

The regular meeting of the Botetourt County Board of Supervisors was held on Tuesday, November 28, 2017, in Rooms 226-228 of the Greenfield Education and Training Center in Daleville, Virginia, beginning at 12:45 P. M.

PRESENT: Members: Mr. L. W. Leffel, Jr., Chairman  
Mr. Todd L. Dodson, Vice-Chairman  
Dr. Donald M. Scothorn  
Mr. John B. Williamson, III  
Mr. Billy W. Martin, Sr.

ABSENT: Members: None

Others present at the meeting:

Mr. Gary Larrowe, County Administrator  
Mr. David Moorman, Deputy County Administrator  
Mr. Michael W. S. Lockaby, County Attorney

The Chairman called the meeting to order at 12:45 P. M.

On motion by Mr. Leffel, seconded by Mr. Dodson, and carried by the following recorded vote, the Board went into Closed Session to discuss personnel matters regarding specific individuals; the acquisition of real property for public uses or the disposition of publicly held real property where discussion in open session would adversely affect the bargaining position or negotiating strategy of the public body; discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business or industry's interest in locating or expanding its facilities in the County; consultation with legal counsel pertaining to actual or probable litigation; and consultation with legal counsel regarding specific legal matters requiring legal advice as per Section 2.2-3711 (A) (1), (3), (5), (7) and (8) of the Code of Virginia of 1950, as amended. (Resolution Number 17-11-01)

AYES: Mr. Williamson, Mr. Leffel, Mr. Dodson, Dr. Scothorn, Mr. Martin

NAYS: None

ABSENT: None

ABSTAINING: None

The Chairman called the meeting back to order at 2:04 P. M.

On motion by Mr. Leffel, seconded by Mr. Dodson, and carried by the following recorded vote, the Board returned to regular session from Closed Session and adopted the following resolution by roll-call vote. (Resolution Number 17-10-02)

AYES: Mr. Leffel, Mr. Williamson, Mr. Dodson, Mr. Martin

NAYS: None

ABSENT: Dr. Scothorn

ABSTAINING: None

**BE IT RESOLVED**, that to the best of the Board members' knowledge only public business matters lawfully exempt from open meeting requirements and only such matters as were identified in the motion to go into Closed Session were heard, discussed or considered during the Closed Session.

Mr. Leffel welcomed everyone to the meeting and asked for a moment of silence.

Mr. Dodson then led the group in reciting the pledge of allegiance.

Dr. Scothorn returned to the meeting at this time. (2:05 P. M.)

Mr. Leffel then stated that representatives from the James River and Lord Botetourt high schools' Future Farmers of America chapters were present at the meeting. He noted that both groups are nationally-recognized "cream of the crop" as both organizations won recognition and

awards at the National FFA Convention in Indianapolis. He invited Chapter Advisors Zack Wakeman (James River) and Stuart Byrd (Lord Botetourt) to come forward.

Mr. Leffel then read the following proclamations:

**WHEREAS**, Botetourt County has a long and venerable agricultural history, stretching back to before its founding; and,

**WHEREAS**, the Botetourt County Board of Supervisors recognizes the importance and lifelong value of the National Future Farmers of America (FFA) Organization to the agricultural community; and,

**WHEREAS**, the James River High School FFA Chapter had 12 members named as State champions at the 2017 Virginia FFA State Convention including Jeff Bower, Skyler Camper, Madeline Cummings, Mikayla Fay, Davis Fenster, Olivia Gilliam, Sarah Harris, Jarrod Hix, Daniel Holter, Bailey Marshall, Mason Sowers, and Tyller Roney; and,

**WHEREAS**, in 2017 the James River High School FFA Chapter was named the Number One FFA chapter in the State of Virginia, and was recognized as a Three Star, Gold-rated chapter by the National FFA Organization; and,

**WHEREAS**, at the National FFA Convention held in Indianapolis, Indiana, the James River FFA Chapter was named one of the top ten FFA programs in the nation due to being honored as a Model of Excellence finalist; and,

**WHEREAS**, the Environmental and Natural Resources Team received a Gold Team rating, the Poultry Evaluation Team received a Gold Team rating, and the Livestock Evaluation Team received a Silver Team rating at the national convention; and,

**WHEREAS**, their talent and dedication to their areas of expertise is to be commended, and it is hoped that they will continue to expand their agricultural capabilities into the future and encourage others to do so as well; and,

**WHEREAS**, the team's dedication continues to elevate the success and accomplishments that we strive for in Botetourt County;

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Supervisors of Botetourt County, on its own behalf and on behalf of the citizens of Botetourt County, extends its congratulations and appreciation to the members of the James River High School FFA Chapter, and their Chapter Advisor Zach Wakeman, for winning two Gold Team ratings and one Silver Team rating at the 2017 National FFA Convention.

**WHEREAS**, Botetourt County has a long and venerable agricultural history, stretching back to before its founding; and,

**WHEREAS**, the Botetourt County Board of Supervisors recognizes the importance and lifelong value of the National Future Farmers of America (FFA) Organization to the agricultural community; and,

**WHEREAS**, the Lord Botetourt High School FFA Chapter had nine members, including Katherine Alexander, Linsey Baker, Madelyn Badgley, Ryan Newton, Caleb Rich, Faith Settle, Tess Seibel, Clair Seibel and Katelyn Stevens, who attended the National FFA Convention in Indianapolis, Indiana, as well as Chapter Advisor Stuart Byrd; and,

**WHEREAS**, Tess Seibel is the current Virginia FFA President and attended the meeting as a delegate for the State of Virginia, and attained a Gold Rating in the Diversified Agriculture Production Proficiency Award; and,

**WHEREAS**, Claire Seibel competed in and received the National Award in the area of Agri-Science Research-Animal Systems Proficiency and a Gold Rating in the National Extemporaneous Public Speaking competition; and,

**WHEREAS**, Katherine Alexander, Ryan Newton, Calen Rich, and Katelyn Stevens received an American FFA Degree which is the highest distinction that an FFA member can earn; and,

**WHEREAS**, their talent and dedication to their areas of expertise is to be commended, and it is hoped that they will continue to expand their agricultural capabilities into the future and encourage others to do so as well; and,

**WHEREAS**, the team's dedication continues to elevate the success and accomplishments that we strive for in Botetourt County;

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Supervisors of Botetourt County, on its own behalf and on behalf of the citizens of Botetourt County, extends its congratulations and appreciation to the members of the Lord Botetourt High School FFA Chapter, and their Chapter Advisor Stuart Byrd, for the awards and recognition they received at the 2017 National FFA Convention.

Mr. Leffel then asked that those FFA members who were present to come forward.

Mr. Leffel then presented framed copies of these proclamations to their respective FFA chapters.

Mr. Wakeman thanked the Board and the County for their support of the FFA program and agricultural education. He noted that Botetourt County's FFA chapters had an incredible year and won competitions at the State level which qualified them to participate in the national convention. He noted that the James River Environmental and Natural Resources team had 7 different practicums and a team presentation at the convention. He noted that the team had one hour to develop a presentation based on a chosen topic.

Mr. Wakeman stated that the Livestock Judging team had to complete a written exam and judge 4 classes of animals on their first day of competition and judge 8 classes of animals on the second day. He noted that the Poultry Evaluation Team participated in contests for candling eggs, judging live poultry, and had to complete a written exam. He noted that the entire James River team was recognized as one of the top ten FFA chapters in the nation.

Mr. Wakeman stated that it has been "awesome" to watch the students learn and grow through their participation in FFA and they can take this information and learning experience into their future lives.

Mr. Byrd stated that Ms. Tess Seibel is not present at this meeting as she is serving as the State FFA President. He then asked various FFA members to give a few brief remarks on their areas of expertise.

Mr. Byrd stated that there were over 60,000 FFA members at the convention and four LBHS chapter members received the American FFA Degree which less than 1% of FFA members obtain. He noted that most of these students are college-bound in agriculture-related fields.

After discussion, Mr. Byrd stated that the local 4-H groups will put on a showcase for these students on the third Monday in February. He noted that there will be displays set up on each area of 4-H and FFA. Mr. Byrd then thanked the Board for their recognition of these students' efforts.

Mr. Leffel thanked Mr. Wakeman, Mr. Byrd, and the FFA chapter members for attending today's meeting. He noted that this was an opportunity to allow everyone to witness the best-kept agricultural secrets in the County. He further noted that "we need to get agriculture going again" in Botetourt County and these students are a good resource.

They then left the meeting at this time.

Mr. Jason Ferguson, Battalion Chief, then recognized Mr. Nathan Herlocker for completion of the National Fire Academy's Managing Officer program. He noted that Mr. Herlocker has

been with the County's Fire and EMS staff since 2011 and this achievement was a two year commitment of time and effort on Mr. Herlocker's part.

Mr. Ferguson noted that the Academy forwards the certification to the locality upon the employee's completion of the program. He then presented Mr. Herlocker with this certificate.

The Board congratulated Mr. Herlocker on this achievement.

Mr. Ferguson then stated that Mr. Darren Rock joined the Fire and EMS Department late last year after previously working for the Roanoke County Fire and Rescue Department. He noted that Mr. Rock recently completed classes and has obtained his National Registered Paramedic certification.

Mr. Leffel congratulated Mr. Rock in obtaining this certification.

Mrs. Susan Goad, Director of the Department of Social Services, then recognized Mrs. Peggy Linkenauger for her 40 years of employment with the Department. She noted that Mrs. Linkenauger has worked for four different directors since she began work as a clerk-typist in 1977. Mrs. Goad noted that she currently supervises 8 staff members in their Benefits Programs division.

Mr. Martin noted that Mrs. Linkenauger's work is appreciated.

Mrs. Goad stated that the Department is thrilled that Mrs. Linkenauger works for them.

The Board congratulated Mrs. Linkenauger for her 40 years of service at the Department of Social Services.

During the public comment period, Mr. Anthony Guilliams of Lee Highway, Buchanan, asked for the Board's continued support of the Botetourt 2040 vision. He stated that, as a part of this vision, high-speed internet service is needed in the rural areas of the County. Mr. Guilliams stated that he currently receives internet service from Verizon and their response to problems is "less than adequate for both telephone and internet service." He also stated that the lack of service and maintenance on Verizon's rights-of-way is appalling and they should be held to a higher standard if they operate a utility service in the County.

Mr. Guilliams stated that all County residents should have the same internet access whether they live in rural or suburban areas.

After questioning by Mr. Williamson, Mr. Guilliams stated that he has contacted the State Corporation Commission regarding his problems with Verizon.

Mr. Leffel stated that he understands Mr. Guilliams' issues regarding inadequate internet service to the County's rural areas as he (Mr. Leffel) also has problems with his residential internet service.

The Board thanked Mr. Guilliams for his comments.

Mr. Larry Hill of Brugh's Mill Road then spoke regarding issues with large trucks using Brugh's Mill Road. Mr. Hill stated that this road is a "mini-interstate" and there are several traffic safety issues that have not been addressed.

Mr. Hill stated that there have been recent instances where a school bus has met a tractor trailer in a sharp curve on this narrow winding road. He noted that the road is not meant for commercial traffic but large trucks use the roadway as access between Routes 220, 11 and 81.

Mr. Hill stated that there are approximately 12 property owners along this roadway present at today's meeting. He noted that they have experienced instances where their personal vehicles have been run off the road by large trucks. Mr. Hill stated that he has previously discussed these problems with VDoT and the County and the residents would like something done to improve this traffic safety issue.

Dr. Scothorn stated that discussion about large trucks using Brugh's Mill Road has been discussed with VDoT on several previous occasions.

Mr. Williamson noted that the road is scheduled for paving next spring.

Mr. Hill noted that this would then cause the trucks to drive faster.

Mr. Gary Whitley of Brugh's Mill Road stated that he lives in the third house from the interstate. Mr. Whitley noted that last week he and his wife were driving to Roanoke and a car passed them in a curve on a double yellow line. He also noted that, when driving to Fincastle recently, he met a large truck at the Farmers Road intersection and had to drive off the road to avoid hitting the truck. Mr. Whitley stated that he has also discussed this problem with the Sheriff's Department.

After discussion, Mr. Whitley stated that a wide-load truck used this road last week and automobile carriers have been seen driving on this narrow roadway. Mr. Whitley stated that the number of large trucks using Brugh's Mill Road has increased in the past 1½ years. He noted that logging trucks also use the road and use their loud engine breaking systems to reduce their speed while driving this curving road.

Mr. Whitley asked that signs restricting the use of engine breaking systems be installed as this noise violates the Noise Ordinance; that the road be restricted for no through trucks; that the Sheriff be asked to place his speed indicator equipment on the roadway so drivers can see the speed that they are driving; and that the Sheriff give the residents some advice on how to properly report violators so that citations can be issued. Mr. Whitley stated that they need the Board's help.

Mr. Leffel thanked Mr. Hill and Mr. Whitley for their comments. He noted that the Board has heard similar concerns about large trucks using narrow County roads in many areas and he hopes that something can be done to solve these problems.

Mr. Kevin Hamm, Maintenance Operations Manager with the Virginia Department of Transportation was then present to speak to the Board.

