

Mr. Kidd called the September 12, 2022 meeting of the Botetourt County Planning Commission to order at 6:00 PM, in the Botetourt County Administration Center Auditorium in Daleville, Virginia.

PRESENT: Mr. Steven L. Kidd, Chairman
Mr. Tim Lucas, Vice-Chairman
Mr. Brandon Nicely, Member
Mr. Sam Foster, Member
Mr. Hiawatha Nicely, Jr., Member
Mr. Billy Martin, Ex-Officio Member
Mr. Mike Lockaby, County Attorney
Mrs. Nicole Pendleton, Director of Community Development
Mr. Drew Pearson, Zoning Administrator
Mr. Jon McCoy, Planner
Mrs. Laura Goad, Administrative Assistant

ALSO PRESENT: Mr. Gary Larrowe, County Administrator
Mr. David Moorman, Deputy County Administrator
Mr. Jon Lanford, Assistant County Administrator
Mrs. Tiffany Bradbury, Director of Communication
Mr. Mark Bowles, Community Development
Ms. Gail Carter, Community Development

ABSENT: Mr. Nick Baker, Planner

After Mr. Kidd opened the meeting and welcomed those in attendance, he introduced Staff and Planning Commission members, and then read the procedures for the public hearing, noting that anyone wishing to speak should complete a "Request to Speak" form and give it to a Staff member.

Mr. Kidd stated the Board of Supervisors would hear this request on September 27, 2022 at 6:00 PM at the Botetourt County Administration Center.

Mr. Kidd announced that the Planning Commission would meet in the Kroger parking lot for the next field review at 3:15 PM on Thursday, October 6, 2022.

Mr. H. Nicely motioned to approve the August 8, 2022 Planning Commission minutes as written.

Mr. Lucas seconded the motion, which was approved 4:0:1:0 for the following recorded vote:

YES: Mr. B. Nicely, Mr. H. Nicely, Mr. Foster, Mr. Lucas
NO: None
ABSTAIN: Mr. Kidd
ABSENT: None

Public Hearings

Amsterdam & Valley Districts: The Botetourt County Board of Supervisors propose amendments to *Chapter 25 – Zoning, Article III – Overlay Districts* of the Botetourt County Code to establish the *Gateway Crossing Overlay District* that promotes the vision of the Gateway Crossing Area Plan (2016

Comprehensive Plan Update) and 2010 Comprehensive Plan and is designed to create an attractive gateway into the county from the Interstate 81 interchange around Exit 150. The purpose of the proposed amendments is to minimize the spread of development into rural areas by encouraging growth in the overlay where existing infrastructure and services are available and can support dense development containing walkable, human-scaled sense of place with a network of connected streets that contain sidewalks; bike and pedestrian accommodations, housing near employment opportunities, and integrated larger footprint commercial and/or employment centers. The existing underlying zoning use districts shall remain in effect, except for certain prohibited uses that are noted in the proposed amendments and are described as uses that do not contribute towards fulfilling the purpose of the overlay. The overlay is comprised of a residential subdistrict, a community business subdistrict and an interstate business subdistrict. Each subdistrict allows for additional permitted and special exception land uses, and each with unique development standards that include lot, building, and use limitation requirements specific to each subdistrict.

The Gateway Crossing Residential Subdistrict in the area northwest of the I-81 150 interchange as depicted on the proposed zoning map, is intended to support a combination of mixed density residential uses with a walkable community design and complimentary, neighborhood-scale commercial uses. The residential subdistrict contains parcels located on both sides of Tinker Mountain Rd east of the train tracks, between I-81 and the Reserve at Daleville Apartments located on Commons Pkwy, except for parcel 101-52.

The Gateway Crossing Community Business Subdistrict provides development standards for a range of uses to meet local needs such as small-scale shops, office, civic space, parks, and high density residential uses as permitted in the Residential (R-4) Use District. The community business subdistrict is located along Roanoke Rd (US 220) between I-81 and Glebe Rd; along both sides of Commons Pkwy; along both sides of College Dr; along Cedar Plateau Way; along both sides of Old Estates Ln; along both sides of Tinker Mill Rd between Roanoke Rd and Old Orchard Ln; along Wendover Rd between Roanoke Rd to parcel 101A(1)BK3-1; along both sides of Daleville Centre Dr; along the north side of Valley Rd between Roanoke Rd and Daleville Center Dr; along both sides of Catawba Rd between Roanoke Rd and parcel 101-8; and along both sides of Market Ridge Ln, Marketplace Dr and Market JCT in the Orchard Marketplace Shopping Center.

The Gateway Crossing Interstate Business Subdistrict promotes a combination of service-oriented commercial uses such as hospitality, lodging, retail and office space designed to be compatible with the goals of a walkable district with a mixture of uses. The interstate subdistrict contains parcels located along both sides of Lee Hwy, between 2525 to 3396 Lee Hwy; along the south side of Kinzie Rd; between Gateway Xing and Lee Hwy; and several vacant parcels along Olde Rt 604 between Olde Rt 604 and Cloverdale Rd and parcel 101-163.

