

PRESENT: J. D. Tilghman, Chairman
W. F. Hite, Vice-Chairman
S. N. Bridge
T.H. Byerly
J. Curd
K. A. Shiflett
J. Shomo
R. L. Earhart, Senior Planner and Secretary

ABSENT: D. L. Cobb, Director of Community Development

VIRGINIA: At the Called Meeting of the Augusta County Planning Commission held on Tuesday, September 13, 2005, at 3:30 p.m. in the Board of Supervisors' Conference Room, Augusta County Government Center, Verona, Virginia.

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The Planning Commission assembled in the Augusta County Government Center to discuss the rezonings, the Comprehensive Plan amendment, and the upcoming items on the BZA agenda. The Planning Commission traveled to the following sites which will be considered by the Commission:

1. Augusta Agricultural Industrial Exposition, Inc. – Rezoning
2. Staunton South-Old Greenville Road Urban Service Area – Comprehensive Plan Amendment

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Chairman

Secretary

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ABSENT: D. L. Cobb, Director of Community Development

VIRGINIA: At the Regular Meeting of the Augusta County
Planning Commission held on Tuesday,
September 13, 2005, at 7:00 p.m. in the Board
Meeting Room, Augusta County Government
Center, Verona, Virginia.

DETERMINATION OF A QUORUM

Ms. Tilghman stated as there were seven (7) members present, there was a quorum.

MINUTES

Mr. Bridge made a motion to approve the minutes of the Called and Regular meeting held on August 9, 2005. Mr. Byerly seconded the motion, which carried unanimously.

Wilson Volunteer Fire Company - Public Use Overlay

A request to add the Public Use Overlay zoning designation to approximately 1 owned by the Wilson Volunteer Fire Company and located on the east side of Mount Torrey Road (Route 664) just north of the intersection with Mountain Side Lane behind the existing fire department building in Lyndhurst.

Mrs. Earhart explained the request and stated the following proffer had been submitted:

- 1. Additional permitted uses will be limited to:
 - A. Active and passive recreational facilities
 - B. Community centers and similar facilities
 - C. Police, rescue squad, and fire stations
 - D. Carnivals, circuses, fairs, festivals, revivals, animal shows, exhibitions, and similar special events not permitted under 25-21 of this Chapter.

George Stevens, Treasurer of the Wilson Volunteer Fire Company stated the Fire Company is in desperate need of more parking for large events such as cakewalks and auctions they have at the Fire House. Mr. Wilson donated an additional acre of land to the Fire Company and they would like to use it for parking so people don't have to park along Mt. Torrey Road.

There being no one desiring to speak in favor of, or in opposition to, the request, Ms. Tilghman declared the public hearing closed.

Mrs. Shiflett asked about the Health Department's concerns about the existing drainfield on the property and asked if they have done anything in regards to relocating it.

Mr. Stevens indicated that the land was still being farmed until very recently and they didn't want to disturb the hay field. He indicated that they know they will have to deal with the issue when they develop the parking lot.

Mr. Bridge made a motion to recommend approval of the request with the proffer.

Mr. Byerly seconded the motion, which carried unanimously.

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Augusta Agricultural Industrial Exposition, Inc. – Rezoning

A request to rezone from General Business to General Industrial approximately 2 acres owned by Augusta Agricultural Industrial Exposition, Inc. located on the south side of Jericho Road (Route 637), approximately 0.25 of a mile east of the

intersection of Jericho Road (Route 637) and Ramsey Road (Route 635) in the Beverley Manor District.

Mrs. Earhart explained the request and indicated that the property was located in an Urban Service Area and slated for Industrial Development. There are still questions about the availability of public water and sewer that need to be addressed because the site is in an Urban Service Overlay District which requires utilization of public water and sewer.

James Brenneman, 3251 Lyndhurst Road, Stuarts Draft, stated that Expo wants to expand their main hall and they need additional funding for it. They own land behind VDOT they would like to sell. They could market a 12 acre industrial site if they can get the road frontage on Jericho Road rezoned to industrial. He asked if there were any questions.

Mr. Curd asked if the access to the property was going to be off Jericho Road or Expo Road.

Mr. Brenneman replied that they would have an access off Jericho Road, but would probably also use Expo Road.

Mr. Curd asked Mr. Brenneman to explain the sewer situation.

