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: January 6, 2020
SUBJECT: Regular Meeting

The regular meeting of the Augusta County Planning Commission will be held on **Tuesday, January 14, 2020 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 **4:00 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. 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/st

AGENDA

Regular Meeting of the Augusta County Planning Commission

Tuesday, January 14, 2020 7:00 P.M.

1. CALL TO ORDER

2. DETERMINATION OF A QUORUM

3. APPROVAL OF THE MINUTES
   A. Approval of the Regular and Called Meeting on November 12, 2019

4. PUBLIC HEARING

   A. A request to rezone, with proffers, from General Agriculture to General Business approximately 0.5 acres (TMP 54D (1) 59A) owned by Patrick Lovegrove located at 328 Cedar Green Road in Staunton in the Pastures District. The proposed general use of the property is a dog kennel. The general use of the property stated in the Comprehensive Plan is Low Density Residential which may include detached residential units at a density of between one-half and one dwelling unit per acre.

   B. A request to rezone from General Business to Multi-Family Residential approximately 4.9 acres (TMP 66E (6) 1 15) owned by Park Properties, Inc., located on the south side of Pinnacle Drive (Rt. 1289) approx. 700 ft. south of the intersection of Pinnacle Drive (Rt. 1289) and Life Core Drive (Rt. 636) in Fishersville in the Wayne District. The proposed general use of the property is apartments (8-20 units per acre). The general use of the property stated in the Comprehensive Plan is General Business where business uses of varying scale and scope would be appropriate.

   C. A request to amend the Augusta County Comprehensive Plan 2014/2015 Update – Future Land Use Map from Medium Density Residential to Community Mixed Use for approx. 4.5 acres (TMP's 66C 1 8 & 9) owned by 127 Investments LLC located at 1357 Jefferson Highway (Rt. 250) in Fishersville in the Wayne District. The proposed future land use designation of the property is Community Mixed Use which 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. The current general use of the property stated in the Comprehensive Plan is Medium Density Residential, which may include detached residential units at a density of between three and four dwelling units per acre.

   D. A request to rezone, with proffers, from Single Family Residential to General Business (approx. 1.293 acres) and Multi-Family Residential (approx. 3.2 acres) (TMP's 66C 1 8 & 9) owned by 127 Investments LLC located at 1357 Jefferson Highway (Rt. 250) in Fishersville in the Wayne District. The proposed general use of the property is business and apartments (maximum 16 units per acre at

the proffered height). The general use of the property stated in the Comprehensive Plan is Medium Density Residential which may include single family detached dwellings at a density between 3 and 4 units per acre.

5. MATTERS TO BE PRESENTED BY THE PUBLIC

6. NEW BUSINESS

7. OLD BUSINESS
    a. Stuarts Draft Small Area Plan

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

Agenda Item # 4A

Date 1/14/2020

COUNTY OF AUGUSTA
STAFF REPORT
Patrick Lovegrove
January 2, 2020

SUMMARY OF REQUEST: A request to rezone with proffers from General Agriculture to General Business approximately 0.5 acres (TMP 54D (1) 59A) owned by Patrick Lovegrove located at 328 Cedar Green Road in Staunton in the Pastures District. The proposed general use of the property is a dog kennel. The general use of the property stated in the Comprehensive Plan is Low Density Residential, which may include detached residential units at a density of between one-half and one dwelling unit per acre.

PROPOSED PROFFERS:

1. Business use of the property shall be limited to a dog kennel.
2. Outdoor runs are prohibited.
3. Prior to operation of the dog kennel, a 6' opaque privacy fence will be built in compliance with Augusta County Code 25-308.
4. Traffic generated by the dog kennel will be limited to no more than 50 vehicle trips per day.

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

CURRENT ZONING: General Agriculture. Special Use Permit issued in 1974 for a construction office, shop, and warehouse.

COMPREHENSIVE PLAN PLANNING POLICY AREA/FUTURE LAND USE DESIGNATION: Community Development Area/Low Density Residential

COMMENTS FROM ENGINEER:

Environment Ordinance Considerations

This property drains to Buttermilk Spring Run and then to Lewis Creek which is listed on the Virginia DEQ 2018 Impaired Waters List. This impaired segment extends from south of the Staunton City boundary near the power line crossing downstream to its confluence with Middle River. The impaired uses are recreation, aquatic life and fish consumption, the specific impairments are E. coli, General Benthics standard, and PCBs in fish tissue. The sources are municipal (Urbanized High Density Area), non-point sources, and wildlife other than waterfowl for the E. coli impairment, non-point sources for the benthic impairment, and inappropriate waste disposal and municipal (Urbanized High Density Area) for the fish consumption impairment. TMDLs are approved for the

bacterial and benthic impairments and must be considered by the applicant. (Federal TMDL ID # 7677 for bacteria and TMDL ID # 7676 for benthics)

Overlay Ordinance Considerations

This property lies outside of the Source Water Protection Overlay (SWPO).

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 and not subject to the Floodplain Overlay (FPO) Ordinance.

This property lies outside of the Urban Service Overlay District (USO).