Mr. Hamm stated that VDoT has previously reviewed Brugh's Mill Road and there is one area that can be upgraded to improve traffic safety. He noted that VDoT personnel have talked internally about improvement projects on the road; however, they cannot do anything about speeding vehicles. Mr. Hamm asked that the residents present today provide him with their contact information so he can meet with them to discuss their concerns in more detail.

After questioning by Mr. Williamson, it was noted that this road is posted for 40 mph.

Mr. Hamm then noted that the Lithia Road stream relocation project is ahead of schedule. He noted that this is a massive project and they believe that the contractor will have the work finished in the next few weeks.

Regarding the Route 220 paving project from Amsterdam to I-81, Mr. Hamm stated that this project has been completed and they are working with the contractor to have the center and edge line striping completed by the end of this week. Mr. Hamm further stated that there are two bridges over Tinker Creek on Route 11 in Cloverdale/Hollins scheduled for replacement in

2018/2019. He noted that this will be considered one work zone and there will be only one lane of Route 11 left open in each direction for traffic during the construction project. Mr. Hamm further noted that VDoT or its contractor will give the businesses in the construction zone three weeks' notice before work begins.

Mr. Hamm noted that there were three land development project reviews and 18 land use permits issued last month. He noted that the request for guardrail along a section of Mountain Pass Road was submitted to their Traffic Engineering Department in late October and they are currently gathering data on this project.

Regarding Area Headquarters projects, Mr. Hamm stated that their road maintenance personnel are still busy and are trying to complete several projects before the end of the year. He noted that the drainage repair work on Breckinridge Mill Road as discussed at a previous Board meeting was completed yesterday and work has been completed on the British Woods Drive Rural Addition project. He noted that VDoT personnel are reviewing the project's punch list items and are checking to see if runoff from the road is flowing appropriately.

Mr. Hamm stated that VDoT representatives met with the landowner at the Copps Hill/Springwood Road intersection and they have agreed to allow the rock wall to be removed and the dirt bank graded back to improve the sight distance at this intersection. He noted that they will also need to meet with the utility company to have a pole relocated.

After questioning by Mr. Williamson regarding work on Brugh's Mill Road beneath the interstate overpass, Mr. Hamm stated that base asphalt has been placed in this area and the final pavement will be put in place in the spring/summer of 2018.

After questioning by Dr. Scothorn regarding the pavement/drainage issues and asphalt repair in Hunter's Green Subdivision, Mr. Hamm stated that he has repeatedly reminded the appropriate VDoT personnel that this work needs to be done.

There being no further discussion, the Board thanked Mr. Hamm for his report.

The Chairman then called for a 10 minute break.

The Chairman called the meeting back to order at 3:10 P. M.

Mrs. Susan Goad, Director of the Department of Social Services, was present to give the Department's annual report for the June 1, 2015 through May 31, 2016 fiscal year. She noted that the County's specific profile report for the current fiscal year has not yet been published by the Virginia Department of Social Services.

Mrs. Goad stated that she would give a general overview of the department and review the annual report. She noted that the general intent of the State's Social Services' regulations is to assure that eligible persons receive assistance and social services. Mrs. Goad stated that there are 120 Social Services agencies in the State and each is required to have an advisory or administrative board appointed by the local board of supervisors. She noted that the Social Services Board appoints a director and she, as director, manages the department with the Board's assistance.

Mrs. Goad stated that she has been the Social Services Director since April 2017. She noted that the department currently has 20 employees and one vacancy in three service areas—services programs, benefits programs, and administrative staff. Mrs. Goad noted that they also have a fraud investigator on staff.

After discussion, Mrs. Goad stated that they serve the youngest to the oldest County residents, Medicaid is their biggest program, and they also have seasonal programs that assist with payment of heating/cooling expenses and other needed equipment. She further stated that the State-issued profile report indicates that there were 2,544 (8%) County residents living in poverty in 2015 and 2,442 (7%) in 2016; in 2015 there were 692 (11%) kids living in poverty and in 2016 there were 605 (9%) kids living in poverty. Mrs. Goad stated that the number of children that were involved in child protective services referrals has increased from 278 to 446 and the number of adults in adult protective services referrals increased from 76 to 146 in this same time period. She noted that these increases are a concern.

Mrs. Goad stated that from January – October 2017, the department received 27,974 Medicaid applications, 6,355 SNAP applications, 381 TANF applications, and had an average monthly SNAP issuance of \$179,449 for all of their clients. She further stated that their child protective services cases are a little higher this year than for the same period in 2016.

Mrs. Goad stated that some of the department's trends and current challenges include a new State computer system which resulted in delays in enrollment and inaccurate reporting, an increase in adult protective services reports due to the aging population and a lack of guardians for incapacitated adults, new technology for Family Service workers which allow case transcription services and a new computer application to allow these staff to access various forms while in the field, and a new federal SNAP-ET program which assists individuals in becoming self-sufficient through job training, education, transportation, etc. She also noted that there is a new federal Fast Forward program to help people progress in their careers and she believes that this program will grow in the future.

Mrs. Goad then presented the Board members with copies of informational brochures on the services provided by her department and a copy of the County's profile report from the State Department of Social Services.

After questioning by Mr. Williamson, Mrs. Goad stated that a combination of the low unemployment rate and other factors is decreasing the County's poverty rate. After further questioning, Mrs. Goad stated that the poverty rate in the County for all ages is 7.4%, the regional rate is 14.8%, and the State rate is 11.2%.

After further questioning by Mr. Williamson, Mrs. Goad stated that the 27,000 Medicaid applications received from January – October 2017 were in most cases for multiple programs for one individual/family. Mr. Williamson asked that she confirm this figure as this is approximately 75% of the County's entire population of 33,000. Mrs. Goad stated that she would check this figure and report her findings to the Board.

There being no further questioning, the Board thanked Mrs. Goad for her report.

Discussion was then held on the consent agenda items.

Mr. Williamson then requested that consideration of the Altec Performance Agreement be removed from the consent agenda to allow more specific discussion with staff on this matter.

After discussion, on motion by Mr. Williamson, seconded by Mr. Dodson, and carried by the following recorded vote, the Board approved the following consent agenda items, with the exception of the Altec Performance Agreement which will be considered separately. (Resolution Number 17-11-03)

AYES: Mr. Williamson, Mr. Dodson, Mr. Martin, Mr. Leffel, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

Approval of the following Additional Appropriations:

Additional appropriation in the amount of \$1,728 to Sheriff's Department – RAID Patrol, 100-4031200-31200-5830. This is a quarterly reimbursement of RAID Program expenses for the Botetourt County Sheriff's Office Alternative Program.

Additional appropriation in the amount of \$1,998 to the following Correction and Detention Department accounts: \$1,848 to Professional Services, 100-4033100-33100-3100; and \$150.00 to Uniforms, 100-4033100-33100-6011. These funds are expenditure reimbursements.

Additional appropriation in the amount of \$800.00 to the following Sheriff's department accounts: \$700 to Wages – Overtime, 100-4031200-31200-1200; and \$100 to Anti-Drug Education, 100-4031200-31200-5860. The former represents a restitution payment and the latter is a DARE donation from Jeff and Lisa Jones.

Additional appropriation in the amount of \$2,262.50 to Sheriff's Department - Repairs & Maintenance - Equipment, 100-4031200-31200-3311. These are insurance claim funds received for a damaged vehicle.

Additional appropriation in the amount of \$621.88 to the following Sheriff's Department accounts: \$511.88 to Firing Range Expenses, 100-4031200-31200-6015; and \$110.00 to Uniforms, 100-4031200-31200-6011. The former is for the sale of brass casings and the latter is a reimbursement.

Additional appropriation in the amount of \$3,565.89 to Sheriff's Department – DMV Salaries, 100-4031200-31200-1800. These are DMV grant funds received from the State relating to alcohol education and occupant protection.

Approval of Accounts Payable and ratification of the Short Accounts Payable List;

Approval of a cell tower lease amendment with John W. Brandemuehl for the Tinker Mountain tower for a ten year term to expire on December 31, 2027;

Approval of a tax refund in the amount of \$70,096 to General Shale Brick, Inc., due to an erroneous assessment of machinery and tools taxes; and,

Approval of amendment to Section 5.3.5.2 of the County Employee Personnel Policy Manual regarding sick leave bank benefits.

Consideration was then held on approval of the Altec performance agreement. Mr. Larowe stated that inadvertently the Commonwealth Opportunity Fund's Performance Agreement with Altec Industries was included in the Board's agenda package instead of the County's performance agreement. He noted that the County's agreement mirrors the State's agreement except the County requires a matching amount larger than the State's.

After questioning by Mr. Williamson, Mr. Larowe stated that the cash component contained in the County's agreement is \$200,000.

It was noted that the County Attorney has reviewed this agreement.

There being no further discussion, on motion by Mr. Williamson, seconded by Mr. Dodson, and carried by the following recorded vote, the Board approved a Performance Agreement between the County, Altec Industries, and the Economic Development Authority, and authorized the County Administrator to sign the agreement on the Board's behalf. (Resolution Number 17-11-04)

AYES: Mr. Williamson, Mr. Dodson, Mr. Martin, Mr. Leffel, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

Consideration was then held on requests for regular appropriations for FY 2018. Mr. Tony Zerrilla, Director of Finance, stated that these appropriations were identified during the review of rollover appropriations from FY 17 to the FY 18 budget for projects which were not completed in FY 17, which were approved by the Board last month. He noted that the four appropriation requests being considered today are not carry-over projects from FY 17.

Mr. Zerrilla stated that these requests include \$27,000 for the purchase the Gala Boat Access property to be considered by the Board later today; \$7,125 to the Economic Development Authority to pay a portion of the consultant's retainer fee for the Hotel Conference Center Feasibility Study; \$475,479 to the Sheriff's Department for the purchase of mobile data terminals and in-vehicle cameras for deputies' vehicles; and \$325,000 to Volunteer Fire and Rescue and the Fire and EMS Capital Outlay line items to purchase new self-contained breathing apparatus (SCBA).

Mr. Zerrilla stated that the Sheriff's Department's request will be to enhance law enforcement functions in a safer and more efficient manner. He noted that approximately \$160,000 in e-summons fees will be used to fund this purchase. Mr. Zerrilla noted that the SCBA purchases will be spread over a three year period, with \$325,000 needed for the first year's costs. He noted that a grant application submitted to help with this purchase was denied. He noted that these appropriation requests total \$834,604.

Mr. Williamson stated that the General Fund Budget Subcommittee met twice over the past few months to discuss these appropriations as these funding requests were not included in the FY 17 budget. He noted that the Subcommittee agreed that these items should be considered by the Board separately from the rollover/reappropriations approved last month.

Mr. Williamson stated that the Subcommittee discussed the Sheriff's proposal for mobile data terminals/in-car cameras last spring and funding for the Fire/EMS SCBA equipment has been under consideration for a couple of years. He noted that Fire/EMS continues to submit grant applications for funding for this equipment.

There being no further discussion, on motion by Mr. Williamson, seconded by Mr. Dodson, and carried by the following recorded vote, the Board approved the following supplemental appropriations for FY 17-18: (Resolution Number 17-11-05)

AYES: Mr. Williamson, Mr. Dodson, Mr. Martin, Mr. Leffel, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

Additional appropriation in the amount of \$27,000 to CIP – Greenway Project, 100-4094000-71000-8012-720. These are expenses relating to the acquisition of the Gala Boat Access site.

Additional appropriation in the amount of \$7,125 to Transfers to EDA, 100-4091800-91800-3800. This is for a 25% consultant retainer billing for a Hotel Conference Center Feasibility Study.

Additional appropriation in the amount of \$475,479 to Sheriff's Department – Capital Outlay – Motor Vehicle/Equipment, 100-4031200-31200-8005. This appropriation is for the Mobile Data Terminal project that will be supported by General Fund (Fund 100) dollars. This project will also be supported by E-Summons Fees which are in a separate fund.

Additional appropriation in the amount of \$325,000 to the following accounts: \$216,000 to Volunteer Fire & Rescue – Capital Outlay – Machinery & Equipment, 100-4032200-32200-8001; and \$109,000 to Fire & EMS – Capital Outlay – Machinery & Equipment, 100-4035500-35500-8001. These funds will be used to purchase SCBA (self-contained breathing apparatus) equipment that will not be able to be supported by grant funding.

Consideration was then held on the change in date/time for the December 2017 Board of Supervisors meeting. Mr. Larrowe stated that, during the January 2017 reorganizational meeting, the Board rescheduled their December 2017 regular meeting to the 21<sup>st</sup> to avoid the Christmas holiday. He noted that Mr. Dodson's daughter is graduating from college on that day and he will not be able to attend the Board meeting if it is held on the 21<sup>st</sup>.

Mr. Larrowe stated that several date options were discussed with the Board and staff is now recommending that the December meeting be rescheduled to Friday, December 22, to begin at 9:00 A. M., with the rezoning/SEP public hearings to be scheduled for 11:00 A. M.

