



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 *Leslie*
DATE: November 6, 2018
SUBJECT: Regular Meeting

The regular meeting of the Augusta County Planning Commission will be held on **Tuesday, November 13, 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 **6:30 pm** in the **Board of Supervisors' Conference Room** (behind the Board Meeting Room) at the Augusta County Government Center for a staff briefing.

Attached are the agenda and meeting materials for Tuesday's meeting and the minutes from the October 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

A G E N D A

Regular Meeting of the Augusta County Planning Commission

Tuesday, November 13, 2018 7:00 P.M.

1. CALL TO ORDER

2. DETERMINATION OF A QUORUM

3. MINUTES

Approval of the Called and Regular Meetings on October 9, 2018.

4. PUBLIC HEARING

A request to rezone from Multi-Family Residential to General Business approx. 0.345 acres (portion of TMP 066C1-8-1 and portion of TMP 066C-8-11) owned by Crescent Development Group, LLC and Myers Corner Partners, LC located in the southwest quadrant of the intersection of Jefferson Highway (Route 250) and Myers Corner Drive in Fishersville in the Wayne District.

5. MATTERS TO BE PRESENTED BY THE PUBLIC

6. NEW BUSINESS

- A. Election of Officers
- B. Inclement Weather Resolution

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
J. Wilkinson, Director of Community Development
L. Tate, Planner II

VIRGINIA: At the Called Meeting of the Augusta County Planning Commission held on Tuesday, October 9, 2018, at 5:00 p.m. in the Board Room, Augusta County Government Center, Verona, Virginia.

Mr. Curd called the meeting to order.

Mrs. Tate reviewed with the Commissioners the items coming before the BZA in November, sharing aerial maps of the properties and specifics of the application requests.

Mrs. Tate reviewed with the Commissioners the request to renew the Crimora-Madrid and Middle River Agricultural and Forestal Districts. She presented maps showing properties to be renewed and properties to be withdrawn from the district, as well as those properties that are undecided whether to renew or withdraw. She explained those that are undecided will have up until the Board of Supervisors meeting on October 24 to make their decision.

The Planning Commission reviewed the rezoning request and the requests to remove and amend proffers. They traveled to the following sites, which will be considered at the Public Hearing. Kenneth R. Bradley, Jr., applicant and property owner, and Brasil Hamrick, representative for the applicant, attended the staff briefing but did not go on the site visit.

Bradley Enterprises, Inc. – Rezoning – TM#69-64 & 6964A
Bradley Enterprises, Inc. – Proffer deletion – TM#69-80A (portion)
Bradley Enterprises, Inc. – Proffer amendment – TM#68-127B & 69-80A (portion)

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

VIRGINIA: At the Regular Meeting of the Augusta County Planning Commission held on Tuesday, October 9, 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 seven (7) members present, there was a quorum.

MINUTES

Mr. Leonard moved to approve the minutes of the called and regular meetings held on September 11, 2018.

Mr. Jennings seconded the motion, which carried unanimously.

PUBLIC HEARING

Bradley Enterprises, Inc.

A request to rezone from General Agriculture to Rural Residential approx. 30.67 acres (TMP 069 64 and 069 64A) owned by Bradley Enterprises Inc. located directly south of Sandy Ridge (Rt. 621) approx. 0.2 miles southeast of the intersection of Gilbert Lane and Sandy Ridge (Rt. 621) in Dooms in the Wayne District.

Mrs. Tate indicated on PowerPoint the two parcels being proposed for rezoning. The proposed general usage of the property is for a residential subdivision and the general use stated in the Comprehensive Plan is low density residential.

Brasil Hamrick of 156 Laurel Hill Rd., and owner of Hamrick Engineering stated he has been involved with the development of the property since 2004. To make the development progress, the property needs to be rezoned so that the traffic from Beagle Gap has a second way in and out. VDOT has stated the amount of traffic that will be generated from the rezoning will not have any effect on Sandy Ridge. There is currently inadequate water supply, however, the Service Authority and the Water Division at the Virginia Department of Health approved in 2006 for a water tower to be put into place and extensive improvements to the water system be made. There will be approximately 12-13 lots in the development.

