



COUNTY OF AUGUSTA
COMMONWEALTH OF VIRGINIA
DEPARTMENT OF COMMUNITY DEVELOPMENT
P.O. BOX 590
COUNTY GOVERNMENT CENTER
VERONA, VA 24482-0590



MEMORANDUM

TO: Augusta County Planning Commission
FROM: Leslie Tate, Planner II
DATE: April 3, 2018
SUBJECT: Regular Meeting

The regular meeting of the Augusta County Planning Commission will be held on **Tuesday, April 10, 2018 at 7:00 p.m.**, at the Augusta County Government Center, in the Main Board Meeting Room, 18 Government Center Lane, Verona, Virginia.

The Planning Commission will meet beginning at **4:30 pm** in the **Board of Supervisors' Conference Room** (behind the Board Meeting Room) at the Augusta County Government Center for a staff briefing and to go on viewings. We will have dinner in the Community Development Conference Room at 6:15.

Attached are the agenda and meeting materials for Tuesday's meeting and the minutes from the March meetings. If you have any questions about any of the material, please feel free to contact me. If you won't be able to attend the meeting, please let Jean or me know as soon as possible.

LT/jm *Leslie*

ADVANCED
AGENDA

Regular Meeting of the Augusta County Planning Commission

Tuesday, April 10, 2018, 7:00 P.M.

1. CALL TO ORDER
2. DETERMINATION OF A QUORUM
3. MINUTES
 - A. Approval of the Called Meeting on March 2, 2018.
 - B. Approval of the Called & Regular Meetings on March 13, 2018
4. PUBLIC HEARINGS
 - A. A request to amend and restate proffers on approximately 28 acres owned by Blue Ridge MHC, LLC % Walter Stone for The Carlyle Group, Inc. located off East Side Highway in Crimora in the Middle River District.
 - B. A request to rezone from General Business and Multi-Family to Multi-Family (with elimination of existing proffers) approximately 9.7 acres owned by V R Associates, Inc. located on the east side of Route 11, Lee Highway, approximately 0.2 miles north of the intersection of Route 11 and Weyers Cave Road (Route 256) in Weyers Cave in the North River District.
 - C. A request to rezone from General Agriculture to Single Family Residential (portion east of East Side Highway) and Rural Residential (portion west of East Side Highway) approximately 46 acres owned by The Fishburne-Hudgins Educational Foundation located directly north of Patrick Mill Lane and Turk Mountain Lane, divided by East Side Highway in Waynesboro in the Middle River District.
 - D. A request to rezone from General Agriculture to Single Family Residential approximately 12.6 acres owned by Garland F Jr. or Melony Easter and Garland F or Evelyn B Easter located on the east side of Old Goose Creek Road (Route 640), approx. 1.04 miles west of the intersection of Old Goose Creek Road and Lifecore Drive (Route 636) in Fishersville in the Wayne District.
5. MATTERS TO BE PRESENTED BY THE PUBLIC
6. NEW BUSINESS
7. OLD BUSINESS
8. MATTERS TO BE PRESENTED BY THE COMMISSION
9. STAFF REPORTS
 - A. Information for Commission – Code of Virginia, Section 15.2-2310 (Board of Zoning Appeals Items)
10. ADJOURNMENT

PRESENT: J. Curd, Chairman
T. Jennings, Vice Chairman
S. Bridge
G. Campbell
L. Howdyshell
K. Leonard
K. Shiflett
Leslie Tate, Planner II & Secretary
John Wilkinson, Director of Community Development
Carolyn Bragg, Board of Supervisor – South River District

VIRGINIA: At the Called Meeting of the Augusta County Planning Commission held on Friday, March 2, at 3:00 p.m. in the Board of Supervisors' Conference Room, Augusta County Government Center, Verona, Virginia.

The Planning Commission assembled in the Augusta County Government Center to discuss an ordinance to amend Chapter 25 of the Augusta County Code to add Article VI.D. Solar energy systems. The proposed ordinance regulates solar energy systems operating as principal land uses.

Mr. Curd called the meeting to order.

Mrs. Tate reviewed with the Commissioners the special use conditions for an approved solar project in Buckingham County. She stated Culpeper County does not have an adopted ordinance for solar projects and are currently working through the process. Rockingham County does have an ordinance for solar energy systems which are permitted through a special use permit with certain supplemental standards in some districts. Mrs. Tate also showed the Commissioners an aerial photograph from a constructed solar project in Southampton County.

Mrs. Tate stated the proposed ordinance allows for a 200' setback from all property lines and a 1000' setback from any property line that is adjacent to a residentially zoned property. She referred to the regulations in the Commissioner's packet for solar energy systems that are in place in Buckingham County as an example for setbacks and buffering. She reiterated that there is a difference between setbacks and buffering.

Mrs. Tate reviewed the draft Special Use Permit conditions for Culpeper County as found in the Commissioner's packet and stated it is similar to Buckingham County's Special Use Permit conditions.

The group discussed the financial feasibility of solar energy systems. The draft ordinance does not have a requirement for a cost economic benefit analysis. Mrs. Tate stated some other localities have included it in their ordinances and it is a way to look at the cost benefit analysis of a project when it is taking land out of farming or other uses.

Mrs. Bragg stated the cost benefit analysis should be a big consideration. The Comprehensive Plan needs to be looked at and focus needs to be on areas that were planned for growth and how those areas will be affected economically if the land is used for solar energy projects. The economic impact for solar energy is not great. Legislators are pushing to make solar farms tax free. The land uses will change once a solar energy farm is developed.

Mr. Howdysshell asked when large scale solar farms are developed, will the State Corporation Commission regulate them and assess the land value and the solar projects.

Mr. Wilkinson stated currently they are taxed as real estate and the tax increase would be associated with the change in land use from agriculture and/or land use to an industrial land use.

Mr. Leonard asked if the value of the solar panels that are on the land is included in taxing or only the value of the land.

Mr. Wilkinson stated there are real estate taxes on all land. Currently there is a taxable option to tax for the value of solar panels on site. Mrs. Bragg thought that such taxation for the value of the panels was currently set at 80% for large solar projects and legislation has been introduced to reduce and/or eliminate the ability to tax the equipment.

Mrs. Tate stated if a solar energy farm was developed in an industrial district, the economic benefit would likely be less than an industrial business would be.

Mr. Leonard stated if the County has invested in infrastructure of an area to get the highest potential return, it doesn't seem solar farms should be an option for that area as an investment. There is no advantage from the County's revenue standpoint to have a solar farm.

Mrs. Shiflett stated most of the parcels in industrial districts are ones that can be served with a minimum of a hardship on the County.

The group discussed setbacks and buffering for solar energy projects and the decommissioning of them. Mrs. Tate reminded the Commissioners of the setback requirements in the draft ordinance. If the required setbacks can be met, a public use overlay will be permitted. If the setback requirements cannot be met, a special exception will need to be applied for with the Board of Supervisors who can waive the required setbacks based on specific criteria.

Mrs. Bragg stated since the County has not had any experience with solar energy systems and the effects of them are unknown, they called for the broader setbacks in the draft

ordinance to take into consideration anything unexpected. The whole county has to be considered and not just part of the county.

Mr. Howdysshell stated he is not for or against solar energy projects but believes the 1000' setback requirement is too extreme and believes the property owner's rights should be taken into consideration. He thinks buffering requirements are more important than setbacks. The solar projects are only going to be developed where the substations are. He stated he does not believe the 3' decommissioning requirement is practical and should be the decision of the property owner. He stated there should be a requirement that the local utility company needs to be notified when a solar energy system is developed and the system be inspected by the utility company to make sure safety standards are being met.

Mr. Leonard stated he believes the larger setbacks are important and should be taken into consideration for neighboring properties.

Mr. Bridge asked if the purpose of the setbacks was for view shed, glare, and noise.

Mrs. Bragg stated the solar systems are very quiet so the setback would be more for the view shed and glare.

Mrs. Shiflett stated she believes there needs to be some modification allowed for setbacks because there are so many different land variations within the county. She agreed that the decommissioning should be the decision of the property owner and that a cost benefit analysis should be required in the ordinance.

Mrs. Tate addressed the safety standard concerns and stated it is being proposed in the draft ordinance that the applicant provide proof of an interconnection agreement for development on properties great than half an acre. Proof of interconnection on properties less than half an acre would not be required.

Mrs. Tate discussed groundwater monitoring. After completing some research, there is no evidence to confirm solar systems will cause any damage to the groundwater. She spoke with Southhampton County and the reason they have it in their draft ordinance is because farming is a big part of their community and there are concerns there could be leaching from the panels that could possibly change the quality of the soils to make farming unviable on the larger acres of land. Also, damage to the panels could possibly create leaching. Also, steel leaching could create higher zinc levels in the soil which may or may not affect crops. Deconstruction of the system should also be taken into consideration and how it will affect groundwater.

Mr. Jennings asked if Mrs. Tate had consulted with DEQ and the Service Authority regarding groundwater monitoring.

Mrs. Tate stated she will make contact with both agencies to get their input regarding groundwater monitoring for solar systems at both the construction stage and the decommissioning stage.

Mrs. Bragg stated the Ordinance Committee suggested groundwater monitoring be required because of the millions of dollars that have been spent on monitoring and protecting the County's water supply and because of the degree of protection already required for the water that goes out of Augusta County.

Tom Anderson with Community Energy Solar in Radnor, PA was present at the meeting and stated he does not believe groundwater monitoring is necessary. Any projects less than 150 megawatts is required to get a permit from DEQ. All divisions within DEQ evaluate the project before the permit is issued. Solar panels have been subjected to hazardous waste leaching testing and no leaching has been found. Leaching of zinc and other metallic components are not recognized as an environmental hazard.

The Commission discussed their desired changes to the draft ordinance. Mr. Leonard stated he agrees with the proposed 1000' setback in residentially zoned districts with the ability to decrease it on a case by case basis. He stated the proposed setbacks in agriculture districts and industrial districts could be decreased to 50', as long as there is no residence on the agriculture property. Mr. Howdysshell stated if the setbacks are reduced in agriculture districts, the County will need to work with VDOT and consider potential road improvements, as a 50' setback may not be enough. He feels the setbacks should be reduced to 200' in all districts with proper buffering. Mrs. Shiflett, Mr. Bridge, Mr. Jennings, and Mr. Campbell stated the proposed setbacks should be reduced to a maximum of 500' in residentially zoned districts, with the ability for the Board of Supervisors to reduce them based upon certain criteria, and a maximum of 100' for other zonings with the ability to reduce. Conditions of the setbacks would be based upon buffering, existing timber, existing uses, and natural topography. They also proposed a cost benefit analysis be provided by the applicant, the de-compaction of soils as part of decommissioning be excluded, and proof of interconnection to the grid be added.

There being no further discussion by the Commission, Mr. Curd adjourned the meeting.

Chairman

Secretary

PRESENT: J. Curd, Chairman
T. Jennings, Vice Chairman
S. Bridge
G. Campbell
L. Howdysshell
K. Leonard
K. Shiflett
J. Wilkinson, Director of Community Development
L. Tate Planner II and Secretary

VIRGINIA: At the Called Meeting of the Augusta County Planning Commission held on Tuesday, March 13, 2018, at 5:15 p.m. in the Board Room, Augusta County Government Center, Verona, Virginia.

Mr. Curd called the meeting to order.

The Planning Commission met to review the ordinance amendments coming before them at the Public Hearing. They had questions and comments regarding the following ordinances:

Ordinance to amend Section 25-77.4 – Lot frontage in general. Exceptions of the Augusta County Code.

Mr. Howdysshell asked if family members can convey property to another family member more than one time.

Mr. Bridge asked if there is more than one property owner for a certain parcel of land, if each property owner could convey property to their own family members.

Mrs. Tate stated property may only be conveyed to a person one time, but a property owner can convey a lot more than one time to their family members, to a sibling or grandparent.

Ordinance to amend Section 25-71.1 – Definitions of the Augusta County Code.

Some discussion ensued concerning the above ground application or storage of sewage sludge which some commissioners wanted to make sure wasn't prohibited by the ordinance amendment.

Staff clarified that the ordinance did not intend to prohibit such use but clarify that additional permits are required.

Mr. Howdysshell suggested the wording "or the above ground application or storage of sewage sludge" be removed from the ordinance.