Subdivision Ordinance Considerations

§21-9.1 Subsection B of the County Subdivision Ordinance addresses street layout and access to adjacent property. Development is required to connect to existing or planned streets and must also provide for access to adjacent property that is located with areas designated in the Comprehensive Plan as Urban Service or Community Development Areas. This property is substantially developed and has limited opportunities for interconnection unless other adjacent properties are rezoned.

COMMENTS FROM ZONING ADMINISTRATOR: The property is surrounded by General Agriculture and Single Family Residential zoned property. If the property is rezoned to General Business specifically for a dog kennel, the adjoining Single Family Residential and General Agriculture zoned properties containing single family dwellings could be negatively impacted by increased traffic, odors, lights, and noise from barking dogs that may not be compatible with the existing area. Any outdoor dog runs would require a Special Use Permit. Due to the close proximity of single family dwellings, Zoning would recommend proffering no outdoor runs.

> *[Submitted proffers address the earlier Zoning staff concerns. Zoning has no other concerns regarding the impacts to adjoining parcels.]*

A site plan meeting the requirements of Section 25-673 is required prior to any change of use or expansions on the property and Outdoor lighting must meet all requirements of Article VI "Outdoor Lighting". The Zoning Ordinance requires a buffer yard to be provided adjacent to any property line not entirely zoned business of industrial subject to the "buffer yard" requirements in Section 25-308.

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://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.

4. There is an existing 8" waterline located on the north side of Cedar Green Road. The existing structure at 328 Cedar Green Road is served by a 5/8" meter. To ensure that this meter is adequate for the proposed use, a meter sizing form will need to be provided to the Service Authority Engineering Department. The meter sizing form is available at www.acsawater.com/standards. If the meter size needs to be increased, additional charges would apply in accordance with the Service Authority's published Rate Schedule, which is available at www.acsawater.com.

5. There is no public sewer available in the area of the subject property.

COMMENTS FROM HEALTH DEPARTMENT: The Lovegrove-Micek request for 328 Cedar Green Road indicates the property is served by a septic system. Health department records reflects that a system was approved in 1974 for Lovegrove Construction Co. for an office & warehouse. The system was designed for 40 gallons per day, or two persons. Any change or increase in the use of the existing system would require that a professional engineer evaluate sewage flows and strength to determine whether modification or expansion of the system is warranted. The health department would review any submitted plans prior to permit issuance.

COMMENTS FROM FIRE-RESCUE: Fire-Rescue sees little to no impact on service delivery from this request. Fire-Rescue has no further comment.

TRAFFIC:

Traffic Data: Rt. 693 Cedar Green Road
-AADT: 1,200 vpd (2018)
-Posted Speed Limit: 40 mph
-K-Factor: 0.108 Dir. Factor: 0.627

-Functional Class: Major Collector

COMMENTS FROM VDOT:

1. The requested zoning is not expected to have a substantial impact to existing roadways and would therefore not warrant a Chapter 527 Traffic Impact Analysis. The proffered use is a dog kennel that will not exceed 50 vehicle trips per day (enter + exit).

2. Any entrance must be designed and constructed in accordance with VDOT requirements in Appendix F of the Road Design Manual.
    a. The existing entrance is adequate to serve up to 50 vehicle trips per day (enter + exit). It has adequate stopping sigh distance for a low volume commercial entrance only. The proffered restriction of 50 vehicle trips per day ensures that the entrance is adequate for the specific use of a dog kennel.

SCHOOL BOARD STAFF COMMENTS: The request for a change of zoning for approximately 0.5 acres from General Agriculture to General Business would have no impact on these three (3) schools.

The table below indicates the enrollment as of November 6, 2019.

School	Enrollment	Capacity
Churchville Elem (CHES)	397	592
Beverley Manor Mid (BMMS)	705	800
Buffalo Gap High (BGHS)	480	740

COMMUNITY DEVELOPMENT STAFF COMMENTS:

