

PRESENT: G. Campbell, Vice Chairman
J. Curd
L. Howdyshell
T. Jennings, Chairman
K. Shiflett
J. Wilkinson, Director of Community Development
L. Tate, Planner II

ABSENT: S. Bridge
K. Leonard

VIRGINIA: At the Called Meeting of the Augusta County Planning Commission held on Tuesday, November 12, 2019, at 4:00 p.m. in the Board Room, Augusta County Government Center, Verona, Virginia.

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The Planning Commission reviewed the following rezoning requests and traveled to the following sites, which will be considered at the Public Hearing.

**Country Estates Mobile Home Park
Crimora, VA**

**The intersection of Fishersville Rd. and Long Meadow Rd.
Owned by Massie Investments LLC**

**The intersection of Jefferson Hwy. and Life Core Dr.
Owned by Crescent Development Group LLC**

Chairman

Secretary

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ABSENT: K. Leonard

VIRGINIA: At the Regular Meeting of the Augusta County Planning Commission held on Tuesday, November 12, 2019, at 7:00 p.m. in the Board Room, Augusta County Government Center, Verona, Virginia.

DETERMINATION OF A QUORUM

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

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Minutes

Mr. Bridge moved to approve the minutes of the called and regular meeting held on October 8, 2019.

Mrs. Shiflett seconded the motion, which carried unanimously.

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Public Hearing

Mr. Jennings opened the public hearing.

Mr. Jennings stated that the public hearing for the request by Blue Ridge Land Conservancy had been canceled.

Mr. Jennings stated the first item on the agenda was a rezoning request from Country Estates Mobile Home Park.

Mrs. Tate read the request which stated that a request was made to rezone from General Agriculture to Manufactured Home Park approximately 37.46 acres (portions of the following Tax Map Parcels: 49-57F, 49-57F1, 49-57F2, 49-57P, 49-57U, 49-57Y, 49-57V, 49-57W, 49-57X, 49-57T) owned by Country Estates Mobile Home Park, LLC located east of Jerry Hill Drive, approximately 0.8 of a mile east of the intersection of Country Estates Boulevard and East Side Highway (Rt. 340), south of Jenni Lynn Circle and Jamie Street, west of Emory Drive, and approximately 0.14 of a mile north of Thorofare Road (Rt. 628) in Crimora in the Middle River District. The proposed general use of the property is manufactured and mobile homes. The general use of the property stated in the Comprehensive Plan is Rural Conservation Area.

Mrs. Tate stated that the applicant proffered that there will be no more than 10 additional units constructed on the 37.46 acres. The additional units will not use Emory Dr. to access Thorofare Rd. until site distance improvements have been made.

Mrs. Tate also stated that any new units constructed will be served by an onsite septic system since the park does not have public water or sewer.

Lastly, Mrs. Tate said the applicant proffered that a boundary line adjustment will be made as depicted in the exhibit that was shown.

Mr. Jennings asked if the applicant was present and wanted to speak.

Mr. Raymond Gochenour of 17 Country Estates Blvd. spoke on behalf of Country Estates Mobile Home Park, LLC.

Mr. Gochenour stated that this was something that has needed to be done for a long time. He stated that with the current property boundary lines it has been difficult to meet all of the setback requirements. He also mentioned that he had addressed the site distance with VDOT.

Mr. Jennings opened the public hearing.

With no one in favor or opposed to the rezoning request, Mr. Jennings closed the public hearing.

Mrs. Shiflett made a motion to recommend approval of the request with proffers.

Mr. Bridge seconded the motion which was carried unanimously.

Mr. Jennings introduced the next item on the agenda being a request to rezone from Single Family Residential 15 to Multi-Family Residential approximately 1.37 acres (TMP 067 45A) owned by Massie Investments LLC.

Mrs. Tate stated that the property was located off Fishersville Road (Rt. 641) approximately 150 ft. east of the intersection of Fishersville Road (Rt. 641) and Long Meadow Road (Rt. 608) in Fishersville in the Wayne District. The proposed general use of the property is apartments. The general use of the property stated in the Comprehensive Plan is Planned Residential, which is a variety of residential uses at a density of 4-8 units per acre.

Mrs. Tate mentioned that the property currently has two structures on it. The first structure was constructed when apartments were permitted in single-family zoned areas. The other structure was constructed with a single-family building permit.

Mrs. Tate stated that the applicant was interested in converting the second structure on the property into 6 apartments, for a total of 10 apartments on the property. The property is served by public water and sewer.