Mrs. Shiflett agreed that such wording should be removed or clarification should be made that the use is permitted with additional permits.

Ordinance to amend Section 25-20 Utility Lots

Ms. Tate explained the ordinance amendment as a clarification in wording related to local government's inability to prohibit distribution or collection lines regardless of whether or not they are for local service.

Mr. Howdysshell suggested adding the word "transmission" to the ordinance to allow transmission lines, serving the public be permitted in all districts.

Ordinance to amend Section 25-68.7 Bonding & 25-68.8 Removal, maintenance and safety.

Mr. Leonard asked if a bond was secured before a telecommunications tower was built.

Mr. Howdysshell asked if bonding applied to new towers only.

Mrs. Tate stated the bond is secured before a building permit can be issued for the tower. The proposed ordinance will apply to existing towers as well as new towers.

Ordinance to amend Section 25-74R – Short-term rentals, bed and breakfasts and vacation rentals.

Mr. Bridge asked what the difference is in the proposed ordinance and the existing ordinance specifically related to the primary residence condition.

Mrs. Tate explained a similar Special Use Permit ordinance in Rural Residential districts states the owner of record will personally reside in the principal dwelling or accessory dwelling. This amendment will instead state that the owner's primary residence be used for the short-term rental use for clarification.

Ordinance to amend Chapter 25 to add Article VI. D Solar Energy Systems.

Commissioner's asked questions regarding the ability to vary setbacks.

Mrs. Tate stated that after working with the County Attorney, the use would need to be permitted through a Special Use Permit if the Planning Commission would like to recommend the ability for setbacks to be varied on a case by case basis.

PRESENT: J. Curd, Chairman
T. Jennings, Vice Chairman
S. Bridge
G. Campbell
L. Howdysshell
K. Shiflett
J. Wilkinson, Director of Community Development
L. Tate Planner II and Secretary

ABSENT: K. Leonard

VIRGINIA: At the Regular Meeting of the Augusta County Planning Commission held on Tuesday, March 13, 2018, at 7:00 p.m. in the Board Room, Augusta County Government Center, Verona, Virginia.

DETERMINATION OF A QUORUM

Mr. Curd stated as there were six (6) members present, there was a quorum.

MINUTES

Mr. Bridge moved to approve the minutes of the called and regular meetings held on February 13, 2018.

Mr. Howdysshell seconded the motion, which carried unanimously.

An ordinance to amend Section 25-77.4. Lot frontage in general. Exceptions of the Augusta County Code. To add stepchild, sibling, and grandparent as members of the immediate family to which a grantor may convey a lot that does not have frontage on a public street, provided the conditions of Section 25-77.4.B. are met.

Mrs. Tate explained the ordinance. She stated the ordinance currently defines members of the immediate family as adopted child, grandchild, spouse, or parent. The proposed amendment adds stepchild, sibling and grandparent as members of the immediate family to which a grantor may convey a lot without such lot having frontage on a public street. The ordinance will also bring County code into compliance with definition from the State Code.

There being no questions from the Commissioners, Mr. Curd opened the Public Hearing.

There being no one to speak in favor of or against the request, Mr. Curd closed the Public Hearing.

Mrs. Shiflett moved to recommend approval of the ordinance as written.

Mr. Bridge seconded the motion, which carried unanimously.

An ordinance to amend Section 25-71.1. Definitions of the Augusta County Code.
To clarify that an agricultural operation is any operation devoted to the bona fide production of crops, animals, or fowl including the production of fruits and vegetables of all kinds; meat, dairy, and poultry products; nuts, tobacco, nursery, and floral products; and the production and harvest of products from silviculture activity; but shall not include the processing of agricultural or silvicultural products or the above ground application or storage of sewage sludge.

Mrs. Tate explained the ordinance amendment as a clarification that the further processing of agricultural or silvicultural products or the above ground application or storage of sewage sludge is not a use permitted by-right in General Agriculture districts. Mrs. Tate stated the proposed ordinance will be in compliance with the State definition of an agricultural operation.

There being no questions from the Commissioners, Mr. Curd opened the Public Hearing.

There being no one to speak in favor of or against the request, Mr. Curd closed the Public Hearing.

Mr. Howdysshell asked if clarification should be made that the above ground application or storage of sewage sludge is permitted by permit only or if that phrase should be removed from the definition.

Mrs. Shiflett moved to recommend the wording "or the above ground application or storage of sewage sludge" be removed from the ordinance.

Mr. Howdysshell seconded the motion, which carried unanimously.

An ordinance to amend Section 25-33 Design and construction standards of the Augusta County Code. To reference compliance with Chapter 9. Environment for parking facilities.

Mrs. Tate explained the ordinance amendment references the correct regulations for stormwater and erosion and sediment control for off-street parking facilities. Mrs. Tate stated it is a housekeeping matter to change the reference from Chapter 18, which no longer exists, to Chapter 9.

There being no questions from the Commissioners, Mr. Curd opened the Public Hearing.

There being no one to speak in favor of or against the request, Mr. Curd closed the Public Hearing.

Mr. Bridge moved to recommend approval of the amendment as written.

Mr. Campbell seconded the motion, which carried unanimously.

An ordinance to amend Section 25-673. Site plan contents of the Augusta County Code. To reference compliance with Chapter 9 Environment.

Mrs. Tate stated that this amendment is correcting the reference to the correct regulations for stormwater and erosion and sediment control for the site plan contents required. Mrs. Tate stated that this is a housekeeping matter that changes the reference from Chapter Chapter 9 "Stormwater and Erosion Sediment Control" to the new Chapter 9 titled "Environment."

There being no questions from the Commissioners, Mr. Curd opened the Public Hearing.

There being no one to speak in favor of or against the request, Mr. Curd closed the Public Hearing.

Mr. Jennings moved to recommend approval of the amendment as written.

Mr. Bridge seconded the motion, which carried unanimously.

An ordinance to amend Section 25-20 Utility lots of the Augusta County Code. To clarify that public utility distribution and collection lines for the furnishing of utility services to the public, rather than specifically for local service, shall be permitted in all districts.

Mrs. Tate explained the request as presented on PowerPoint. She read the current language of the ordinance and the proposed amendment language which clarifies that public utility distribution and collections lines, whether or not specifically for local service, shall be permitted in all districts.

There being no questions from the Commissioners, Mr. Curd opened the Public Hearing.

There being no one to speak in favor of or against the request, Mr. Curd closed the Public Hearing.

Mr. Howdysshell moved to recommend approval of the amendment with the addition of the word "transmission" added to the amendment for the furnishing of utility services.

Mr. Jennings seconded the motion, which carried unanimously.

An ordinance to amend Section 25-68.7 Bonding and 25-68.8 Removal, maintenance and safety of the Augusta County Code. To clarify removal of telecommunications facilities, including the concrete pad is required to a depth of at least three feet below grade.

Mrs. Tate stated the current ordinance requires all equipment including the concrete pad be completely removed once the facility is no longer needed. The proposed amendment will require the concrete pad be removed to a depth of at least three feet below grade. Ms. Tate stated that the ordinance amendment still meets the intention of reclaiming the land for another use after the telecommunications facility is decommissioned.

There being no questions from the Commissioners, Mr. Curd opened the Public Hearing.

There being no one to speak in favor of or against the request, Mr. Curd closed the Public Hearing.

Mr. Howdysshell moved to recommend approval of the amendment as written.

Mr. Bridge seconded the motion, which carried unanimously.

An ordinance to amend Section 25-74.H Public accommodation facilities of the Augusta County Code. To remove bed and breakfasts, tourist homes, restaurants and cafes, special event facilities, meeting places, boarding houses and residential care facilities from the public accommodation facilities permitted in agriculture zones by Special Use Permit, revise direct access condition, create additional conditions for traffic flow, compatibility with neighboring properties, reasonable limitations on enlargement unless determined compatible with neighboring properties, evidence of connection to public sewer or approval by the Virginia Department of Health, and protections for fire, environmental and other hazards.

Mrs. Tate explained that the amendment removes several uses currently listed under public accommodation facilities, which is a Special Use Permit category in General Agriculture districts, and creates standalone categories for such uses to be permitted by Special Use Permit.

Mrs. Tate listed the uses being removed from the category and read the wording revision to the direct access condition, stating that frontage on a state maintained road as well as frontage on a legal right of way would satisfy this condition if VDOT approved of the intersection of the legal right of way and the state maintained road. Mrs. Tate summarized the other conditions being added to this Special Use Permit category as presented on PowerPoint.

There being no questions from the Commissioners, Mr. Curd opened the Public Hearing.

There being no one to speak in favor of or against the request, Mr. Curd closed the Public Hearing.

Mr. Campbell moved to recommend approval of the amendment as written.

Mr. Jennings seconded the motion, which carried unanimously.

An ordinance to amend Section 25-74.I Limited business and industries in agriculture zones of the Augusta County Code. To add restaurants and cafes to the list of limited business and industries permitted in agriculture zones by Special Use Permit, revise direct access condition, eliminate condition that the use be a substantial benefit to neighboring properties, and add reference to the Virginia Department of Health for sewer condition.

Mrs. Tate explained the amendment as presented on PowerPoint. Mrs. Tate stated that "Limited business and industries in agriculture zones" is an existing Special Use Permit category in General Agriculture districts. Ms. Tate stated that this amendment is adding restaurants and cafes to this category, revising the direct access condition as was discussed with the previously considered ordinance amendment. Mrs. Tate stated that the amendment removes the condition that the use be a substantial benefit to neighboring properties as such a condition is subjective and difficult to assess.

There being no questions from the Commissioners, Mr. Curd opened the Public Hearing.

There being no one to speak in favor of or against the request, Mr. Curd closed the Public Hearing.

Mr. Jennings moved to recommend approval of the amendment as written.

Mrs. Shiflett seconded the motion, which carried unanimously.

An ordinance to add Section 25-74.R Short-term rentals, bed and breakfasts, and vacation rentals to the Augusta County Code. To create a separate category for such uses to be permitted in agriculture zones by Special Use Permit with the following conditions: there shall be no more than 1 principal dwelling or part thereof, operating as

such use per parcel; there shall be no more than 1 accessory unit operating as such use per parcel; the lot is at least 5 acres in area unless determined that a smaller acreage will be compatible with neighboring properties; the owner of record's primary residence is the principal dwelling or accessory; building inspection department approval; Virginia Department of Health approval if not connected to public sewer; and all parking shall be accommodated on-site.

Mrs. Tate explained that this amendment adds a separate Special Use Permit category within General Agriculture districts for short-term rentals, bed and breakfasts and vacation rentals. Mrs. Tate stated that bed and breakfasts in the current ordinance are under the public accommodations category and this amendment places such use into a standalone category and adds conditions as described that more accurately pertain to the impacts of such a use. Mrs. Tate summarized the conditions as presented in the commissioner's packets.

There being no questions from the Commissioners, Mr. Curd opened the Public Hearing.

There being no one to speak in favor of or against the request, Mr. Curd closed the Public Hearing.

Mr. Howdysshell moved to recommend approval of the ordinance as written.

Mr. Bridge seconded the motion, which carried unanimously.

An ordinance to add Section 25-74.S Residential care facilities to the Augusta County Code. To create a separate category for such use to be permitted in agriculture zones by Special Use Permit with the following conditions: appropriate for agriculture areas, compatible with neighboring properties, will not result in a concentration of businesses, frontage on a state maintained road or approval by VDOT of the intersection of a legal right of way and the state maintained road, pre-existing structures to be utilized unless new construction determined compatible with neighboring properties, reasonable limitation on expansions unless determined compatible with neighboring properties, Virginia Department of Health approval if not connected to public sewer, adequate provisions for protection of fire, environmental and other hazards, and if applicable, compliance with state, federal, local licensing and/or regulations.

Mrs. Tate explained the amendment as the addition of a standalone category for "residential care facilities" to be permitted by Special Use Permit in General Agriculture districts. Mrs. Tate summarized the conditions as presented in the commissioner's packets.

There being no questions from the Commissioners, Mr. Curd opened the Public Hearing.

There being no one to speak in favor of or against the request, Mr. Curd closed the Public Hearing.

Mr. Jennings moved to recommend approval of the ordinance as written.

Mrs. Shiflett seconded the motion, which carried unanimously.