There being no discussion, on motion by Mr. Leffel, seconded by Mr. Martin, and carried by the following recorded vote, the Board approved a change in date/time for the December regular meeting to Friday, December 22, to begin at 9:00 A. M., with rezoning/SEP public hearings to be scheduled for 11:00 A. M. (Resolution Number 17-11-06)

AYES: Mr. Dodson, Mr. Martin, Mr. Leffel, Dr. Scothorn, Mr. Williamson

NAYS: None

ABSENT: None

ABSTAINING: None

Consideration was then held on approval of a bond issuance resolution for Virginia Baptist Homes, Inc. (Lifespire of Virginia) in the amount of \$100,000,000, to include a refunding bond issuance in the amount of \$2.7 million for their Botetourt County facility. Mr. Webster Day, Bond Counsel, stated that, when a project is financed through industrial development revenue bonds, the federal and state governments require the local Economic Development Authority, after a public hearing, to approve the bonds. He noted that the local governing body (board of supervisors) is also required to approve an inducement resolution supporting the bond issuance.

Mr. Day stated that Virginia Baptist Homes (VBH) operates The Glebe retirement facility in Daleville and part of this \$100,000,000 issuance is to refinance and refund \$2.7 million in bonds for projects at The Glebe. He noted that the majority of the bond issuance is for renovations/construction a VBH facility in Henrico County. Mr. Day further noted that these bonds are not obligations of the County or the EDA; however, for procedural purposes, the Board is being requested to approve this inducement resolution.

There being no discussion, on motion by Mr. Williamson, seconded by Mr. Leffel, and carried by the following recorded vote, the Board approved the attached resolution regarding the approval of the issuance of bonds by the Economic Development Authority of Henrico County, Virginia, for the benefit of Virginia Baptist Homes, Inc. (d/b/a Lifespire of Virginia) in the amount of \$100,000,000, to include a refunding bond issuance in the amount of \$2.7 million for their Botetourt County facility. (Resolution Number 17-11-07)

AYES: Mr. Dodson, Mr. Martin, Mr. Leffel, Dr. Scothorn, Mr. Williamson

NAYS: None

ABSENT: None

ABSTAINING: None

Consideration was then held on approval of a bond issuance resolution in the amount of \$9 million for the YMCA.

Mr. Williamson stated that he has a conflict of interest on this project as he serves on the YMCA's fundraising committee and is a compensated member of the Board of Directors of the Bank of Botetourt, the lender for this proposed financing; therefore, he will not participate in the Board's discussion on this bond issuance request.

Mr. Webster Day, Bond Counsel, stated that in August the Board approved a resolution for the issuance of revenue bonds for the new YMCA facility at Daleville Town Center. He noted that it was discovered after the fact that funding for a major component of the project (swimming pool) had inadvertently been left out of the bond expense calculations; therefore, the Economic Development Authority (EDA) was required to advertise and conduct another public hearing on this bond issuance at the increased amount.

Mr. Day stated that the revised resolution as included in the Board's packet is in an amount not to exceed \$9 million. He noted that the cost estimate in the previous resolution (\$8 million) was incorrect. Mr. Day further noted that this bond issuance is not a financial obligation of the County.

There being no discussion, on motion by Mr. Dodson, seconded by Dr. Scothorn, and carried by the following recorded vote, the Board approved the attached resolution approving the financing of the project, the refunding of the prior bond, and the issuance of tax-exempt revenue bonds for the Young Men's Christian Association of Virginia's Blue Ridge, Inc., (YMCA) in an amount not to exceed \$9,000,000 for their Daleville facility. (Resolution Number 17-11-08)

AYES: Mr. Dodson, Mr. Martin, Mr. Leffel, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: Mr. Williamson

Consideration was then held on proposed amendments to Chapter 25. Zoning of the Botetourt County Code to create a higher-density Residential (R-4) Use District and associated text amendments. Mr. Drew Pearson, Planner, stated that these text amendments were presented to the Board at a public hearing held last month but approval had been tabled until this month to allow some staff to make some Board-suggested revisions.

Mr. Pearson noted that the Board had request that staff provide additional information regarding front setbacks in Agricultural A-1 Districts. He noted that the current setbacks (75' from an existing public road and 50' from a new public road) have been in effect since 2012 and any structure built before that time was subject to the provisions of the old ordinance. He further noted that staff is recommending that this front setback figure be changed to 60' no matter whether the lot fronts on an existing or new road.

Regarding relocating "Commercial Stable" from a SEP-required use to a use permitted by right in the A-1 and Forest Conservation FC use districts, Mr. Pearson noted that the Code of Virginia classifies "Commercial Stable" as an agricultural land use; therefore, localities are prohibited from requiring a SEP for this use in a zoning district that otherwise allows agricultural uses.

Mr. Pearson stated that staff has further reviewed this language with the County Attorney and they believe that the Board can adopt supplemental regulations for these types of requests for aspects such as setback, noise, lighting, etc., that might have an impact on public health, safety, and welfare. He noted that no other agricultural operations or agri-tourism activ-

ities are subject to supplemental regulations and questioned if the Board would like to implement these additional regulations on commercial stables only or all types of agricultural uses.

After discussion, Mr. Pearson stated that staff is recommending that the commercial stable ordinance provisions be amended to bring it into compliance with the Code of Virginia.

Mr. Williamson stated that he has some "sympathy" to designating some parameters for commercial stables but does not think that other by-right agricultural uses should have supplemental regulations enacted.

Mr. Dodson stated that the Zoning Ordinance is not in compliance with the State Code regarding commercial stables and this situation should be corrected. Mr. Leffel agreed with Mr. Dodson's remarks.

Mr. Williamson suggested that the Planning/Zoning staff look at the narrow issues in these types of situations.

Mr. Pearson further stated that the Board expressed concern last month regarding inconsistencies in the requirement to obtain a SEP for structures over 35', and in some sections, 40' in height in Residential R-3 and the proposed R-4 use districts. He noted that staff has revised the ordinance so that buildings higher than 40' in the A-1, FC, and RR use districts would have to obtain a SEP and structures over 35' in the residential districts, except for multi-family dwellings (45' tall), and churches and schools (60' tall), would require a SEP.

Mr. Pearson stated that all proposed staff revisions to the Zoning Ordinance made after the Board members' discussion last month are highlighted in yellow on the draft included in the agenda packet.

Mr. Pearson stated that the Board had also questioned the maximum multi-family density limits per acre in adjacent localities. He noted that staff checked with Bedford, Roanoke, Rockingham, Montgomery and Augusta counties, and the cities of Roanoke, Staunton, Waynesboro, and the Town of Blacksburg. Mr. Pearson stated that these localities' maximum units per acre range between 12 and 24 and the County is proposing to allow up to 24 units per acre under the proposed R-4 specifications. He noted that cities allow a higher multi-family density level.

After questioning by Mr. Dodson, Mr. Pearson stated that the staff did not obtain feedback between the October and November Board meetings on these new ordinance revisions from developers, contractors, etc. He noted that the proposed ordinance was e-mailed to various developers prior to the October meeting who responded that they felt that the proposed units per acre figure was in line with the region.

There being no further discussion, on motion by Mr. Williamson, seconded by Mr. Leffel, and carried by the following recorded vote, the Board approved the attached amendments to Chapter 25. Zoning of the Botetourt County Code to create a higher-density Residential (R-4) Use District as well as other associated text amendments. (Resolution Number 17-11-09)

AYES: Mr. Williamson, Mr. Dodson, Mr. Martin, Mr. Leffel, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

Consideration was then held on amendments to the Planning/Zoning fee schedule. Mrs. Nicole Pendleton, Planning Manager, stated that during the recent review of the Zoning Ordinance, staff also evaluated other localities' zoning and subdivision application-related fees to ensure that the County's were comparable.

She noted that the proposed new R-4 rezoning application fee is \$350 plus \$20 per acre or portion thereof. She noted that this fee does not include mailing/postage charges for notification letters to the application's adjacent property owners. Mrs. Pendleton further noted that the Board had mentioned when the Building Code Board of Appeals application fee was increased to \$500 several months ago that the Board of Zoning Appeals application fee should be an equal amount and this increase is also being proposed for approval today. She also noted that the County previously had no fee for a subdivision exception request and the staff is recommending that this fee be set at \$150.

After questioning by Mr. Williamson, Mrs. Pendleton stated that the County receives few requests for Subdivision Ordinance-related amendments and she knows of only one such request since she was hired in 2014. She noted that a request of this type has been submitted for consideration by the Planning Commission in the next few months. After further questioning, she noted that this type of application is required to be advertised for a public hearing.

After further questioning by Mr. Williamson, Mrs. Pendleton stated that these fees do not cover the County's costs of advertising these public hearings.

There being no further discussion, on motion by Mr. Dodson, seconded by Mr. Leffel, and carried by the following recorded vote, the Board adopted the proposed Planning and Zoning Fee Schedule as attached, effective November 28, 2017. (Resolution Number 17-11-10)

AYES: Mr. Williamson, Mr. Dodson, Mr. Martin, Mr. Leffel, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

Consideration was then held on approval of a purchase contract for the Gala boat ramp property. Mr. Jim Farmer, Director of Recreation and Facilities, stated that the County has had a lease agreement with Mrs. Bonnie Anderson, property owner, for use of 3.9 acres as a boating access point to the James River since 2012.

He noted that Mrs. Anderson informed the County several months ago that she would be interested in selling the property for \$24,000. Mr. Farmer stated that the County had an appraisal conducted on the property which indicated that the parcel is valued at \$65,000. He noted that the County submitted a Virginia Land Conservation Fund grant application in August for the purchase of this property; however, the application was not approved. Mr. Farmer stated that earlier today the Board had approved a \$27,000 appropriation for the purchase of this property.

Mr. Leffel stated that he thinks that this purchase is a good move on the County's part and believes that this boat access site is working very well as a tourism/recreation asset.

There being no further discussion, on motion by Mr. Leffel, seconded by Mr. Dodson, and carried by the following recorded vote, the Board approved a contract with Mrs. Bonnie Anderson for the purchase of a 3.9 acre tract known as the Gala Boat Access point along the James River in the amount of \$24,000, and authorized the County Administrator to sign the contract on the Board's behalf upon final review and approval of the County Attorney. (Resolution Number 17-11-11)

AYES: Mr. Williamson, Mr. Dodson, Mr. Martin, Mr. Leffel, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

A presentation was then given by the Solid Waste Committee on future landfill options. Mr. David Moorman, Deputy County Administrator, noted that Mr. Kevin Shearer, General Services Director, and Greg Hannah, Division of Waste Management Manager, were also present for this presentation.

Mr. Moorman stated that, at their June meeting, the Board received a staff report on future solid waste disposal issues facing the County. He noted that the County has two active disposal areas (519 and 582) at the landfill and State law requires that the County stop placing waste in cell 519 by December 31, 2020.

Mr. Moorman stated that, since April 2009, the County has directed most of its municipal solid waste to other Roanoke Valley disposal facilities as per a disposal agreement with the City of Salem. He noted that the Salem trash disposal contract, which expires on June 30, 2019, has been acquired by the Roanoke Valley Resource Authority (RVRA). Mr. Moorman stated that the Board appointed a Solid Waste Committee consisting of Mr. Leffel, Mr. Williamson, and Mr. Larrowe to evaluate the County's future solid waste disposal options and recommend a solution to the Board.

Mr. Moorman stated that the Committee reviewed four options: applying for membership in the RVRA, negotiate a term disposal contract with the RVRA, procure a term contract(s) with other public/private sources for trash transportation and disposal, and utilize the disposal capacity remaining in the County's landfill. He stated that the County has put a significant amount of money in the landfill over the years and it is estimated that there is approximately 90,000 tons of disposal area remaining in the 519 and 582 cell areas.

Mr. Moorman stated that engineers have estimated that it will cost approximately \$5.1 million to properly close and cap the total 519 and 582 cell areas to comply with Virginia Department of Environmental Quality's (DEQ) requirements and the County is currently not generating any revenues to fund these closure costs. He noted that closure/capping of the 519 cell has to begin in 2021 and closure of the 582 area could take place in 2025.

Mr. Moorman noted that the Committee is recommending that the County not renew the trash disposal contract with the RVRA in 2019 but reopen the County landfill disposal operations in the spring of 2018 to utilize the remaining capacity and then close/cap both cells no later than 2025 as per DEQ requirements, with generated revenues to be placed in reserve for closure costs. Mr. Moorman stated that staff has prepared revenue and expenditure estimates on this proposal and believe that sufficient monies can be obtained to fund most, if not all, of the cell closure costs.

He noted that the Committee is also proposing adjustments to landfill and convenience center fees effective January 1, 2018, as outlined in the Board packet.

After discussion, Mr. Moorman stated that the Committee's recommendation to the Board is that the County Administrator be authorized to resume County landfill operations in the spring of 2018 to accept waste from the franchise haulers and citizens, adopt a new disposal fee schedule effective January 1, 2018, work with the Treasurer to create a dedicated financial reserve to be used toward the landfill closure/capping costs, and direct the County Administrator to recommend alternatives for long-term solid waste disposal solutions for implementation as of January 1, 2025.