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

Wanda Johnson of 277 Beagle Gap Run asked if the water tower will be for the wooded portion of the property or for all properties.

Mr. Hamrick stated the water tower will be for all properties on Beagle Gap, Sandy Ridge and Route 340.

Eddie Major of 502 Sandy Ridge Road stated he is not opposed to development but he is opposed to double standards. He, his father and brother developed Beagle Gap and were stopped in 1998 from developing any further because of stipulations required by the County. He asked what the plan is for stormwater control and if all the roads will be built to VDOT standards at 60' wide.

Mrs. Tate indicated to one area on PowerPoint and stated this one area will not be on public sewer but will have private septic systems. She stated the developer will be required to meet all stormwater and erosion control requirements.

Mr. Wilkinson stated VDOT requires a 50' right-of-way but the paved road will not be 60' wide.

Mr. Major referred to a letter he received from Dale Cobb, former director of Community Development approximately 20 years ago regarding the road conditions at the time and stating the road did not have the capacity to handle additional traffic. He asked for clarification on what has changed from 20 years ago that would allow for more development. He was told that all conditions had to be met before any further development could take place.

Mrs. Tate stated the requirement 20 years ago to build a water tower is still a requirement before development can take place.

Mr. Major stated he is concerned about the road conditions. Previously, VDOT had stated the road could not handle any more traffic.

Mrs. Tate read VDOT's comments which stated 12-13 more homes would not impact the road and a Traffic Impact Analysis would not be necessary.

Mr. Hamrick stated he cannot speak to the width of the road in 1998, but the road currently is 20' wide. VDOT has not given any reason for cause or concern regarding the traffic that will be utilizing the road.

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

Mr. Jennings asked for clarification to the location of public sewer.

Mrs. Tate indicated on PowerPoint where public water and sewer is located. The property to be rezoned does not have sewer access but does have water access.

Mr. Wilkinson stated VDOT has given approval and the streets in the subdivision will be required to be built to State specifications. After careful consideration of the roads and the request for the rezoning, VDOT does not think 12 additional lots will make any significant impact to the roads. Stormwater and erosion and sediment control will be enforced by the County engineers and the developer will also be required to meet State standards.

Mr. Jennings asked what the status is on the discussion regarding the expansion of the water system.

Mr. Hamrick stated the development cannot go forward without the water tower. Water towers and sanitary sewer pump stations cannot be approved by the Service Authority. Approval will come from the Virginia Department of Health Water division in Lexington.

Mrs. Shiflett stated the Commission can only go by the current information provided by VDOT. She moved to recommend approval of the request.

Mr. Bridge seconded the motion, which carried unanimously.

Bradley Enterprises, Inc.

A request to remove the following proffered condition: the minimum square footage for single family dwellings will be two thousand square feet, from approx. 7.4 acres (portion of TMP 069 80A) zoned Rural Residential owned by Bradley Enterprises Inc. located directly south of Sandy Ridge (Rt. 621) approx. 0.4 miles southeast of the intersection of Gilbert Lane and Sandy Ridge in Dooms in the Wayne District.

Mrs. Tate explained the request as presented on PowerPoint. She stated in 2004 the property was rezoned and proffers were placed on the lot, one which required dwellings to be at least 2000 square feet. The applicant is requesting that particular proffer be removed.

Mr. Hamrick stated he expects houses in this development to be built between 1300 to 1400 square feet with an estimated cost of \$250,000.

Mrs. Tate stated the surrounding rural residential zoned property does not have a minimum dwelling size requirement. This request would make the 7.4 acres consistent with the surrounding property.

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 proffer deletion.

Mr. Leonard seconded the motion, which carried unanimously.

Bradley Enterprises, Inc.