An ordinance to add Section 25-74.T Special event facilities and meeting places to the Augusta County Code. To create a separate category for such use to be permitted in agriculture zones by Special Use Permit with the following conditions: appropriate for agriculture areas, compatible with neighboring properties, will not result in a concentration of businesses, frontage on a state maintained road or approval by VDOT of the intersection of a legal right of way and the state maintained road, pre-existing structures to be utilized unless new construction determined compatible with neighboring properties, reasonable limitation on expansions unless determined compatible with neighboring properties, Virginia Department of Health approval if not connected to public sewer, and adequate provisions for protection of fire, environmental and other hazards.

Mrs. Tate explained the amendment as the addition of a standalone category for "special event facilities and meeting places" to be permitted by Special Use Permit in General Agriculture districts. Mrs. Tate summarized the conditions as presented in the commissioner's packets.

There being no questions from the Commissioners, Mr. Curd opened the Public Hearing.

There being no one to speak in favor of or against the request, Mr. Curd closed the Public Hearing.

Mrs. Shiflett moved to recommend approval of the ordinance as written.

Mr. Campbell seconded the motion, which carried unanimously.

New Business

Inclement Weather and Regular Meeting Revised Resolution

Mrs. Tate explained the revision to the resolution is to correct some inconsistencies in State Code referenced. She stated that staff briefings and visits to rezoning sites may occur before the regular public hearing meeting. The staff briefings and site visits, which are open to the public, will be advertised in accordance with State Code 2.2-3707 and is the advertisement requirement for all public bodies such as the Planning Commission. The scheduling of worksessions will be in accordance with 15.2-2214 of the Code of Virginia which requires either the chairman or two members of the Planning Commission to request a special worksession meeting. Upon that request, the secretary will provide written notification to each Planning Commission member of the meeting. If a worksession is scheduled during a regular meeting, written notification would not be required. Ms. Tate

recommended the commissioner's approve the revised resolution that would be placed in the newspaper.

Mr. Bridge moved to adopt the revised resolution.

Mr. Howdysshell seconded the motion, which carried unanimously.

Old Business

An ordinance to amend Chapter 25 of the Augusta County Code to add Article VI.D. Solar energy systems. The proposed ordinance regulates solar energy systems operating as principal land uses.

Mrs. Tate stated revisions to the staff report were made based on the discussion by the Planning Commission at the February meeting and the worksession held on March 2nd. Mrs. Tate summarized the various discussion points/potential recommendations as outlined in the staff report.

She stated she has reached out to the Augusta County Service Authority and DEQ regarding ground water monitoring and has not received any comments from them.

Mr. Bridge asked why a cost benefit analysis would be required for solar energy systems.

Mrs. Tate stated in reviewing policies of other localities, the cost benefit analysis was helpful in determining what some of the economic benefits of the use would be to the County and the taxpayer, especially when it relates to taking land out of farming use or taking land the County has designated to be developed for industrial use.

After much discussion by the Commissioner's on whether or not to have established setbacks, whether solar energy systems should be permitted by Public Use Overlay or Special Use Permit, and whether the request be heard by and approval or denial be made by, the Board of Zoning Appeals or the Board of Supervisors, the following recommendation was made:

Mrs. Shiflett moved to recommend approval of the ordinance as written with the following changes:

1. Add a requirement for applicant to provide a cost benefit analysis.
2. Take out requirement for de-compaction of soils.
3. Add requirement for applicant to provide proof of interconnection agreement with utility company to which they are supplying power.
4. For large solar energy systems, permit through the Special Use Permit process to be heard by the Board of Supervisors, requiring a 50' minimum setback from all property lines (ability for the Board of Supervisors to increase on a case by case basis) with required buffering as mandated in *Section 25-70.6 #G – Buffering* for adjacent parcels zoned residentially or along a public right of way.
5. Groundwater monitoring requirement be removed.

Mr. Howdysshell seconded the motion, which carried unanimously.

STAFF REPORTS

A. CODE OF VIRGINIA – SECTION 15.2-2310

Mrs. Tate reviewed with the Commissioners the requests coming before the BZA at the April meeting.

The Planning Commission took no action on the BZA items.

There being no further business to come before the Commission, the meeting was adjourned.

Chairman

Secretary

**COUNTY OF AUGUSTA
STAFF REPORT
BLUE RIDGE MHC, LLC
April 10, 2018**

SUMMARY OF REQUEST: A request to amend and restate proffers on approximately .28 acres owned by Blue Ridge MHC, LLC. The property is located on the east side of East Side Highway, (Rt. 340) in the Middle River District.

EXISTING PROFFERS:

1. Limit the number of home spaces to the existing sixty (60) spaces until Augusta County Service Authority sewer becomes available. At such time as public sewer is available, expansion would be limited to one-hundred (100) spaces as per original permit.
2. A site plan of the entire park will be submitted to the Department of Community Development within sixty (60) days of rezoning approval showing the actual distances between homes which are twelve (12) feet or less apart or which have accessory uses or buildings eight (8) feet or less apart.
3. Implementation of the recommendations of the Director of Parks and Recreation as outlined in his memorandum dated March 8, 1993, by October 1, 1993.

PROPOSED PROFFERS:

1. Limit the number of home spaces to seventy-four (74) spaces until Augusta County Service Authority sewer becomes available. At such time as public sewer is available, expansion would be limited to one-hundred (100) spaces as per original permit. Limit of one-hundred (100) spaces to include portion of TMP 049-61 which was part of the original rezoning application.
2. A site plan of the entire park will be submitted to the Department of Community Development within sixty (60) days of rezoning approval.

VICINITY ZONING: Manufactured Home Park to the North. General Agriculture zoning to the North, East, South and West.

PREVIOUS ZONING: Manufactured Home Park

COMPREHENSIVE PLAN PLANNING POLICY AREA/FUTURE LAND USE DESIGNATION: Community Development Area/Multi-Family Residential

SOILS: Not applicable.

COMMENTS FROM ENGINEER: Existing site plans show only the currently permitted 60 lots. Most any development of the property will potentially increase stormwater discharge. Stormwater management for the additional lots must be addressed per the provisions of the Augusta County Stormwater Ordinance.

Use of water quality protection measures listed in either the Virginia Stormwater Management Handbook or through the Virginia Stormwater Management BMP Clearinghouse will be required for the newly developed portion of the site. With respect to water quantity, all points of discharge must comply with the Adequate Channel provisions of 9VAC25-840-40 subdivision 19.

The applicant is advised to contact the U.S. Army Corps of Engineers and the Virginia Department of Environmental Quality for any requirements related to proposed work in wetland areas or adjacent to any streams.

This property drains to South River which is listed on the Virginia DEQ Draft 2016 Impaired Waters List. This impaired segment extends from its confluence with Stony Run downstream to its confluence with the North River. The impaired uses are aquatic life, recreation and fish consumption, the specific impairments are violations of the general standard for benthics, E. coli, fecal coliform bacteria and mercury in fish tissue. The sources are municipal (Urbanized High Density Area) for the benthics impairment, agriculture, non-point sources and wildlife other than waterfowl for the bacterial impairments and contaminated sediment for the mercury impairment. Numerous TMDLs have been approved for this segment for each of the impairments and must be considered by the applicant.

B32R-02-BAC (4A) TMDL ID # 38140
B32R-02-HG (4A) numerous TMDLs
B32R-01-BEN (4A) TMDL ID # 38138 & 38139

Additionally, the 2007 Augusta County Comprehensive Plan lists the South River – Paine Run watershed as a Priority Watershed for Groundwater Protection due to the presence of karst features and the location of Source Water Assessment Program zones.

This property lies outside of the Airport Overlay District (APO).

This property lies within Zone X on the FEMA FIRM and therefore is outside the Special Flood Hazard Area.

Natural Resources Recommendations from the Comprehensive Plan

The 2007 Augusta County Comprehensive Plan recommends performance standards to protect natural resources. For Community Development Areas, a

riparian buffer of 35 feet on either side of a stream is encouraged, and stormwater should not be piped through in a manner to short-cut the buffer. Additionally, floodplain areas should have no habitable structures, but should instead be utilized for greenways & recreation areas.

Portions of the site may contain slopes in excess of 25%. In Community Development Areas, the Comprehensive Plan recommends avoidance of slopes >25%, especially associated with stream valleys.

Wetlands may or may not exist on the site. For Wetland areas, the Comprehensive Plan recommends provision of a 35 foot buffer from the edge of wetlands.

COMMENTS FROM ZONING ADMINISTRATOR: The Department of Environmental Quality has approved using the existing lagoon for fourteen (14) additional homes at the park. Zoning does not feel that amending the proffers to allow an additional fourteen (14) home sites would have an adverse impact on any of the neighboring properties and recommends approval.

COMMENTS FROM ACSA: There is no public water or sewer available in the area of the subject property (located outside the Urban Service Area). For general information, the nearest publicly owned sewer is approximately 1.5 miles to the south along Rt. 340 (near the Vesper View Subdivision).

COMMENTS FROM HEALTH DEPARTMENT: There are no objections to this request.

COMMENTS FROM FIRE-RESCUE: This request will have little to no impact on service delivery. Fire-Rescue would like to see improvements to fire flow in the area.

TRAFFIC:

Rt. 340 East Side Hwy

- AADT: 5,300 vpd (2016)
- Posted Speed Limit: 55 mph
- K-Factor: 0.0953
- Dir. Factor: 0.5122
- Functional Classification: Minor Arterial

COMMENTS FROM VDOT: The additional manufactured homes will utilize the existing commercial entrance on Rt. 340. The existing entrance configuration may be reviewed during site plan review to determine if it needs to be reconfigured to meet current geometric requirements.

Schools: Enrollment as of February 8, 2018

School	Program Capacity	Current Enrollment
Cassell Elementary	750	694
Wilson Middle	750	620
Wilson High	900	766

School Board Staff Comments: The request for a change of approximately 27.9 acres from Manufactured Home Park to allow 14 additional home sites on the current wastewater treatment system would have little to no impact on these three (3) schools.

COMMUNITY DEVELOPMENT STAFF RECOMMENDATION: Based on the approval letter from the Virginia Department of Environmental Quality, staff recommends approval of the request to amend and restate the proffers to permit an additional 14 units on the current wastewater treatment system.

Blue Ridge MHC, LLC % Walter Stone for The Carlyle Group, Inc.



December 12, 2017

Mr. John Wilkinson: jwilkinson@co.augusta.va.us
Director, Augusta County Community Development
P.O. Box 590 | 18 Government Center Lane
Verona, VA 24482

SUBJECT: Blue Ridge Manufactured Home Community BE: 2601

Mr. Wilkinson,

Earlier in the year, a meeting was held at your office with you and Gerald Garber, the supervisor of Middle River District, to discuss adding more units to the Blue Ride Manufactured Home Park (MHP) in Augusta County. It was concluded that before any discussion of adding additional units could be considered, it needed to be clear that the existing wastewater treatment plant could handle adequately the increase sewage without requiring improvements or upgrades.


As an engineer, I evaluated the increased plant's ability to handle the increased volume. However, since I was working for the owners of the MHP, I thought the County would place more credence on the evaluation if DEQ agreed with my conclusion. Therefore, I contacted, Brandon Kiracofe, the Regional Water Permits and Compliance Manager with DEQ, and asked him to review my evaluation. He agreed but also wanted the original design engineering firm to evaluate the capacity and capability of the plant to handle the increased flow from the additional units. Culpeper Engineering, PC was contacted and provided Mr. Kiracofe the required information. (see attached letter from Culpeper Engineering to Mr. Kiracofe.)

Also, attached is a copy of the letter from Mr. Kiracofe to Matthew Rayner, stating that DEQ has no objections to adding units at the Blue Ridge MHP.

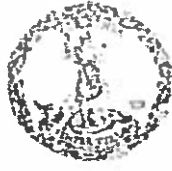
Based on this information, the owners, The Carlyle Group, here by request that the County now formally consider allowing 14 units to be added to the Blue Ridge MHP. Representatives of the Carlyle Group will be pleased to meet with you and the Supervisors at your convenience.

Thank you for considering this request and look forward to hearing from you.

