ($25.00) for the first offense, thirty-five dollars ($35.00) for the second offense, and fifty dollars ($50.00) for the third offense shall be imposed in addition to the normal board fee of ten dollars ($10.00) ~~eight and three quarters dollars ($8.75)~~ per day when any dog or cat or domestic animal is claimed by its owner or custodian. All such fees shall constitute a civil debt owning to the county and may be enforced against such owner or custodian by civil warrant, suit or action at law or other legal proceeding.

(f) Feral dogs or cats not bearing identification which exhibits behavior that poses a risk of physical injury to any person confining the animal will be confined for a period of not less than three (3) day before being euthanized in accordance with Section 3.1-796.96 of the Code of Virginia, 1950, as amended.

2. That this ordinance shall be in full force and effect from and after its passage.