

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROANOKE COUNTY, VIRGINIA, HELD AT THE ROANOKE COUNTY ADMINISTRATION CENTER, TUESDAY, JUNE 22, 2004

ORDINANCE 062204-11 TO CHANGE THE ZONING CLASSIFICATION OF A TOTAL OF 29.98-ACRES LOCATED AT 4486 SUMMIT STREET (TAX MAP NOS.77.20-1-3, 77.20-1-4, 77.20-1-52, 77.20-1-54, 77.20-1-55, PART OF TAX MAP NO. 87.08-3-11) IN THE CAVE SPRING MAGISTERIAL DISTRICT FROM THE ZONING CLASSIFICATIONS OF C-2 CONDITIONAL, R-3, AND C-1 TO THE ZONING CLASSIFICATION OF C-2 WITH CONDITIONS UPON THE APPLICATION OF SLATE HILL I, LLC, SLATE HILL II, LLC, AND WOODCLIFF INVESTMENTS, LLC

WHEREAS, the first reading of this ordinance was held on February 24, 2004, and the second reading and public hearing were continued from March 23, 2004, April 27, 2004, May 25, 2004, and June 22, 2004; and,

WHEREAS, the Roanoke County Planning Commission held a public hearing on this matter which was continued from March 2, 2004, and held on April 6, 2004; and

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

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

1. That the zoning classification of a certain tract of real estate containing a total of 29.98 acres, as described herein, and located at 4486 Summit Street (Tax Map Numbers 77.20-1-3, 77.20-1-4, 77.20-1-52, 77.20-1-54, 77.20-1-55, Part of Tax Map No. 87.08-3-11) in the Cave Spring Magisterial District, is hereby changed from the zoning classification of C-2C, General Commercial District with conditions, R-3, Medium Density Multi-Family Residential, and C-1, Office District to the zoning classification of C-2, General Commercial District with conditions.

2. That this action is taken upon the application of Slate Hill I, LLC, Slate Hill II,

LLC, and Woodcliff Investments, LLC.

3. That a portion of this property was rezoned to C2C by Ordinance 102897-19 at which time the Petitioner proffered the following conditions which are hereby REPEALED:

(1) Petitioner proffers to build the Lowe's store in substantial conformity with the preliminary site plan, dated October 7, 1997. Except that Lowe's will flip the location of the garden center and the truck loading docks to the northern property area of the proposed project.

(2) Petitioner proffers that if any out parcel that requires C-2 zoning is proposed on this site or the adjoining site of White House Antiques, it will be subject to a special use permit regardless of the C-2 use proposed. This will allow the Planning Commission and the Board of Supervisors the opportunity to review traffic impacts, circulation and access issues.

(3) Petitioner proffers to retain the existing vegetation between the Petitioner's site and the property of Quail Valley condominiums. The only exception to this will be the removal of vegetation that is necessary for improvements to the access road for the existing residential properties.

(4) If any of the residential homes on Washington Road remain, Petitioner proffers to upgrade, pave and maintain Washington Road to provide continuous, adequate and safe access to these houses. This upgrade will be to a standard acceptable to the County and reviewed during the site plan review process.

4. That the owner of the property has voluntarily proffered in writing conditions attached hereto as Exhibit 1, which the Board of Supervisors of Roanoke County, Virginia,

hereby accepts.

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

Tax Map No. 77.20-1-3 – C1 to C2C
Tax Map No. 77.20-1-4 – C1 to C2C
Tax Map No. 77.20-1-52 – R3 to C2C
Tax Map No. 77.20-1-54 – C1 to C2C
Tax Map No. 77.20-1-55 – C1 to C2C
Portion of Tax Map No. 87.08-3-11 - R3 to C2C

The metes and bounds of the above-mentioned parcels are further set out on the attached Exhibit 2.