Cordially,


Richard L. Blackwell, Jr., P.E.
Civil Engineer

Cc: Howard Fuhrman: howard@lacarlyle.com Kayla Metcalf: blackrock@mhcmail.com
Matthew Raynor: Tarmatt@aol.com Jimmy Russell: jdr@vbsmortgage.com



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

VALLEY REGIONAL OFFICE

P.O. Box 3000, Harrisonburg, Virginia 22801
(540) 574-7800 Fax (540) 574-7878

Physical Address: 4411 Early Road, Harrisonburg, VA
www.deq.virginia.gov

Molly Joseph Ward,
Secretary of Natural Resources

David K. Paylor
Director

Amy Thatcher Owens
Regional Director

December 8, 2017

By Email (Tarmatt@aol.com)

Matthew E. Raynor
Blue Ridge MHC, LLC

Re: VPDES Permit No. VA0088943, Blue Ridge MHC, LLC

Dear Mr. Raynor,

The design flow of the wastewater treatment plant serving Blue Ridge MHC, LLC is 0.018 MGD as specified in VPDES Permit No. VA0088943. Culpeper Engineering, P.C. assessed the existing wastewater treatment plant's ability to treat the wastewater generated from an additional 14 residential units. In letters dated November 7, 2017 and November 22, 2017, Culpeper Engineering, P.C. presented information indicating that the wastewater treatment plant appears to have the capacity and capability to serve 14 additional residential units. Based on this information, DEQ has no objection to the wastewater from the 14 additional residential units being conveyed to the existing wastewater treatment plant for treatment and discharge in accordance with VPDES Permit No. VA0088942.

This notification does not relieve you of your responsibility to:

1. Operate the facility in a manner to consistently meet the facility's performance requirements;
2. Correct design and/or operation deficiencies; or
3. Comply with all other applicable laws and regulations.

If you have questions, please contact me at 540-574-7892 or brandon.kiracofe@deq.virginia.gov.

Sincerely,

Brandon D. Kiracofe
Regional Water Permits & Compliance Manager

cc: Becky Tolliver – Culpeper Engineering, P.C. (culpeng@gemlink.com)
ECM – VA0088943

CULPEPER ENGINEERING, P.C.
P.O. BOX 733
LOCUST GROVE, VIRGINIA 22508
PHONE: 540 423-9706
FAX: 540 423-1534

November 7, 2017

Brandon Kiracofe
 Department of Environmental Quality
 Valley Regional Office
 P.O. Box 3000
 Harrisonburg, VA 22801-9519

Re: Blue Ridge MHC, LLC – Permit No. VA0088943

Dear Mr. Kiracofe,

At the request of Mr. Matthew Raynor, I have reviewed the monitoring history of the Blue Ridge MHC LLC Wastewater Treatment Plant to assess the facility's ability to treat the wastewater generated from an additional 14 residential units in the existing wastewater facilities.

Blue Ridge MHC, LLC WWTP is permitted by VPDES VA0088943. The permit details limitations and criteria for the facility

Permit No. VA0088943
 Part I
 Page 1 of 7

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. During the period beginning with the permit's effective date and ending with the permit's expiration date, or until the issuance of the Construction Operations Plan (COP) for the 00110500 facility, whichever occurs first, the permittee is authorized to discharge from Permit 001.

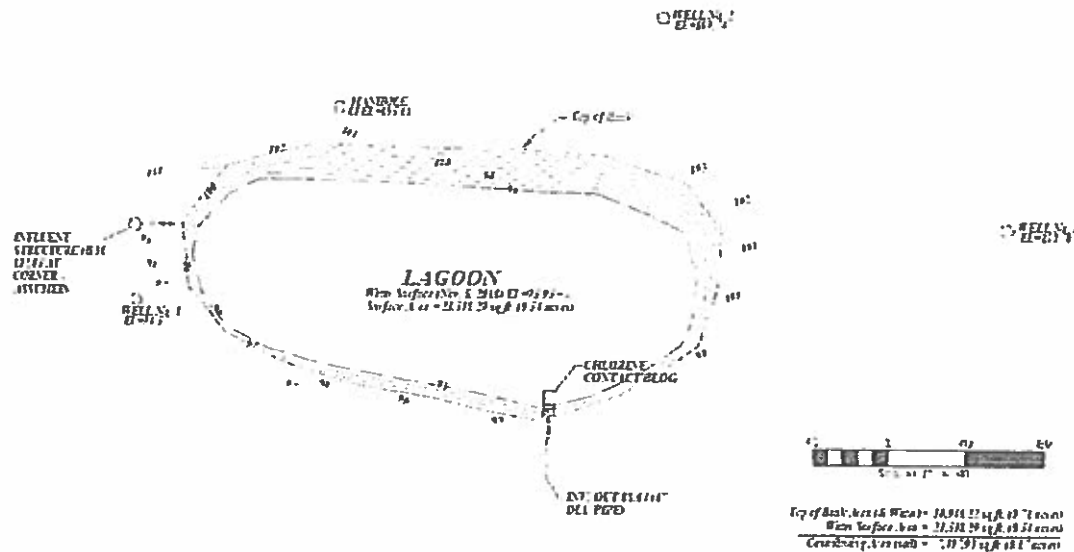
The discharge shall be limited and controlled as specified below.

RECEIVING CHARACTERISTICS	DISCHARGE LIMITATIONS				MONITORING FREQUENCY	
	Monthly Average	Weekly Average	Minimum	Maximum	Frequency	Sample Type
Flow (MGD) ^a	NA	NA	NA	NA	1 Day	Instant
pH (unadjusted)	NA	NA	6.5	9.5	1 Day	Grab
BOD ₅ ^b	10 mg/L	10 kg/d	05 mg/L	11 kg/d	1 Month	Grab
Total Suspended Solids ^c	10 mg/L	10 kg/d	05 mg/L	11 kg/d	1 Month	Grab
E. coli (FC 101 mL) ^d	120	NA	NA	NA	1 Month in any month of each calendar year (6 or less samples)	Grab
Total Phosphorus (TP) (mg/L) ^e	1.0	2.4	NA	NA	1 Day	Grab
Total Phosphorus (mg/L) ^f	NA	NA	NA	NA	1 Month	Grab
Total Phosphorus - Total Phosphorus (mg/L) ^g	NA	NA	NA	NA	1 Month	Grab
Total Phosphorus - Calcium Phosphate (mg/L) ^h	NA	NA	NA	12.9	1 Year	Grab
TSS (mg/L) ⁱ	NA	NA	NA	NA	1 Year	Grab
Ammonia-Nitrogen (mg/L) ^j	NA	NA	NA	NA	1 Year	Grab
Total Nitrogen (mg/L) ^k	NA	NA	NA	NA	1 Year	Grab

NA = No Limitation, monitoring required. NA = Not Applicable.
 1 Month in any month of each calendar year = 1 sample taken, which is less than 1 sample taken each calendar month in any calendar month of each year and reported each the DM2 & 1 January 15th of each year.
 1 Year = Annual sampling with the results reported with the DM2 & 1 January 15th of each year.
 a. The design flow of this treatment facility is 0.011 MG/D. See Part D.1 for additional requirements related to facility flow.
 b. See Part E.B for discharge requirements.
 c. See Part E.C for additional monitoring and reporting instructions.
 d. At least 15% removal for E. coli, and TSS shall be required for this discharge.
 e. Total Phosphorus, which is the sum of TP2⁺ and Ammonia-Nitrogen, shall be derived from the results of 15 samples.
 f. This shall be no discharge of Calcium hydroxide or other such materials.

The Blue Ridge MHP WWTP has not had a concern with effluent flows being at/above the monthly average permitted limit of 0.018 MGD. Monthly average flows are generally in the 8,000 to 10,000 gpd range. Peak days may occur (facility is a lagoon); however it is not anticipated the addition of 14 units will result in monthly average flows approaching the permit's design flow of 18,000 gpd. The addition of 14 units is a 25% increase in connections; sewage flows should increase by 25%. A 25% flow increase should not result in monthly average flows exceeding design flow.

The treatment facility is a wastewater lagoon. The facility includes: headworks, treatment with two installed aerators, chlorination, flow monitoring and final discharge. There are groundwater monitoring wells associated with the treatment lagoon. The facility is depicted:



The Blue Ridge lagoon has a favorable compliance history. The facility may occasionally experience a permit limitation exceedance; however, there is no history of chronic nor prolonged concerns. The prior 12 months data review indicated there was a BOD concern during, July, 2017, however the following month the BOD was reported as <QL; the period did not have a TSS concern. Effluent pH is routinely within the allowed range. The facility disinfection is by chlorination; the facility monitors one month/year (weekly samples during monitoring month) to verify compliance with the e.coli limitation which is a geometric mean of 126#/100 ml.

The facility has an annual total phosphorus loading limit of 82.9 KG/Yr. The limit is imposed based on a South River TMDL. Based on prior, monthly phosphorus monitoring results and determined annual loadings, the increased flow and phosphorus loading projected, should not result in an exceedance of the annual TP loading limitation.

Based on facility historic flows and compliance monitoring history, there is no indication the additional connections will result in the treatment facility not having the capacity or capability to managed additional flow. As with all biological systems, conditions should be monitored to assure the facility adjusts to changes. The facility should be proactive in its operation and maintenance of the sewer system and endeavor to manage system components to minimize environmental impact. All new sewer users should be advised regarding acceptable wastes; and there should be an ongoing outreach program regarding proper management of fats, oil and grease (FOG).

The Blue Ridge MHC lagoon appears to have the capacity and capability to serve the proposed additional fourteen units. If there are any questions or if you require additional information, please do not hesitate to contact me.

Sincerely,



Rebecca S. Tolliver, P.E.

cc: Matthew Raynor

CULPEPER ENGINEERING, P.C.
P.O. BOX 733
LOCUST GROVE, VIRGINIA 22508
PHONE: 540 423-9706
FAX: 540 423-1534

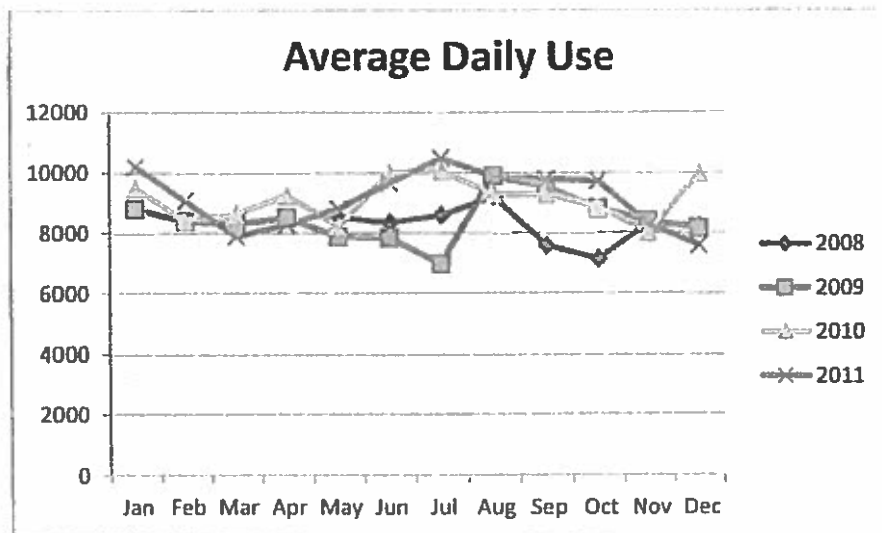
November 22, 2017

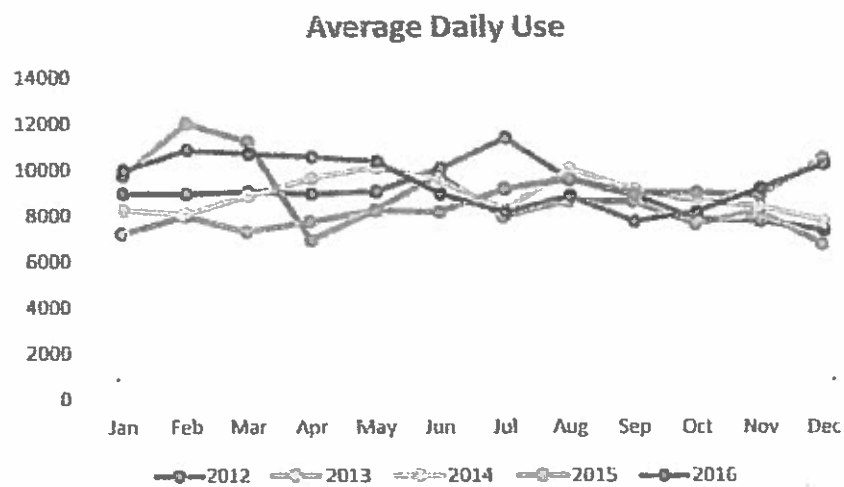
Brandon Kiracofe
Department of Environmental Quality
Valley Regional Office
P.O. Box 3000
Harrisonburg, VA 22801-9519

Re: Blue Ridge MHC, LLC – Permit No. VA0088943

Dear Mr. Kiracofe,

As we discussed, I am providing you some additional data regarding the Blue Ridge MHP. Water use is routinely monitored at the facility. Below are two charts which show average daily water use at the park. The charts include 2008 through 2011 and 2012 through 2016. A summary of average daily use is also provided for reference.