Mr. Williamson thanked the Committee and staff for their work. He noted that the staff did a good job in developing the analysis which includes incremental operational cost increases over and above the baseline cost expectations. He noted that, based on staff estimates, dis-

posal fees will generate approximately \$700,000 in revenues per year (approximately \$5 million in net revenues) which will be placed in a separate fund for use in the landfill's closure costs.

Mr. Leffel stated that the staff did a good job in compiling this report. He noted that "we need to make sure that when we have to write the check that we have the money" to fund the approximately \$5.1 million in required landfill closure costs.

Mr. Martin stated that this proposal sounds good to him and the use of disposal fees for the landfill closure costs is an appropriate means of funding this large, future expense.

Mr. Williamson noted that these costs are based on estimates that are "five years out."

After questioning by Dr. Scothorn, Mr. Williamson stated that the County's solid waste collections total approximately 12,500 tons per year.

After further questioning by Dr. Scothorn on the proposed disposal rates, Mr. Williamson noted that the RVRA currently charges \$53/ton for disposal and the County is proposing this same amount for the commercial hauler disposal rate.

After questioning by Mr. Dodson, Mr. Bill Arney, County Treasurer, stated that he has been in contact with Corbin Stone with Robinson, Farmer, Cox Associates, the County's auditing firm, regarding the creation of the reserve. He noted that this separate financial reserve will reduce the County's landfill closure liability and create a source of funding for these future expenditures.

Mr. Arney further stated that a determination will need to be made on the frequency of the transfer of monies from the General Fund to the reserve, e.g., monthly, quarterly, or on-going authority for him to move these funds at any time.

Mr. Williamson stated that he believes that these transfers should be done automatically by the Treasurer at any time. After questioning by Mr. Williamson, Mr. Arney stated that these transfers would be reported as a line item on the County's monthly trial balance which is provided to the Board of Supervisors.

Mr. Tony Zerrilla, Director of Finance, stated that designating a separate reserve for these solid waste disposal revenues is a good financial plan for the future.

There being no further discussion, on motion by Mr. Williamson, seconded by Mr. Dodson, and carried by the following recorded vote, the Board authorized the County Administrator to resume County landfill operations effective spring 2018, accepting Botetourt County waste from Class 1 and Class 2 County franchise haulers and from the County's citizens' convenience center; adopted the attached convenience center fees effective January 1, 2018; directed the County Administrator, in cooperation with the County Treasurer, to establish a dedicated reserve for the accumulation of operating revenues to support landfill closure expenditures to be transferred from the General Fund to this dedicated reserve as the Treasurer determines is appropriate; and directed the County Administrator to identify, evaluate, and recommend to the Board, from available alternatives, a long-term solid waste disposal solution for implementation no later than January 1, 2025. (Resolution Number 17-11-12)

AYES: Mr. Williamson, Mr. Dodson, Mr. Martin, Mr. Leffel, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

Consideration was then held on various appointments.

Mr. Leffel noted that the terms of three Planning Commission members expire on January 1, 2018. He noted that all three have indicated that they are willing to be reappointed.

On motion by Mr. Leffel, seconded by Mr. Dodson, and carried by the following recorded vote, the Board reappointed Mr. Steve Kidd as the Buchanan District representative, Mr. John Griffin as the Fincastle District representative, and Mr. William Thurman as the Valley District representative on the Planning Commission for four year terms to expire on January 1, 2022. (Resolution Number 17-11-13)

AYES: Mr. Dodson, Mr. Martin, Mr. Williamson, Mr. Leffel, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

The Chairman then recessed the meeting at 4:00 P. M. until 6:00 P. M.

The Chairman called the meeting back to order at 6:00 P. M. and welcomed those present for this evening's public hearings.

Mr. Leffel stated that there are many citizens present at these hearings and ask that those in attendance be courteous and respectful to those making public comments.

A public hearing was then held on a request in the Valley District from Potfillers, LLC, for a Change of Conditions to enlarge the proposed garage size and, pending Zoning Ordinance amendments, to allow the existing home to be used as a residence (allowing more than one principal use) on property located in the Agricultural (A-1) Use District on a 2.032-acre lot at 6149 Cloverdale Road, Roanoke, approximately 0.06 miles south of the intersection of Cloverdale Road (Alternate U. S. Route 220) and Hillview Drive (Route 1420), identified on the Real Property Identification Maps of Botetourt County as Section 107, Parcel 243A.

It was noted that the Planning Commission had recommended conditional approval of this request.

Mr. Jerod Myers, County Planner, stated that the applicant had submitted a SEP request in June 2017 to allow a materials and equipment storage yard on the rear portion of this 2 acre lot. He noted that the Board of Supervisors approved this request with the following conditions: The project will be constructed in substantial conformance with the updated concept plan, submitted by Ian Hensley on June 6, 2017; and the existing house may not be utilized for any purpose and must remain vacant.

Mr. Myers stated that the applicant is now requesting that the proposed garage size be increased from 24' X 96' to 50' X 100' and, since earlier today the Board approved Zoning Ordinance amendments to Section 25-37 which would allow multiple principal uses or structures on a single lot, it is also being requested that the second condition from the June request ("The existing house may not be utilized for any purpose and must remain vacant.") be removed so that the old farmhouse can be used as a rental home.

Mr. Myers noted that one area resident contacted the Planning Office regarding this request as she was unaware that the storage yard had been approved in June. He noted that this individual expressed concerns as to whether a deceleration lane would be needed off of Alternate 220 into the property if large trucks/trailers would be accessing this property.

Mr. Myers stated that VDoT has indicated that their sight distance requirements for this intersection must be met before an entrance permit can be approved.

Mr. Myers then read the proffered conditions for this request: "The project will be constructed in substantial conformance with the updated concept plan, prepared by Ian Hensley

and dated 21 September, 2017; and the roof shall be constructed of material in an earth-toned color.”

Mr. Bob Frydrych of Country Club Road then stated that he is concerned with this one parcel containing a lawn care business and a rental home. He questioned if the applicant will have vehicles with heavy equipment on the property, and if so, how can they have a rental home which may have young children who could wander onto the business portion of the property and be injured. Mr. Frydrych stated that this issue was not discussed at the Planning Commission meeting and he does not think that combining these two uses on one lot is a good idea.

The Board thanked Mr. Frydrych for his comments.

After questioning by the Chairman, it was noted that there was no one else present to speak in regard to this request. The public hearing was then closed.

After questioning by Dr. Scothorn, Mr. Ian Hensley, applicant, stated that this issue was not previously considered. Mr. Hensley stated that this is a large parcel and all of the lawn care-related business will be conducted at the rear of the lot. He noted that there are numerous parcels in the County that have commercial activities adjacent to residential areas.

Dr. Scothorn suggested that fencing or a landscaping buffer be put in place to separate the two uses on this parcel.

Mr. Hensley agreed to this suggestion.

There being no further discussion, on motion by Dr. Scothorn, seconded by Mr. Dodson, and carried by the following recorded vote, the Board approved a request in the Valley District from Potfillers, LLC, for a Change of Conditions to enlarge the proposed garage size to 50' X 100' and to allow the existing home to be used as a residence (allowing more than one principal use) on property located in the Agricultural (A-1) Use District on a 2.032-acre lot at 6149 Cloverdale Road, Roanoke, approximately 0.06 miles south of the intersection of Cloverdale Road (Alternate U. S. Route 220) and Hillview Drive (Route 1420), identified on the Real Property Identification Maps of Botetourt County as Section 107, Parcel 243A, with the following revised conditions: (Resolution Number 17-11-14)

AYES: Mr. Leffel, Mr. Williamson, Mr. Dodson, Mr. Martin, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

1. The project will be constructed in substantial conformance with the updated concept plan, prepared by Ian Hensley and dated 21 September, 2017.
2. The roof shall be constructed of material in an earth-toned color.
3. A row of landscaping will be installed between the house and the commercial use.

A public hearing was then held on a request in the Amsterdam District from Botetourt Warehouse Associates, LLC, and the Estate of Barbara H. Goad to rezone a combined total of 0.82 acres from the Industrial (M-2) Use District to the Business (B-2) Use District, with possible proffered conditions. In addition to the rezoning, the above listed property owners are requesting a Special Exception Permit for a car wash and a Special Exception Permit for a convenience store, both with possible conditions, in accordance with Section 25-243. Uses permissible by special exception of the Botetourt County Zoning Ordinance. The properties are located on and between 39 and 61 Catawba Road (Route 779), approximately 0.03 miles west of the Catawba

Road (State Route 779) and Roanoke Road (US Route 220) intersection, identified on the Real Property Identification Maps of Botetourt County as Section 101, Parcels 12A (0.24 acres), 11 (0.05 acres), and 10 (0.53 acres). The request from Botetourt Warehouse Associates, LLC, and the Estate of Barbara H. Goad is part of the request to develop a proposed convenience store and car wash on five (5) parcels. The other two parcels which are a part of this request are owned by R&R Holdings, Inc., and the Bradberry Company who request a Special Exception Permit for a car wash and a Special Exception Permit for a convenience store, both with possible conditions, in accordance with Section 25-243 Uses Permissible by Special Exception of the Botetourt County Zoning Ordinance. These two parcels total 1.66 acres and are located in the Business (B-2) Use District at 1701, 1721, 1723, 1725, 1727, 1729, and 1731 Roanoke Road, Daleville, at the Catawba Road (State Route 779) and Roanoke Road (U. S. Route 220) intersection, identified on the Real Property Identification Maps of Botetourt County as Section 101, Parcels 15A and 13.

It was noted that the Planning Commission had recommended denial of all of these requests.

Mr. Drew Pearson, County Planner, stated that there are five parcels totaling 2.48 acres involved in this request--3 which are currently zoned M-2 and two that are zoned B-2. He noted that staff checked their records to determine if any previously proffered conditions were attached to these properties and could not find any records to that effect. He noted that the 1960s zoning maps indicated Parcels 10, 11, and 12A as being zoned for M-1 use.

Mr. Pearson then displayed an aerial photograph and noted that there is retail and office space to the north of this site, townhomes and residential housing to the east and west; and Business B-2 uses to the south. He noted that the 2010 Comprehensive Plan designates the entire area as commercial and it is also identified as being in the U. S. Route 220 corridor that connects the Daleville Town Center Urban Development Area (UDA) and the Gateway Crossing UDA.

Mr. Pearson stated that VDoT's 2016 traffic data shows that there is an average annual daily traffic count of 28,000 on Route 220 from I-81 to Route 779 (Catawba Road); from 779 to Trinity Road (Route 670) the traffic count is 16,000 vehicles per day (vpd); and on Route 779 from Route 220 to Mimosa Street, the average daily traffic count is 5,500 vpd. He noted that the applicant had a traffic assessment conducted by Ramey Kemp and Associates which indicated that only a dedicated right-hand turn lane onto Route 220 at the Catawba Road intersection would be needed for this project. He noted that the applicant has proposed to dedicate the needed right-of-way for the future construction of this turning lane.

Mr. Pearson noted that the applicant had submitted a revised site plan for the proposed Sheetz earlier today which showed the roadway improvements for the dedicated right-hand turn lane on Catawba Road onto 220 as well as extending the northbound 220 left hand-turn lane onto Catawba Road. Mr. Pearson stated that there do not appear to be any other changes proposed to the site plan at this time, except for the completion of the sidewalk adjacent to the turn lane on Catawba Road. He noted that no changes had been made to the previously shown entrances (off of Route 779 and 220) proposed to access this site.

Mr. Pearson stated that the applicants are proposing a 6,050 square foot Sheetz convenience store with a single bay automatic car wash and a fueling station for 10 vehicles. He noted that there will be one entrance off of 220 and one entrance off of Catawba Road, which will be located 280' from the 220/779 intersection. He noted that the fueling station will be

located on the Route 220 side of the property and a separate car wash is proposed for the west side of the building. Mr. Pearson stated that a retaining wall is proposed along the property's southern and western boundaries and the stormwater detention pond will be placed on the western side of the property.

Mr. Pearson then reviewed the proposed building's rendering which showed a structure constructed of brick and stone. He noted that an outdoor seating area will be constructed on the southern side of the building and have bicycle racks. Mr. Pearson stated that the car wash will have building materials consistent with the proposed Sheetz.

After discussion, Mr. Pearson stated that during the application's review process, staff suggested conditions regarding conformance with the exterior elevation, similarity of building materials for all structures, conformance with the lighting and landscaping plans, that the retaining wall be constructed of segmented block and that a 6' vinyl, opaque fence be installed on top of the wall, noise from the proposed business shall not violate the County's Noise Ordinance, no temporary window signs or outdoor vending machines or merchandise displays would be permitted, and that other specifications/provisions of the Zoning Ordinance be met with these conditions not exempting the applicant from any local, state, or federal development requirements, except as allowed by the Zoning Ordinance.

He then reviewed the conditions recommended by staff for the SEP for the proposed car wash—conformance with the submitted exterior elevations, preliminary site plan, lighting plan, and landscape plan, noise shall not violate the Noise Ordinance, no temporary window signs, and other specifications/provisions of the Zoning Ordinance be met with these conditions not exempting the applicant from any local, state, or federal development requirements, except as allowed by the Zoning Ordinance.