A request to amend the following proffered condition: The minimum square footage for single family dwellings will be ~~4,500~~ 1,200 square feet on approx. 57.665 acres (TMP 068 127B and a portion of 069 80A) zoned Single Family Residential owned by Bradley Enterprises, Inc. located east of the end of Wild Cat Cove and south of the end of Beagle Gap Run (Rt. 1621) in Beagle Gap Subdivision in Dooms in the Wayne District.

Mrs. Tate explained the request as presented on PowerPoint. The two areas that consist of the 57.664 acres are currently zoned Single Family Residential with four proffers. One proffer states houses will be at least 1500 square feet. The applicant is requesting this proffer be amended to reduce the required square footage to 1200, which would be consistent with the surrounding single-family zoned properties.

Mr. Hamrick explained the 1200 square footage is only living space. If an attached garage is added, the total square footage would be close to 1650. Expected cost for the new homes is \$250,000.

Mr. Howdyshell asked for clarification that the lot size would not change.

Mrs. Tate stated there was never a lot size proffered for this property, but the single-family zoning allows for 9,000 to 12,000 square foot lots.

Mr. Hamrick stated the lots will be at least 12,000 square feet.

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

Wanda Johnson of 277 Beagle Gap Run stated when she built her house in 1996 there were restrictions which regulated roof pitch and living space. She feels the houses that will be built should be required to comply by the same restrictions she was.

Mr. Major stated Augusta County does not provide public sewer for this area but it is provided by the City of Waynesboro. Officials from Waynesboro had indicated years ago they did not have the capability to handle more sewer because their infrastructure was taking on too much water when it rains. The County indicated to Mr. Major when he was

developing property that he would need to put in a wastewater treatment plant and that Sandy Ridge Road would need to be widened.

Mr. Hamrick stated four years ago the City of Waynesboro completed a \$54,000,000 improvement to the sewer system. The sewage and water treatment is all controlled by long term contracts between the Augusta County Service Authority and the City of Waynesboro. The water tower will take care of any concerns regarding the development. The dwellings will be required to have at least 1200 square feet on the first floor.

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

Mr. Jennings stated the matter coming before the Commission is to change the proffer and is not for addressing the concerns expressed. He moved to recommend approval of the proffer amendment.

Mr. Bridge seconded the motion, which carried unanimously.

CONSIDERATION OF THE RENEWAL OF THE CRIMORA-MADRID AGRICULTURAL AND FORESTAL DISTRICT

A request to renew the Crimora-Madrid Agricultural and Forestal District. The proposed district encompasses approximately 648 acres and is located in the Middle River District lying between Route 784 (Pine Bluff Road) and Route 865 (Rockfish Road) and south of Route 612 (New Hope and Crimora Road).

CONSIDERATION OF THE RENEWAL OF THE MIDDLE RIVER AGRICULTURAL AND FORESTAL DISTRICT

A request to renew the Middle River Agricultural and Forestal District. The proposed district encompasses approximately 5,695 acres of land located in the Middle River District lying east of Interstate 81; both east and west sides of Route 778 (Knightly Mill Road), Route 774 (Broad Run Road), Route 774 (Cline River Road), and Route 865 (Rockfish Road); both north and south sides of Route 608 (Battlefield Road), Route 775 (Buttermilk Road), and Route 775 (Craig Shop Road); on the north side of Route 777 (Knightly Lane); both north and south sides of Route 728 (Patterson Mill Road); on the southwest side of Route 774 (Piedmont Road).

Mrs. Tate stated the Commissioners heard the presentation in the earlier worksession regarding the renewal of the Crimora-Madrid and the Middle River Agricultural and Forestal Districts. She indicated on PowerPoint the acres in both districts that are being requested to be renewed, added, withdrawn or are undecided at this time. She stated those in the districts that are undecided whether to renew or withdraw have up until the Board of Supervisors meeting on October 24 to make their decision. If they have not made their decision by the 24th, they will be withdrawn from the district they are in. She reviewed the recommendations made by the Ag Forestal Committee and stated the term of each district shall be ten years.