Mr. Brenneman stated that when they developed Expo in the 1970s, Expo retained ownership of the sewer pump station, but it is maintained by the Service Authority. They are currently in negotiations with the Service Authority to see if they will let another customer hook on to the pump station.

Mr. Curd asked what the options were if they wouldn't allow that connection.

Mr. Brenneman stated that they will have to lease the site, but that hurts Expo because they need the money from the sale of the property, not the lease payment every month.

Mr. Curd asked if any consideration had been given to extending the public sewer line.

Mr. Brenneman indicated that it wasn't feasible for a small operation.

Mr. Curd asked how much traffic would be generated at this site, if it is rezoned.

Mr. Brenneman said it would be marginal, one employee and several customers a day.

Mr. Hite asked how adjacent properties had sewer.

Mr. Brenneman informed the Commission about the septic system at VDOT and the public systems at Penny Plate and Virginia Frame.

Mrs. Shiflett asked if any consideration had been given to getting a road agreement to use Expo. She stated she thought that road was better than Jericho Road.

Mr. Brenneman said it was too expensive to get Expo Road brought up to state standards and brought into the system. He indicated they may look at a private agreement with Expo on the road, but that doesn't solve the problem of needing frontage on a public road to create a lot.

There being no one desiring to speak in favor of, or in opposition to, the request, Ms. Tilghman declared the public hearing closed.

Mr. Curd moved that the Planning Commission table consideration of the request until the November meeting to give Mr. Brenneman an opportunity to work out the arrangements with the Service Authority on sewer.

Mr. Hite seconded the motion, which passed unanimously.

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Staunton South-Old Greenville Road Urban Service Area – Comprehensive Plan Amendment

A request to amend the Comprehensive Plan by enlarging the Staunton South-Old Greenville Road Urban Service Area in the Beverley Manor District. Approximately 381 acres is requested to be changed from Potential Community Development Area to Urban Service Area with a proposed land use designation of medium density residential. Generally the area to be changed lies along Old Greenville Road (Route 613) from Spring Lakes at the Woodlands subdivision to 0.3 of a mile south of the subdivision. The change to an Urban Service Area will allow the Augusta County Service Authority to extend public water in the area. It will also result in a requirement that further development of parcels in the area must occur on public water and sewer. Urban Service Areas are expected to accommodate 60-70% of the County's future residential growth and 80% of its future commercial and industrial growth.

Mrs. Earhart stated that the 381 acres is outlined in red on the map. She stated that the request has come about as a result of a petition to the Service Authority to extend public water to houses on Old Greenville Road. She stated that currently the waterline does extend to Spring Lakes at the Woodlands. She stated that it is part of the Urban Service Area. She stated the result of the requirement of being in an Urban Service Area does require future development of property to occur on public water and public sewer. She stated that to use Mr.

Brenneman's request as an example, if someone were to create a lot in the area that is outlined in red on the map, currently it can be done on well and septic. She stated that if the amendment is approved, that will not be an option, and the property owners would have to hook up to public water and sewer unless it exceeds \$100,000. She stated that this amendment will put that area in the Urban Service Area and will allow the extension of water to properties that have requested it but there is an impact in terms of development on the rest of the parcels. She stated that the Board of Supervisors is the applicant and they are in support of having a public hearing on the matter.

Ms. Tilghman asked if anyone would like to speak in favor of, or in opposition to, the request.

Mr. Pat Mullaney, 1076 Greenville Road, stated that his wife and daughter are also here in favor of the request. He stated that when they purchased the property he knew they needed another water source. He stated that the existing well is very old, shallow, and has been dry many times in the past. He stated that when the neighbor down the road drilled a 500' well, it caused his to go dry. He stated that the water quality is not there. He stated that his concern is drilling down into the ground 500'-600' feet and not getting an adequate water supply. He stated they would appreciate the Commissioners trying to move this project forward. He stated that it does seem like they are going a long way from a Potential Community Development Area to an Urban Service Area right now with the Comprehensive Plan being reconsidered. He stated that he would suggest moving this to a Community Development Area instead of an Urban Service Area.