The overlay establishes standards for front, side and rear setbacks, eliminates floor area ratio (FAR) requirements, provides standards for entrances, windows and doors for new principal buildings and increases the maximum height of buildings and structures in each subdistrict. The overlay provides standards for new public streets, subdivision blocks, access management, and provides sidewalk requirements for new development or construction exceeding 15% of the gross floor area unless otherwise waived by the zoning administrator when topography or land conditions would not be necessary to achieve the purposes of the overlay. These standards are provided to ensure that the walkability and multimodal vision of the overlay and Comprehensive Plan are met. The overlay also contains additional standards to reduce the minimum number of required parking spaces required for

all land uses, restrict the number of parking rows allowed between a building and public street, limit the location of drive-through service windows, require a minimum number of bicycle racks, eliminates the total lot square foot maximums for signage, and defines uses not otherwise listed in the ordinance. A complete copy of the proposed ordinance and map showing the overlay boundary are available at <https://www.botetourtva.gov/778/Gateway-Crossing-Overlay> or may be viewed in person at the Planning & Zoning Office.

If approved, the following tax map numbers will be affected by these proposed changes:

Interstate Business Subdistrict: 101-139; 101-139A; 101-139B; 101-140; 101-141; 101-142; 101-142A; 101-142B; 101-142C; 101-142D; 101-142E; 101-143; 101-143A; 101-143B; 101-143B1; 101-143B2; 101-143C; 101-144; 101-144A; 101-144B; 101-160; 101-161; 101-162; 101-163; 101-164; 101-173; 101-173G; 101-174; 101-174A; 101-175; 101-175A; 101-175B; 101-175C; 101-175D; 101-176; 101-177; 101-178; 101-178A; 101-180; 101-181; 101-182; 101-182A; 101-182B; 101-182C; 101-183; 101-184; 101-184A; 101-188; 101(5)10; 101(5)11; 101(5)3; 101(5)4; 101(5)4A; 101(5)4B; 101(5)6; 101(5)7; 101(5)8; 101(5)9

Residential Subdistrict: 101-51; 101-51A; 101-52; 101-52A; 101-52B; 101-53; 101-53E; 101-57; 101-56

Community Business Subdistrict: 100-58A; 100B(2)BK5-10; 100B(2)BK5-11; 100B(2)BK5-9; 101-1; 101-109; 101-109B; 101-109C; 101-13; 101-17; 101-18; 101-19; 101-2; 101-20; 101-21; 101-22; 101-23; 101-25; 101-26; 101-27; 101-27A; 101-28; 101-3; 101-30; 101-33; 101-33A; 101-33B; 101-38; 101-38A; 101-38B; 101-3A; 101-3B; 101-4; 101-40; 101-41; 101-42; 101-43; 101-44; 101-44A; 101-44C; 101-44D; 101-44E; 101-44F; 101-44G; 101-44H; 101-44J; 101-44K; 101-44N; 101-44P; 101-45; 101-46; 101-46A; 101-47; 101-48; 101-48A; 101-49; 101-5; 101-50; 101-51A; 101-52; 101-52A; 101-6; 101-61; 101-62; 101-62A; 101-62B; 101-63; 101-64; 101-64A; 101-65; 101-65A; 101-68; 101-68A; 101-68B; 101-68C; 101-69A; 101-7; 101-76; 101-77; 101-78; 101-79; 101-8; 101-81; 101-81A; 101-82; 101-82A; 101-82B; 101-86; 101-87; 101-88A; 101-90; 101-91; 101-93; 101(1)C; 101(1)D; 101(13)1; 101(13)2; 101(13)3; 101(13)4; 101(13)4A; 101(13)4B; 101(13)5; 101(13)SW; 101(14)1; 101(14)2; 101(14)3; 101(14)4; 101(14)5; 101(14)6; 101(14)7; 101(15)1; 101(16)1; 101(16)2; 101(16)3; 101(16)4; 101(17)1; 101(17)10; 101(17)2; 101(17)3; 101(17)4; 101(17)5; 101(17)6; 101(17)7; 101(17)8; 101(17)9; 101(17)SW1; 101(17)SW2; 101(17)SW3; 101(19)1; 101(19)2; 101(19)3; 101(19)4; 101(19)5; 101(19)6; 101(4)A; 101(4)B; 101(5)1; 101A(1)BK1-10; 101A(1)BK1-14; 101A(1)BK1-15; 101A(1)BK1-16; 101A(1)BK1-17; 101A(1)BK1-18; 101A(1)BK1-19; 101A(1)BK1-2; 101A(1)BK1-20; 101A(1)BK1-21A; 101A(1)BK1-26; 101A(1)BK1-27; 101A(1)BK1-29; 101A(1)BK1-3; 101A(1)BK1-37; 101A(1)BK1-4&5; 101A(1)BK1-6A; 101A(1)BK1-7A; 101A(1)BK1-9A; 101A(1)BK3-1; 101A(1)BK3-A; 101A(1)BK3-A1; 101-66; 101E(1)BK1-1; 101E(5)BK2-13; 101E(5)BK2-20; 88-33; 88-33M; 88-34; 88(8)1; 88(8)2; 88(8)3A; 88(8)3B; 88(8)3C; 88(9)1; 101A(1)BK3; 101A(1)BK3-A1; 101-86; 101-87; 101-88; 101-88A; 101-88B; 101-27; 101-27A (portion); 101-28; 101-30; 101-35; 101-36; 101-38A; 101-39.

Mrs. Pendleton described the Gateway Overlay District to everyone. She recognized Mr. Larowe, Mr. Moorman, Mr. Lanford, and other Staff present. She also thanked staff, both present and past, for their perseverance on this project.