Mrs. Shiflett stated she owns property in the Middle River Agricultural and Forestal District. She submitted a signed Conflict of Interest Disclosure form and read Section 2.2-3122 A.4. of the Code of Virginia which states "I may participate in this transaction because it affects the public generally, even though my personal interest, as a member of the public may also be affected by this transaction".

Mr. Jennings asked how notification of the renewal is made to owners in the district.

Mrs. Tate stated that everyone in the district, as well as anyone adjacent to the district, is notified by mail. The request is also advertised in the paper as a Public Hearing.

There being no further questions from the Commissioners, Mr. Curd opened the Public Hearing for each request.

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

Mrs. Shiflett moved to recommend approval of the request to renew the Crimora-Madrid Agricultural and Forestal District with the conditions recommended by the Ag Forestal Committee.

Mr. Howdyshell seconded the motion which carried unanimously.

Mr. Howdyshell moved to recommend approval of the request to renew the Middle River Agricultural and Forestal District with the conditions recommended by the Ag Forestal Committee.

Mr. Bridge 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 November 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
CRESCENT DEVELOPMENT GROUP, LLC
& MYERS CORNER PARTNERS, LC
November 13, 2018**

SUMMARY OF REQUEST: A request to rezone from Multi-Family Residential to General Business approx. 0.345 acres (portion of TMP 066C1-8-1 and portion of TMP 066C-8-11) owned by Crescent Development Group, LLC and Myers Corner Partners, LC located in the southwest quadrant of the intersection of Jefferson Highway (Route 250) and Myers Corner Drive in Fishersville in the Wayne District.

EXISTING PROFFERS: No proffers are existing or proposed for the 0.345 acres deeded to TMP 066C1 8 1 and TMP 066C 8 11 from TMP 066C 1 2A. The remaining acreage of TMP 066C 1 8 and TMP 066C 8 11 was part of a rezoning of multiple parcels in 2012, having the following proffered conditions:

1. There will be no direct lot access onto Rt. 636 Relocated. The only access points will be the street connections as generally depicted on the Conceptual Plan entitled "Myers Corner" dated October 19, 2012 and prepared by Balzer & Associates.
2. There will be no direct lot access on to Existing Rt. 636. A public street connection to existing Route 636 will be built or bonded prior to the issuance of a building permit for the 200th single family, duplex, or townhouse dwelling unit.
3. The system of open space in the development will be as generally depicted on the Conceptual Plan entitled "Myers Corner" dated October 19, 2012 and prepared by Balzer & Associates. The open space will include retention of the existing hedgerow/fence along the western property boundary with the Troxell and Pingry tracts in at least a 5' strip of open space as depicted on the plan. The developer will install 4' wide paved walking trails throughout the development. The paved walking trails will be maintained by the development's HOA. In lieu of walking trails, diwalks may be built along some streets. The net result will be a pedestrian system from Route 250 to existing Route 636.
4. If street lights are installed, they will be installed and maintained at the expense of the development's HOA.
5. Trash collection will be provided by the HOAs.
6. Applicant will dedicated to VDOT a minimum of 24 feet of right-of-way along Rt. 250.
7. The minimum size, defined as the aggregate area of the finished floor space of all floors, of the townhouses will be 1,000 sq. ft.; of a duplex will be 1,100 sq. ft.; and of the single family homes will be 1,200 sq. ft.

VICINITY ZONING: General Agriculture zoning to the north across Route 250. General Business zoning to the east and Multi-Family Residential zoning to the south and west.

PREVIOUS ZONING: Multi-Family Residential

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

SOILS: Not applicable

COMMENTS FROM ENGINEER: This request will have no substantial impact from the engineering perspective.

COMMENTS FROM ZONING ADMINISTRATOR: If a portion of the property is rezoned to General Business, the adjacent parcels should not be adversely affected by the change.

COMMENTS FROM ACSA: The proposed rezoning is part of property included in a planned development. Due to the size and nature of the change, there is no material impact on the water and sewer infrastructure needs.

COMMENTS FROM HEALTH DEPARTMENT: No comment. Public utilities to serve.

COMMENTS FROM FIRE-RESCUE: Fire-Rescue sees little to no impact on service delivery area.