AVERAGE DAILY WATER UE

Month:	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
2008					8548	8356	8600	9220	7587	7152	8326	8231
2009	8803	8386	8311	8523	7889	7852	6996	9903	9543	8819	8410	8168
2010	9516	8443	8652	9257	8248	10013	10061	9303	9280	8884	8007	9990
2011	10206	9075	7894	8293	8816	9663	10490	9887	9800	9732	8293	7600
2012	8986	8967	9049	8971	9057	10051	11386	9577	8889	7829	7746	7354
2013	7189	7960	7277	7712	8200	9750	7936	8612	8602	7598	8146	6721
2014	8229	8052	8857	9640	10085	9529	8229	10025	9118	8624	8395	7755
2015	9768	12011	11221	6907	8204	8148	9171	9564	8971	8999	8893	10471
2016	9986	10864	10696	10571	10362	8949	8164	8856	7733	8186	9182	10236
Ave	9085	9220	8995	8734	8823	9146	9004	9439	8836	8425	8378	8503

Water use at the facility tends to peak during extremely cold periods and during the warmer summer months. Overall historic water use averages slightly less than 9,000 gpd. The facility tracks water use per unit; a review of the water supply data indicated occupied units are generally reported to be 56 to 58 units and the park tends to operate near capacity.

For the 2012 to 2016 period, the use per unit average was consistently below 200 GPDU.

	Gallons/D/Unit - Blue Ridge		
	Ave	Max	Min
2012	158.11	209.77	92.33
2013	142.67	280.87	103.32
2014	163.51	192.35	130.36
2015	166.26	292.86	114.29
2016	169.78	210.97	130.87

It may be assumed that ~ 85% of water use results in influent wastewater flow (determined during prior flow study). The current water supply use at the facility generates influent flows well below the facility capacity. The Blue Ridge MHC lagoon appears to have the capacity and capability to serve the proposed additional fourteen units.

Discharge flows at the facility are metered (the Greyline ultrasonic meter was installed 3-1-11). The facility may experience peak days (generally related to precipitation events) however monthly average flows continue to be below the facility capacity of 0.018 MGD

Monthly average daily flows are generally in the 8,000 to 10,000 gpd range. Peak days may occur (facility is a lagoon); however it is not anticipated the addition of 14 units will result in monthly average flows approaching the permit's design flow of 18,000 gpd.

Sincerely,



Rebecca S. Tolliver, P.E.

cc: Matthew Raynor

**COUNTY OF AUGUSTA
STAFF REPORT
V R ASSOCIATES
April 10, 2018**

SUMMARY OF REQUEST: A request to rezone approximately 9.7 acres owned by V R Associates from Multi-Family Residential and General Business to Multi-Family Residential. The property is located on the east side of Lee Highway, (Rt. 11) and approximately 0.2 of a mile north of the intersection with Lee Highway (Rt. 11) and Weyers Cave Road (Rt. 256) in Weyers Cave in the North River District.

EXISTING PROFFERS:

1. If at the time of development 19-147A is zoned General Agriculture, a buffer consisting of a ten foot wide strip of land with a six foot opaque, vinyl privacy fence will be constructed along the adjacent property line of the business portion of the property.
2. The intersection of Route 11 and the proposed connector street as shown on the rezoning exhibit prepared by Hamrick Engineering has been designed to accommodate up to 250 vehicles per day at the peak hour. Once that capacity has been reached based on the ITE traffic generation rates, additional transportation improvements may be needed. Therefore, once the capacity has been reached and prior to the approval of any building permit for any building accessing Route 11 through this property, the developer shall submit to Augusta County and VDOT, for review and approval, additional traffic analysis, projecting the additional vehicle trips to be generated by any development on the business property and taking into consideration any remaining undeveloped portions accessing Route 11 through this property. In addition, prior to the issuance of said building permits the Applicant or his successors or assigns shall construct or bond any and all road improvements, as required by the findings of the additional traffic analysis.
3. Prior to the issuance of a building permit for the 101st residential unit on the multi-family portion A shown on the rezoning exhibit accessing Route 11 through the property or any development on the business property, Dharti Street will be constructed through the property extending to the boundary line with parcel 19-116.
4. As part of site plan approval for any development on the property sufficient right-of-way and access to a public street will be provided and constructed to parcel 19-147A.

PROPOSED PROFFERS: N/A – request eliminates existing proffers

VICINITY ZONING: General Agriculture to the north, Multi-Family to the east, General Business & General Agriculture to the south and General Agriculture to the west.

PREVIOUS ZONING: Multi-Family (2011), General Business (2011)

COMPREHENSIVE PLAN PLANNING POLICY AREA/FUTURE LAND USE DESIGNATION: Urban Service Area/Mixed Use

SOILS: Not applicable.

COMMENTS FROM ENGINEER: Rezoning from General Business to Multi Family is not expected to significantly affect stormwater runoff. Most any development of the property will potentially increase stormwater discharge. Stormwater management must be addressed per the provisions of the Augusta County Stormwater Ordinance.

Use of water quality protection measures listed in either the Virginia Stormwater Management Handbook or through the Virginia Stormwater Management BMP Clearinghouse will be required depending on the disturbed acreage. With respect to water quantity, all points of discharge must comply with the Adequate Channel provisions of 9VAC25-840-40 subdivision 19.

This property lies within Area 2 of the Source Water Protection Overlay (SWPO) District. For Source Water & Recharge Areas, the Comprehensive Plan recommends restriction of land uses that pose a contaminant threat. Additionally, stormwater practices that infiltrate or can contaminate groundwater should be avoided. Water quality treatment and revegetation are recommended.

This property drains to North River which is listed on the Virginia DEQ Draft 2014 Impaired Waters List. This impaired segment extends from its confluence with Naked Creek downstream to its confluence with South River. The impaired uses are recreation and aquatic life, the specific impairments are E. coli, fecal coliform bacteria and violations of the general benthics standard. The sources are agriculture, non-point sources and wildlife other than waterfowl for the bacterial impairments and unknown for the benthics impairment. This segment is covered by approved TMDLs which must be considered by the applicant. (Bacterial Federal TMDL ID # 23366, Benthic Federal TMDL ID # 9509 and 9510).

VAV-B23R_NTH01A04
B23R-01-BEN (4A) TMDL ID # 9509 and 9510
B17R-01-BAC (4A) TMDL ID # 23366

This property lies outside of the Airport Overlay District (APO).

This property lies within Zone X on the FEMA FIRM and therefore is outside the Special Flood Hazard Area.

COMMENTS FROM ZONING ADMINISTRATOR: If a portion of the property is rezoned to Multi-Family Residential the adjacent property currently zoned Multi-Family Residential should not be adversely affected by the change. However, the existing single family home on the adjacent parcel could be impacted from buildings that could be constructed up to four (4) stories or seventy-five feet (75') in height. Additional setbacks are required for building in excess of thirty-five feet (35') in height. Zoning feels that the strip along Route 11 should remain General Business.

COMMENTS FROM ACSA: There is an existing 8" waterline along College Park Drive to the east of the subject parcel. There is an existing 8" sewer line running through the subject parcel.

Water and sewer notes:

1. Water and sewer capacities are not reserved until system adequacy is determined (supply, treatment, transmission) and payment of the connection fees has been received in accordance with Service Authority Policy. Augusta County Service Authority Policies and Procedures can be found at <http://www.acsawater.com/oppm>.
2. Any engineering evaluations and upgrades or extensions would be the responsibility of the owner/developer and are subject to Service Authority review and approval.
3. Investigation of available fire flow is recommended to ensure that the system is capable of providing the needed fire flow to comply with Chapter 24 of the Augusta County Code requirements for the proposed use of the property. Any upgrades or extensions would be the responsibility of the owner/developer and are subject to Service Authority review and approval.

IMPORTANT NOTICE: Wastewater treatment capacity in the Weyers Cave system is limited. It is strongly recommended that the applicant meet with Authority Engineering Staff in the process of project planning. Available capacity is provided to potential customers in accordance with Policy 10.4 – Reserved Treatment Capacity for Water or Sewer Systems.

COMMENTS FROM HEALTH DEPARTMENT: There are no objections to this request.

COMMENTS FROM FIRE-RESCUE: This request will have little to no impact on service delivery.

TRAFFIC:

Rt. 11 Lee Hwy

- AADT: 5,600 (2016)
- Speed Limit: 55 mph N.; 45 mph S.
- K-Factor: 0.108, Dir. Factor: 0.621
- Functional Classification: Minor Arterial

Rt. 2035 Valley College Cir./Landings Dr

- AADT: Not Counted
- Speed Limit: Unposted
- Functional Class.: Local

COMMENTS FROM VDOT:

1. The rezoning would not have a significant impact compared to the current zoning/proffers. The layout as shown would create approximately 136 units (some of which was already proposed for multi-family). This layout would create approximately 900 vehicles per day with approximately 90 vehicles in the P.M. peak hour.
2. VDOT would like to point out that the elimination of proffer #2 (Rt. 11 intersection improvements) creates some unknown traffic impacts to the Rt. 11 connection to the property of this rezoning request since the street network would still have access to undeveloped commercial property with uncertain traffic generation.
3. VDOT would like to point out that the elimination of proffer #4 that requires sufficient right of way access to a public street be provided for parcel TM #19-147A, could potentially eliminate the ability for TM # 19-147A to have a public access, if it was to develop commercially, due to access management regulations.
4. It's understood that the proposal would eliminate the plan for continuing the public street in favor of a private street for the multi-family. If this is the plan of development, an adequate permanent turnaround would be required at the current end of state maintenance; a temporary hammerhead type turnaround at the entrance to the apartment exists today but it would not meet the geometric requirements for a permanent turnaround.
5. Access to any State maintained roadway must be in accordance with Appendix F of the VDOT Road Design Manual. The proposed location of the entrance(s) must be approved by VDOT and must meet the VDOT Intersection Sight Distance and Access Management Regulations requirements. The spacing requirement for an entrance to Rt. 11 (55 mph Minor Arterial) is 750'. It appears the entrance shown in the exhibit is just short of this requirement; however, the spacing does appear to be

achievable assuming the nearest commercial entrance to the north (TM #019-149) is considered a low volume commercial entrance.

Schools: Enrollment as of February 8, 2018

School	Program Capacity	Current Enrollment
North River Elementary	420	296
Stewart Middle	720	523
Fort Defiance High	900	777

School Board Staff Comments: The request for a change of approximately 4 acres from Multi-Family and General Business to Multi-Family would have some impact on these three (3) schools. It should be noted that the number of potential multi-family units by the developer of 9-16 units per acre could reach 36-64 units. That amount of units would have some impact to the school division building capacity when added to the current zoned land in this area.

COMMUNITY DEVELOPMENT STAFF COMMENTS:

Pros:

1. Public water and sewer are available to serve the property.
2. Request is compatible with adjacent development to the east.

Cons:

1. Although public sewer is available to serve the property, the wastewater treatment capacity is limited.
2. The elimination of General Business zoning is not in compliance with the Comprehensive Future Land Use Map, which designates this property for future Community Mixed Use development. Community Mixed Use, defined in the Comprehensive Plan, may include a variety of residential uses at a density of six to twelve dwelling units per acre and, on up to 40% of the total land area, retail and office uses and in some, but not all cases industrial uses.
3. Request may not be compatible with General Agriculture zoned property to the north, south and west.
4. The rezoning request could have some impact on the public schools.