Mrs. Pendleton read the purpose of the overlay district, noting that she would answer questions, explain standards and provide more information.

Mrs. Pendleton explained that the proposed overlay district was is located in a vital area due to the proximity of Exit 150 to the Roanoke Valley, the Shenandoah Valley, Central Virginia and the Virginia

Highlands where it served as the major connection that economically and physically united all areas of our county. Noting that conversations about this area started even before 2015, she displayed the timeline starting in 2015 with the Exit 150 Market Study; the designation of Urban Development Areas in 2016; OIPI funding for technical assistance; the first stakeholder meeting; and a community listening session in 2017; with stakeholder meetings and work sessions during 2018 and 2019; with work sessions, developer inquiries, property owner meetings, Board of Supervisors reaffirmation of the Gateway Center vision, and an independent code review in 2021 and 2022, after a pause in 2020 due to Covid and Staff vacancies. Since that time, Mrs. Pendleton pointed out that staffing had improved, conversations with VDOT had taken place about additional steps to take to further improve the area, plus there were inquiries from developers. Mrs. Pendleton stated that in February 2022, the Board of Supervisors reaffirmed the Gateway Crossing Vision, and Planning Commission work sessions took place in March and May, This year, she noted at least four development inquiries. She noted that some inquiries were from developers local to Botetourt and some were from outside of Botetourt. Mrs. Pendleton explained that an outside consultant was retained to verify that the County was proceeding in a reasonable manner. She also noted that all of this information had been posted to the County's website, as she thanked the Planning Commission for their interest.

Mrs. Pendleton stated the overlay would help owners and developers by potentially bypassing public hearings in certain cases, by reducing burdensome lot standards, commenting that this would also protect rural areas.

Mr. McCoy greeted the Planning Commission and thanked Mrs. Pendleton for showing everyone where the County has been, as he said he wanted to show where the County now stands. He displayed a map illustrating the three subdistricts with noteworthy sites shown, such as Food Lion, Kroger and Hardees. He described this area with an approximate three-mile-long stretch. Mr. McCoy defined the term "overlay" as over-lying the unchanging base zoning, such as A1, or B-1 with overlay regulations sitting on top of zoning while reducing some zoning requirements, without having to change the entire base code with flexibility of standards for one area of Botetourt. He stated the map looked different from the rest of Botetourt because it was different with three major routes converging in one area. Mr. McCoy pointed out that other areas of Botetourt did not have the water, sewer, and population base, and existing commercial areas that were available at Exit 150. He further stated this tool was to guide development to appropriate locations, and that people did not want development like Exit 150 at other areas in the county. To achieve that, Mr. McCoy explained this tool was to guide development to an appropriate location, and foster an attractive entrance into Botetourt. He further explained there would be fewer government regulations where appropriate, as permitted by state code. Mr. McCoy also explained that the overlay district would not prevent development, or contain restrictions against existing uses, would not prevent anyone from conducting their existing business, and this was not to take agricultural land. Mr. McCoy said that while we could not make development a guarantee, he felt strongly this would promote development because the process would be more streamlined, with less public decisions. Mr. McCoy stated there was no public funding associated with the overlay, and no local public funding was associated with street scape or greenway designs. Mr. McCoy displayed a graphic showing potential properties in the overlay district, some of them under contract. On the left there was an illustration with two rows of parking upfront, some pickup windows not facing the public street; on the middle, two rows of parking in front of the building on a tight site, the removal of the impervious surface requirements allowed that building to be placed there, which would not be allowed under the current ordinance. To the right, Mr. McCoy showed an example something that would only be allowed under the ordinance. Mr. McCoy stated that under today's ordinance, property could be rezoned for apartments, while in the Overlay District, apartments up to 8 units per acre in density, would be a by-right use. He then displayed

a graphic showing Hardees noting the same design could be used today or a different design if the Overlay District was preferred by the developer. Mr. McCoy displayed a chart with examples of by-right uses by each subdistrict, SEP uses, prohibited uses, explaining the intent of the residential subdistrict was for a neighborhood feel. He emphasized that the overlay district would not change the way current businesses run, and if they want, they could continue just as they currently conduct their business with no change.