Mr. Jennings asked if the applicant was present.

Mr. Chad Massie of 3761 Eastside Hwy. spoke on behalf of Massie Investments LLC.

Mr. Massie stated that the original building on the property is already a 4 plex while the new part is a house with almost 6,000 square feet that he would like to turn into additional units.

Mr. Jennings opened the public hearing.

With no one to speak in favor of or against the request, Mr. Jennings closed the public hearing.

Mr. Curd made a motion to recommend approval of the request with proffers.

Mrs. Shiflett seconded the motion which carried unanimously.

Mr. Jennings stated that the third item on the agenda was a request to rezone from Single Family Residential to General Business approximately 4.6 acres (TMP's 66C (1) 2D, 66C (5) A, 66C (5) C, 66C (1) 3) owned by Crescent Development Group LLC.

Mrs. Tate stated that the property is 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.

Mrs. Tate mentioned that the applicant has proffered that if a partial entrance on Rt. 250 is requested for development of the property that the developer will construct a raised median on Rt. 250. If a partial access entrance on Rt. 250 is pursued, the developer and their road designers shall consult with VDOT to determine if a partial access entrance is feasible.

Mr. Jennings asked if the applicant was present.

Mr. Scott Williams, address PO Box 1046 Fishersville, was there to represent Crescent Development Group.

Mr. Williams stated that Crescent Development Group was the developer of Meyers Corner and the Goose Creek Project. He stated that the request complies with the comprehensive plan. The site is in an urban service area, and that the site and the request are within keeping of the county's goal to develop commercially zoned land along Life Core Dr. Mr. Williams also mentioned the zoning requirement for buffering to help screen commercial business from residential zoned areas.

Mr. Jennings opened the public hearing asking if anyone wished to speak in favor or against the request.

Ms. Penny Gilbert of 25 Woodlawn Dr. stated that she was concerned about the entrance off of Rt. 250 and the traffic. She stated that the intersection there is very busy and that there are a lot of accidents in that area.

Jason Arehart of 29 Birchwood Dr. stated that his back yard joins the property of the proposed rezoning. Mr. Arehart said that the Augusta County Comprehensive Plan lists the property as Community Mixed Use, but the Fishersville Small Area Plan lists it as medium density residential. Mr. Arehart expressed that when he moved to his current residence that the proposed rezoning location was zoned residential with future land use to also be residential. Mr. Arehart stated that he was under the impression that the Fishersville Small Area Plan was to take precedence over the Augusta County Comprehensive Plan. Mr. Arehart stated that he was against the rezoning because he doesn't think it's allowed.

Ms. Tate stated that in 2014/2015, along with the completion of Life Core Drive, the Comp Plan was amended to change the location to Mixed Use to support changes in that area.

Mr. James Arehart of 1426 Jefferson Highway owns a lot that is right beside the rezoning site. He stated that he has concerns about the entrance and exit to Rt. 250. Mr. Arehart also asked if rezonings could be restricted to include or exclude certain types of businesses. Mr. Arehart mentioned the noise from dumpster trash pick-up, and the lighting from the business signs. Mr. Arehart stated that he felt that adding the rezoning request would add confusion to the intersection. Mr. Arehart stated that the area is already zoned for residential and should stay that way.

Mr. Jennings asked if there was anyone else who wished to speak in opposition to the rezoning.

With no one else to speak, Mr. Jennings closed the public hearing.

Mrs. Tate read the Subdivision Ordinance Considerations §21-9.1 Subsection 8 of the County Subdivision Ordinance which 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 within areas designated in the Comprehensive Plan as Urban Service or Community Development Areas. This property lies at the intersection of two key roadways in the county. Access management in the form of medians and entrance limitations is highly likely and should be expected. Cross access connections will be required to properties to the east, connecting to Birchwood Road and to the south.

Mrs. Tate stated that VDOT made the comments that a partial access entrance on Rt. 250 is allowable and that any future entrances would need VDOT approval.

Mr. Curd made a motion to approve the request with proffers.

Mr. Bridge seconded the motion.

Mrs. Shiflett stated there needs to be consideration as to what type of business will go in the location.

The motion was carried with a 6 – 1 vote.

Mr. Jennings read the next item on the agenda, which was a request to amend the Augusta County Comprehensive Plan 2007-2027 and 2014/2015 Update by adopting the Stuarts Draft Small Area Plan.