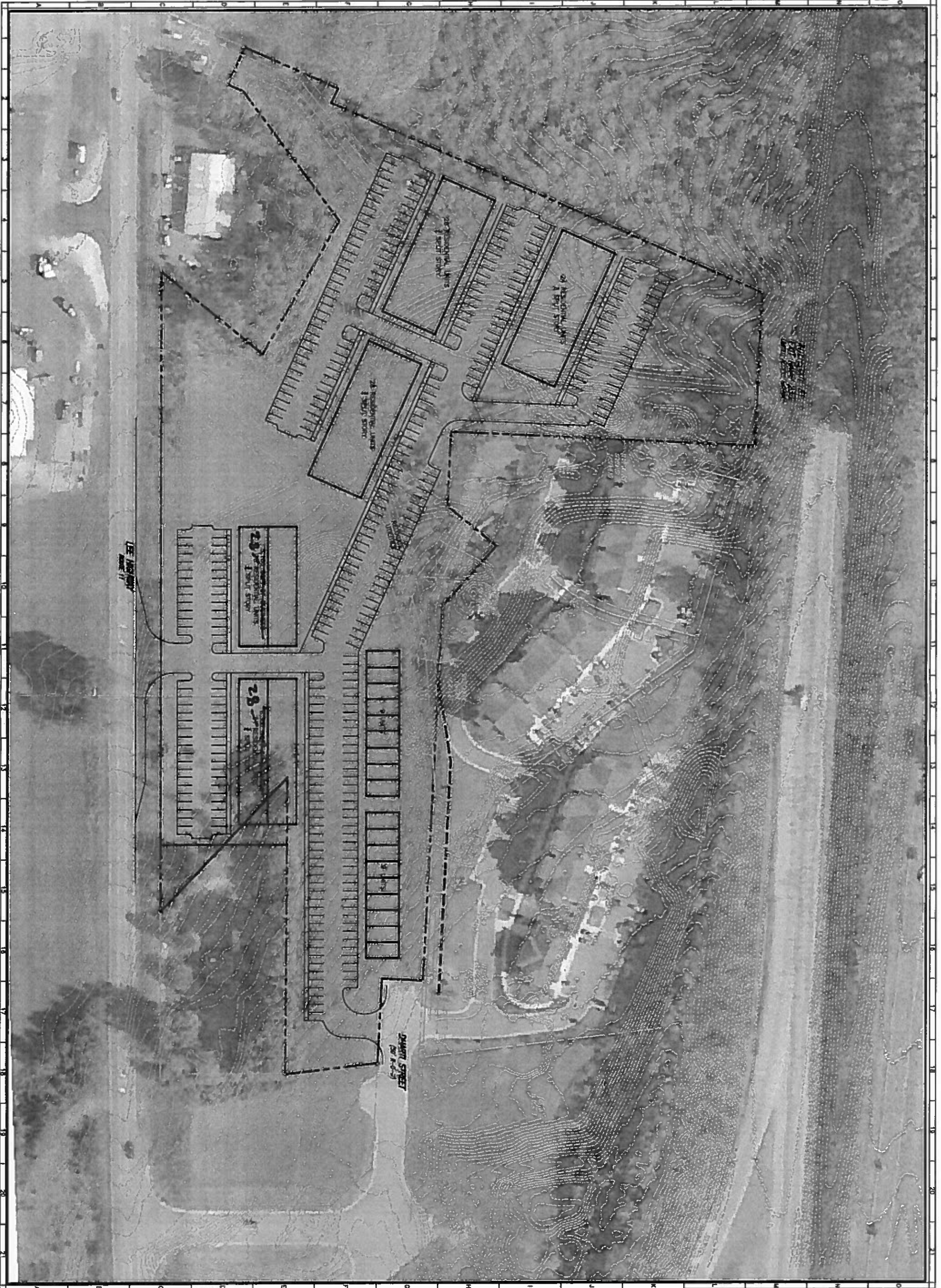
COMMUNITY DEVELOPMENT STAFF RECOMMENDATION: Staff is of the opinion that a combination of business development along Route 11 and Multi-Family Residential development behind is more in keeping with the Community

Mixed Use designation of the parcel as defined in the Comprehensive Plan, than is the current request. However, staff also recognizes that the development of additional apartments would be in keeping with existing apartments constructed on the same parcel and would likely have similar impacts to surrounding parcels zoned General Agriculture as would the current General Business and Multi-Family zoning.

This request eliminates proffers established with the current zoning. While VDOT has pointed out concerns associated with proffers to be eliminated. Both VDOT and the County understand that such proffers may not be acceptable under new proffer legislation, and therefore could not remain in effect with this rezoning request. However, it is important to keep in mind that undeveloped commercial property (with zoning already established), will have access to the street network (connection with Route 11) and traffic generation associated with such commercial property is undetermined. In addition, due to access management regulations, parcel 19-147A will most likely not be granted a commercial entrance onto Route 11 if this parcel eventually develops commercially.

V R Associates LLC





www.bakerinc.com

Blanton
New River Valley
Riverside
Richmond
Harrisonburg

REGISTERED PROFESSIONAL ENGINEERS
REGISTERED PROFESSIONAL LAND SURVEYORS
LICENSED PROFESSIONAL ARCHITECTS
LICENSED PROFESSIONAL INTERIORS DESIGNERS
LICENSED PROFESSIONAL SCULPTORS
LICENSED PROFESSIONAL PAINTERS
LICENSED PROFESSIONAL RESTAURANT DESIGNERS
LICENSED PROFESSIONAL THEATRICAL DESIGNERS
LICENSED PROFESSIONAL VIDEO DESIGNERS
LICENSED PROFESSIONAL AUDIO DESIGNERS
LICENSED PROFESSIONAL LIGHTING DESIGNERS
LICENSED PROFESSIONAL SOUND DESIGNERS
LICENSED PROFESSIONAL AV DESIGNERS
LICENSED PROFESSIONAL SECURITY DESIGNERS
LICENSED PROFESSIONAL ACCESSIBILITY DESIGNERS
LICENSED PROFESSIONAL SIGNAGE DESIGNERS
LICENSED PROFESSIONAL GRAPHIC DESIGNERS
LICENSED PROFESSIONAL PUBLICATION DESIGNERS
LICENSED PROFESSIONAL WEBSITE DESIGNERS
LICENSED PROFESSIONAL MOBILE APPLICATION DESIGNERS
LICENSED PROFESSIONAL USER EXPERIENCE DESIGNERS
LICENSED PROFESSIONAL SERVICE DESIGNERS
LICENSED PROFESSIONAL BUSINESS PROCESS DESIGNERS
LICENSED PROFESSIONAL ORGANIZATION DESIGNERS
LICENSED PROFESSIONAL CHANGE MANAGEMENT DESIGNERS
LICENSED PROFESSIONAL INNOVATION DESIGNERS
LICENSED PROFESSIONAL FUTURE DESIGNERS

Baker and Associates, Inc.
1551 Commerce Road
Suite 401
Verona, VA 24482
540-248-3320
FAX 540-248-3221

**PRELIMINARY
NOT FOR CONSTRUCTION**

VALLEY COLLEGE PARK
RT 11
CONCEPT PLAN
NORTH RIVER DISTRICT
AUGUSTA COUNTY, VIRGINIA

DRAWN BY _____
DESIGNED BY _____
CHECKED BY _____
DATE 3/28/2016
SCALE 1" = 50'
REVISIONS:

SHEET NO. **1**
JOB NO. 098 NO. 341900012

**COUNTY OF AUGUSTA
STAFF REPORT
THE FISHBURNE-HUDGINS EDUCATIONAL FOUNDATION
April 10, 2018**

SUMMARY OF REQUEST: A request to rezone approximately 46.126 acres owned by The Fishburne-Hudgins Educational Foundation from General Agriculture to Single Family Residential and Rural Residential. The property is located directly north of Patrick Mill Land and Turk Mountain Lane and divided by East Side Highway (Rt. 340) in the Middle River District.

PROPOSED PROFFERS:

- 1) Per the Virginia Department of Transportation's request for a Low Volume Submission traffic impact study, which was completed by Mattern & Craig, dated March 8, 2018, the applicant shall install one (1) Southbound Left Hand Turn lane on Route 340 and if lot count exceeds 48 residential lots on Turk Mountain Road, then the builder shall also provide a northbound taper lane onto Turk Mountain Road.
- 2) In order to satisfy Sec. 24-2 of the Augusta County Code:
 - a) The developer shall add pipe and hydrants to the current system that provides the 300 gpm inside the new subdivision boundaries.
 - b) The developer shall install a 60,000-gallon tank (or two (2) 30,000 gallon tanks side by side) of static storage with a dry hydrant connection for a second means of water for the development. (But not tie it into the current water delivery system).
 - c) The tank(s) shall be filled using water supplied from the existing county water supply system and shall remain charged for fire suppression use only. There shall be no direct interconnect into the county water delivery system for residential usage.
 - d) A 60,000-gallon tank (or two (2) 30,000 gallon tanks side by side) of static storage shall provide 500 gpm for a two-hour duration which will provide 800 gpm combined for the development, meeting the 750 gpm requirement for residential development with a tank setback of 30'.
 - e) The tank(s) shall be placed onto a 5,000 square foot fenced lot at the western edge of the eastern portion of the tract and accessible from Turk Mountain Lane. The tank(s) shall remain the property and responsibility of the Homeowners Association of the development.

VICINITY ZONING: Single Family Residential to the north, and General Agriculture to the east, south and west (portion east of East Side Highway). General Business to the north and General Agriculture to the east, south and west (portion west of East Side Highway).

PREVIOUS ZONING: General Agriculture

COMPREHENSIVE PLAN PLANNING POLICY AREA/FUTURE LAND USE DESIGNATION: Urban Service Area/Single Family Residential (east of East Side Highway) and Community Development Area/Rural Residential (west of East Side Highway).

SOILS: Not applicable.

COMMENTS FROM ENGINEER: Most any development of the property will potentially increase stormwater discharge. Stormwater management must be addressed per the provisions of the Augusta County Stormwater Ordinance.

The applicant is advised to contact the U.S. Army Corps of Engineers and the Virginia Department of Environmental Quality for any requirements related to proposed work in wetland areas or adjacent to any streams.

Portions of this property lies within Area 2 of the Source Water Protection Overlay (SWPO) District. For Source Water & Recharge Areas, the Comprehensive Plan recommends restriction of land uses that pose a contaminant threat. Additionally, stormwater practices that infiltrate or can contaminate groundwater should be avoided. Water quality treatment and revegetation are recommended.

This property drains to South River which is listed on the Virginia DEQ Draft 2016 Impaired Waters List. This impaired segment extends from its confluence with Stony Run downstream to its confluence with the North River. The impaired uses are aquatic life, recreation and fish consumption, the specific impairments are violations of the general standard for benthics, E. coli, fecal coliform bacteria and mercury in fish tissue. The sources are municipal (Urbanized High Density Area) for the benthics impairment, agriculture, non-point sources and wildlife other than waterfowl for the bacterial impairments and contaminated sediment for the mercury impairment. Numerous TMDLs have been approved for this segment for each of the impairments and must be considered by the applicant.

Additionally, the 2007 Augusta County Comprehensive Plan lists the South River – Paine Run watershed as a Priority Watershed for Groundwater Protection due to the presence of karst features and the location of Source Water Assessment Program zones.

This property lies outside of the Airport Overlay District (APO).

This property lies within Zone X on the FEMA FIRM and therefore is outside the Special Flood Hazard Area.

For Source Water & Recharge Areas, the Comprehensive Plan recommends preservation of open space to the extent feasible and restriction of land uses that pose a contaminant threat. Additionally, stormwater practices that infiltrate or can contaminate groundwater should be avoided, water quality treatment and revegetation are recommended, and enhanced onsite sewage disposal systems should be utilized.

For Wetland areas, the Comprehensive Plan recommends provision of a 35 foot buffer from the edge of wetlands.

