

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY, VIRGINIA HELD ON THE 12<sup>th</sup> DAY OF FEBRUARY, 2024 AT 7:00 P.M. IN THE BOARD CHAMBERS, MONTGOMERY COUNTY GOVERNMENT CENTER, 755 ROANOKE STREET, CHRISTIANSBURG, VIRGINIA:

**ORD-FY-24-13**

**AN ORDINANCE AMENDING THE PROFFERED CONDITIONS OF THE APPROVED REZONING OF PROPERTY LOCATED AT 3966 PRICE'S FORK ROAD, ORIGINALLY APPROVED BY THE BOARD OF SUPERVISORS ON FEBRUARY 11, 2019 TO ALLOW ADDITIONAL BY-RIGHT USES ON THE SUBJECT PROPERTY AND TO ADD ADDITIONAL PROFFERED CONDITIONS RELATED TO SITE IMPROVEMENTS, LANDSCAPING, AND LIGHTING. THE PROPERTY IS LOCATED AT 3966 PRICES FORK ROAD (STATE ROUTE 685), AT THE INTERSECTION OF PRICES FORK ROAD AND KYLE'S WAY. THE PROPERTY IS FURTHER IDENTIFIED AS TAX MAP NUMBERS 052-A-32A (PARCEL ID: 017475), TOTALING 1.5 ACRES, CURRENTLY ZONED COMMUNITY BUSINESS (CB) IN THE PRICE'S FORK MAGISTERIAL DISTRICT. THE PROPERTY LIES IN AN AREA DESIGNATED AS VILLAGE EXPANSION IN THE 2025 MONTGOMERY COUNTY COMPREHENSIVE PLAN, AND IS FURTHER IDENTIFIED AS LOW-DENSITY RESIDENTIAL IN THE PRICE'S FORK VILLAGE PLAN SHAH DEVELOPMENT, LLC**

On a motion by M. Todd King, seconded by Steve R. Fijalkowski and carried unanimously,

BE IT ORDAINED, By the Board of Supervisors of Montgomery County, Virginia that it hereby finds that the proposed revisions to the proffer statement is in compliance with the Comprehensive Plan and meets the requirement for public necessity, convenience, general welfare and good zoning practice and therefore approves the request to amend the proffered conditions for the approved rezoning of the property located at 3966 Price's Fork Road with the following amended proffered conditions:

1. Restricted Uses:

The aforementioned property shall be zoned for Community Business (CB) and shall be limited to the following by right uses:

- Automotive, light truck, sales, service, rental, and repair, without motor fuel sales, less than two thousand (2,000) square feet.
- Bed and Breakfast Inn
- Cabinet shop, furniture, upholstery, craft industry of less than one thousand two hundred (1,200) square feet
- Church
- Civic Club
- Community Center
- Conference or training center

- Day care facility
- Farm machinery sales and service
- Financial Services
- Fire, police, rescue facility
- Garden Center
- General, convenience store less than three thousand (3,000) square feet, without motor fuel sales
- Library
- Medical care facility
- Office, administrative, business or professional less than three thousand (3,000) square feet
- Park, unlighted
- Pet, household
- Post office
- Printing service
- Public use, public facility
- Public utility lines, other
- Public utility lines, water and/or sewer
- Restaurant
- Retail sales and services less than three thousand (3,000) square feet
- Roadside stand
- School
- School of special instruction
- Telecommunication tower, attached.
- Additional uses may be permitted by Special Use permit in accordance with the Montgomery County Zoning Ordinance in effect at the time of development.

2. Any proposed development of the M&M Tire parcel shall provide street trees along Prices Fork Road at a rate of 1 tree per 50' of road frontage.

3. Any structure constructed on the M&M Tire parcel shall be a maximum of 2 stories high.

4. The main structure constructed on the M&M Tire parcel shall front on Prices Fork Road and the main entrance shall face Prices Fork Road.

5. Proposed lighting on the M&M Tire parcel shall have full-cut off downcast luminaires and the overall lighting design shall be 'dark-sky' friendly.

6. Any freestanding sign on the M&M Tire parcel shall be a monument style sign.

The property is located at 3966 Prices Fork Road (State Route 685), at the intersection of Prices Fork Road and Kyle's Way. The property is further identified as Tax Map Numbers 052-A-32A (Parcel ID: 017475), totaling 1.5 acres, currently zoned Community Business (CB) in the Price's Fork Magisterial District.

The property lies in an area designated as Village Expansion in the 2025 Comprehensive Plan and further designated as Low-Density Residential in the Prices Fork Village Plan.

This action was commenced upon the application of SHAH Development, LLC (Agent: Foresight Design Services).

This ordinance shall take effect upon adoption.

The vote on the foregoing ordinance was as follows:

AYE

NAY

Sara R. Bohn

None

April N. DeMotts

Steve R. Fijalkowski

Anthony M. Grafsky

M. Todd King

Derek W. Kitts

Mary W. Biggs

ATTEST:



Angela M. Hill

County Administrator