PROS

1. Property is served by public water.

CONS

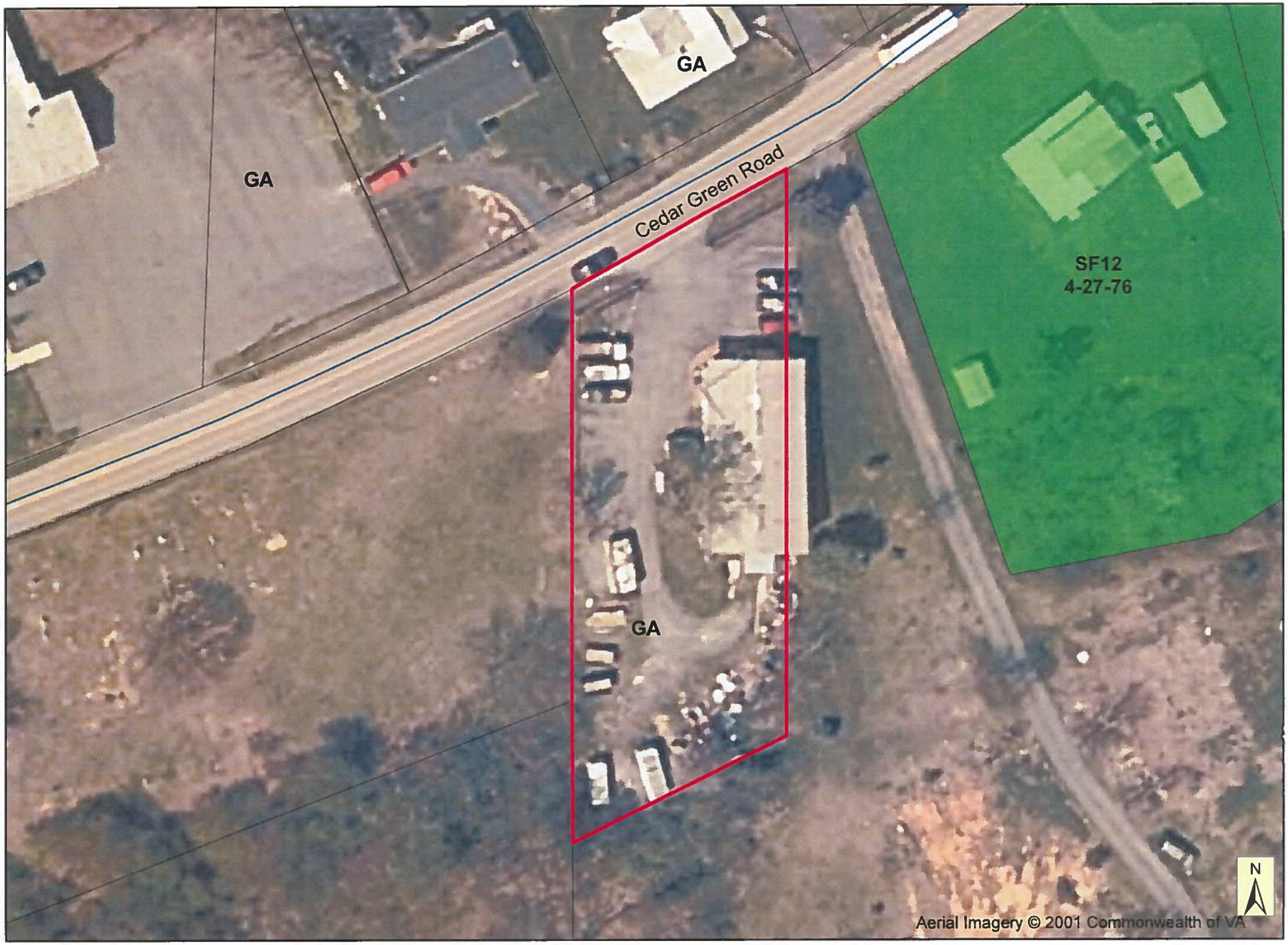
1. Request is not in compliance with the Augusta County Comprehensive Plan Future Land Use Map which designates the property for future low density residential development.
2. Request may not be compatible with adjacent residential dwellings on General Agriculture and Single Family zoned property, although proffered condition mitigate some of the identified impacts.

COMMUNITY DEVELOPMENT STAFF RECOMMENDATION: The building on the property was developed with a Special Use Permit in 1974 as a construction office, shop, and warehouse. Staff feels that the existing building could accommodate a future business with a Special Use Permit for either a similar use

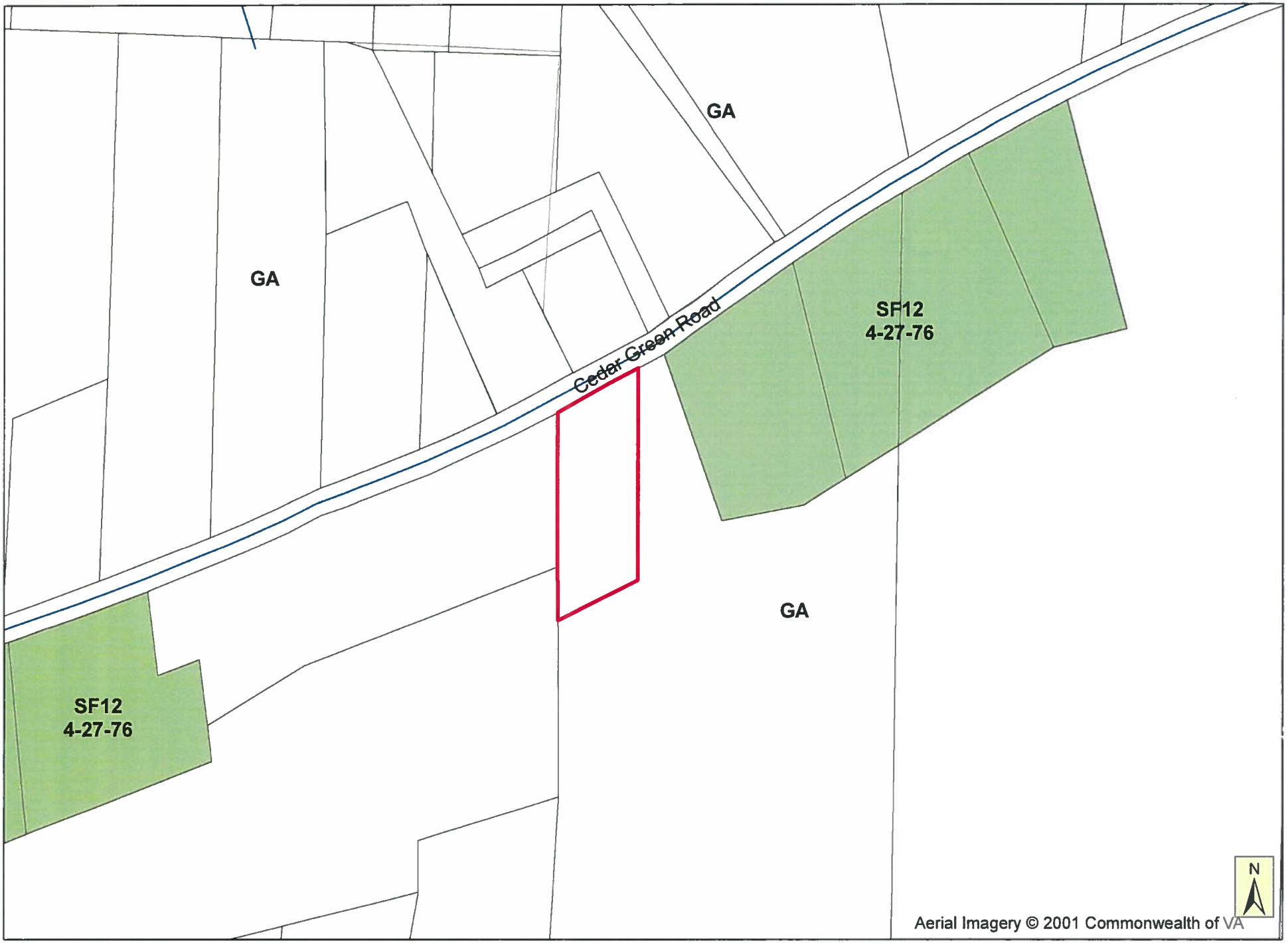
as was proposed in 1974 or for another minimally impactful, low traffic volume use.