Mr. Pearson addressed the Planning Commission, as he began his discussion regarding design standards. He spoke of challenges faced by those who want to redevelop, particularly with smaller lots. Mr. Pearson started with increased building heights, noting that most hotels want more than the usual height allowed by the ordinance, which currently requires a public hearing. He explained that in the Interstate subdistrict, hotels could have a 60 foot tall building by-right instead of requesting a Special Exception Permit; the community business subdistrict would allow 60 feet height by SEP. Mr. Pearson said the Overlay District provided a reduction in parking requirements. He noted that Staff would look at parking formulas for the overall county, and wanted to do this now for Overlay, as he indicated some changes were made with input from the public. Mr. Pearson said, for example, that a developer looked at the Shoney's site for a new fast-food restaurant, and after looking at ordinance and found parking restrictive. After discussing the proposed Overlay, staff was told that the property went under contract with the condition of overlay district approval. Mr. Pearson noted the developer would still have to meet all of stormwater requirements, and there would be reduced setbacks where it made sense. , The Floor Area Ratio and impervious surfaces requirements would be eliminated, the cap on maximum aggregate 120 square-foot signage per lot would be removed and replaced with a maximum of 60 square feet for a free-standing sign, plus 100 square feet for the building. Mr. Pearson brought up the opportunities for pedestrian mobility to connect one site to another site and sidewalks along public road frontage. He noted that the Overlay District provided for waivers for sidewalks for topographic challenges. Mr. Pearson mentioned that the ordinance talked about parking between building and the public street. Mr. Pearson discussed the possibility of a larger development with smaller outparcels in the front that could be configured many ways. He then discussed the standard on a building façade for windows and doors facing a public street. Mr. Pearson stated the ordinance would require a minimum coverage of windows and doors at 20 percent on any elevation of a building that faced a public street, and maximum of 70 percent. He said the intent was to break up blank wall space and make the walls more aesthetically pleasing to look at, as he mentioned the US 220 Sheetz with a door and faux windows facing Catawba Road. Mr. Pearson discussed the possibility of faux windows to meet help the standards for windows. Discussing height, Mr. Pearson stated that in the Interstate Business subdistrict, the Overlay District allowed 60 feet height by-right, with 60 feet by SEP in Commercial and Residential subdistricts. Regarding landscaping and screening, Mr. Pearson said it mainly reverted back to the base code, and that a screened hedgerow would be required to soften the effects of asphalt and the street view. For streets, blocks, and sidewalk requirements, Mr. Pearson noted that new streets were required to be public and designed in accordance to the previously adopted Gateway Crossing area plan, although it would be possible to request a waiver for topography or other site conditions depending on the cross sections. He explained that block lengths were not to exceed 750 feet between public intersections for new subdivisions; sidewalks would be required along any public street unless waived, and sidewalks would be required for renovations or expansion of an existing building where the floor area increased by 15 percent or more.

Mr. Pearson displayed a map showing existing sidewalks in green, sidewalks that could potentially be possible in blue, and sidewalks that were not likely at all in red. Even in the area where sidewalks could be possible, Mr. Pearson said that a waiver process was necessary in case the topography made sidewalks impossible, so the Zoning Administrator could consider the waiver. Mr. Pearson mentioned that the Comprehensive Plan envisioned sidewalks in the same general area, more on west side of US 220. Where

ditch lines and steepness on eastern side of US 220, would not make sidewalks feasible, Mr. Pearson said that would be a good candidate to consider for a waiver. He explained that restaurant required parking had been reduced, and the overlay reduced all minimum parking. Mr. Pearson explained there would be a maximum of two rows of off-street parking allowed in front yards. He further explained that in most cases this would prohibit drive-thru facilities between the building and right-of-way and getting the pick-up window away from the public street frontage. Mr. Pearson commented that bicycle racks would be required with ten or greater parking spaces. He displayed a Roanoke Starbucks that would meet overlay requirements, as he pointed out the side drive-thru, glass on side and front entry doors, pedestrian access, side parking, and front yard areas. Mr. Pearson reviewed signage, each regulated sign type, the removal of the maximum cap on total signage per parcel, and noted that freestanding pole signs would be allowed on some properties based on distance from interstate.

Mr. McCoy discussed voluntary design guidelines. He stated that while we could not make development happen, and that in Virginia, if it is a by-right use we don't have much control over building appearance unless a related SEP is requested. He further stated that voluntary design guidelines can be shared and the concepts can be encouraged to developers and property owners that if they do a by-right use. Also, if by SEP, a certain look could be required. In both instances, Mr. McCoy remarked the voluntary guidelines would support a distinct character such as buildings that might be seen in Fincastle or along 220 with nice facades. He commented the voluntary guidelines would help to establish a sense of community, a cohesive tie, and included building designs, exterior materials and finish preferences, as he asked the PC for their endorsement for the Overlay District.

Mrs. Pendleton stated that an independent review had been commissioned by a firm that had not been a part of this process to determine if the County was on the right path. She further stated the firm delivered their findings along with some fine-tunings. Mrs. Pendleton said they asked if the residential density proposed was dense enough or if the County wanted it higher. She commented the Gateway Crossing Overlay District was deemed viable, realistic, with maximum design flexibility, an opportunity to refocus redevelopment in a more locally supportive manner. Mrs. Pendleton stated that Exit 150 was the face of Botetourt, and that redevelopment had been challenging in part because of existing zoning. She further stated the overlay district would reduce the development challenges in a targeted manner to make redevelopment easier. Mrs. Pendleton addressed whether or not there would be public costs to approve the overlay district. She stated there would be no public costs or spending improvements added to the Botetourt County budget in relation to the zoning changes. Mrs. Pendleton further stated the overlay district applied to private property development and investments; it was not a program for public spending improvements. Mrs. Pendleton then discussed proffered conditions. She said that properties with conditions or proffers and a site plan in substantial conformance allowing a certain use, that could continue and the overlay would not change that. If someone has property with an underlying use not specifically prohibited, that could be continued, as well as a prohibited use, although neither could be expanded. Mrs. Pendleton stated that if someone in the overlay district wanted to rezone their property, they could still request that. Regarding a question of what happens if a waiver request were to be denied, Mrs. Pendleton explained there was a due process available through the Board of Zoning Appeals.