COMMENTS FROM VDOT:

1. The request will not result in a significant change in traffic generation.
2. The property being considered is the residue of the adjacent Mountain Laurel Manor development, which was bisected by the proposed new subdivision street, Bobby's Way. The transfer and lot consolidation prevents a spite strip along the north side of Bobby's Way. The Myers Corner Lot 11 development plan includes an entrance to Bobby's Way. The proposal appears to be positive for both developments.

SCHOOL BOARD STAFF COMMENTS: This request will have no impact on Wilson Elementary School, Wilson Middle School, and Wilson High School.

COMMUNITY DEVELOPMENT STAFF COMMENTS:

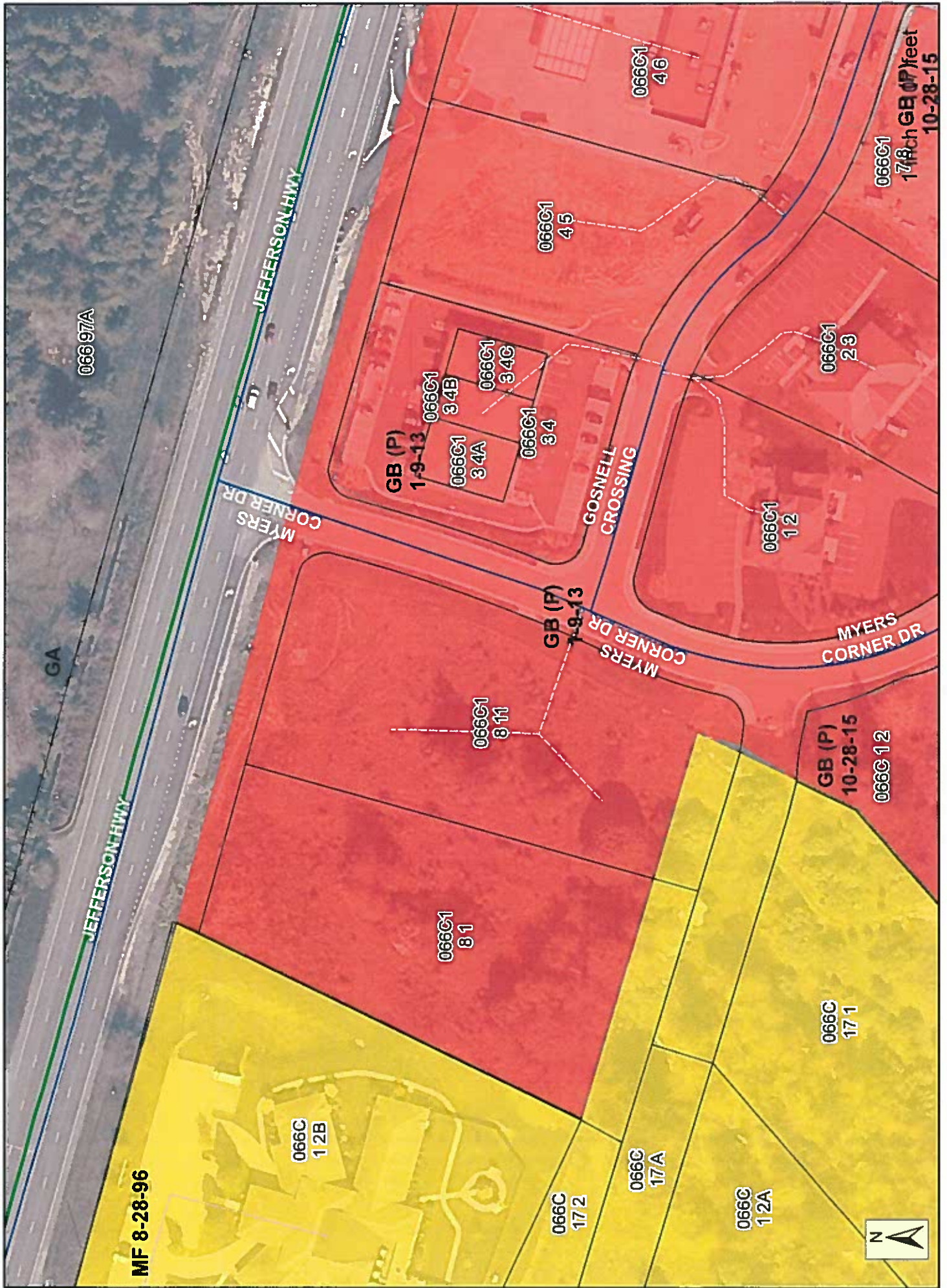
Pros:

1. Request is in an Urban Service area where the County wants to encourage future growth.

2. Request creates consistent General Business zoning rather than having split zoned lots, the area of which is zoned Multi-Family would not be enough to accommodate multi-family residential development.

Cons: N/A

COMMUNITY DEVELOPMENT STAFF RECOMMENDATION: The property of request, approximately 0.345 acres, is the residue of an adjacent parcel (Mountain Laurel Manor development), which was divided by the proposed Bobby's Way. While the request is not in compliance with the Future Land Use Map which designates this 0.345 acres for Multi-Family Residential, the Future Land Use Map intended to follow parcel boundaries. With the boundary line adjustments and additional acreage deeded to parcels planned and zoned for business development, staff recommends approval of the request.



1 inch = 107 feet

**AUGUSTA COUNTY PLANNING COMMISSION REGULAR MEETING
SCHEDULE AND INCLEMENT WEATHER RESOLUTION 2019**

WHEREAS, § 15.2-2214 of the Code of Virginia (1950), as amended, authorizes the Augusta County Planning Commission to fix a schedule of regular meetings and fix the day or days to which any meeting shall be continued due to inclement weather.

WHEREAS, the Planning Commission now desires to establish its schedule for regular meetings during calendar year 2019.

BE IT RESOLVED BY THE AUGUSTA COUNTY PLANNING COMMISSION:

1. The Planning Commission shall hold regular meetings during calendar year 2019, in the Board Meeting Room at the Augusta County Government Center, on the dates and at the times set forth below:

January 8, 2019	7:00 p.m.
February 12, 2019	7:00 p.m.
March 12, 2019	7:00 p.m.
April 9, 2019	7:00 p.m.
May 14, 2019	7:00 p.m.
June 11, 2019	7:00 p.m.
July 9, 2019	7:00 p.m.
August 13, 2019	7:00 p.m.
September 10, 2019	7:00 p.m.
October 8, 2019	7:00 p.m.
November 12, 2019	7:00 p.m.

2. Prior to the regular meeting listed above, the Planning Commission may make a site visit of any rezoning application site being heard at the public hearing/regular meeting. Such visits are open to the public and shall be advertised in accordance with 2.2-3707 of the Code of Virginia.
3. Prior to the regular meeting listed above, the Planning Commission may meet for a staff briefing related to proposed ordinance amendments to be heard by the Planning Commission at their regular meeting. Such briefings are open to the public and shall be advertised in accordance with 2.2-3707 of the Code of Virginia.
4. The Planning Commission may also hold worksessions throughout the year on an as needed basis. The scheduling of such worksessions shall be in accordance with 15.2-2214 of the Code of Virginia. Worksessions are open to the public and shall be advertised in accordance with 2.2-3707 of the Code of Virginia.

5. In the event the Chairman of the Planning Commission, or the Vice Chairman of the Planning Commission, if the Chairman is unable to act, finds and declares that weather or other conditions are such that it is hazardous for members of the Planning Commission to attend a meeting, such meeting shall be continued to the next Tuesday. Such finding and declaration shall be communicated to the members of the Planning Commission and the media as promptly as possible. All hearings and other matters previously advertised shall be conducted at the continued meeting and no further advertisement is required.

BE IT FURTHER RESOLVED, that this resolution be adopted by the Commission, recorded in its minutes, and inserted in a newspaper having general circulation in the County at least seven days prior to the first meeting held pursuant to the adopted schedule.