COMMENTS FROM ZONING ADMINISTRATOR: If a portion of the property to the east is rezoned to Single Family Residential, the adjacent parcels currently zoned Single Family Residential should not be adversely affected. However, there are small General Agriculture zoned properties within the proposed rezoning area that contain single family dwellings that may be impacted by traffic congestion, noise, dust, odors, fumes created by the larger density of single family residential development. Rezoning the parcel to the west to Rural Residential should be compatible with the rural character of the area.

The proposed area is within the Source Water Protection Overlay District and must meet all regulations of Chapter 25, Division H., Article LI.

COMMENTS FROM ACSA:

1. Water and sewer capacities are not reserved until system adequacy is determined (supply, treatment, transmission) and payment of the connection fees has been received in accordance with Service Authority Policy. Augusta County Service Authority Policies and Procedures can be found at <http://acsawater.com/oppm>.
2. Any engineering evaluations and upgrades or extensions would be the responsibility of the owner/developer and are subject to Service Authority review and approval.
3. **Important Note:** The water system in this area is not capable of providing the needed fire flow to comply with Chapter 24 of the Augusta County Code requirements for the proposed use of the property. The owner is advised to discuss this with the County. Any upgrades or extensions would be the responsibility of the owner/developer and are subject to Service Authority review and approval.

From Chapter 24 Ordinance: 2. *Where the capacity of an existing water distribution system is not sufficient to meet the fire service and potable use*

needs of the new major subdivision, the developer, subdivider, or individual shall expand the capacity of the local and/or remote facilities of the existing water distribution system, as required by the Executive Director of the Augusta County Service Authority, so as to provide sufficient capacity to serve the fire and domestic needs of the development while not decreasing the pressure at any point in the existing or proposed water supply system below the minimum requirements of the Service Authority. The requirement of expanding capacity to insure sufficient flow for fire protection, as defined in §24-2 may be waived under the provisions of Paragraph E of that section. However, a waiver of the fire protection requirements does not relieve the developer of providing the infrastructure as required by the Service Authority Regulations to allow fire protection to be provided in the future when other off-site system improvements are made.

As proffered, it is unclear how the tank(s) will be filled so as to not decrease the pressure at any point in the existing or proposed water supply system below the minimum requirements of the Service Authority. It is also unclear if private hydrants on a private fire line system will also be installed in addition to the public line.

4. **Important Note:** The existing water tank for this area has no remaining effective storage. Special approval from the Virginia Department of Health may be required to allow additional connections.
5. There is an existing 8" waterline along the east side of East Side Highway. There is an existing 8" waterline along Turk Mountain Lane.
6. **Important Note:** The existing wastewater treatment plant for this area has approximately 100 connections remaining. At this time, no expansions are planned.
7. There is an existing 8" sewer line approximately 410'± to the south of the subject property on the east side of East Side Highway. There is an existing 8" sewer line approximately 379'± to the south of the subject property on the west side of East Side Highway. There is an existing 8" sewer line running through that portion of the subject parcel to the east of East Side Highway.

COMMENTS FROM HEALTH DEPARTMENT: There are not objections to this request.

COMMENTS FROM FIRE-RESCUE: This request will have little to no impact on service delivery. Fire-Rescue would like to ensure that proffer #2 A-E are in place to improve fire protection for this addition.

TRAFFIC:

Rte. 672 Turk Mountain Lane (right side of Rte 340) - paved

- Road Ends: 0.9 miles
- AADT: 690 vpd (2016)
- Posted Speed Limit: 35 mph
- Functional Classification: Local
- K-Factor: N/A, Dir. Factor: N/A

Rte. 619 Patrick Mill Lane (left side of Rte 340) - gravel

- Road Ends: 0.7 miles
- AADT: - 70 vpd (ALUE Estimate)
- Posted Speed Limit: Not Posted
- Functional Classification: Local
- K-Factor: N/A, Dir. Factor: N/A

Rte. 340 Eastside Hwy

- AADT: - 8,400 vpd
- Posted Speed Limit: 55 mph
- Functional Classification: Minor Arterial
- K-Factor: 0.089, Dir. Factor: 0.616

COMMENTS FROM VDOT: *VDOT is waiting on an addendum to the Traffic Impact Analysis from the applicant; therefore, comments below are considered a DRAFT, and if needed, will be updated once the addendum is submitted.*

1. The rezoning required a VDOT Chapter 527 Traffic Impact Analysis (TIA) Low Volume Road Submission, which has been submitted and can be viewed on the public VDOT Landtrack site here: (LINK TBD).
2. Due to spacing conflicts on Rte 340, residential entrances shall be off Rte 672 and Rte 619. Each entrance/intersection must be at least 225' from the Rt. 340 intersection in addition to other requirements. The submitted TIA reflects these requirements.
3. The proffered conditions to provide a southbound left turn lane on Rt. 340 to Rt. 672, Turk Mountain Lane matches the recommendation provided in the submitted TIA. Additionally, if more than 48 lots are developed on Rt. 672, a northbound right turn taper will also be constructed.
4. Rt. 672, Turk Mountain Road, is approximately 18 feet wide with no center line markings. Postdevelopment, the roadway will have an AADT greater than 1,000 vpd. The existing geometry does not meet any current design standard for a street with that volume. The minimum applicable standard is the VDOT GS-4 Rural Local Road standard (22' pavement width with shoulders). The existing pavement section would require an analysis to

determine adequacy for the additional traffic. However, VDOT understands that these specific improvements may not be acceptable as proffered conditions based on current residential proffer legislation.

5. Proposed entrance location and construction must be in accordance with Appendix F of the VDOT Road Design Manual. According to the submitted TIA, there appears to be locations available on Rt. 672 and Rt. 619 that meet intersection sight distance.
6. Any streets proposed to be accepted into the State Secondary System of Highways must be designed and constructed in accordance with the Secondary Street Acceptance Requirements (SSAR). Connectivity to the adjacent subdivision has already been allowed for.

Schools: Enrollment as of February 8, 2018

School	Current Enrollment	Program Capacity
Cassell Elementary	694	750
Wilson Middle	620	750
Wilson High	766	900

School Board Staff Comments: The request for a change from General Agriculture to Single Family Residential may have some significant impact on these three (3) schools. We are maximizing our school capacity with our boundary line changes and Cassell Elementary is at 92% capacity as of February 8, 2018. Depending on the size of the lots in this 46 acre area, there is potential for Cassell Elementary to see a significant increase.

COMMUNITY DEVELOPMENT STAFF COMMENTS:

Pros:

1. Portion of property east of E Side Highway is within an Urban Service Area where the County wants to encourage 80% of future residential growth.
2. Portion of property west of E Side Highway is within a Community Development Area where the County wants to encourage 10% of future residential growth.
3. Request is in compliance with the Comprehensive Plan Future Land Use Map which designates portion of parcel east of E Side Highway for Medium Density Residential development and portion of parcel west of E Side Highway for Low Density Residential development.

4. Request is compatible with single family residential zoning to the north on the portion of the property east of E Side Highway.
5. Public water and sewer are available to serve the property.

Cons:

1. Request may not be compatible with adjacent properties zoned General Agriculture.
2. The existing water tank has no remaining effective storage and the existing wastewater treatment plant has approximately 100 connections remaining.
3. Request may have some significant impact on schools, especially Cassell Elementary school.

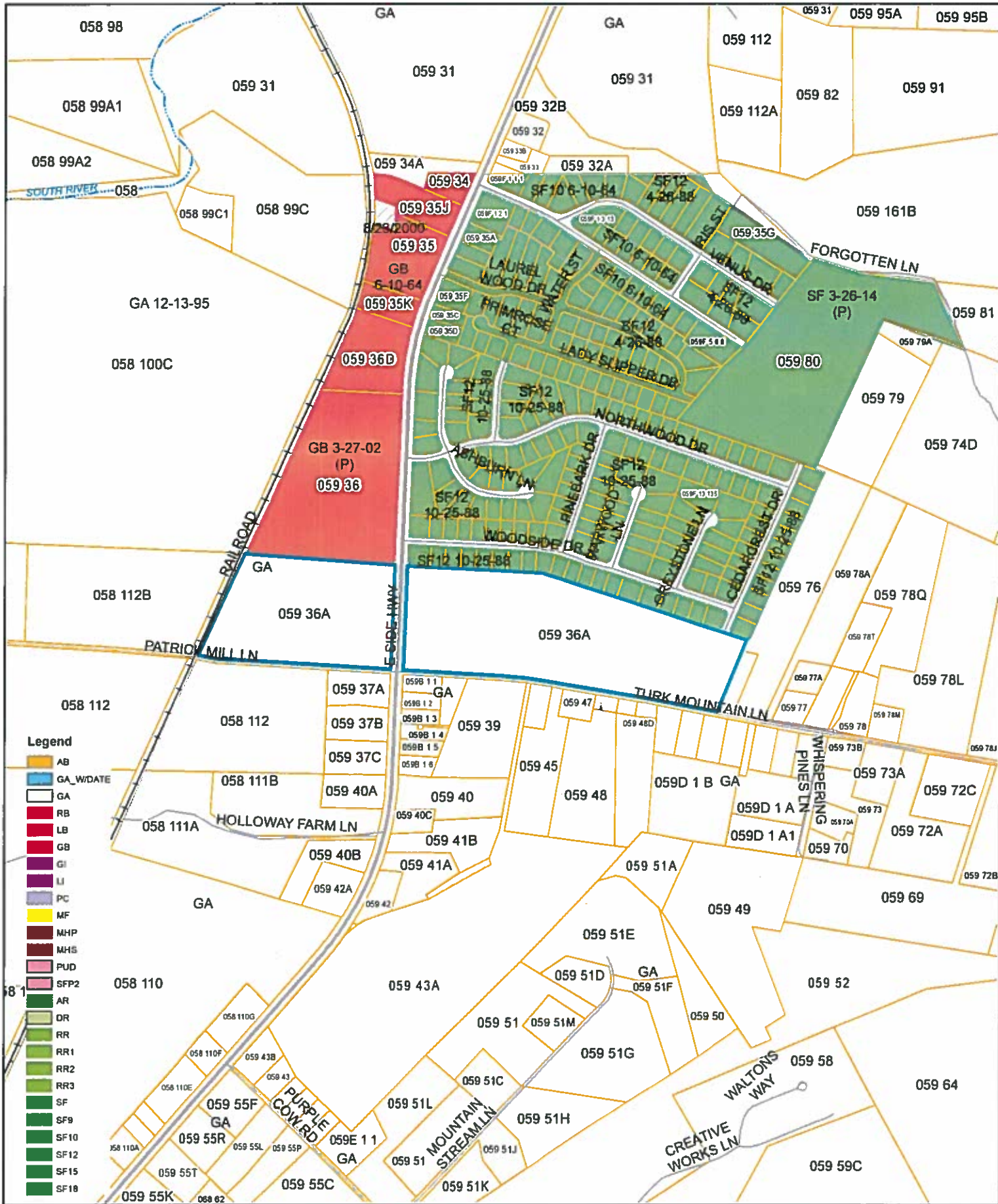
COMMUNITY DEVELOPMENT STAFF RECOMMENDATION: Staff feels that the submitted proffers address/mitigate the majority of impact concerns identified.