Mrs. Pendleton noted that Staff had taken a handful of calls with interesting questions, as she thanked all the folks who met with Staff. She further noted that despite disagreements on the overlay district, one thing everyone could agree on was that Botetourt was special to all of us. Mrs. Pendleton mentioned one written comment received as she thanked the Planning Commission and audience for their patience.

Mr. Kidd opened the public hearing.

Mrs. Joanne Monday of Blue Ridge commented that she just learned of this meeting today. She said this was being designed to look good but was the beginning of trouble. Mrs. Monday mentioned this would cost the taxpayer a fortune while taxes reaped would be negligible. She also said she was totally against this development, higher taxes, and this should be made public for people.

Ms. Rachel Hancock, of Daleville, said property was behind Botetourt commons. She described her concerns of sewer water in her home during Covid, ruined basement, mold in basement, the Water Authority, rain storms, sewer water in the basement, deep runoff water in driveway almost breaching an earthen berm, caused by Kroger rerouting natural ditch and something had to be done. Ms. Hancock asked if there were any plans for runoff.

Mr. B. Nicely responded that everything had been designed for the state requirements.

Ms. Hancock replied that they did a piss poor job of it. She further replied that she was not against development and that her concern was water. Ms. Hancock said her property was useless now, with sewer water getting into her well and spring as she asked for neighbors' consideration when developing property.

Mr. Bill Tanger of Roanoke noted his involvement in previous presentations. He said he found out about this almost by accident, with primitive County yard signs. He requested a communications plan, better public notice, and more time to cover this. Mr. Tanger remarked he was concerned about the Howard Johnson's residential thing, and the stakeholder's group should be reconstituted as a watchdog group.

Mr. Robert R. Young of Roanoke County presented the Planning Commission with a list of questions as he opposed this request. Mr. Young wanted answers about Exit 150 traffic studies showing the numbers of cars, trucks, people walking, people biking. He asked about the number of miles of road, how many buckets of money; how much money is in the buckets; and how many apartments could be built in this area, as he restated his opposition. He said the County harassed the businesses; there was no cooperation; that .44 acres equaled one acre. He said that could be appealed to the Board of Zoning Appeals, but that wouldn't work. Mr. Young questioned how often the Board of Zoning Appeals overturned a decision, noting that he spent \$100,000 to win an appeal. He brought up Angels Diner that wanted a one-foot variance. He said if this [overlay] went through, every piece of his property would be in his will and would never be sold. Mr. Young asked how a bunch of low-cost apartments would help Botetourt County, while he commented that the County was stopping people from using their property now that was legally zoned by inverse condemnation. He asked the Planning Commission if they wanted to answer his questions on their time.

Mr. Kidd responded they would research the answers for him. He then noted that he was also on the Board of Zoning Appeals. Mr. Kidd asked Mr. Lockaby if the Board of Zoning Appeals ever overturned Zoning Administrator's decision.

Mr. Lockaby stated that the Board of Zoning Appeals had overturned the Zoning Administrator's decision not too long ago.

Mr. Danny Goad of Cloverdale stated his opposition to this type of zoning. He questioned how the answer to existing zoning problems was zoning on top of zoning. Quoting John 10:12, Mr. Goad further stated that people, like the Shepherd, cared what happened to this land, that they should determine what

happened, and not face restrictions that zoning required. Mr. Goad brought up Shoney's, Country Cookin', and Pilot as nonsense about development, and the state code. He continued that the state code did not say you can flood a person out; one person couldn't dump all their water on someone else; he wouldn't recommend anyone to walk on US 220 to Lee Highway. Mr. Goad said he saw people walking on Lee Highway every day in 4 feet tall grass, and to put a sidewalk there now.

Mr. Daniel Cyrus of Forest endorsed the Overlay District as he noted he would be present for the next request regarding the Howard Johnson's property. He thanked everyone for coming out, noting it was obvious that Botetourt citizens cared about their county. Mr. Cyrus stated this would open up the corridor for development and additional uses that could be achieved, but it's a lengthy process and that with a huge threshold developers would leave. He further stated this was a unique opportunity to steer development, and that development paid taxes to improve schools and roads through private funding. He noted that Exit 150 was one of the most heavily trafficked corridors, and that this was an important consideration.

Mr. Kidd called for a short recess at 7:20 PM that was approved by general consensus.

At 7:29 PM, Mr. Kidd reconvened the public hearing by general consensus.

Mr. Kidd stated that everyone who signed up to speak had already spoken. He asked if anyone else wanted to speak.

Mr. Kidd asked Mrs. Pendleton to answer Mr. Young's questions.

Mrs. Pendleton stated the Overlay District went from Gateway Crossing Boulevard to Food Lion for 2.7 miles; from one end of Route 11 to the other is 1.25 miles for a total of 3.25 linear miles along the corridor, with 620 acres total in the overlay. She further stated that VDOT retained traffic count data along every section of the corridor. Mrs. Pendleton stated there was significant traffic projects discussed in the past; one of the most recent studies mentioned significant traffic challenges in terms of congestion and accessibility, safety and reliability and they would be able to further answer this and other traffic related questions.

Mr. Kidd asked Mrs. Pendleton if she had up-to-date numbers on the study to which she referred.

Mrs. Pendleton responded that VDOT updated their information every two to three years and that recent information might estimate 22,000 Vehicles Per Day per day, broken down by the type of vehicle.