The Augusta County Code permits dog kennels as a Special Use Permit in General Agriculture zoning, but this property does not meet the 5 acre minimum requirement established within the ordinance. For that reason, staff would not support a rezoning to General Business, when not supported by the Comprehensive Plan, with no other business zoning in the vicinity, as a means of circumventing established conditions of the General Agriculture ordinance in an area mostly zoned General Agriculture.

Lovegrove Property



Lovegrove Property



Agenda Item # 4 B

Date 1/14/2020

COUNTY OF AUGUSTA
STAFF REPORT
Park Properties, Inc.
January 2, 2020

SUMMARY OF REQUEST: A request to rezone from General Business to Multi-Family Residential approximately 4.9 acres (TMP 66E (6) 1 15) owned by Park Properties, Inc., located on the south side of Pinnacle Drive (Rt. 1289) approx. 700 ft. south of the intersection of Pinnacle Drive (Rt. 1289) and Life Core Drive (Rt. 636) in Fishersville in the Wayne District. The proposed general use of the property is apartments (8-20 units per acre). The general use of the property stated in the Comprehensive Plan is General Business where business uses of varying scale and scope would be appropriate.

VICINITY ZONING: General Business zoning to the north, east, and west and General Agriculture zoning to the south.

CURRENT ZONING: General Business, Floodplain Overlay District

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

COMMENTS FROM ENGINEER: Rezoning from General Business to Multi-family is not expected to have a significant impact on stormwater management for the property. 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 regardless of the disturbed acreage as this lot is part of a common plan of development. While portions of this subdivision have been previously developed under Part IIC (old regs), this portion of the overall subdivision development has not had continuous permit coverage and development of this lot will need to comply with Part IIB (new regs). Fill has been placed on the site under a land disturbing permit. The existing permit requires that the site be returned to grass cover. As of this writing, the area appears to be covered with compacted shale or some other sort of material. Regardless of this current state, the pre-developed condition with respect to all calculations will be with grass cover, good condition. 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 Goose Creek.

This property lies outside of the Source Water Protection Overlay.

This property drains to Goose Creek (and then to Christians Creek) which is listed on the Virginia DEQ 2016 Impaired Waters List. This impaired segment extends from its confluence with Folly Mills Creek 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).

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

Portions of this property lie within Zone AE on the FEMA FIRM. The owner's engineer has performed a topographical survey and has projected the published base flood elevations onto this survey to produce a more accurate floodplain boundary. Any development of the property must meet the provisions of the Floodplain Overlay Ordinance. Placement of fill in this area is discouraged. Any fill placed in this area could impact other properties and will require a detailed flood study and a Letter of Map Revision (LOMR) from FEMA. New lots must contain a "Buildable Area" outside of the floodplain.

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.

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: Rezoning the property to Multi-Family Residential for a senior residential housing development should not have a negative impact on the adjoining parcels currently zoned General Agriculture and General Business. However, the applicant should be aware that the new senior housing development may be negatively impacted by increased traffic, noise, dust, and permitted business uses such as motor vehicle repair, machine shops, or fast

food establishments when the adjacent properties zoned General Business to the north and east develop that may not be compatible with the residential character.

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://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.

4. There is an existing 12" waterline located on the property along the front property line. There is an existing 6" waterline along the southwest rear property line.

5. There is an existing 12"/21" sewer line running through the property from Pinnacle Drive toward I-64. There is an existing 24" sewer line running through the property parallel to Pinnacle Drive along the rear portion of the property crossing the existing 12"/21" sewer line.