Mr. Edmon Duncan, 1060, 1048, and 1058 Old Greenville Road, stated that he currently resides at 1060 Old Greenville Road. He stated that when they moved in they had a 30 minute water supply. He stated that they have many people living in the house so they had no choice but to drill a new well. He stated that they drilled one well at 1060 Old Greenville Road to subsidize the other well. He stated that they are using two water supplies. He stated that at the new house located at 1058 Old Greenville Road, the water supply will not be adequate and they will have to drill another well. He stated that he has not gotten the test back from the well at 1048 Old Greenville Road, but he expects it will be inadequate to be used as is. He stated that he would appreciate the Commission considering this amendment, given the investment he has made in his properties. He stated that if there is something less stringent the Commission can approve to give them the ability to have public water, they would appreciate the consideration.

Mr. Curd asked how far he was from Spring Lakes subdivision.

Mr. Duncan stated 50' across the green space and he tried to acquire a private easement through that green space from the owner, George Lester, and it was refused. He stated that he knew they had well problems from the beginning. He

stated they have been pursuing Folly Lane for easements. He stated that they have explored every option they could without success.

Mr. Curd asked if it is because it is not financially feasible.

Mr. Duncan stated that they would be more than happy to contribute, but Mr. Lester did not want to sell him the easement. He stated that there is no other option.

Mr. Hite asked if the waterline were extended out Old Greenville Road would you still have to go through that driveway.

Mr. Duncan stated that all three properties would be tied into that driveway.

Mr. Hite asked how much further that would be to where the existing waterline is.

Mr. Duncan stated that it would be very easy to get the line to his new house. He stated that he could see the hydrant from his house.

Mr. Hite stated that you would need to get a permit from VDOT to run it along the right of way.

Mr. Duncan stated that would be crossing the private property and that would not help his neighbors at this point in time.

Mr. Hite stated that the existing waterline is not on private property.

Mr. Duncan stated that it resides under the edge of the road which is public property but the line would have to come across private property as well. He stated that he has approached Mr. Lester through private channels and the offer was declined.

Mr. Hite asked if there was a hydrant that you could connect to which would probably be on VDOT's right of way. He stated that he could not imagine it would be on private property. He stated that the waterline would be on VDOT's right of way.

Mr. Duncan stated that they started doing the research and it would not help his neighbors if he were to run the waterline and that is why he started the petition.

Mr. Hite stated that one of the problems that they have with this is so much has been invested in doing studies for the Comprehensive Plan and if they go in and make 381 acres available for development now, it may not be the best area to open up for development. He stated that he would like to see everyone in the County have water.

Ms. Christina Rivera, 1327 Old Greenville Road, stated that they will be building on property that they just inherited. She stated that while they completely support the neighbors wanting public water, when they moved to the site they knew they had to do a septic and a well. She stated that is part of the experience in coming into a rural area. She stated that her concern is changing 381 acres so close to having the Comprehensive Plan reviewed which does not make sense. She stated that the County has put a lot of effort into putting together the Steering Committee. She stated that going to an Urban Service Area would bring 3-4 units per acre zoning which is high density in her opinion and will open the area up for development. She stated that citizens know that when building in these areas water may be an issue. She stated that if there is a way to get public water out to the neighbors without having to do the amendment she would be in support of that.

Ms. Sarah Varner Young, 316 Baldwin Drive, stated that she grew up on the Old Greenville Road. She stated that her family has farmed this land for almost 90 years. She stated that she noticed that a portion of the property that will be affected does cut into her brother's property (Charles Varner, Jr.). She stated that she is speaking for both of their interests. She stated that the Commissioners just heard from her daughter-in-law. She stated that they moved across the country from California to be able to stay on the family farm and it is their hope that the land will be there for them and for future generations. She stated that it is important to protect farmland and open space. She stated this will open the door for other consequences. She stated that it is possible that commercial and industrial interests will become such that it will not be a pleasant place to live. She stated that there could be more traffic and the road is already heavily traveled. She stated that if private owners or big developers build beyond the capacity to support them then that is their problem. She stated that her brother found it necessary to drill a well over 1,100 feet and it cost him over \$21,000. She stated that changing this designation opens the door to commercial and industrial growth. She urged the Commissioners to adopt a lesser measure in a much less extensive fashion.