Mr. Pearson stated that at the Planning Commission meeting some additional conditions were discussed—the car wash would not be operated between 9PM and 6AM, the entrance to the car wash will face away from the residential areas on the west and south, the applicant had stated that they would not advertise the business on the Interstate's blue informational signs, no high-velocity fuel dispensers would be allowed so that large vehicles would not access the site, and trash dumpsters would not be emptied between 9PM and 6AM.

After questioning by Mr. Dodson regarding the proposed retaining wall, Mr. Pearson stated that the retaining wall, which will be 6' above ground elevation of the adjoining property, will begin 3' off of Route 220 at the southern property line and follow the property boundary around and behind the dumpster location off of Route 779.

After further questioning by Mr. Dodson, Mr. Pearson stated that he does not see where vehicle headlights would shine into the adjacent residential properties from the 779 entrance area. Mr. Pearson further stated that landscaping and evergreen trees are also proposed to be planted along the western property line as an additional screen. After further discussion, Mr. Pearson stated that the Zoning Ordinance gives the option of implementing conditions that mitigating any concerns so the applicant could be required to extend the fence for the entire length of the retaining wall.

After questioning by Dr. Scothorn, Mr. Pearson stated that the closest residences to this site are the Village at Tinker Mountain townhome development.

After questioning by Mr. Martin, Mr. Pearson stated that evergreen landscaping, once it has grown in, should block vehicle headlights from shining into the townhomes on the west side of this project.

After questioning by Mr. Williamson, Mr. Pearson stated that he has not had an opportunity to review the revised site plan with the applicant as it was delivered 5 – 10 minutes before today's 6PM public hearings began; however, the only changes appeared to be the addition of the right-hand turn lane on Catawba Road, the extension of the left-hand turn lane on Route 220 northbound, and the completion of the sidewalk not previously shown. After further questioning by Mr. Williamson, Mr. Pearson stated that he does not know if VDoT has seen/reviewed this revised site plan.

After further questioning by Mr. Williamson, Mr. Pearson stated that there is a SEP condition that requires the applicant to comply with the provisions of the Noise Ordinance.

After questioning by Mr. Williamson, Mr. Lockaby, County Attorney, stated that this condition was included as certain SEP provisions are excluded from compliance with the Noise Ordinance and this specific condition would allow the Board to implement additional restrictions than what is included in the Noise Ordinance provisions, if they so desired.

Mr. Williamson questioned who would be responsible for enforcing any Noise Ordinance complaints—Planning and Zoning since it is a condition attached to a SEP or the Sheriff who enforces the Noise Ordinance. Mr. Lockaby stated that he would imagine that each individual would want the enforcement authority for this type of complaint but, as a practical matter, the Sheriff would most likely receive the citizen complaint/call.

Mr. Williamson stated that the Board could approve the request to rezone the three parcels from M-2 to B-2 and not approve the SEP and questioned if staff has a position on the rezoning versus SEP. Mr. Williamson stated that he has some concerns with the spot zoning and questioned, if the rezoning was approved but not the SEP, would the County have a non-conforming use on this site.

Mr. Pearson stated that the Board is being asked to consider three motions on this request—one rezoning and two SEPs—and the Board could approve one, two, or three, or none at all. He noted that rezoning the property from M-2 to B-2 would make the property consistent with the Future Land Use Map's designated use for this property. He noted that the warehouses could continue as a non-conforming use in their current condition but they could not be expanded.

Mr. Rob Hagan, attorney for The Morgan Companies, stated that the Planning staff has pressed the developer hard to submit a workable plan for this site. He noted that these efforts have cost the applicant more than they anticipated in architectural, design, and other related expenses. He noted that there was a serious concern that the Prince and Princess Day Care Center, which is located on this property, would be "orphaned" with the development proposed for this site; however, the property owner has now been included in this project.

Mr. Hagan stated that the proposed project fits the County's plan for this urban corridor. He noted that this site has been used for commercial purposes since prior to their being residential neighborhoods along 779 and 220. He noted that this project fits the site very well as Sheetz "does what they do very well." He further noted that there will be no light pollution generated by this project as the parking lot lights will have full cut-off capability. Mr. Hagan noted that, due to the grade differential, he does not believe that there will be any viewshed impacts from the Sheetz property on the adjacent townhomes and there will be an evergreen buffer planted along this boundary line to screen the view. Mr. Hagan stated that based on their estimates only 3' of the building's roofline will be visible once the trees are planted.

Mr. Hagan stated that the applicant is willing to consider comments made at the Planning Commission concerning the stormwater management area and the retaining wall.

After discussion, Mr. Hagan stated that Sheetz's customer market is for area residents and commuter traffic. He noted that this corner site has been "festering" for years and needs to be developed. He noted that this business will bring in tax revenues and is a good corporate neighbor. Mr. Hagan stated that concerns were raised about the noise from the car wash. He noted that the car wash is entirely contained and both doors shut when the car wash is operating.

Regarding the staff-suggested proffered conditions, Mr. Hagan stated that Sheetz's facilities usually have the car wash facility operational 24/7 and requested that this be allowed for this site as well. He noted that the applicants have no problem with the time limits on emptying dumpsters. Mr. Hagan then suggested that the condition regarding fuel service be revised to state that no high-velocity fuel sales for commercial vehicles/trucks would be allowed.

Mr. Hagan stated that the applicant has now agreed to construct a right-hand turn lane on Catawba Road at the Route 220 intersection and extend the Route 220 northbound left-hand turn lane onto Catawba Road. He noted that the company has worked on costing and design work for these two turn lane projects over the past two weeks. Mr. Hagan then stated that the County Attorney has indicated that the proposed off-site improvements must be agreed to by all of the applicants.

Mrs. Nicole Pendleton, Planning Manager, stated that this was incorrect as only one property owner of one parcel involved in this project would be required to agree to the proposed off-site improvements.

After questioning by Mr. Williamson regarding Mrs. Pendleton's statement, Mr. Lockaby stated that typically all property owners in a rezoning/SEP application are required to sign the proffered conditions listing before the closure of a public hearing on their request; however, when there are multiple individual parcels involved there is a different requirement. Mr. Lockaby stated that, as only the M-2 properties are requesting to be rezoned, it is proper for only one of the owners, along with the applicants' attorney, to sign the proffered conditions.

There being no further questions, Mr. Hagan then stated that Mr. Aaron Hensley, Real Estate Site Selector with Sheetz, was present to discuss the company and how they plan to buffer this property from the adjacent parcels.

Mr. Hensley stated that Sheetz is a family-owned company which has 18,000 employees and 654 stores in 6 states with 178 stores in Virginia. He noted that they have opened 41 new and rebuilt stores this year. He noted that they are one of Fortune magazine's top 100 best places to work in America, a top retail store for millennials to work at in the country, and have been one of the top 25 most influential retailers in the world for the past decade.

Mr. Hensley stated that Sheetz participates in several charities including the Salvation Army and Sheetz for the Kidz holiday program to which the company donated \$1.4 million for Christmas gifts in 2016. He noted that since 1992 they have helped over 100,000 kids and raised \$29 million for charitable purposes. He noted that they also partner with the Make a Wish foundation and helped grant 55 wishes this year, they donated \$850,000 to Special Olympics, and sponsored the Virginia Commonwealth Games in Roanoke, the Boys and Girls Clubs, among others.

Mr. Hensley stated that they employ between 30 and 40 full- and part-time staff at their stores and average 32 employees in the Roanoke market. He noted that Store Managers'

salaries are approximately \$40,000 per year and they provide benefits to their employees who work 30 hours or more. Mr. Hensley further noted that they provide fast and friendly service at a clean location.

Mr. Jayson Clapp, Traffic Engineer with Ramey Kemp and Associates, stated that his company was hired to prepare a traffic study as part of this rezoning/SEP application. He noted that this study was approved by VDoT who determined that there would not be a significant impact from this development on the 779/220 intersection. He noted that this determination was made when the Prince and Princess Day Care Center was still a part of this site, which is no longer the case.

Mr. Clapp stated that the proposed project is expected to generate 52 new vehicle trips during a typical weekday 7 – 9 AM peak period and 76 new vehicle trips during a weekday 4 – 6PM peak period. He noted that this is estimated to be 166 vehicle trips per hour during the morning peak period and 190 trips during the afternoon peak period. Mr. Clapp stated that the majority of these vehicles will be pulled from the existing traffic flow by this site. He noted that estimates are that there will be 10 new vehicle trips in the morning compared to the current traffic flow by this site and less than that amount in the afternoon peak flow period.

After questioning by Mr. Williamson, Mr. Clapp stated that these figures are new trips that are being added as their data shows that there would be 190 vehicle trips entering and exiting the site in the PM peak hours and 166 trips entering and leaving the property during the AM peak hours.

Mr. Clapp stated that the developer did hear the traffic concerns raised at the Planning Commission meeting and they are now willing to construct a dedicated right-hand turn lane on Catawba Road and provide additional vehicle stacking capacity in the Route 220 northbound left-turn lane onto 779.

Mr. Mark Johnson, President of LE&D Professionals from Danville, Virginia, stated that his company is the project's civil engineer. Mr. Johnson commended the County staff for their assistance in developing this request. He noted that, pertaining to comments made regarding vehicle headlights shining into the adjacent townhomes, the proposed Sheetz site slopes down toward the townhome development at this time. Mr. Johnson stated that the site will be elevated so there should be less headlight impact into the adjacent properties. Mr. Johnson further stated that they could probably further extend the boundary fence to block vehicle headlights from shining onto these properties.

Mr. Johnson stated that the five existing properties have several non-conformance issues including limited parking at the day care center, no landscape buffer to the adjacent residential properties, multiple street entrances onto these parcels which violate current VDoT standards, and setback issues. He noted that the new Sheetz site plan includes the dedicated right-hand turn lane on 779 and the extended left hand turn lane off of Route 220 onto 779.

After questioning by Mr. Williamson regarding the new site plan, Mr. Johnson stated that he believes that the current Catawba Road through traffic lanes are 11' wide and the new right-hand turning lane will also be 11' wide.

After further discussion, Mr. Clapp stated that the minimum width of the right-hand turn lane would be 11' to avoid any issues with the adjacent utility pole.

Mr. Johnson then stated that they have discussed possible remedies for the utility pole if it becomes an impediment to the location of this new turn lane.

He further stated that there are full cut-off lighting fixtures proposed for the parking lot which will allow “0” foot candles of light to spill over the property lines. He noted that these types of fixtures, which they have used for many years, allow bright parking lot lighting but cut off any spillover onto adjacent parcels. Mr. Johnson stated that the proposed landscaping plan exceeds the Zoning Ordinance’s requirements. He then reviewed a rendering of how the side/rear of the proposed Sheetz would be viewed from the Village at Tinker Mountain development when the evergreen buffer is in place.

After questioning by Mr. Williamson, Mr. Brian Blevins, Assistant Resident Engineer with the Virginia Department of Transportation, stated that he has not reviewed the new proposed site plan for this project in detail. Mr. Blevins stated that this new plan was received in his office yesterday and he discussed the proposed turn lane project with Mr. Clapp at that time.

After further questioning by Mr. Williamson regarding concerns about the distance to the electrical utility pole, Mr. Blevins stated that this issue would be discussed in more detail during VDOT’s review of the entrance permit application. Mr. Blevins further stated that, at a signalized intersection such as at 779/220, the length of a turn lane is based on the needs of the intersection. He further stated that the power pole is a possible concern for this proposal.

There being no further discussion, the Board thanked Mr. Johnson for his comments and opened the floor for public comment.

Mr. Michael Pauley of Lee Highway, Fincastle, stated that he supports Sheetz in this request. Mr. Pauley stated that, in viewing the proposed site plan, he does not see how the Board can deny this request. He noted that 30 – 40 jobs will be created along with additional revenues for the County. Mr. Pauley stated that Sheetz provides cheap gasoline and he believes that this project will be a good fit for the County.

Mr. Steve Clinton of South Braemar Circle stated that his comments pertain to 2 issues regarding this request—economic development and unsafe traffic conditions. Mr. Clinton stated that he hopes that the Board does not consider this proposal as an economic development project—it is an economic development displacement project. He noted that this project would be successful at the expense of existing businesses in this area and should be considered an economic impairment.

Mr. Clinton then stated that there are a host of traffic safety issues in place at this very complicated intersection and the location of a Sheetz on this property will cause more difficulties for economic development of sites located north of this area. He noted that the County’s 2010 Economic Development Study conducted by Moran, Stahl and Boyer commented that the bottleneck that begins at 779 is an impairment to economic development of the Greenfield property.

Mr. Clinton stated that traffic safety at this intersection is a complex issue and the proposed design will not solve these problems, only delay the issue. He noted that there is no dedicated turn lane from 779 westbound into the Sheetz property and there is no deceleration lane from 779 into the site. Mr. Clinton stated that there are many problems that need to be fixed at this intersection and “you cannot do it one piece at a time.” He noted that “if we are not careful” Route 220 will look like Williamson Road.

