

Regular Meeting, Wednesday, February 26, 2020, 7:00 p.m. Government Center, Verona, VA.

PRESENT: Gerald Garber, Chairman
Pam L. Carter, Vice-Chair
Butch Wells
Michael L. Shull
Scott Seaton
Jeffrey Slaven
Steven Morelli
Timothy K. Fitzgerald, County Administrator
Jennifer M. Whetzel, Deputy County Administrator
John Wilkinson, Director of Community Development
Leslie Tate, Senior Planner
James Benkahla, County Attorney
Angie Michael, Executive Assistant

VIRGINIA: At a regular meeting of the Augusta County Board of Supervisors held on Wednesday, February 26, 2020, at 7:00 p.m., at the Government Center, Verona, Virginia, and in the 244th year of the Commonwealth....

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Chairman Garber welcomed the citizens present.

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The following students from the Riverheads High School led us with the Pledge of Allegiance:

Tyler Haugen plans to join the Military or go into the electrical field.

Lane Cash plans to attend Ferrum College to compete in sports and get a Business Degree.

Trenton Gilbert is a senior at sixteen years old. He plans to attend Blue Ridge Community College and study the Cyber Security Program they offer.

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Pam Carter, Supervisor for the Pastures District, delivered the invocation.

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JASON A. AND KIMBERLY D. ALMARODE AND DYLAN R. CAMPBELL-REZONING

The Board considered a request to rezone from Single Family Residential 10 to General Agriculture approximately 10.5 acres (TMP 85-121) owned by Jason A. and Kimberly D. Almarode and Dylan R. Campbell. The Planning Commission recommends denial.

Leslie Tate, Planner, stated that the property is located off Mt. Torrey Road in the South River District. The proposed general use of the property is agriculture and 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. The property has been zoned single family since 1962. The Planning Commission recommends denial because the request is against the Comprehensive Plan, which designates the area for Low Density Residential Development and stated some

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JASON A. AND KIMBERLY D. ALMARODE AND DYLAN R. CAMPBELL-REZONING
(CONT'D)

potential impacts that General Agriculture uses could have on the adjacent single-family zoned lots.

Jason Almarode is the owner of the property. There has been soil samples performed on the property and it does not meet the requirements of the County to divide and build several structures. The intent to rezone to General Agriculture is not to strip the property and farm it. The intent is to build a garage with a loft apartment. With the current zoning, in order to build a house at a later date, the apartment would have to be disabled. There were concerns about swine. There is no intent to start a pig farm. The family butchers and would like to have the pigs on their property and butcher from start to finish. The neighbors are not contesting the rezoning. The entryway to the property would not support more than 2-3 structures. The top 30% of the property is the only section that will sustain conventional septic. Anything else would have to be engineered systems.

The Chairman declared the public hearing to be open.

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

Mr. Morelli has looked at the property. As a rule, he would not go against the Comprehensive Plan, but he foresees no reason to prevent this rezoning.

Mr. Morelli moved, seconded by Mr. Slaven, that the Board approve rezoning as presented.

Vote was as follows: Yeas: Garber, Shull, Slaven, and Morelli
 Nays: Wells, Carter and Seaton

Motion carried.

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ZAPTON PROPERTY-111/113 SOUTH AUGUSTA ST.

The Board considered the lease of real estate (111/113 South Augusta Street in the City of Staunton, VA) owned by the County of Augusta and authorized the County Administrator to sign and execute the documents.

Timothy Fitzgerald, County Administrator, stated that this is for the property recently acquired directly behind the General District Court building. As part of the negotiation on the purchase of the property, an agreement was made with Ms. Zapton that she would be able to remain in the property under a lease for several months while she completed work in getting her new home completed.

The Chairman declared the public hearing to be open.

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

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ZAPTON PROPERTY-111/113 SOUTH AUGUSTA ST. (CONT'D)

Ms. Carter moved, seconded by Mr. Wells, that the Board approve for the County Administrator to sign and execute the necessary documents for the Zapton Property lease.

Vote was as follows: Yeas: Garber, Carter, Wells, Shull, Slaven, Seaton and Morelli
Nays: None

Motion carried.

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MATTERS TO BE PRESENTED BY THE PUBLIC

Robert Colgan of 3922 Churchville Ave, Churchville, stated that he spoke last September with a complaint about noise and the noise ordinance under the County code. If something effects the health of residents then something needs to be done by the Board of Supervisors. At this point, nothing has been done.

Mr. Fitzgerald stated that the ordinance would go to a public hearing on changes that can be made to the ordinance.