6. There are several water and sewer lines and/or easements (with no existing utilities) located on the subject property. The applicant is strongly encouraged to contact the Service Authority regarding these lines and/or easements during the site plan preparation process.

COMMENTS FROM HEALTH DEPARTMENT: No comment. Public water and sewer to serve.

COMMENTS FROM FIRE-RESCUE: Fire-Rescue sees little to no impact on service delivery from this request. Fire-Rescue has no further comment.

TRAFFIC:

Traffic Data: Rt. 1289 Pinnacle Drive
-AADT: N/A
-Posted Speed Limit: Not posted

-K-Factor: N/A Dir. Factor: N/A
-Functional Class: Local

COMMENTS FROM VDOT:

1. The rezoning would not have a significant impact to adjacent roadways. A VDOT Chapter 527 Traffic Impact Analysis will not be required.

2. VDOT would review the following during site plan review:
   a. VDOT will require the entrance to be constructed in accordance with Appendix F of the VDOT Road Design Manual.
   b. Access Management Regulations would govern entrance spacing, shared access, and interparcel connections.
   c. Adequate intersection sight distance will be required. The intersection sight line must remain unobstructed in each direction and must be encompassed in an easement of it crosses adjacent property outside the limits of the existing street right of way.

SCHOOL BOARD STAFF COMMENTS: The request for a change of approximately 4.9 acres from General Business to Multi Family Residential would have some impact on these three (3) schools. Multi Family Residential has the potential for 9-16 units per acre which is approximately 45-80 units for this site. The schools have enough capacity for this site but I do not have the total amount of undeveloped properties in these school divisions.

The table below indicates the enrollment as of March 25, 2019.

School	Enrollment	Capacity
Wilson Elementary (WES)	678	834
Wilson Middle (WMS)	648	750
Wilson High (WMHS)	788	900

COMMUNITY DEVELOPMENT STAFF COMMENTS:

PROS

1. Property is served by public water and sewer.
2. Request is in an Urban Service Area where the County encourages 80% of residential development.