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

On motion of Supervisor Wray to adopt the ordinance with revised proffers dated June 22, 2004, and carried by the following recorded vote:

AYES: Supervisors McNamara, Church Wray, Altizer, Flora

NAYS: None

A COPY TESTE:
Brenda J. Holt
Brenda J. Holt, CMC
Deputy Clerk

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

R8

**PROFFERS
REVISED June 22, 2004**

Address of Subject Property: 4486 Summit Street
Roanoke, VA 24014

Tax Map No.: 077.20-01-03
077.20-01-04
077.20-01-52
077.20-01-54
077.20-01-55
087.08-03-11

Applicant's/Owner's Name: Slate Hill I, LLC
Slate Hill II, LLC
Woodcliff Investments, LLC

The undersigned owner does hereby proffer the following conditions in conjunction with the rezoning request:

1. Uses

a. The C-2 uses set forth on the attached Exhibit A would be prohibited.

b. Zones shall be as depicted on the plat attached hereto as Exhibit 1.

2. Slopes

a. A geo-technical report from a certified geo-technical engineer shall be required to verify slope stability and stabilization methods, and design values for retaining structures.

b. Slope maintenance escrow/trust account, between Roanoke County and the landowner, in an amount ~~not to exceed~~ \$100,000, shall be required for a 10-term, to insure the continued safety and maintenance of all common areas for the Slate Hill development as defined by slopes, retaining walls, and private roads.

3. Buildings

a. Height: Building height shall not exceed 50 feet (as measured per the Roanoke County Zoning Ordinance) unless underground parking is provided. Then building height shall not exceed 65 feet, except in Zone 3 where the height shall not exceed 75 feet for development of a hotel; otherwise, 65 feet. Any building constructed above the base level of 1335' elevation mark which exceeds the 1385' elevation mark(as measured per the Roanoke County Zoning Ordinance) will be required to have underground parking. In addition, any building that exceeds 50' in height, regardless of the base elevation will be required to have underground

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parking except for the motel. Thus, there are two situations in which underground parking may be required.

b. Size: The combined square footage allowed in the Zones 3 and 4 will not exceed 365,000 square feet; please see attached trip generation data (Exhibit D). The 100,000 square foot maximum is the gross area of any building located in Zones 3 and 4. The maximum allowed footprint will not exceed 90,000 square feet.

c. Materials: Acceptable building finishes include brick, wood, vinyl or composite wood substitute, glass, stucco or exterior insulated finish system (EIFS), split-face colored concrete block, stone or cast stone. Structures constructed in Zones 3 and 4 will be similar in appearance, materials and design.

d. Roofs: Rooflines of the buildings predominantly visible from Route 220 and Route 419 shall be articulated. Acceptable roof materials include standing seam metal, copper, composite slate tile or shingles.

e. Building Colors: The predominant building colors shall be tan, brown, gray, beige, natural color brick, natural stone.

f. Facades: The facades of buildings predominantly visible from Route 220 and Route 419 shall have vertical plane relief.

g. In order to protect the integrity of the Roanoke County water tank, lines, and steep slopes and in order to protect public safety, the developer shall submit an engineering report stating that the November 13, 2003 approved grading plan will not adversely impact the County's water tower and related facilities. Any further grading in Zones 3 and 4 will require the submission and approval of a fully engineered site plan.

4. Road

a. Curbing shall be required throughout the entire road system. The curb and gutter configuration shall be standard VDOT designs for appropriate conditions.

b. The roads shall be in the approximate location as set forth on the "Slate Hill Proposed Roadway and Development Plan" dated January 20, 2004, prepared by Rife & Wood Architects, attached hereto as Exhibit B. In the event VDOT does not grant permission to construct a portion of the road on the VDOT property as shown on said plan, the approximate road location shall be as set forth on the "Slate Hill Proposed Roadway and Development Plan" dated December 11, 2003, prepared by Rife & Wood Architects, attached hereto as Exhibit C.

c. All parking and vehicular circulation surfaces shall have asphalt top. Base and underlayment shall be as determined by recommendations from geo-technical engineer.

d. Roadway widths shall be a minimum of 24 feet from base of curb to base of curb. Maximum road grade shall be 16%. There shall be no on-street parking allowed.

e. Minimum 5-foot wide concrete sidewalks shall be installed to connect all buildings within Zone 4.

5. Access

a. Petitioner shall make all necessary improvements to Electric Road (Route 419), Valley Avenue and Franklin Road (Route 220) as required by the traffic impact study and by VDOT.