Mrs. Tate stated that the Stuarts Draft Small Area Plan supplements the County's Comprehensive Plan by providing more specific recommendations, particularly, in the areas of land use and transportation, for the Stuarts Draft area. It includes a revised Future Land Use Map, bike and pedestrian infrastructure recommendations, Development Design Suggestions, and an Implementation Strategy.

Mrs. Tate gave a brief overview of the Stuarts Draft Small Area Plan draft to the Commission members who were given a copy and presentation of the draft plan at the October Planning Commission meeting.

Mrs. Tate stated that in 2017 the Board of Supervisors appointed an advisory committee. The committee met approximately ten times to review different policies and recommendations to the plan. They worked together to create the vision statement to describe what Stuarts draft would look like in the next 20 years. The advisory committee also helped staff, Planning Commission members, and board members lead public meetings that happened throughout the process. Mailings were sent out to all landowners in the Stuarts draft Small Area Plan boundary about the meetings.

Mrs. Tate also spoke about the Stuarts Draft Bicycle and Pedestrian Infrastructure being an important component of the Stuarts Draft Small Area Plan. She mentioned the corridors that were evaluated by The Timmons Group who acted as transportation consultants for the plan. The corridors include Draft Avenue, Wayne Avenue, Cold Springs Road Corridor, Howardsville Tpk. /Hodge St., and the Johnson Dr. / Cold Springs Rd. connection.

Mr. Jennings opened the public hearing by asking if anyone wished to speak in favor of the request.

With no one to speak in favor, Mr. Jennings asked if there was anyone to speak in opposition to the request.

Mr. James Kindig of 3546 Stuarts Draft Hwy spoke in opposition of the request. He stated that he felt the Stuarts Draft Small Area Plan needed to be reviewed more. Mr. Kindig stated that there has been no way of tracking or keeping up with what changes have been made in the drafts. Mr. Kindig said that another look needs to be taken at the future land use maps for urban service areas and agriculture areas. Mr. Kindig mentioned the upgrades to Lipscomb Rd., Patton Farm Rd., and the Johnson Dr. to Cold Springs Rd. connection. He stated that he felt those would be a waste of money. He stated that he felt Draft Ave. did not need a bike path but rather the road be widened since it is a main thoroughfare. He mentioned the electricity goal, utilities, and the economy section of the plan. Mr. Kindig suggested that some of the wording in the plan could be changed to make it easier for people to understand.

Mr. Max Quillen of 73 Hibernia Cir. spoke on behalf of the Quillen family and Waynesboro Nurseries. Mr. Quillen spoke about the concern for his property as it pertains to the Stuarts Draft Small Area Plan. Mr. Quillen stated that at no time through the Small Area Plan

process did anyone ask any of the agriculture landowners what they planned to do with their land. Mr. Quillen said that public meetings were not the same as seeking out individual landowners. Mr. Quillen stated that he felt the county should rethink how it considers the planning policy areas, particularly in Urban Service Areas and Community Development Areas. Mr. Quillen said that he believes the county should not approve the Stuarts Draft Small Area Plan yet. He stated that adding language to the Comp Plan to make clear that only current zoning regulates landowner rights would be a good start. Also, adding language to state potential zoning maps should not be used to guide land use decisions on property that the owner is not wanting to rezone.

Mr. Tracy Pyles of 3665 Churchville Ave. stated that two things about the Stuarts Draft Small Area Plan caught his attention, the solar farm activity and the budget for a sewer line that would run from Stuarts Draft to Lyndhurst. Mr. Pyles said he felt the need to remind people that Stuarts Draft has some of the best soils for growing in the county and also a great water reserve. Mr. Pyles stated that we are not planning for growth but rather projecting it. Mr. Pyles stated that if the county starts developing Stuarts Draft and adds the sewer line that we will become a bedroom county for Albemarle County. Mr. Pyles stated that he felt the footprint for the Stuarts Draft Small Area Plan should be reduced.

Mr. Jennings closed the public hearing.

Mr. Jennings asked if there was any rationale in holding off on a decision.

Mrs. Tate stated that we do not know what the recommendations of the solar committee will be. If this plan were to be adopted it would become part of the Comprehensive Plan, and that any recommendations from the solar committee that get added into the Comprehensive Plan by the Board of Supervisors will in effect be changes to the Stuarts Draft Small Area Plan. Mrs. Tate mentioned that this plan is not changing any of the planning policy areas. It is not increasing the size of Urban Service Areas, Community Development, Rural, or Agriculture Conservation Areas.