Regarding the Residential Subdistrict, for multi-family allowed by-right, Mrs. Pendleton estimated that 400 units would be allowed by-right, excluding stormwater, and other requirements, noting these numbers were based on an estimated acreage.

Mrs. Pendleton reiterated that the County would not spend any money on infrastructure directly related to the overlay, and was not spending tax dollars.

Mr. Lucas wanted to know how much emphasis was put on sidewalks in the interstate business versus the other subdistricts.

A slide depicting sidewalk locations was displayed. Mr. Pearson commented that areas marked with the green line were installed by VDOT during the roundabout project. He further commented there was a crossing at Route 11 with pedestrian crossing mechanisms, and that people were seen walking there and the on new road behind the hill, as well as on Route 11. Mr. Pearson pointed out the pedestrian activity in the area as people walked underneath the bridge, although they should not. Mr. Pearson said that VDOT saw that, and as part of their project, they installed sidewalks.

There being no one else to speak, Mr. Kidd closed the public hearing.

Mr. Foster thanked staff for their work, noting that the length of time for this project with lots of opportunities for people to hear about these plans. Mr. Foster stated this was a good plan, a good start in Botetourt County to bring in more revenue, giving this his support 100 percent.

Mr. Lucas stated that he appreciated everyone's comments. As one of the newer members, he further stated that he was really excited to see Botetourt developed in a better manner. As a business owner, Mr. Lucas hoped the overlay would bring in more tax dollars, as he commented that none of the development will cost the county money, and that this plan would provide guidance. He further commented the County would see better plans that were very well laid out. Mr. Lucas thanked staff for bringing him up to speed, as he noted we now had a corridor to strategically develop, as he also found irony that it took zoning to fix zoning.

Mr. Kidd thanked staff, stating that he knew how much communication has been out there about this project. He said that he heard people say they didn't know about this pointing out this was in newspapers, and this was on the County website. Mr. Kidd thanked staff for the amount of work done on this project. Mr. Kidd mentioned that he was on the Planning Commission in 2000 when we revised the zoning ordinance chapter by chapter. He noted that then as now, the County was trying to build flexibility into the ordinance while trying to be proactive. Mr. Kidd stated that planning changed with the desires of the community, and that the County was being proactive instead of reactive. He explained this would not stop anything going on right now, and that could continue as long as it was wanted. Mr. Kidd further explained this would open the door for possibilities and new opportunities. As a Planner, Mr. Kidd stated his support for this, and that even though it was not 100% perfect, and there would be some changes, and that would be ok.

Mr. H. Nicely acknowledged the hundreds of hours spent on this, as he echoed Mr. Kidd's comments.

Mr. H. Nicely motioned to forward the text amendments for the Gateway Crossing Overlay request to the Board of Supervisors with a recommendation for approval and with the information provided here tonight and questions raised, on the basis that the requirements of Section 25-581 of the Zoning Ordinance have been satisfied that the proposal would serve the public necessity, convenience, general welfare, and was good zoning practice.

Mr. Foster seconded, which was unanimously approved 5:0:0:0, with the following recorded vote by roll call:

YES:	Mr. B. Nicely, Mr. Foster, Mr. Kidd, Mr. H. Nicely, Mr. Lucas
NO:	None
ABSTAIN:	None
ABSENT:	None

Mr. Kidd announced the motion carried.

Amsterdam District: Lorrđ Ganeshjl Inc. and Gateway Coachman Land LLC (TPB Enterprises LLC, contractual purchaser) requests a Special Exception Permit, with possible conditions, to increase the number of multi-family dwelling units allowed per acre and a Special Exception Permit, with possible conditions, to increase the maximum building height above 45 feet in accordance with the *Gateway Crossing Overlay District*, if approved, in accordance with Chapter 25, Article II. District Regulations Generally, and Sec. 25-583 of the Botetourt County Code. The request includes 2 parcels consisting of 6.45 and 3.612 acres that are located at 437 Roanoke Road, (US Route 220), Daleville, and identified on the Real Property Identification Maps of Botetourt County as Section 101, Parcels 48 and 48A.

Mr. Pearson read the request aloud as he displayed the zoning map with two parcels highlighted on PowerPoint, then the aerial map. He stated that should overlay be adopted, the residential uses proposed this would be permitted uses in that district, and rezoning to Residential R-4 would not be necessary, so this request is for two Special Exception Permits. He further stated this was a total of 10.026 acres, the actual proposed apartments would be on less than that, the front outparcel would be for future commercial property. Next, Mr. Pearson discussed the concept site plan, showed the location of five buildings housing the 240 multi-family dwelling units, as he pointed out the current Howard Johnson structures that would be demolished to make way for this new project. He talked about the overall density at 25.92 units per acre; the Gateway Overlay District by SEP would allow density as high as 26 units per acre; and that the apartment complex would have a mixture of one-, two- and three-bedroom dwelling units. Mr. Pearson said the applicant requested a SEP for height, at four stories and 55½ feet tall due to topography and terracing to minimize the amount of grading. As Mr. Pearson mentioned earlier, the Gateway Overlay would allow for multi-family dwelling units without a rezoning, and the standards such as ten percent of the gross acreage would be required for open space. He continued that amenities shown on the site plan included the clubhouse and pool and met the requirements. Mr. Pearson said that all projects would go through the formal site plan process to ensure compliance; the Western Virginia Water Authority would serve this property with public water and sewer, and commented that they responded that they had no concerns serving the project. He also said that their plan for 445 parking spaces exceeded requirements, landscaping would be required, and the County's lighting ordinance was dark sky friendly. Mr. Pearson said VDOT reviewed and commented; Fire and Rescue reviewed and the project would be served by the Troutville Volunteer Fire Department. Mr. Pearson noted that Fire and Rescue had no problem with the proposed use and they would be part of the technical site plan review process. Mr. Pearson brought up the impact on the school system, and estimated that using a calculation, there could be approximately 70 school age children, and provided information that Dr. Russ had provided stating that capacity would not be an issue. He then displayed representative elevations, to show the building style and materials, commenting that the applicant had built something similar this in another location and Botetourt would be modeled after that location. He further commented the buildings would have a mixture of stone, lap siding, other articulation, and an earth-toned color palette. Mr. Pearson stated the SEP allowed conditions as he suggested these conditions:

1. The development of the property shall be constructed in substantial conformance with the concept site plan included with the application, titled "Preliminary Apartment Layout", prepared by Perkins and Orrison and dated June 6, 2022.
2. All building structures shall be constructed in substantial conformance with a mixture of building materials, architectural elements and similar color pallet as shown on the representative building elevation included with the application.

3. The maximum number of dwelling units shall be 240 units.
4. The SEP approval shall not exempt the use from meeting the requirements of the Botetourt County Noise Ordinance.
5. 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.

Mr. Pearson concluded his presentation; the Planning Commission had no questions for him at this time.

Mr. Daniel Cyrus, Developer, of Forest and Mr. Norm Walton, Project Engineer of Lynchburg were both present to speak to this request. Mr. Cyrus summarized Mr. Pearson's points by saying the existing Howard Johnson's hotel would be demolished there would be total redevelopment with higher and better uses; the Gateway into Botetourt County tied into Overlay District, particularly with visibility from I-81. Mr. Cyrus described his product as one that his company had built throughout Virginia; four stories with elevators; interior entry units; no open stair wells. He further described this a being targeted to young professionals. He commented that Botetourt talked a lot about being business friendly, with one of the most difficult resources to retain was skilled and talented personnel and this development would give them the housing with amenities they wanted. He further commented that people downsizing would live there and they wanted amenities for their grandkids to use the pool and clubhouse. Mr. Cyrus explained that the SEP for height was needed to show the residential look, that was not super modern with a flat roof; he said the property was expensive and they had to achieve a certain level of density.

Mr. Lucas asked about consideration for the view from the Appalachian Trail.

Mr. Cyrus pointed out the Appalachian Trail on site plan with the dashed line, a 50-foot wide vegetative buffer on the perimeter of the property. He said that he had walked on the Appalachian Trail, indicating a lot of the Appalachian Trail with topography through this area was lower than this property, and the buffer was to mitigate any potential encroachment.

Mr. Lucas wanted to know the anticipated price point.

Mr. Cyrus responded the one-two and three-bedroom units would be comparably priced to other area units, with most one-bedroom units starting at \$1150. He said he found this was affordable in other markets. Mr. Cyrus said they targeted a range of people who had the means and wanted to live somewhere nice with amenities.

Mr. Lucas asked if elevators would be part of substantial conformance.

Mr. Cyrus confirmed that the buildings would have elevators in them. He then commented that he had an outparcel along US 220, that was not part of the SEP requests, that would be used for commercial use. Mr. Cyrus said there was about 0.8 acres outparcel of development that would allow for a multitude of uses, but with the topography on site, it was challenging for business uses, and there were terracing buildings up.

Mr. H. Nicely asked about the mix of bedroom numbers for the apartments.

Mr. Cyrus replied there would be an equal mix of one-third one-bedroom, one-third two-bedrooms, one-third-three bedrooms.

Mr. Lucas broached the topics of stormwater plans and the possibility of developing without a SEP for height.

Mr. Cyrus pointed out that much of their stormwater would be underground detention due to topography and some would be addressed on-site for the commercial parcel. He noted the importance of the topic because they had to create a site that generated less runoff off-site than what's there today. He stated that Mr. B. Nicely was correct when he confirmed this was due to state regulations. Mr. Cyrus went back to their rendering and explained that they built a different, modern looking product in more urban centers that would fit here with a flat roof. He further explained the height SEP was because they were trying to honor a residential feel, something that would blend in, not something that belonged in a downtown setting, as he noted the area behind this was an agricultural area and these buildings would not hamper that visibility.

After comments and questioning from Mr. Kidd regarding the overlay district, Mr. Pearson noted that this project was inclined toward the overlay district; the business district would not allow apartments. He clarified that without the Overlay District, the applicant would have to rezone to R-4, plus the height and density SEPs, and that the Comprehensive Plan already supported the high-density residential. As currently structured, Mr. Pearson further clarified the request was dependent upon the Overlay District.

Mrs. Pendleton stated the possibility of a variance for parking might be required without the Overlay District.

Mr. Kidd opened the public hearing, noting he did not have any forms requesting to speak.

Mr. Andy Kelderhouse of Daleville stated that he wanted the commercial site to be addressed in terms of access to US 220, and that he perceived it to be subdivided with a separate entrance. He further stated that would not be desirous in his opinion, and the outparcel should use the proposed entrance for the apartments.