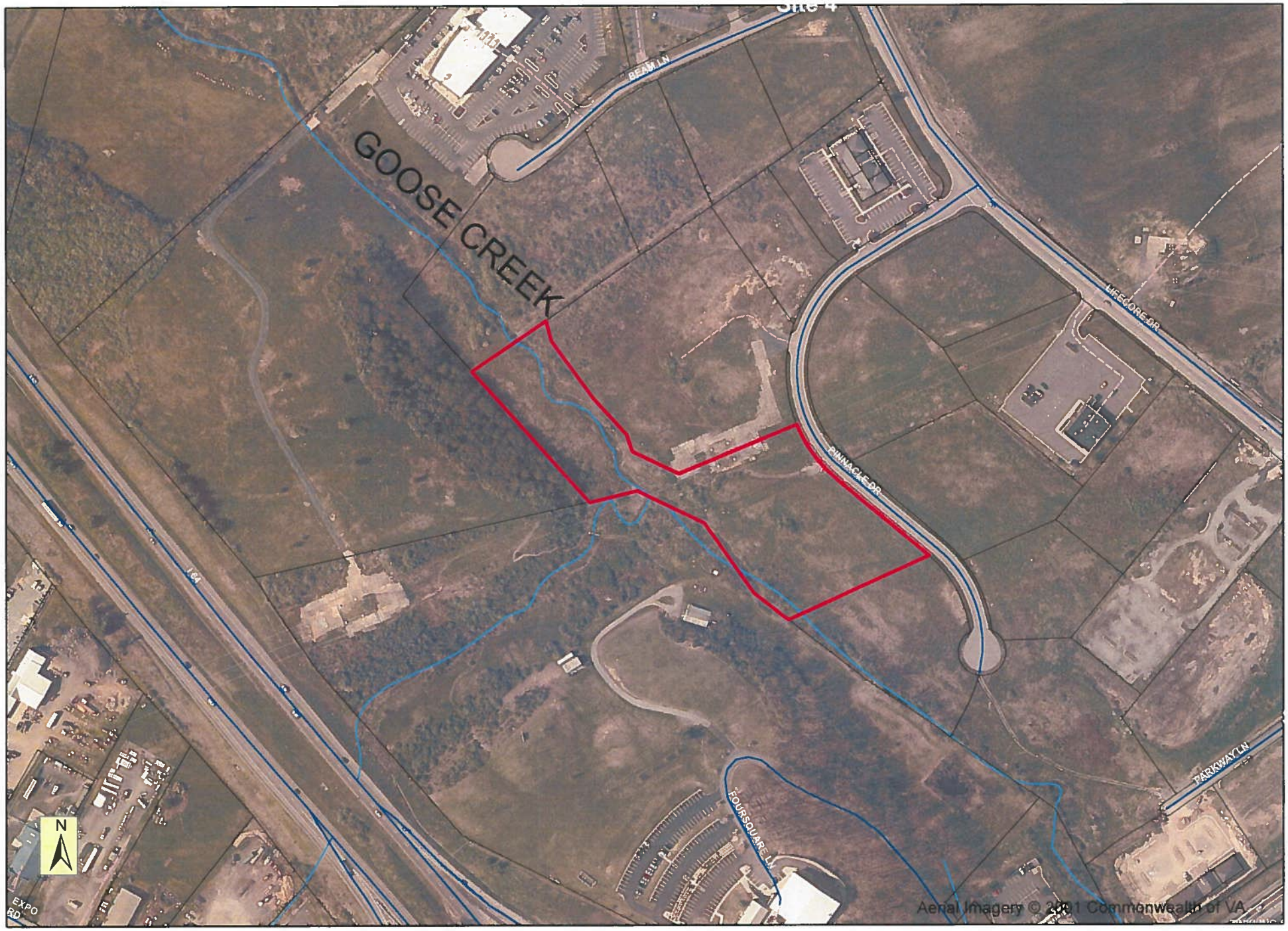
CONS

1. Request is not in compliance with the Augusta County Comprehensive Plan Future Land Use Map which designates the property for business development.
2. Request may not be compatible with existing business zoning and future development on adjacent, undeveloped business zoned properties.

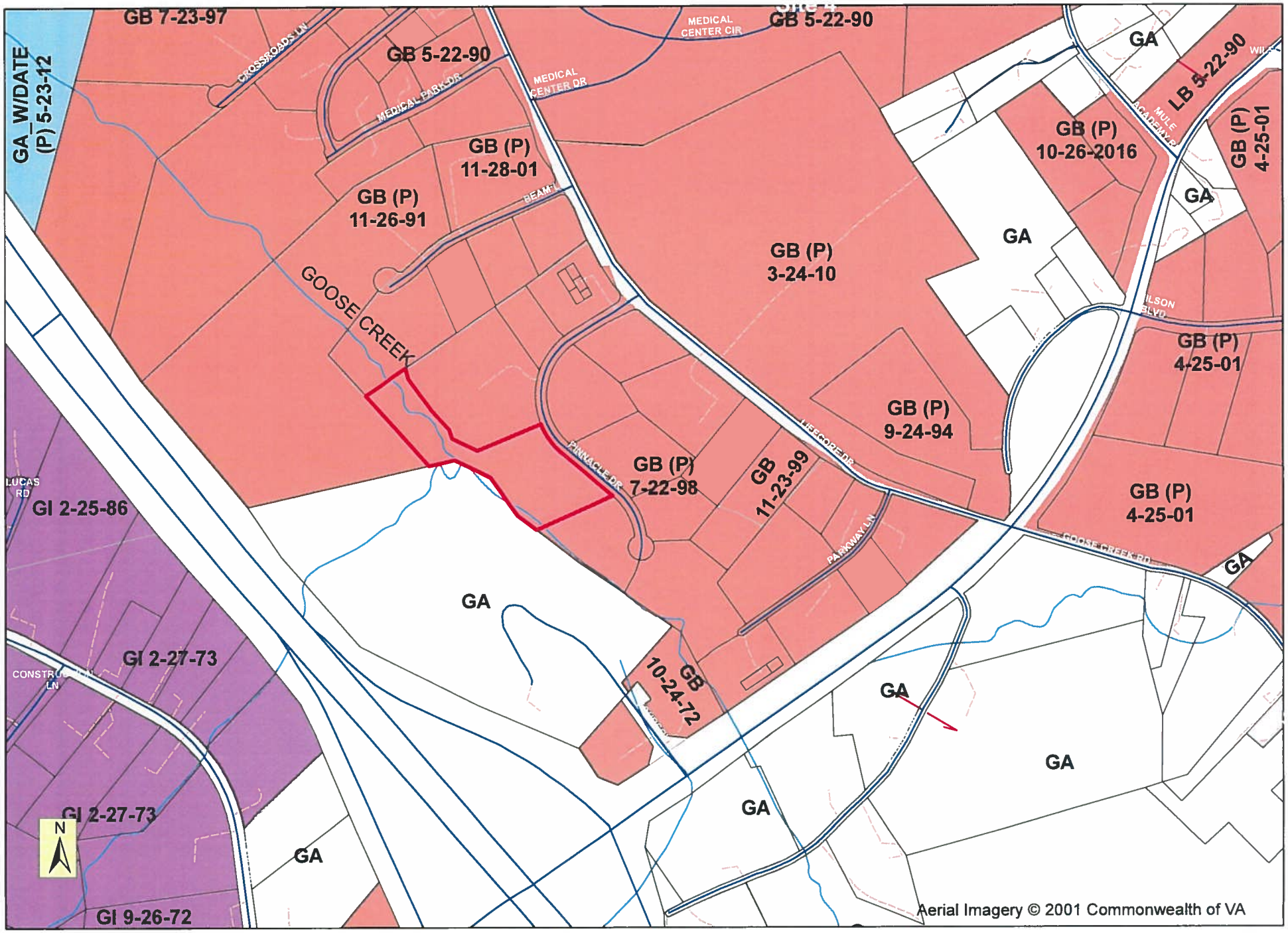
However, adjacent properties are also owned by Park Properties, Inc., and could be developed in a way that is compatible with multi-family residential development.

COMMUNITY DEVELOPMENT STAFF RECOMMENDATION: The applicant has presented and been approved for a senior affordable housing project with the Virginia Housing Development Authority. There are many synergies created between an affordable senior housing facility and adjacent medical services and assisted living facility. Although without proffered conditions, the property could development in a different manner than such proposal, staff sees very little difference in impacts. One variation in impacts may be related to the schools, which currently have enrollment capacity. Staff recommends approval of the request.