Mr. Bridge stated he felt like some of the items in the Stuarts Draft Small Area Plan were wish list items because of the price tags associated with them. He stated he felt it was important to add those items though so that when and if funding were to become available there would be a plan in place.

Mr. Howdyshell stated that there were two problems that he had with the Stuarts Draft Small Area Plan. One being that less than 1% of the residents showed up to the public meetings, and the other being the price tag of the plan. Mr. Howdyshell asked if when funding becomes available would Stuarts Draft take precedence over other areas in the county that could use improvements.

Mr. Curd suggested slowing down and waiting for the solar ordinance. Mr. Curd stated that he thought there needed to be one or two more public meetings on the matter. Mr. Curd also stated that he felt the footprint of the plan was overwhelming. Mr. Curd agreed with Mr. Kindig that the changes made with the plan need to be better tracked.

Mr. Bridge said that everything seems to come back to the solar issue. Mr. Bridge stated that he doesn't see what the Stuarts Draft Small Area Plan has changed about solar that the Comprehensive Plan hasn't already done. Mr. Bridge made the comment that no

additional meeting will change the land use situation unless the Comprehensive Plan is changed.

Mr. Howdyshell said that he was more concerned with the small details of the plan. He stated that more attention should be given to those fine details because unintended consequences are hard to change.

Mr. Bridge stated that if nothing was in writing, a plan of some kind, when grants became available you wouldn't have time to figure it out. Mr. Bridge said that he felt that was a lot of what the advisory committee was trying to do.

Mr. Howdyshell stated that the main thing is that more community input is needed. More people need to see the plan and need to have what's going on explained.

Mrs. Tate explained that this is only a recommendation to the larger Comprehensive Plan. She stated that if the Planning Commission did not feel like this was a plan they could recommend, then staff would be looking for direction of what specific amendments or processes they should go through to try and get this to a plan that could be recommended.

Mr. Bridge made a motion to not recommend approval, but to request a work session with the Board of Supervisors.

Mr. Howdyshell seconded the motion. The motion was passed with a 6-1 vote with Mr. Curd voting in opposition.

Mrs. Tate introduced the next item on the agenda, which was 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.

Mrs. Tate explained that the current ordinance requires a 100' setback from all property lines for the use. The amendment would allow the board of zoning appeals to reduce that setback if they felt a lesser setback was adequate to protect neighboring properties as they could consider adjacent, existing industrial development and/or adjacent railroad right of way.

Mr. Jennings opened the public hearing.

With no one wishing to speak in favor for or against, Mr. Jennings closed the public hearing.

Mr. Howdyshell made a motion to approve the amendment.

Mr. Campbell seconded the motion, which carried unanimously.

New Business

Mrs. Tate stated that with this being the last Planning Commission meeting of the year, new officers for 2020 need to be elected. Mrs. Tate said a new Chair, Vice Chair and secretary will need to be elected.

The Planning Commission members voted all in favor of appointing Leslie Tate as secretary for the year 2020

Mrs. Shiflett nominated Greg Campbell for Chairman.

Mr. Bridge seconded the nomination.

The Planning Commission members voted unanimously for Greg Campbell to act as Chairman for the year 2020.

Mrs. Shiflett nominated Larry Howdysshell to act as Vice Chairman.

Mr. Bridge seconded the nomination.

The Planning Commission members voted unanimously for Larry Howdysshell to act as Vice Chairman for the year 2020.

Mrs. Tate read the next agenda item which was to approve the Meeting Schedule and Inclement Weather Resolution for 2020.

Mr. Campbell made a motion to approve the schedule and resolution.

Mr. Howdysshell seconded the motion which carried unanimously.

Staff Reports

Mrs. Tate reviewed the applications for special use permits that will come before the Board of Zoning Appeals at their December meeting. An application from Five Stars, LLC to have an apartment within a pre-1980 structure. A request from Kent and Amy Shull to have a short-term vacation rental. A request from Michael or Dana Lowery to cover a non-conforming deck. David Gardner requested to construct a parking lot for overflow parking for the adjacent business. A request from CJ Properties of Augusta, LLC to have outdoor storage of excavation equipment and materials. A request from Lively Hope Farm, LLC to operate a produce stand and to sell items not grown on site. The Planning Commission made no recommendations on these applications.

Adjournment

With no other business to discuss Mr. Curd made a motion to adjourn.
The motion was seconded by Mr. Bridge, which carried unanimously.

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Chairman

Secretary