Mr. Bill Tanger of Roanoke said he had been involved in setting buildings, as he stated his concern for the Appalachian Trail. He mentioned a landscape architect should show what the buildings would look like from the trail and that should be presented before anybody voted to approve this.

Mr. Danny Goad of Cloverdale asked where runoff went when it left the property, and what other properties would be affected.

Mr. Robert Young of Roanoke County wanted to know if there would be a process like this if he came here to do this development a year from now and the overlay was approved. He said that once the overlay was approved, it did away with height restrictions.

Mr. Lucas commented there were still height restrictions in the overlay.

A speaker wanted to know how the roadway in that area would sustain all this development. She brought up the great costs for expanded roads and school taxes with all these children.

Mr. Cyrus responded to the comments. Regarding the commercial site and entrance, Mr. Cyrus stated that his plan all along was to have an entrance off of the private road, not a secondary entrance off of Route 220. He further stated that VDOT would not allow a secondary entrance, and they would have only one entrance on Route 220.

Mr. Kidd asked if sketches could be completed by the Board of Supervisors meeting about the view from the Appalachian Trail.

Mr. Cyrus said he understood the desire to see this, and he would have this ready.

Mr. Kidd inquired about water runoff.

Mr. Cyrus replied that the pond was at the lowest part of property. He pointed out the existing convenience store, Route 220 and the existing VDOT right-of-way. After being detained, Mr. Cyrus said the water would drain into the existing storm sewer and would not discharge onto private property.

After questioning from Mr. Kidd, he explained it would discharge on a slower rate, and a cleaner fashion than how it entered their site.

Mr. Kidd asked Mr. Cyrus to address the amount of traffic, VDOT comments, and the number of school children.

Mr. Cyrus said they would go through the VDOT entrance permit process, with any road expansion and infrastructure costs borne by the developer, not the municipality. He pointed out that while previous data might show 70 school age children, the reality was that his projects did not have a tremendous number of families with school-age children. He noted that another similar project, had approximately ten 10 school age children.

Mr. Lucas wanted to know if VDOT mentioned turn lanes, an entrance from other side, a stop light and if sidewalks were in place.

Mr. Cyrus commented that details were worked out on a site plan with VDOT. He acknowledged the divided road with an existing left turn. He further commented he had spoken with VDOT about making the left turn safer, and they would work with VDOT as part of their regulations. Mr. Cyrus said that sidewalks would be installed on their property frontage along US 220, at their cost, and this was shown in the thick, dark line on the concept plan.

Mr. Kidd asked Mrs. Pendleton if Mr. Young brought this request forward a year from now if he would go through this same process.

Mrs. Pendleton stated that if it was this exact request, a SEP for increased density and a SEP for height would be required.

After questioning from Mr. Lucas if the overlay were not approved, Mrs. Pendleton stated a rezoning would be required. She confirmed that with an approved overlay district, only the two special exception permits would be required.

There being no one else to speak, Mr. Kidd closed the public hearing.

Mr. Lucas spoke of the need to preserve the view from the Appalachian Trail, plus traffic crossing over US 220 for access as his biggest concerns.

Mr. Kidd remarked that VDOT would take care of the traffic concerns.

Mr. H. Nicely motioned to forward the Special Exception requests for increased density and building height on the property of Gateway Coachman Land LLC and Lorrđ Ganeshjl Inc. be forwarded to the Board of Supervisors with a recommendation of approval with the conditions included in the background report prepared by staff on the basis that the requirements of Section 25-583 of the Zoning Ordinance have been satisfied and that the proposal would serve the public necessity, convenience, general welfare and is good zoning practice.

After further discussion, Mr. B. Nicely seconded, which was unanimously approved all yes 5:0:0:0, with the following recorded vote:

YES: Mr. B. Nicely, Mr. H. Nicely, Mr. Kidd, Mr. Foster, Mr. Lucas
NO: None
ABSTAIN: None
ABSENT: None

Other business

Mrs. Pendleton noted the guidelines were voluntary and not part of a public hearing, and she would also request approval from the Board of Supervisors. She asked for the Planning Commission's endorsement.

Mr. Kidd motioned to forward the Gateway Crossing Overlay Voluntary Design Guidelines with a recommendation for approval to the Board of Supervisors.

Mr. Lucas seconded, which was unanimously approved 5:0:0:0, with the following recorded vote:

YES: Mr. B. Nicely, Mr. H. Nicely, Mr. Kidd, Mr. Foster, Mr. Lucas
NO: None
ABSTAIN: None
ABSENT: None

Mr. Lucas motioned to accept Tuesday, October 11, 2022 as the next Planning Commission date due to the Columbus Day holiday on the regularly scheduled Planning Commission date.

Mr. B. Nicely seconded, which was unanimously approved 5:0:0:0, with the following recorded vote:

YES: Mr. B. Nicely, Mr. H. Nicely, Mr. Kidd, Mr. Foster, Mr. Lucas
NO: None
ABSTAIN: None
ABSENT: None

Adjournment

There being no other business, on motion by Mr. Foster at 8:31 PM, seconded by Mr. B. Nicely, which was approved 5:0:0:0, the Planning Commission adjourned with the following recorded vote:

YES:	Mr. B. Nicely, Mr. H. Nicely, Mr. Kidd, Mr. Foster, Mr. Lucas
NO:	None
ABSTAIN:	None
ABSENT:	None