Mr. Richard Pauley of Prease Road in Buchanan and one of the property owners of this site stated that he grew up in Salem and visited Botetourt as a child. Mr. Pauley stated that he operated an insurance business at this Route 779 location for almost 42 years. Mr. Pauley

noted that everyone is concerned about small businesses and he had a chance to sell this property three times to businesses that would not have required the property to be rezoned.

Mr. Pauley stated that he cares about the people that he has served for 42 years and he wants something positive to happen on this property. Mr. Pauley stated that he does not see how this proposed use would not be a positive for the County. He noted that Sheetz is willing to repair the traffic issues at this intersection and he asked the Board to consider the alternate of having nothing done to improve traffic safety in this area.

Mr. Pauley stated that the County has an opportunity to clean up this entire corner which is a gateway to the Sports Complex and Greenfield Elementary School. He asked that the Board look at this request as a potential positive. Mr. Pauley noted that the Board has made some hard, unpopular decisions in the past and asked that they think about the good of the County in making this decision.

Mr. Charles Leonard of Camelia Drive stated that the proposed construction of two new turn lanes at this intersection is a "band-aid." He noted that Sheetz has not provided information on the number of customers per day that are estimated to visit this convenience store but he has heard a number of 3,000. Mr. Leonard stated that this figure would increase the traffic in this intersection and a turning lane would be needed to keep traffic from backing out into Route 220 from 779. He noted that there are also many tractor trailers from the Roanoke Cement Plant that come through this area every day which would further add to the traffic congestion.

Mr. Leonard stated that this proposed use would restrict the community's growth and interfere with any future road improvements in this area. He noted that the proposed right-turn lane onto Route 220 will not meet VDOT's standards and would require a waiver to construct.

Regarding the building's height and the retaining wall, Mr. Leonard stated that there would be light pollution from this site into the neighborhood. He noted that the suggested fencing will not stop the light from coming through onto adjacent residences. Mr. Leonard further stated that the County would have to implement too many conditions with this proposal to make the project work with the site. He noted that this location is not needed.

Ms. Karen Harold of Prease Road in Buchanan stated that she has lived in the County for over 60 years. She noted that improving the corner of 779/220 has been an issue that was previously discussed by the Board. Ms. Harold stated that she is happy that Sheetz has a vision and well-documented plans for this area. She noted that Sheetz is committed to investing in the County and she encouraged the Board to vote yes on this request.

Mrs. Sandra Pauley of Prease Road stated that, if 30 years ago the Board had said that they were going to approve a Sheetz at this intersection, she would have said no but with Daleville Town Center, Greenfield, new doctors' offices, a new YMCA, etc., this area can support this convenience store. Mrs. Pauley stated that in the past Botetourt was an agricultural county but no longer. She noted that, with all of the new and expected growth, Sheetz would be an asset.

Mr. Mark Damiano of Country Club Road stated that this proposal seems to be a win/win for the County and the community. He noted that new taxes will be generated for the County and this project will improve the experience for the area. Mr. Damiano stated that he was glad to hear of the expansion of the left-hand turn lane onto Route 779 from Route 220 as a part of this project and believes that many people would agree with him.

Mr. Robert Frydrych of Country Club Road stated that the Board and Planning Commission have basically caused a lot of the traffic congestion problems due to the growth along these highway corridors. He stated that this request should be looked at in a slightly different manner

as it is not only growth. Mr. Frydrych questioned what greater benefit would this convenience store bring to this area—gasoline—there are already gasoline stations in this area; food—there are also restaurants in this vicinity and 24 hour service is not a fit for this area; car wash—there is already a car wash in this vicinity. He noted that this proposal would increase traffic and accidents in this area.

Mr. Frydrych stated that, if the community needed a 24 hour gas and food business, would it not be more appropriate if the business was located closer to Exit 150. He noted businesses no longer advertise their services the old fashioned way; they use twitter, Facebook, and other electronic devices/means to guide customers to their business.

Mr. Frydrych stated that the County's recent traffic study for this intersection offered four proposals for improvements. He noted that the fourth option of totally reconfiguring the T intersection into a four-way intersection was the only viable solution and should have been implemented a long time ago as the traffic in this area is a "mess". He further noted that, if the left-hand turn lane on Route 220 is extended, traffic will block/close off the Valley Road intersection's traffic movements. Mr. Frydrych stated that it is time that the County "stopped being cheap and do the right thing."

Mr. Allen Layman of Layman Lane stated that he likes what the County is doing at Gateway Crossing and he refers to the 779/220 intersection as Daleville Crossing. Mr. Layman stated that he opposes a 24 hour operation at this location.

Mr. Layman stated that he developed the adjacent patio homes and would like to see a rendering of the current mini-warehouse elevations compared to the proposed Sheetz building elevation. Mr. Layman also stated that he has concerns that the proposed fence should be extended out to Catawba Road.

Mr. Layman stated that he considered the entire site plan as congested with a proposed car wash, drive-through, gas pumps, a convenience store, parking, stormwater detention pond, etc., on approximately 2.5 acres. Mr. Layman stated that the proposed stormwater detention pond should be fenced in for safety purposes.

He asked that the Board "give this proposal some thought." Mr. Layman stated that he believes in landowner rights; however, he wants this site to be developed in a "beautiful" manner and not in operation 24 hours a day. He also stated that this proposed use is located too close to Lord Botetourt High School.

Mr. Garland Miller of Catawba Road stated that he has a Sheetz card and has visited several of their locations in other areas. Mr. Miller stated that he has a 32 year background in law enforcement and his concern about this proposal is regarding public safety and the traffic nightmare that currently exists at this intersection.

Mr. Miller noted that information has not been provided on how many vehicles will be stacked in the extended left-hand turn lane from Route 220 onto 779. He also stated that a dedicated left-hand turn lane into the Sheetz property from 779 is also needed which has not been included on any of the existing maps that he has viewed. Mr. Miller further stated that there should also be a designated decel lane from 779 into the Sheetz property for the Route 779 eastbound drivers.

Mr. Miller stated that, if this request is approved without these traffic control issues being resolved, he believes that there will be a public safety hazard on both 779 and 220. He noted that the number of vehicles traveling northbound on Route 220 onto 779 may not increase if this

use is permitted but the number of vehicles turning into and out of this property will greatly increase the traffic flow at this intersection.

Ms. Tempal Newbill of Catawba Road stated that she is a 17 year resident of the County. She stated that all of the discussions at this hearing to this point have not been against Sheetz but against the location. She noted that maybe Buchanan would be a good location for this convenience store.

Ms. Newbill stated that the stormwater detention pond and the trash dumpsters will be placed close together and will create a cesspool for vermin. She further stated that tractor-trailer drivers will hear on their CB radios that fuel is cheaper at Sheetz and will drive up 220 to reach this store. She also noted that the potential for multiple vehicle accidents because of congestion by vehicles accessing/exiting this property will cause car insurance rates to increase.

She noted that a Sheetz representative had earlier mentioned that the company was one of the top 100 places to work. Ms. Newbill questioned how can the company be all of this yet not disrupt traffic and cause disruption to the neighborhood. She further questioned if vehicle accident studies have been done at the Peters Creek Road and Salem Sheetz locations. Ms. Newbill stated that she is against the "physical harm that this site could cause." She then thanked the Board for the intelligent questions that they have asked regarding this proposal.

Ms. Barbara Hall of Azalea Road stated that she has questions regarding the construction and the on-going changes that would happen if this request were approved. Ms. Hall stated that they currently have drivers using Azalea Road as a cut-through to avoid the 779/220 intersection and, if this project is approved, the number of vehicles doing so will increase to avoid the roadway and site construction.

Ms. Hall stated that people walk as exercise in the Cambridge and Tinkerview Gardens neighborhoods and need the security of a safe place to live and excess traffic makes it unhealthy. She asked that the Board consider the residents and young kids' needs.

Mr. Steven Hamblin of Oak Hill Road stated that this is a great plan but it is in the wrong location. He noted that a letter was sent from a representative of Roanoke Cement expressing concerns with the left-hand turn lane into the proposed Sheetz which may cause traffic to backup into Route 220. He noted that a 250' distance from the 779/220 intersection is "nothing" when there are large cement trucks using this roadway. Mr. Hamblin stated that the applicant has done a nice job regarding proposals to fund improvements to the right-hand turn lane onto Route 220 southbound.

After discussion, Mr. Hamblin stated that "the numbers do not add up." He noted that this proposal will not draw traffic into this location but it will be creating traffic congestion. He noted that 120 new vehicle visits per day into the proposed Sheetz is not a good business model figure. He noted that these 120 vehicles will be trying to access the property and will cause traffic congestion issues. Mr. Hamblin stated that a left-hand turn lane from 779 into the Sheetz property is a mandatory need.

Ms. Carmen Friel of Camelia Drive stated that she opposes this proposal because of the criminal activity that it will bring to the neighborhood. Ms. Friel stated that she has visited the Orange Avenue/Williamson Road Sheetz store and there are a lot of "lot lizards" (prostitutes) at this location and there are drug-related activities occurring as well. She noted that in 2011 a woman was murdered at this location and a woman was robbed in another instance. She noted that the Roanoke City Police call it a hot spot for crime.

Ms. Friel stated that there is a problem with cut-through vehicle traffic in the Cambridge/Tinkerview Gardens areas. She stated that Mr. Leffel's daughter, who has 2 school-aged children who attend Greenfield Elementary, was elected to the School Board earlier this month and questioned would Mr. Leffel want to put his grandchildren at risk from this development.

Ms. Friel then directed a comment to Mr. Richard Pauley, property owner, that "the devil will be wearing long johns before I walk into a Sheetz."

Ms. Joan Devlin of Hillside Place in Daleville noted that she is a nurse. Ms. Devlin suggested that the Board members park near the 779/220 intersection when the school day ends at Lord Botetourt High School to see the traffic congestion in this area. Ms. Devlin noted that she is not opposed to Sheetz but is opposed to this proposed location which is not safe. She asked that the Board "take another look at this request."

Ms. Marian Stier of Pondview Court asked that, if constructed, the building be built of brick instead of a "gaudy red" color.

Mr. Fred Smith of Camelia Drive stated that he drives along 779/220 every day and is concerned about the left-hand turn lane on Route 220 as vehicles have almost rear-ended him several times when he has been in this turn lane. Mr. Smith stated that he agrees with the Planning Commission that both right- and left-hand turning lanes are needed into the Sheetz site from 779.

Mr. Smith stated that, with the new businesses locating in Daleville, we need to prepare for the increased traffic beforehand and have adequate roadways in place before Sheetz locates on this site. Mr. Smith stated that he agreed with Mr. Dodson's comments at the candidate public information session held this fall that Sheetz is not appropriate for this corner.

Mr. Smith further noted that headlights of vehicles turning into the Sheetz site from 779 will bother the residents of the adjacent townhomes. Mr. Smith stated that the traffic is so bad at this intersection that he uses Glebe Road to access Route 220.

After discussion, Mr. Smith noted that a pilot friend of his has told him that he (the pilot) uses the lights from a Sheetz store to line up to land his plane in Roanoke. Mr. Smith noted that Sheetz is a good company but this is not a good site for this convenience store's location. Mr. Smith further noted that he heard that Sheetz was proposed to locate in the Gateway Crossing area and that would be a better fit for this store than Daleville.

Mr. Gene Conti of Huntingwood Lane stated that he thinks that Sheetz is a great company and he has patronized their facilities in other localities. He noted that the objection for most people regarding this request is the location. Mr. Conti stated that Sheetz was remiss in not checking out a potential location in the Gateway Crossing area. Mr. Conti then questioned why was this particular location chosen for this project. He stated that "when you develop a business you want to make money" and he does not see that occurring at this location. He questioned why the company would want to go through the application and public hearing processes to develop this site when Gateway Crossing or near the Daleville Food Lion would be a more suitable location.

Mr. Rajul Shukla of Country View Drive in Troutville stated that his family has been living in this community for generations and he has been in the County for 32 years. Mr. Shukla presented the Board with a petition containing 2,435 signatures of citizens who are against this proposal. He noted that there are also concerns about public safety and the safety of our children. Mr. Shukla stated that there was an accident on November 22 at the 779/220 stoplight which shows that the left-hand turn lane onto 779 needs to be extended.

Mr. Shukla stated that Sheetz has estimated that this location will generate 5,000 customers per day and this number will significantly add to the traffic in this area. He noted that drivers use Azalea Road as a cut-through now and this will increase if the Sheetz project is approved. Mr. Shukla stated that delivery trucks, construction vehicles, and large vehicles will interfere with the normal traffic into this property. Mr. Shukla stated that this project will also cause a safety issue for Lord Botetourt students.

After discussion, Mr. Shukla stated that this proposal will also have an economic impact on the community as there are currently several convenience stores and gas stations within 1½ miles of this site. He stated that 100% of the revenue from the mom and pop businesses, including his own (Momma D's), stays in this community.