Clay Trainum of 1100 Rock Fish Road stated he would like to see the propane canon situation be resolved in the Swoope area, but not affect the Wayne District.

Mr. Garber stated that efforts have been made to make the use of canons a case-by-case decision as a special use permit. The legislators did not approve a change in the law to allow that to happen. This will be evaluated again next year.

Robin Hawks of 112 Winding Creek Lane made the request for the appointed committees to post agendas and minutes. She also feels acronyms should not be used on the calendars. Many citizens to do not know what they stand for. The process of placing people on committees needs to be revamped. Citizens should be allowed to apply to the committees. She has asked previously that the zoning administrative decisions be posted on the website.

Mr. Fitzgerald stated that all zoning determinations are on the website.

Ms. Hawks discussed the Berry Farm and Mill Place Park. In 2013, a lease agreement with Dennis Michael was terminated because the property was not being properly maintained at Mill Place Park. She asked who was involved in making the decision to terminate the lease.

Mr. Fitzgerald stated that the Board at that time was involved in that decision.

Ms. Hawks continued by stating that in March 2018 there was a contract signed with Mr. Slaven. This was a non-monetary relationship. He could use the acreage in return for him to keep the property maintained. Mr. Slaven bid on the Berry Farm property in April and was awarded a lease. Ms. Hawks has issues with the fact that Mr. Fitzgerald supervises Mr. Slaven's contract with the County and he reports to the Board. In essence, Mr. Slaven controls his own contract with County. This seems like a conflict of interest. The County needs to hire someone to maintain the properties. The maintenance needs to be separated.

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VHDA TAX CREDIT PROJECTS

The Board considered a revitalization resolution.

Ms. Tate stated that the County has received requests related to three separate low income tax credit housing projects. Two of which are located on the same property and all three of which are located in Fishersville in the Wayne District. The specific request is that the County would pass a resolution to designate the parcels on which these proposed projects would be located as revitalization areas. This improves their points and competitiveness to compete for the Virginia Housing Development Authorities tax credit grant program. A revitalization area is any area that is either blighted, deteriorated, deteriorating or, if not rehabilitated, likely to deteriorate by reason that the buildings, improvements or other facilities in such area are subject to one or more of the following conditions-dilapidation, obsolescence, overcrowding, inadequate ventilation, light or design, quality or condition, or the industrial, commercial or other economic development of such area will benefit the city or county but such area lacks the housing needed to induce manufacturing, industrial, commercial, governmental, educational, entertainment, community development, healthcare or nonprofit enterprises or undertakings to locate or remain in such area; and private enterprise and investment are not reasonably expected, without assistance, to produce the construction or rehabilitation of decent, safe and sanitary housing and supporting facilities that will meet the needs of low and moderate income persons and families in such area and will induce other persons and families to live within such area and thereby create a desirable economic mix of residents in such area.

The first request is for Mountain Laurel Manor Phase 3 located south of Bobby's Way. Phase 1 and 2 have already been approved through tax credits, but were not designated as a revitalization area. Phase 3 is being proposed for 48 units and they are requesting the designation of a revitalization area for that project. Phase 1 is currently constructed and Phase 2 plans to be in service this summer. Ms. Tate showed a map of the area.

Cardinal Meadows is the second proposed project located at 843 Jefferson Highway. The request is to designate a revitalization area for the development of a four story, eighty-unit apartment complex. There is another request on the same property for Goose Creek Crossing. This would be three separate buildings consisting of a three-story building of 12 units, a four-story building of 28 units and another four-story building of 76 units for a total of 116 units. The 116 units would be on the same property as the 80 units that was previously discussed with Cardinal Meadows. The Comprehensive Plan supports developing a range of housing to serve areas income levels. The housing plan states that a majority of affordable housing will be found in the urban service areas. There is not a countywide policy identifying which areas should be considered revitalization areas.

Mr. Shull asked John Wilkinson to go over pros and cons in relation to these projects.

Mr. Wilkinson stated that he asked the Commissioner of the Revenue what potential impact there would be for real estate and taxation and if requested by the owners the real assessed value would need to be reduced below fair market value for taxation because the owners of the project would not be receiving full rent from the unit.

Mr. Garber stated that some units have asked for the reduced value and some have not.

Craig Patterson of Woda Cooper Development, Inc. stated that Woda Cooper is proposing Cardinal Meadows. The investment in this project would be \$16.3 million. Funding for the project will come from a combination of housing tax credits, permanent debt and owner equity. It is anticipated to keep the property under Woda Cooper's ownership for forty-five years.

Dr. Seaton asked several questions regarding property value and tax assessment.