Mrs. Earhart explained the map encompassed 381 acres. She stated that staff did give three options. She stated that one was to adopt the 381 acres as an Urban Service; the logic of that option is that if the property is going to develop along Old Greenville Road in such close proximity to the City of Staunton with public services being available then that is a logical place to have development. She stated that one of things that the Planning Commission, Board of Supervisors, Steering Committee, and the Agricultural Task Force are dealing with is ways that we could protect agriculture. She stated that they want to do that in every way that they can, but they have to make land with public water and sewer available for development to accommodate more people with more density. She stated that they did give an option to designate this land a Community Development Area which would allow public water to become available, but not public sewer. The question that raises is would the citizens

find it appropriate for development on septic systems this close to the City? She stated that the third option is to wait until the Comprehensive Plan is completed. She stated that they expect the build out analysis next month. She stated that will tell what the existing build out would be if they did not rezone another piece of property in Augusta County and that will let people know what that would look like and where the houses would be built. She stated that another analysis will be if they developed at the planned density in the planned locations what would the impacts be. She stated that those two pieces of the puzzle would be given to the County next month. She stated that once they have that information they will begin to develop on scenarios how the County should develop. She stated that the first public meeting on the Comprehensive Plan will be October 17th at 7:00 p.m. and they will present the build out analysis to everyone that night and it should be on the website (www.co.augusta.va.us) at least a week in advance.

Mr. Byerly stated that he has several wells. He stated that his concern is the quality of water that comes out of the wells. He stated that could be strong today and failure tomorrow. He stated that he strongly urges that they look at public sewer and water in any area that it going to develop. He stated that whether it be for agricultural purposes or residential.

Mr. Curd stated that he would agree and he is not unsympathetic to their water needs. He stated that if they do this now just to extend public water to serve three or four houses at the present time there would be a downside. He stated that if they build it out there, development will surely follow. He stated that he does not know that the citizens out there would want that. He stated that this may be where they would want future development but they do not know just yet because the Comprehensive Plan is being reviewed. He stated that it is a bit premature. He stated that he is sympathetic to the property owner, but he thinks the Commissioners should defer until the Comprehensive Plan is complete.

Mr. Bridge stated that he agrees with Mr. Curd on that issue. He stated that they need to make sure that the Comprehensive Plan dictates what they need to do. He stated that since they are diligently working on that they should wait for the plan to be completed.

Mr. Hite asked how many people signed the petition.

Mrs. Earhart stated that the Service Authority stated four signed the petition.

Mrs. Shiflett stated that she does not think any of these options are ideal but the amount of time and effort that they have invested in doing the Comprehensive Plan would lead us to think that this should be deferred until they get some more information. She moved that they recommend denial of the amendment at the present time.

Mr. Bridge seconded the motion, which carried unanimously.

MATTERS TO BE PRESENTED BY THE COMMISSION

COMPREHENSIVE PLAN

Mrs. Earhart announced that work on the Comprehensive Plan is continuing. The first public meeting in the process will be held October 17th at 7:00 at the Government Center and she encouraged the Planning Commission to attend the meeting. She stated the Build-out Analysis and Existing Land Use sections of the Existing Conditions report will be presented to the Steering Committee on October 3, 2005 and she invited the Commission to attend and observe that meeting as well. She indicated that the draft documents would be made available to the Planning Commission in early October.

AGRICULTURAL TASK FORCE

Ms. Shiflett stated that the Agricultural Task Force is nearing completion of their work. They will be working on their recommendations this month and invited members of the Planning Commission to attend their meetings on the 1st and 3rd Thursdays.

STAFF REPORTS

A. **CODE OF VIRGINIA – SECTION 15.2-2310**

Chairman Tilghman asked if there were any comments regarding the upcoming items on the BZA agenda.

SUP#05-58 Cestari Sheep & Land Company

Mrs. Shiflett moved, seconded by Mr. Curd that while the Planning Commission had no problem with the time extension on the pre-conditions, they were concerned about letting that impact the time period on the entire permit. They remain concerned about having a time limit on the permit to ensure that the operation remains compatible with the community. This property is in a Community Development Area slated for Low Density Residential development. The Planning Commission also is concerned about adding the additional business enterprise, the package post operation, to the existing use. With business zoning so close to the property, it would appear that this business is not

appropriate for an agriculture area and could be more appropriately placed in an available general business zone in Churchville. The motion carried unanimously.

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There being no further business to come before the Commission, the meeting was adjourned.

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Chairman

Secretary