Mr. Bobby Myers of Little Catawba Creek Road stated that he is concerned about traffic safety issues regarding this project. He noted that, when these roads were constructed, today's traffic congestion was not contemplated. Mr. Myers then presented photographs to the Board of the congestion at this intersection.

He stated that there are backups at the Route 220 left-hand turn lane onto 779 and, if there are 7 or more cars in this turning lane, then vehicles back up into the 220 northbound through lane. He noted that this situation then causes traffic to funnel into the right-hand lane. Mr. Myers stated that the speed limit on 220 in this area is 45 mph.

After discussion, Mr. Myers stated that 220 northbound Sheetz customers must use the stacking lane to turn left onto 779 to access the property. He noted that figures have been provided that 5,426 customers or 2,700 cars per day will visit the Sheetz property and 1,500 of them will enter from 779. Mr. Myers stated that this intersection is inadequate at the present time and this additional anticipated traffic will make the situation worse.

Mr. Myers stated that the Mattern and Craig traffic study on this intersection was presented to the Board in September. He noted that one of the four proposals was to redesign this into a four-way intersection which should take care of the proposed traffic congestion. He also stated that there will also be more instances of "intersection avoidance" by traffic which will use the adjacent neighborhood streets to avoid this intersection.

Mr. Nathan Ostermann of Cambridge Drive stated that he and his family moved to the County in 1992 and have watched as development has spread to the Route 779 area. He noted that many drivers are bypassing the 779/220 traffic signal by using Azalea Road and they do not slow down in this residential neighborhood.

Mr. Ostermann stated that he sent a letter to the County in 2009 about non-local traffic driving through this subdivision and requested that Stop signs be installed at various impacted intersections. He noted that the Sheriff's Department has been very responsive to the neighbors' calls about speeding vehicles. Mr. Ostermann stated that this summer, when VDOT had placed traffic counters on the roads to obtain traffic usage data, the Western Virginia Water Authority had several streets closed for utility repairs so the traffic count data was not indicative of normal daily use.

Mr. Ostermann stated that additional development on Route 779 will result in more bypass traffic on Azalea Drive, including high school students who use the road as a cut-through.

Mrs. Katherine Buchanan of Belmar Lane stated that she walks in the Cambridge/ Tinker-view Gardens neighborhood from 6AM to 7:30 AM 5 days a week. She noted that Azalea Drive is used as a cut-through. She noted that the school buses block both lanes of Azalea

when they stop to pick up students. Mrs. Buchanan stated that the cut-through traffic and congestion will get worse when the Sheetz is developed. She further stated that, when students are let out at LBHS, the traffic backs up to Ikenberry's Orchard at times. Mrs. Buchanan noted that she is not against Sheetz but opposes this location.

Mrs. Buchanan then read a letter from Jeff Hurst who has lived in this subdivision for more than 9 years. She noted that he is the regional director for the Virginia Department of Environmental Quality and has dealt with various proposed Sheetz locations for a number of years. She noted that Mr. Hurst does not believe that this proposed location is a good fit because Sheetz has not allowed for adequate stormwater drainage in this area. She showed a photograph of the July 2013 Daleville flooding event and Mr. Hurst's house was an island surrounded by flood water. Mrs. Buchanan stated that this was due to all of the runoff from Route 779 being dumped this subdivision. Mrs. Buchanan stated that this is not a good location for this proposed use.

Ms. Genna Bell of Brunswick Forge Road stated that there currently a number of convenience stores and gas stations in this area and questioned what would happen to those businesses if a Sheetz opens at this location. She also questioned what impact the proposed Sheetz would have on the neighborhood and community.

Ms. Bell stated that she opposes this location. She noted that profits from the area's local business stay in this area. She then requested that, if this request is approved, the Board ensure that all displaced businesses be supported in some way. Ms. Bell stated that she is concerned about having to relocate her business if this request is approved.

Mr. Bobby Waid of Fincastle stated that a lot of people are coming into the County because of the Board's and County government's efforts to develop the Greenfield property. He noted that there was a fight by citizens when the Greenfield property was purchased and that project turned out very well.

Mr. Waid stated that a service business like Sheetz is needed north of the Gateway Crossing area. Mr. Waid stated that he is sure that VDOT will help the County resolve the traffic flow issues through this intersection.

Mr. Ken Martin of Pondview Court stated that he wanted to address the fact that the Board denied a proposed Walgreen's at this same location 10 years ago and congestion was one of the issues discussed at that time. He asked that the Board remember this when making their decision about the proposed Sheetz.

Mr. Martin stated that Azalea Road will be utilized as a cut-through for traffic avoiding he additional congestion if this request is approved. Mr. Martin questioned what kind of property values will the area's citizens realize as a result of this business's location and stated that he does not see the area's property values increasing.

Mr. Martin stated that there will be safety issues for traffic turning left into the Sheetz off of Route 779. He noted that it will cause traffic backups to Route 220 and a designated left-hand turn lane on 779 is needed. Mr. Martin stated that he believes that there is adequate room for this additional turn lane on 779 but it will be an added expense.

After discussion, Mr. Martin stated that he is not against Sheetz in particular and has visited their stores over the years.

Mr. Charles Gladu of Shawnee Trail stated that he viewed a 1998/99 VDOT traffic study which proposed to line up the Catawba and Valley Road intersections but nothing has been

done to date to proceed with this project. He noted that the Board built a new school and the Sports Complex west of this site but have not addressed the traffic issues at this intersection.

Mr. Gladu stated that traffic will not increase much when this business is open but there will be increased congestion. He noted that there are two left hand turn lanes from Route 220 into Daleville Town Center. He noted that "we need to fix the roads" and Sheetz has offered to help by constructing a right hand turn lane on 779 and extending the left turn stacking lane on Route 220 but this will not help the situation.

Mr. Gladu stated that he was also concerned about light pollution from this 24/7 business. He noted that lights shining down into the parking lot will reflect out into the adjoining area.

After discussion, he stated that "you can make the numbers say anything you want" but this project is not a good fit for this area. Mr. Gladu noted that the road issues need to be addressed and he also does not like the possibility of kids congregating at this location before or after school.

Mrs. Doris Shukla of Country View Drive stated that she and her family operate Momma D's convenience store located south of this proposed site. Mrs. Shukla stated that she is not a big corporation and is not in business for just the money. Mrs. Shukla noted that she "does right by her customers."

Mrs. Shukla stated that she had instances of high school kids congregating on her property and she contacted the Sheriff's Department to resolve the issue. She noted that Sheetz does not police their parking lots as she does. Mrs. Shukla stated that she would hate to see her business decrease because of a big corporation coming to the area that does not care about the people.

The Chairman then called for a 10 minute recess.

The Chairman called the meeting back to order at 8:49 P. M.

Mr. George Brunn of Dale Road in Troutville stated that he opposes the proposed Sheetz location. Mr. Brunn stated that he has lived in this area for 27 years and the 779/220 intersection is hazardous.

Mr. Brunn noted that he has 23 years of law enforcement and traffic safety experience. He noted that the Route 220 left-hand turn lane onto 779 will cause more complications than causing traffic backups into the 220 northbound through lanes. He noted that this intersection will be expensive to fix.

Mr. Brunn stated that large trucks still use Valley Road as a connector between Routes 11 and 220 even though the road was restricted to through truck traffic by the County several years ago. He also noted that drivers on Valley Road turn left onto Orchard Drive through a residential area to access 220 near Bellacino's in order to avoid the Valley Road/Route 220 intersection. He noted that this cut-through traffic will increase if the 220/779 intersection improvements as proposed by Sheetz are approved.

Mr. Brunn further stated that traffic stopping on 779 to make a left-hand turn lane into the Sheetz property will cause traffic backups and additional congestion problems at the Route 220 intersection.

Ms. Minisha Hall of Scalybark Drive in Blue Ridge stated that she works in human resource management. Ms. Hall stated that there will be approximately 1,100 new jobs created in the County in the next few years. She noted that this will be a lot of traffic through this intersection regardless of whether or not those drivers stop at the Sheetz.

Ms. Hall stated that citizens need places to eat and to purchase fuel but asked that the Board consider the future traffic levels through this area.

Mr. Leffel then stated that the Board had received a voluntary proffer from one of the applicants for this request as follows: "The undersigned property owner voluntarily proffers that the rezoning of its property shall be conditioned upon the construction of a right turn lane on Catawba Road; and of an extension of the left turn lane at the northbound intersection of U. S. 220 and Catawba Road in substantial conformity with the site plan dated October 25, 2017 as revised and submitted to the Board of Supervisors on November 28, 2017" and signed by Edgar Kyle Baker of Botetourt Warehouse Associates, LLC.

After questioning by Mr. Leffel, it was noted that there was no one else present to speak regarding this request. The public hearing was then closed. Mr. Leffel thanked the citizens for their patience during this lengthy hearing.

Mr. Dodson thanked everyone for attending this hearing, their patience, and their opinions on this request. He noted that this is a big issue for the County and the Board has to balance many issues and consider requests from many different aspects. He noted that property owners have rights as do adjacent property owners. Mr. Dodson stated that this request will have an impact on the adjacent area and the Board needs to consider what is good for the County in their determination of this proposal.

He noted that the Board missed a good opportunity 10 years ago with the Walgreen's proposal to locate on this property which would have included some traffic improvements at this intersection.

After discussion, Mr. Dodson stated that the County has to give this project its due diligence. He noted that the Board received a new concept plan for this site 10 minutes prior to the start of the hearing and a new proffered condition was submitted minutes ago. He stated that the Board's decision on this request needs to be based on what is good for the County. He noted that the traffic issues have to be fixed no matter what type of use is located on this corner.

Mr. Dodson stated that the Board does not need to create any new traffic cut-throughs in the nearby residential subdivisions. He stated that the Board needs to further consider all aspects of this request before making a decision. Mr. Dodson also noted that he does not agree with a proposed car wash being located on this site.

Mr. Dodson stated that the Board has a new site plan and a new condition to consider regarding this request which the staff and VDoT personnel need to review along with other traffic-related issues that need to be assessed and he would suggest that action on this request be tabled.

There being no further discussion, on motion by Mr. Dodson, seconded by Mr. Leffel, and carried by the following recorded vote, the Board tabled the request in the Amsterdam District from Botetourt Warehouse Associates, LLC, and the Estate of Barbara H. Goad to rezone a combined total of 0.82 acres from the Industrial (M-2) Use District to the Business (B-2) Use District, with possible proffered conditions. In addition to the rezoning, the above listed property owners are requesting a Special Exception Permit for a car wash and a Special Exception Permit for a convenience store, both with possible conditions, in accordance with Section 25-243. Uses permissible by special exception of the Botetourt County Zoning Ordinance. The properties are located on and between 39 and 61 Catawba Road (Route 779), approximately 0.03 miles west of the Catawba Road (State Route 779) and Roanoke Road (US Route 220) intersection, identified on the Real Property Identification Maps of Botetourt County as Section

101, Parcels 12A (0.24 acres), 11 (0.05 acres), and 10 (0.53 acres). The request from Botetourt Warehouse Associates LLC and the Estate of Barbara H. Goad is part of the request to develop a proposed convenience store and car wash on five (5) parcels. The other two parcels which are a part of this request are owned by R&R Holdings Inc. and the Bradberry Company who request a Special Exception Permit for a car wash and a Special Exception Permit for a convenience store, both with possible conditions, in accordance with Section 25-243 Uses Permissible by Special Exception of the Botetourt County Zoning Ordinance. These two parcels total 1.66 acres and are located in the Business (B-2) Use District at 1701, 1721, 1723, 1725, 1727, 1729, and 1731 Roanoke Road, Daleville, at the Catawba Road (State Route 779) and Roanoke Road (U. S. Route 220) intersection, identified on the Real Property Identification Maps of Botetourt County as Section 101, Parcels 15A and 13, for 60 days to allow staff to evaluate the new site plan proposal and new proffered condition and to consider the impacts of all new turning lane options and traffic cut-through issues. (Resolution Number 17-11-15)

AYES: Mr. Williamson, Mr. Dodson, Mr. Martin, Mr. Leffel, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

After discussion by Mrs. Nicole Pendleton, County Planner, on motion by Mr. Dodson, seconded by Mr. Leffel, and carried by the following recorded vote, the Board amended Mr. Dodson's previous motion to table the Botetourt Warehouse Associates request until the January 2018 regular meeting. (Resolution Number 17-11-16)

AYES: Mr. Williamson, Mr. Dodson, Mr. Martin, Mr. Leffel, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

A public hearing was then held on a request in the Amsterdam Magisterial District from Martlet, LLC, to rezone a total of 17.862 acres from the Shopping Center (SC) Use District and the Agricultural (A-1) Use District to the Residential (R-4) Use District, with possible proffered conditions, in accordance with Section 25-168 Permitted Uses of the Botetourt County Zoning Ordinance; and also requests a Special Exception Permit, with possible conditions, for up to eighteen (18) multi-family dwellings per acre in accordance with Section 25-167 Uses permitted by special exception of the Botetourt County Zoning Ordinance. This site is located adjacent to and on 557 Roanoke Road, Daleville, approximately 0.41 miles southwest of the Commons Parkway intersection with Roanoke Road (U. S. Route 220), identified on the Real Property Identification Maps of Botetourt County as Section 101, Parcels 44M and 50.