6. Ridgeline

a. Building height shall not exceed 1384' elevation mark in Zone 3 and 1394' elevation mark in Zone 4, and all building elevations shall be shown on the site plan.

7. Utilities

a. All utilities shall be underground from the point of the utility transformer to the interior of the site.

b. Where design parameters allow, all utilities shall share a common trench.

c. Donate minimum 20-foot easements to the public for water and sewer to the boundaries of the property upon approval of the final site development plan.

8. Retaining Walls

a. Height: Maximum of 15 feet.

b. Distance in between walls: Minimum of 4 feet.

c. Color and Texture: Tan, brown, gray, beige, natural color brick, natural stone. Walls shall be textured.

d. Landscaping: One medium sized (5-10 feet @ maturity) shrub for every 12 feet of linear wall. Shrubs shall be a mix of deciduous and evergreen. Shrubs may be grouped together. Landscaping behind retaining walls shall be as indicated by engineering designs for the walls.

e. A Professional Engineer shall design all retaining walls.

9. Landscaping

a. Trees shall be planted along the private entrance road every 30 feet, minimum 2 1/2- inch caliper, 50% native species. Flowering species that are street and urban conditions tolerant shall be utilized.

10. Site Lighting

a. No freestanding light pole, including fixture, shall be more than 22 feet above grade. All exterior lights, including security lighting, shall be down-lit or shielded so as not to directly glare onto adjoining streets or properties. The intensity at adjoining streets or properties shall not exceed 0.5-foot candles.

b. All street lighting shall be designed to complement the architecture of the adjacent buildings.

11. Signage

a. No more than three (3) business signs shall be permitted for each business.

b. Restricted signs: The following signs shall be prohibited: Off-premise signs, portable signs, temporary signs, and changeable copy signs.

c. Signage shall complement the buildings' architectural style. Colors shall be in the range acceptable for buildings.

d. All freestanding signs shall be monument type, shall not exceed 10 feet in height or 12 feet in width and signs shall be channel lit, ground lit or top lit with shielded lamps placed so as to not cast light onto the path of traffic or adjoining properties.

e. All signs shall be complemented, accented and enhanced by landscaping.

f. One monument-type sign shall be allowed on the Route 220 side of the development. The height of the monument sign shall be limited to 25 feet.

12. Parking

a. No gravel parking areas shall be allowed. All surface parking in excess of Roanoke County standards shall be constructed of materials as recommended by the geo-technical engineer.

13. Storm Water Management

a. Outfalls shall be through level spreaders and have a 25-foot riparian buffer as a separation between the discharge point and the concrete culvert. Other design options may be employed if approved by the Roanoke County Engineering Department and VDOT.

b. All drainage ways shall be piped or grass swales. No rip-rap or concrete drainage ways shall be permitted.

c. Detention Requirements: 10-year post development equal to or less than 2-year pre-development and 25-year post equal to or less than 2-year pre-development.

Applicant/Owner: SLATE HILL I, LLC

By *Hunter Smith*
Hunter Smith, Manager

SLATE HILL II, LLC

By *Hunter Smith*
Hunter Smith, Manager

WOODCLIFF INVESTMENTS, LLC

By *Hunter Smith*
Hunter Smith, Manager

Vertical Scale:

Horizontal Scale:

Commission Number:
3101-H

Sheet No.:
C-3

Issue Date:
JAN. 17, 2013

Drawn By: RWA

Designed By: WTA/RWA

Checked By: WTA

Date: 1/17/13

Matthew & Craig
CONSULTING ENGINEERS • SURVEYORS
701 FIRST STREET, S.W.
ROANOKE, VIRGINIA 24016
(540) 345-9342
FAX (540) 345-7691

**RE-ZONING ORDINANCE AND
PROFFERS**

SOUTH PEAK HOTEL
SMITH/PACKETT MED-COM, LLC
ROANOKE COUNTY, VIRGINIA

RECEIVED
JUN 23 2004

SEAL OF THE BOARD OF SUPERVISORS
WILLIAM THOMAS JUSTIN
Lic. No. 00887
1/17/13
PROFESSIONAL

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