

Regular Meeting, Wednesday, November 26, 2019, 7:00 p.m. Government Center, Verona, VA.

PRESENT: Gerald W. Garber, Chairman
Carolyn S. Bragg-Vice Chairman
G.L. "Butch" Wells
Michael L. Shull
Wendell L. Coleman
Pam L. Carter
Marshall W. Pattie (Via Electronic)
Timothy K. Fitzgerald, County Administrator
Jennifer M. Whetzel, Deputy County Administrator
John Wilkinson, Director of Community Development
Leslie Tate, Senior Planner
James R. Benkahla, County Attorney
Angela Michael, Executive Assistant

VIRGINIA: At a regular meeting of the Augusta County Board of Supervisors held on Wednesday, November 26, 2019, at 7:00 p.m., at the Government Center, Verona, Virginia, and in the 244th year of the Commonwealth....

* * * * *

Chairman Garber welcomed the citizens present.

* * * * *

The following students from Stuarts Draft Middle School led the Board of Supervisors in the Pledge of Allegiance:

Maggie Henderson is in the 7th grade. Her favorite subject is history and she is in gymnastics. She would like to attend Virginia Tech to study to become a teacher.

Lydia Monroe is in the 7th grade. Her favorite subject is history and she plans to attend University of Kentucky and study engineering. She enjoys playing soccer in her free time.

Alandra Knice is in the 7th grade. She enjoys being in plays, singing and playing sports.

Madison Doyle is in the 7th grade. She enjoys acting in plays and playing volleyball.

Isabel Missick is in the 7th grade. In her free time, she enjoys running and playing soccer.

* * * * *

Michael Shull, Supervisor for the Riverheads District, delivered the invocation.

* * * * *

November 26, 2019, at 7:00 p.m.

CRESCENT DEVELOPMENT GROUP LLC-REZONING

This being the day and time advertised to consider a request to rezone from Single Family Residential to General Business, with proffers, approximately 4.6 acres (TMP's 66C(1)2D, 66C(5)A, 66C(5)C, 66C(1)3) owned by Crescent Development Group LLC located in the southeast quadrant of the intersection of Jefferson Highway (Rt. 250) and Life Core Drive (Rt. 636) in Fishersville in the Wayne District. The general use of the property stated in the Comprehensive Plan is Community Mixed Use which may include a variety of residential uses as a density of 6-12 units an 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 Planning Commission recommends approval with proffer.

Leslie Tate, Senior Planner, discussed the proposed proffers.

Scott Williams, managing member of Crescent Group, stated that his company is the developer of Myers Corner which is a mixed use community being built on 140 acres along Route 250 and Lifecore Drive. He discussed the process that led to this rezoning. The rezoning request complies with the Comprehensive Plan. The site is in an Urban Service Area. The proposed change in zoning is in keeping with the County's desire to encourage more business development along Lifecore to pay back the money borrowed for the road. The residential portion of the project has been started which will include approximately 300 homes. The residential growth in this area will increase the need for businesses and services in the area. There is public concern about potential access along Route 250. It is unknown if there will be access on Route 250, but if there is one, it will not be a full access. They have tried to respond to concerns raised by staff and neighbors. Most have been addressed at this time. The projects that have been developed in Myers Corner to date have been of the highest quality. It is unknown what will be developed on the site, but it will be developed in a first class, professional way and as least impactful to the neighbors as possible.

The Chairman declared the public hearing open.

Vrla Leach, 37 Woodlawn Drive, Staunton, stated that she is in the neighborhood beside Myers Corner. She questioned what the agreement was between Crescent Development and Augusta County.

Mr. Fitzgerald stated that Crescent Development did not give money for the road construction. Their contribution was in the form of land and material used for the roadway. The County worked a public private partnership with Crescent and Branch Highways. The money was borrowed to build the project and VDOT money that was on the project previously from the 6-year plan was used. The tax incentive is not with Crescent Development. There is an agreement in place that all taxes paid in Myers Corner go into an account with the County and the County gets paid back for what was borrowed.

Ms. Leach is concerned about the safety at the Lifecore intersection. The property needs to remain as residential on that side.

Alan Gilbert, 25 Woodlawn Drive, Staunton, agrees with Ms. Leach's concerns. He recommends that the Board of Supervisors discuss this request further.

Jason Earhart, 29 Birchwood Road, Staunton, compared the Comprehensive Plan to the Fishersville Small Area Plan. The zoning changes would conflict with what was planned for the property.

James Earhart, 1426 Jefferson Highway, Staunton, is in opposition of the zoning change. The property can be developed as residential.

There being no other speakers, the Chairman declared the public hearing closed.

November 26, 2019, at 7:00 p.m.

COUNTRY ESTATES MOBILE HOME PARK, LLC-REZONING (CONT'D)

Vote was as follows: Yeas: Garber, Bragg, Coleman, Wells, Shull, Carter and Pattie
Nays: None

Motion carried.

* * * * *

CHAPTER 25, SECTION 25-384-ORDINANCE AMENDMENT

Consider an ordinance to amend Chapter 25. Zoning. Division F. Industrial Districts. Article XXXVIII. General Industrial (GI) Districts. Section 25-384. Uses permitted by Special Use Permit. E. Batching plants for asphalt, cement, or concrete. The Planning Commission recommends approval.

Ms. Tate stated that the ordinance, the way it is currently written, in general industrial districts allows you to apply for a special use permit to have a concrete or asphalt batching plant. These requests go to the Board of Zoning Appeals for approval. The conditions related to that special use permit currently are that the neighboring area is not characterized by residential, commercial or industrial development which would be adversely impacted by the proposed use. Also, traffic generated by the proposed project will be compatible with the road serving the site and other traffic utilizing the said roads and onsite traffic flow will adequately and safely accommodate all traffic to and from the public highways. All building, structures and operations will be set back at least 100 feet from all property lines unless the Board of Zoning Appeals determines that greater setbacks are necessary to adequately protect neighboring properties. The proposed amendment would add or the Board of Zoning Appeals determines that lesser setbacks are adequate to protect neighboring properties.

The Chairman declared the public hearing open.

Randy Brock is the Technical Manager for the Hershey Company. He has concerns with the amendment and opposes it.

Meredith Moldenhauer, legal counsel for Hershey Company, stated that this a matter of right uses for low intensity manufacturing that are currently protected and that by reducing the buffer, many other uses could be affected. She cited research, provided to the Board, that supports the claim that particulate matter needs increased regulation of buffer zones.

There being no other speakers, the Chairman declared the public hearing closed.

Ms. Bragg moved, seconded by Ms. Carter, that the Board table the request for further review.

Vote was as follows: Yeas: Garber, Bragg, Coleman, Wells, Shull, Carter and Pattie
Nays: None

Motion carried.

* * * * *

MATTERS TO BE PRESENTED BY THE PUBLIC