It was noted that the Planning Commission had recommended conditional approval of these requests.

Mr. Drew Pearson, County Planner, stated that this request includes two parcels totaling 17.862 acres, approximately 5 acres of which are located in the flood plain of Tinker Creek. He noted that the property is accessible via the cul-de-sac at the end of Commons Parkway. Mr. Pearson stated that the 2016 average daily traffic count on this roadway is approximately 8,000 vehicles. He noted that a traffic study of this proposed development will not be required by VDoT.

Mr. Pearson then displayed an aerial photograph of this site and noted that the location of the Appalachian Trail to the east and south of this property is indicated by a green dashed line.

He then reviewed the proposed site plan and noted that a total of 8 buildings containing 266 multi-family dwelling units are proposed for this site, which calculates to 15 units per acre. He further noted that the buildings are proposed to be 3 stories with walk-out basements. Mr. Pearson stated that the site will have accessory structures and other amenities such as a clubhouse, pool, dog park, playground, and a recreation court. He noted that the applicant is also proposing a dedicated 30' easement to the County for a future greenway corridor along Tinker Creek.

After questioning by Mr. Williamson, Mr. Pearson stated that conditions on the SEP portion of this request pertain to the project being constructed in conformance with the concept plan, and that there will be a maximum number of 266 units on this property, among other items.

Mr. Pearson stated that the northern grade elevation of this site will be reduced and the fill dirt placed on the Tinker Creek side of the property to prepare the lot for development. He noted that there is an existing sewer line along Tinker Creek that will provide sewer to the development and both water and sewer service would be provided by the Western Virginia Water Authority.

After discussion, Mr. Pearson stated that the applicants previously met with representatives of the Appalachian Trail Conservancy to discuss several issues of concern. He noted that the developers have shifted the locations of several buildings and moved some retaining walls to lessen the project's impact on the Appalachian Trail. Mr. Pearson also noted that there will be evergreen landscaping placed along certain boundary lines adjacent to the Trail.

Mr. Pearson then reviewed the proposed buildings' designs. He noted that the building materials will include brick, stone, and vinyl siding in earth-tone colors.

Mr. Pearson then reviewed the proposed conditions for the SEP portion of this request as follows: "The development shall be constructed in substantial conformance with the "Concept Plan", prepared by Timmons Group, dated October 23, 2017, and included with the background report prepared by staff; The maximum number of dwelling units shall be two hundred sixty-six (266); The maximum number of multi-family structures developed on the property shall be eight (8), along with the accessory structures illustrated upon the concept plan, dated October 23, 2017; A thirty (30) foot easement shall be granted to Botetourt County for the future construction of a greenway trail along Tinker Creek. The construction of the greenway trail shall be by others, and the construction of said "trail" is not a condition for granting the requested special exceptions permit; All building structures shall be constructed in substantial conformance with the mixture of building materials, decorative trim elements and building heights shown on the architectural renderings, titled Daleville Apartments, dated September 23, 2017, and included with the background report prepared by staff and shall be applicable to all principal and accessory structures constructed within the development; Exterior color schemes, for all principal and accessory structures shall be coordinated with the earth tone colors Deep Granite, Pebblestone Clay, Rugged Canyon, Russet Red and Scottish Thistle, or similar colors; Proposed site lighting shall be Dark Sky Friendly™ in accordance with the International Dark-Sky Association; A landscape buffer, consisting of six foot (6') tall evergreen trees, spaced at eight foot (8') centers, will be provided in the south-eastern corner of the property to provide additional screening of the development from the Appalachian Trail. The buffer will extend one hundred feet (100') to the north, and one hundred feet (100') to the west from the south-eastern property corner; To provide additional screening from the Appalachian Trail, a landscape buffer, consisting of a variety of shade and evergreen trees, planted at appropriate intervals, shall be provided

between building #5, the stormwater management feature shown on the Concept Plan, and between the stormwater management feature shown on the Concept Plan and the southern property boundary. The shade and evergreen trees described in this Condition No. 9 shall be at least six feet (6') in height at planting. The final locations, and selections, of plantings for the landscape buffer described in this Condition No. 9 will be determined as part of the final site plan submission, review and approval process; All other specifications and general provisions shall be met as required by the Botetourt County Zoning Ordinance and in no instance shall the zoning conditions exempt a project from any local, state or federal development requirements, except where allowed by the Zoning Ordinance."

After questioning by Mr. Williamson, Mr. Todd Dofflemyer, President/CEO of Cathcart Group, developer of this project, stated that they are agreeable to these conditions.

Mr. Dofflemyer stated that this project includes the construction of 266 apartments to be built in 2 phases over a period of 36 months. He noted that the development will include one, two, and three-bedroom units. Mr. Dofflemyer stated that Cathcart Group is a 30 year old family-owned company which develops, constructs, and manages several high-end apartment facilities containing 1,700 units in Virginia and West Virginia.

Mr. Dofflemyer then displayed several photographs of their projects in Charlottesville and Harrisonburg, Virginia, and Teays Valley, West Virginia. He noted that their facilities are lifestyle-by-choice communities which focus on amenities. Mr. Dofflemyer stated that, when he is asked why they are proposing a development in Daleville, he says that it is a great market and the area was recommended by Mr. Stu Patz who conducted the County's Housing Study last year.

Mr. Dofflemyer commended the staff for the County's recent job growth announcements. He noted that these new industries along with this residential development will be tax revenue generators for the County. Mr. Dofflemyer stated that at full build-out it is estimated that this development will generate approximately \$290,000 in taxes. He further noted that this apartment project will have few impacts on the County schools' population.

He noted that this location has close proximity to shopping, restaurants, etc., and the site will be accessed off of Route 220 via the traffic signal at Botetourt Commons. He noted that a representative of Timmons Group is present to discuss the civil aspects of this project.

After questioning by Mr. Dodson, Mr. Dofflemyer stated that the anticipated rent for these apartments is \$950/month for one bedroom units to \$1,450/month for a three bedroom unit. He noted that these rental amounts are less than a comparable apartment on a square footage basis at Daleville Town Center--\$1,075/month for a two bedroom apartment in this development compared to \$1,285/month for a similar DTC unit.

After questioning by Mr. Williamson, Mr. Dofflemyer stated that they have a 99% occupancy rate in the first phase of their Harrisonburg development which is only 2 years old. He further stated that the occupancy rate in their West Virginia development's second phase is 86%. He noted that the recession and its impact on coal-related jobs has impacted the occupancy of this project.

Mr. Cody Pannetti, Civil Engineer with Timmons Group, stated that the topography of the Daleville property will be a challenge as the northeast side of the site will have a larger retaining wall than other areas on the property. He further stated that the Tinker Creek side of the site will need to be elevated in order to have a more level lot for construction.

Mr. Pannetti stated that public water and sewer service will be provided to this site and there is adequate capacity available from these public utilities. He further stated that there will be a rain garden on the site to collect runoff and they understand the State/federal discharge requirements into a natural stream environment.

After questioning by Mr. Leffel, it was noted that there was no one else present to speak regarding this request. The public hearing was then closed.

After questioning by Mr. Dodson regarding the traffic capacity of Commons Parkway which is a wide road with no centerline markings, Mr. Brian Blevins, Assistant Resident Engineer with the Virginia Department of Transportation, stated that the Botetourt Commons development was designed and built prior to his employment at VDoT. Mr. Blevins stated that Commons Parkway was development more in line with a commercial roadway. He noted that this proposed residential development is some distance off of Route 220 and drivers will see some congestion as they enter the dual-left hand turn lanes off of Route 220 into Botetourt Commons up to the access road into Kroger.

Mr. Blevins further stated that this development will generate new vehicle trips in this area; however, VDoT can only require roadway improvements on the frontage of the property. Mr. Blevins stated that he feels that the traffic would be basically in line with what this roadway was designed for.

Dr. Scothorn stated that at times traffic does back up into the Kroger parking lot.

Mr. Blevins stated that there is a "lane utilization issue" in this area but it should not be an "all day" traffic backup problem.

After questioning by Mr. Williamson regarding the Route 220 Corridor Study, Mr. Blevins stated that VDoT personnel have held "scoping" meetings on this study.

Mr. Williamson stated that regarding discussion at the Botetourt Warehouse public hearing, he does not see how a double left-hand turn lane from Route 220 onto Route 779 could be done without dramatically expanding the roadway corridor in this area.

Mr. Blevins stated that the Route 220 corridor study will include consideration of the Route 779 intersection area.

Mr. Williamson stated that the Board is glad to see the Martlet/Cathcart project in the County.

Dr. Scothorn stated that he thinks the development will be well done and tonight's presentation was well put together.

After questioning by Dr. Scothorn, Mr. Dofflemyer stated that there will be a fire sprinkler system installed in these apartment buildings.

After questioning by Mr. Dodson, Mrs. Nicole Pendleton, County Planner, stated that a total of approximately 439 new apartment units have been approved by the Board in the last few years.

Mr. Dofflemyer stated that their project will be constructed in two phases.

There being no further discussion, on motion by Mr. Dodson, seconded by Mr. Leffel, and carried by the following recorded vote, the Board approved a request in the Amsterdam Magisterial District from Martlet, LLC, to rezone a total of 17.862 acres from the Shopping Center (SC) Use District and the Agricultural (A-1) Use District to the Residential (R-4) Use District in accordance with Section 25-168 Permitted Uses of the Botetourt County Zoning Ordinance on a site located adjacent to and on 557 Roanoke Road, Daleville, approximately 0.41 miles southwest of the Commons Parkway intersection with Roanoke Road (U. S. Route 220), identi-

fied on the Real Property Identification Maps of Botetourt County as Section 101, Parcels 44M and 50. (Resolution Number 17-11-17)

AYES: Mr. Williamson, Mr. Dodson, Mr. Martin, Mr. Leffel, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

On motion by Mr. Dodson, seconded by Dr. Scothorn, and carried by the following recorded vote, the Board approved a request in the Amsterdam Magisterial District from Martlet, LLC, for a Special Exception Permit for up to eighteen (18) multi-family dwellings per acre in accordance with Section 25-167 Uses permitted by special exception of the Botetourt County Zoning Ordinance on a site located adjacent to and on 557 Roanoke Road, Daleville, approximately 0.41 miles southwest of the Commons Parkway intersection with Roanoke Road (U. S. Route 220), identified on the Real Property Identification Maps of Botetourt County as Section 101, Parcels 44M and 50, with the following conditions: (Resolution Number 17-11-18)

AYES: Mr. Williamson, Mr. Dodson, Mr. Martin, Mr. Leffel, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

1. The development shall be constructed in substantial conformance with the "Concept Plan", prepared by Timmons Group, dated October 23, 2017, and included with the background report prepared by staff.
2. The maximum number of dwelling units shall be two hundred sixty-six (266).
3. The maximum number of multi-family structures developed on the property shall be eight (8), along with the accessory structures illustrated upon the concept plan, dated October 23, 2017.
4. A thirty (30) foot easement shall be granted to Botetourt County for the future construction of a greenway trail along Tinker Creek. The construction of the greenway trail shall be by others, and the construction of said "trail" is not a condition for granting the requested special exceptions permit.
5. All building structures shall be constructed in substantial conformance with the mixture of building materials, decorative trim elements and building heights shown on the architectural renderings, titled Daleville Apartments, dated September 23, 2017, and included with the background report prepared by staff and shall be applicable to all principal and accessory structures constructed within the development.
6. Exterior color schemes, for all principal and accessory structures shall be coordinated with the earth tone colors Deep Granite, Pebblestone Clay, Rugged Canyon, Russet Red and Scottish Thistle, or similar colors.
7. Proposed site lighting shall be Dark Sky Friendly™ in accordance with the International Dark-Sky Association.
8. A landscape buffer, consisting of six foot (6') tall evergreen trees, spaced at eight foot (8') centers, will be provided in the southeastern corner of the property to provide additional screening of the development from the Appalachian Trail. The buffer will extend one hundred feet (100') to the north, and one hundred feet (100') to the west from the southeastern property corner.
9. To provide additional screening from the Appalachian Trail, a landscape buffer, consisting of a variety of shade and evergreen trees, planted at appropriate intervals, shall be provided between building #5, the stormwater management feature shown on the Concept Plan, and between the stormwater management feature shown on the Concept Plan and the southern property boundary. The shade and evergreen trees described in this Condition No. 9 shall be at least six feet (6') in height at planting. The final locations, and selections, of plantings for the landscape

buffer described in this Condition No. 9 will be determined as part of the final site plan submission, review, and approval process.

10. All other specifications and general provisions shall be met as required by the Botetourt County Zoning Ordinance and in no instance shall the zoning conditions exempt a project from any local, state or federal development requirements, except where allowed by the Zoning Ordinance.

There being no further discussion, the Chairman continued the meeting at 9:45 P. M. until 6:00 P. M. on Thursday, December 14, 2017, in Room 229 at the Greenfield Education and Training Center for a work session on updated procedures and permitting processes for commercial development/subdivision projects.