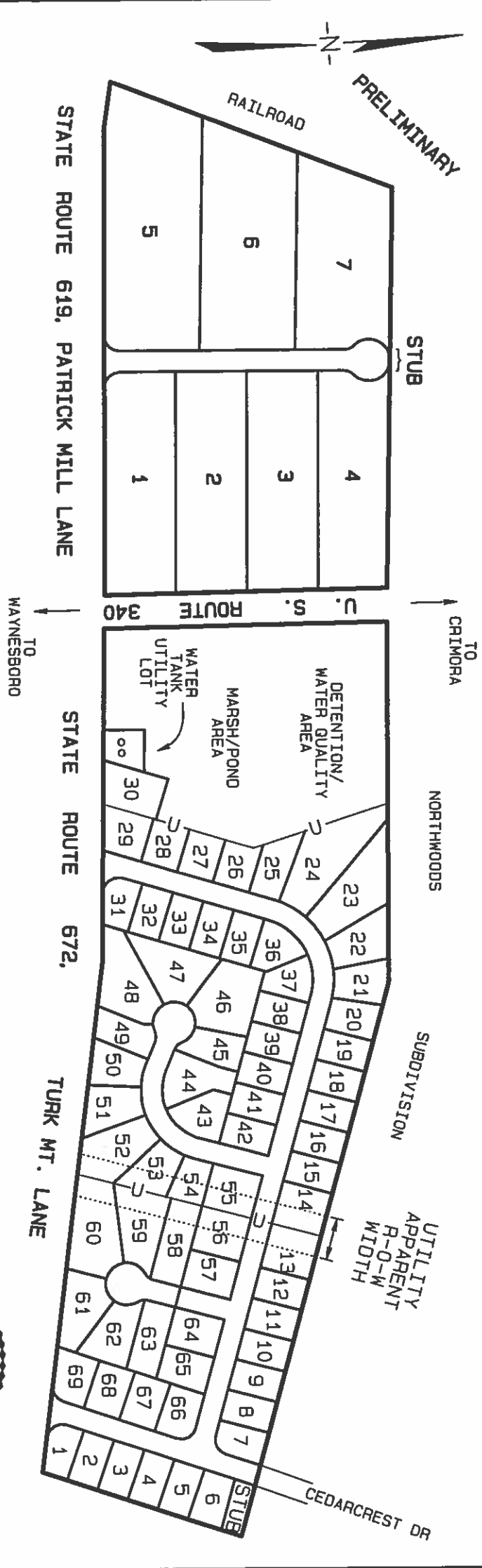
However, the Service Authority has raised concerns as to how the proffered static storage tanks will be filled so as to not decrease the pressure at any point in the existing or proposed water supply system below minimum requirements.

Furthermore, VDOT has pointed out that Rt. 672, Turk Mountain Road, is approximately 18 feet wide with no center line markings. Postdevelopment, the roadway will have an AADT greater than 1,000 vpd. The existing geometry does not meet any current design standard for a street with that volume. The minimum applicable standard is the VDOT GS-4 Rural Local Road standard (22' pavement width with shoulders). The existing pavement section would require an analysis to determine adequacy for the additional traffic. However, VDOT understands that these specific improvements may not be acceptable as proffered conditions based on current residential proffer legislation.

Since the submitted proffers address the majority of impact concerns, the request is in compliance with the Comprehensive Plan Future Land Use Map, and the request is compatible with residential development to the north of the portion of the request east of E Side Highway, staff recommends approval of the request with the proffers.

The Fishburne Hudgins Educational Foundation





NOTES

THIS DRAWING IS NOT BASED ON A CURRENT SURVEY AND IS NOT FOR RECORD WITH NO CORNERS FOUND OR SET

THIS DRAWING PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND MAY NOT INDICATE ALL ENCUMBRANCES AFFECTING PROPERTY SURVEYED

PROPERTY OWNER: J. B. YOUNT ESTATE / FISHBURNE

LOTS SHOWN HERE SUBJECT TO APPROVALS BY COUNTY OF AUGUSTA, AUGUSTA COUNTY HEALTH DEPARTMENT/ACSA, VDOT AND OTHERS.

TOPOGRAPHIC LINES SHOWN SUPPLIED BY COUNTY OF AUGUSTA AND ARE NOT BY SURVEY

—U— OVERHEAD UTILITY/TRANSMISSION LINES

TOM SHUMATE SURVEYOR, INC. DOES NOT CERTIFY THIS FILE. IT SHOULD ONLY BE USED AS A SUPPLEMENT TO THE STAMPED SIGNED HARD COPY EQUIVALENT.

PRELIMINARY



DRAWING SHOWING

PORTION OF J. B. YOUNT ESTATE PROPERTY

MIDDLE RIVER DIST., AUGUSTA COUNTY, VIRGINIA

SCALE 1" = 300' FEBRUARY 20, 2017 REV. 3-23-18

TOM SHUMATE SURVEYOR, INC. WAYNESBORO, VIRGINIA (540) 9422990

**COUNTY OF AUGUSTA
STAFF REPORT
GARLAND JR., & MELONY EASTER
GARLAND & EVELYN EASTER
April 10, 2018**

SUMMARY OF REQUEST: A request to rezone approximately 12.6 acres owned by Garland Jr., & Melony Easter and Garland & Evelyn Easter from General Agriculture to Single Family Residential. The property is located on the east side of Old Goose Creek Road, (Rt. 640) and approximately 1.04 of miles west of the intersection of Old Goose Creek Road (Rt. 640) and Lifecore Drive (Rt. 636) in Fishersville in the Wayne District.

PROPOSED PROFFERS: N/A

VICINITY ZONING: Single Family Residential to the north and west and General Agriculture to the south and east.

PREVIOUS ZONING: Multi-Family (2011), General Business (2011)

COMPREHENSIVE PLAN PLANNING POLICY AREA/FUTURE LAND USE DESIGNATION: Urban Service Area/Medium Density Residential

SOILS: Not applicable.

COMMENTS FROM ENGINEER: Most any development of the property will potentially increase stormwater discharge. Stormwater management must be addressed per the provisions of the Augusta County Stormwater Ordinance.

Use of water quality protection measures listed in either the Virginia Stormwater Management Handbook or through the Virginia Stormwater Management BMP Clearinghouse will be required depending on the disturbed acreage. With respect to water quantity, all points of discharge must comply with the Adequate Channel provisions of 9VAC25-840-40 subdivision 19.

The applicant is advised to contact the U.S. Army Corps of Engineers and the Virginia Department of Environmental Quality for any requirements related to proposed work in wetland areas or adjacent to any streams.

This property drains to Christians Creek which is listed on the Virginia DEQ Draft 2014 Impaired Waters List. This impaired segment extends from the headwaters downstream to its confluence with Middle River. The impaired uses are recreation and aquatic life, the specific impairments are E. coli, fecal coliform and violations of the general benthics standard. The sources are municipal (Urbanized High Density Area), non-point sources and wildlife other than waterfowl. TMDLs are

approved for the bacterial and benthic impairments and must be considered by the applicant. This segment is included in the EPA approved Christians Creek benthic TMDL (Federal TMDL ID # 24514) and the EPA approved Christians Creek bacteria TMDL (Federal TMDL ID # 9480).

VAV-B14R_CST01A00
B14R-01-BAC (4A) TMDL ID#9480
B14R-01-BEN (4A) TMDL ID#24514

This property lies outside of the Airport Overlay District (APO).

This property lies within Zone X on the FEMA FIRM and therefore is outside the Special Flood Hazard Area.

Natural Resources Recommendations from the Comprehensive Plan

The 2007 Augusta County Comprehensive Plan recommends performance standards to protect natural resources. For Urban Service Areas, a riparian buffer of 35 feet on either side of a stream is encouraged, and where feasible, stormwater should not be piped through in a manner to short-cut the buffer. Additionally, floodplain areas should have no habitable structures, but should instead be utilized for greenways & recreation areas.

Portions of the site may contain slopes in excess of 25%. In Urban Service Areas, the Comprehensive Plan recommends avoidance of slopes >25%, especially associated with stream valleys.

Wetlands may or may not exist on the site. For Wetland areas, the Comprehensive Plan recommends provision of a 35 foot buffer from the edge of wetlands.

COMMENTS FROM ZONING ADMINISTRATOR: A portion of the proposed property is currently zoned Single Family Residential. Zoning does not feel that the request to rezone the remaining acreage would have an adverse impact on the adjacent parcels currently zoned Single Family Residential and General Agriculture.

COMMENTS FROM ACSA: There is an existing 6" waterline adjacent to and along Troxell Lane. To meet ACSA Standards for a public water system, upgrades/extensions should be anticipated for the proposed use. There is an existing 8" sewer line running through Tax Map #s 66-75 and 66-77.

Water and Sewer Notes:

1. Water and sewer capacities are not reserved until system adequacy is determined (supply, treatment, transmission) and payment of the connection fees has been received in accordance with Service Authority Policy. Augusta

County Service Authority Policies and Procedures can be found at <http://www.acsawater.com/oppm>.

2. Any engineering evaluations and upgrades or extensions would be the responsibility of the owner/developer and are subject to Service Authority review and approval.
3. Investigation of available fire flow is recommended to ensure that the system is capable of providing the needed fire flow to comply with Chapter 24 of the Augusta County Code requirements for the proposed use of the property. Any upgrades or extensions would be the responsibility of the owner/developer and are subject to Service Authority review and approval.

COMMENTS FROM HEALTH DEPARTMENT: There are no objections to this request.

COMMENTS FROM FIRE-RESCUE: This request will have little to no impact on service delivery.

TRAFFIC:

Rt. 863 Old Goose Creek Rd

- AADT: No traffic count
- Posted Speed Limit: 25 mph (Rural Rustic)
- Functional Classification: Local

COMMENTS FROM VDOT:

1. Rt. 863 (formerly Rt. 636) was recently surface treated with Rural Rustic Funds. Typically, the goal is to limit development (growth) on Rural Rustic roadways. The geometric design standard used to complete the rural rustic project was based on an average daily traffic of 400 vehicles per day or less. VDOT does not have a current published traffic count, but, based on the number of existing dwellings, the existing traffic count on Rt. 863 is expected to be approximately 150 vehicles per day. Essentially, an additional twenty-five (25) developed dwellings (assumed 10 vpd per dwelling) would exceed the geometric design standard for the roadway.
 - o The approximated existing traffic count was calculated based on the number of observed dwellings accessing Old Goose Creek. Additional unoccupied parcels appear to also exist. The traffic generation from the business near Rt. 250 was excluded due to there being a heavier pavement section near the intersection.
2. The portion being rezoned (12.62 acres) is not expected to warrant a VDOT low volume submission Traffic Impact Analysis at rezoning. However, it should be noted that the cumulative property area that could be developed, including that which is already zoned for residential use, totals

approximately 40 acres. Although there are some topographic constraints that may limit the density of the development, a 40 acre residential development is capable of generating traffic that could substantially affect Rt. 863 and the intersection at Rt. 250.

3. The sight distance for an intersection/entrance onto Rt. 863 will be a challenge for this property. The mainline of Rt. 863 will need to be modified to be compliant. A significant portion of a vertical curve will need to be lowered; due to the proximity to the railroad right of way, permits may also be required from both VDOT and the Railroad. The intersection will be designed in accordance with VDOT standards as provided in Appendix F of the VDOT Road Design Manual.
4. Any new street must be designed in accordance with the Secondary Street Acceptance Requirements (SSAR). The network must meet both VDOT and County connectivity requirements. A minimum of two external connections will be required unless an exception is granted. An emergency access to Troxell Ln. would be considered.

Schools: Enrollment as of February 8, 2018

School	Program Capacity	Current Enrollment
Wilson Elementary	750	663
Wilson Middle	750	620
Wilson High	900	766

School Board Staff Comments: The request for a change of approximately 12.62 acres from General Agriculture to Single Family Residential would have little impact on these three (3) schools depending on the size of each lot developed for each dwelling.

COMMUNITY DEVELOPMENT STAFF COMMENTS:

Pros:

1. There is additional capacity at the three school impacted by this request to handle additional student population.
2. Request is in compliance with the Comprehensive Plan Future Land Use Map which designates these parcels for Medium Density Residential development.
3. Request is compatible with adjacent zoning to the North and East.
4. Public water and sewer are available to serve the property, although upgrades/extensions to the public water system should be anticipated for the proposed use.
5. Property is located in an Urban Service Area where the County wants to encourage its future residential growth.

Cons:

1. Rt. 863 was recently surface treated with Rural Rustic Funds. Typically, the goal is to limit development (growth) on Rural Rustic roadways.
2. While the rezoning of the 12.6 acres does not warrant a traffic impact analysis, VDOT has pointed out that the cumulative development of all three parcels, approximately 40 acres, is capable of generating traffic that could substantially affect Rt. 863 and the intersection at Rt. 250.

COMMUNITY DEVELOPMENT STAFF RECOMMENDATION: This request is in compliance with the Comprehensive Plan Future Land Use Map which designates these parcels for Medium Density Residential development. Each of these parcels is already partially zoned Single Family Residential and this request adds an additional 12.6 acres to the same zoning classification. While VDOT has pointed out that the cumulative development of all three parcels, approximately 40 acres, is capable of generating traffic that could substantially affect Rt. 863 and the intersection at Rt. 250, new proffer legislation precludes the County from assessing such impacts on the acreage already zoned Single Family Residential. Adjacent zoning and development to the northwest is compatible with the request. Staff recommends approval of the request.

Easter Property