Park Properties, Inc.



Park Properties, Inc.



Agenda Item # 4C+D

Date 1/14/2020

COUNTY OF AUGUSTA
STAFF REPORT
127 Investments LLC
January 2, 2020

SUMMARY OF REQUESTS:

1. A request to amend the Augusta County Comprehensive Plan 2014/2015 Update – Future Land Use Map from Medium Density Residential to Community Mixed Use for approx. 4.5 acres (TMP's 66C 1 8 & 9) owned by 127 Investments LLC located at 1357 Jefferson Highway (Rt. 250) in Fishersville in the Wayne District. The proposed future land use designation of the property is Community Mixed Use, which 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. The current general use of the property stated in the Comprehensive Plan is Medium Density Residential, which may include detached residential units at a density of between three and four dwelling units per acre.

2. A request to rezone from Single Family Residential to General Business (approx. 1.293 acres) and Multi-Family Residential (approx. 3.2 acres) (TMP's 66C 1 8 & 9) owned by 127 Investments LLC located at 1357 Jefferson Highway (Rt. 250) in Fishersville in the Wayne District. The proposed general use of the property is business and apartments (maximum 16 units per acre at the proffered height). The general use of the property stated in the Comprehensive Plan is Medium Density Residential which may include single family detached dwellings at a density between 3 and 4 units per acre.

PROPOSED PROFFERS:

1. The maximum height of structures within the General Business and Multi-Family zoning shall be restricted to 3 stories.
2. Building and parking shall be placed a distance of 100 ft. from the Fairmont subdivision lots. Existing vegetation shall be retained or supplemented with new plantings.
3. Uses not permitted:
    a. Adult businesses
    b. Agricultural related uses
    c. Animal care facilities
    d. Construction support businesses
    e. Indoor entertainment

f. Industry support businesses
g. Gasoline retail outlets
h. Transportation related uses
i. Vehicle service
j. Wholesale and resale businesses

VICINITY ZONING: Single Family Residential zoning to the east, west, and south. General Business zoning to the north across Jefferson Highway.

CURRENT ZONING: Single Family Residential, Urban Service Overlay District

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

COMMENTS FROM ENGINEER:

Environment Ordinance Considerations

A blueline stream headwaters on the property and wetlands may or may not be present on the site. 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 2016 Impaired Waters List. This impaired segment extends from its confluence with Folly Mills Creek 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).

Overlay Ordinance Considerations

This property lies outside of the Source Water Protection Overlay (SWPO).

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 and not subject to the Floodplain Overlay (FPO) Ordinance.

This property lies within of the Urban Service Overlay District (USO) and is therefore subject to the limitations on access to public streets contained in that ordinance.

Subdivision Ordinance Considerations

§21-9.1 Subsection B of the County Subdivision Ordinance addresses street layout and access to adjacent property. Development is required to connect to existing or planned streets and must also provide for access to adjacent property that is located with areas designated in the Comprehensive Plan as Urban Service or Community Development Areas. This property lies within an Urban Service Area and is covered by the Urban Service Overlay District and will be required to provide a connection to the Arehart property to the east.

Natural Resources Recommendations from the Comprehensive Plan

The 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.

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 property is adjacent to properties containing single family dwellings. If the property is rezoned to General Business and Multi-Family Residential the adjacent Single Family Residential zoned properties could be impacted by increased traffic, dust, lights and congestion created by the higher density of multi-family residential and permitted business uses such as motor vehicle repair, machine shops, gasoline retail outlets, dog kennels or fast food establishments. Zoning would recommend there be proffered conditions limiting the permitted business uses to professional offices or retail establishments and prohibit any outside storage or display to mitigate these potential impacts. Zoning does not feel the adjacent General Business zoned property to the north would be adversely affected by the change.

> [*Submitted proffers address the majority of the earlier Zoning staff concerns. Zoning has no other concerns regarding the impacts to adjoining parcels.*]

A site plan meeting the requirements of **Section 25-673** is required prior to any business development on the property and Outdoor lighting must meet all requirements of Article VI "Outdoor Lighting". The Zoning Ordinance requires a

buffer yard to be provided adjacent to any property line not entirely zoned business of industrial subject to the "buffer yard" requirements in **Section 25-308**. Any parking areas to the side or rear of an established residential use in agriculture districts or residential zoned districts must be screened per the requirements of **Section 25-38**.

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://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.
4. There are two 5/8" services on the property – 1 water & sewer and 1 water only.
5. There is an existing 12" waterline along Rt. 250 (Jefferson Hwy.) along the front property line of Tax Map # 66C-(1)-8.
6. There is an existing 8" sewer line along Rt. 250 (Jefferson Hwy.) along the front property line and through the western portion of Tax Map # 66C-(1)-8.

COMMENTS FROM HEALTH DEPARTMENT: No comment. Public water and sewer to serve.

COMMENTS FROM FIRE-RESCUE: Fire-Rescue sees little to no impact on service delivery from this request. Fire-Rescue has no further comment.

TRAFFIC:

Traffic Data: Rt. 250 Jefferson Hwy
-AADT: 14,000 vpd (2018)
-Posted Speed Limit: 45 mph
-K-Factor: 0.1 Dir. Factor: 0.552
-Functional Class: Minor Arterial

COMMENTS FROM VDOT:

1. The requested zoning is not expected to have a substantial impact to existing roadways and would therefore not warrant a Chapter 527 Traffic Impact Analysis.
2. Any entrance must be designed and constructed in accordance with VDOT requirements in Appendix F of the Road Design Manual.
    a. A commercial entrance that meets the required sight distance and capable of serving the proposed development appears to be available at the western limits of the parcel. Preliminary calculations provided by Balzer shows that a right turn lane is not likely warranted. A detailed evaluation will be reviewed at time of site plan if the request is approved. Additionally, there appear to be utility conflicts at the location where the entrance must go that will have to be evaluated at site plan.

SCHOOL BOARD STAFF COMMENTS: The request for a change of approximately 4.7 acres from Single Family Residential to General Business (1.5 acres) and Multi Family (3.2) acres would have <u>some impact</u> on these three (3) schools.

The table below indicates the enrollment as of September 3, 2019.

School	Enrollment	Capacity
Wilson Elementary (WES)	663	834
Wilson Middle (WMS)	669	750
Wilson High (WMHS)	827	900

COMMUNITY DEVELOPMENT STAFF COMMENTS:

<u>PROS</u>

1. Business component of the request may be compatible with General Business zoning and development across Jefferson Highway.
2. Public water and sewer is available to serve the property.
3. The property is located in an Urban Service Area where the County wants to encourage future residential and commercial growth.
4. There is enrollment capacity available at the public schools within this service area.

<u>CONS</u>

1. Request is not in compliance with the Comprehensive Plan Future Land Use Map which designates this parcel for medium density residential development, consistent with current zoning, although the applicant is requesting a Comprehensive Plan amendment which would make the rezoning request compliant with the proposed future land use and the planned future land use of adjacent property to the east.

2. Request may not be compatible with adjacent single family residential zoning and development to the west and south or single family residential zoning (undeveloped) to the east.

COMMUNITY DEVELOPMENT STAFF RECOMMENDATION: Although not a proffered condition, the applicant has proposed 36 multi-family residential units for the purposes of evaluating traffic impacts. Based on the acreage, stormwater detention requirements, and parking requirements, staff would not think that the proposed residential development could much exceed 36 units. However, without the benefit of a preliminary concept plan, it is difficult for staff to evaluate density, parking, setbacks and screening.

The applicant has proffered that development, buildings or parking, will be setback 100 ft. from the Fairmont subdivision lots. The zoning ordinance will require screening of parking within 200 ft. of residentially zoned lots. Furthermore, the applicant has proffered out some more impactful business uses and capped the height of the multi-family residential development to 3 stories.

Although not in compliance with the current Comprehensive Plan Future Land Use designation, the property is in an Urban Service Area, on public utilities, with available school capacity, across the street from business development, and located along a minor arterial roadway. Based on the acreage and lot frontage requirements in Single Family, requiring all new lots to front on an internal subdivision street, likely the only way this property would develop as a single family residential subdivision would be in consultation with the property to the east which is zoned Single Family but planned for Mixed Use. If not rezoned, the existing house could be used as a residence and the rest of the property would likely remain undeveloped unless a developer found it viable to put in a public street and create 9,000 to 12,000 sq. ft. lots out of 4.5 acres of land.

The Comprehensive Plan encourages medium density residential uses as a transition between low density and higher density residential uses and also encourages higher density residential uses as a transition between business uses and lower density residential uses. Furthermore, the Comprehensive Plan states that "similar uses and intensities should generally front each other across local and collector roads. Uses should gradually change at the side and rear property boundaries, or across major arterial roads." Staff is of the opinion that the request falls within the general transition guidelines identified above.

Staff has some concerns with the unknown location of the parking and buildings, proposed lighting type, and the specifics with regards to the supplementation of vegetation proposed by the applicant as it relates to the adjacent single family zoned Fairmont Subdivision. However, it is important to note that any parking within 200' of the residentially zoned adjacent lots will need to be screened with a fence or vegetation per the ordinance. Staff thinks more specifics should be given with regard to the supplementation of plantings so as to create an

adequate buffer/screening to the adjacent residential neighborhood to further support the transition policies of the Comprehensive Plan identified above.

Perhaps the request, or similar request, would more fully support the transition policies identified in the Comprehensive Plan, and above, if pursued in consultation with any future proposed rezoning of the property to the east from single family to a mixed use designation as is planned in the Comprehensive Plan. At this time, a rezoning of just this parcel would create an individual parcel zoned differently than the surrounding zoning to the east, west, and south. For that reason, staff would recommend denial of the request at this time.

However, if the Planning Commission thinks it good zoning practice, in keeping with the pattern of existing development, and in keeping with the availability of existing public facilities to recommend approval of the rezoning, staff would recommend amending the Comprehensive Plan Future Land Use Map from Medium Density Residential to Community Mixed Use as is the current future land use designation for the undeveloped land directly to the east. Such amendment would incorporate this parcel into the envisioned mixed-use development pattern for the adjacent lot.

127 Investments LLC

127 Investments LLC Route 250