

PRESENT: K. Shiflett, Chairman
W.F. Hite, Vice Chairman
K. Leonard
E. Shipplett
T.K. Fitzgerald, Director of Community Development
R. L. Earhart, Senior Planner and Secretary

ABSENT: S. Bridge
T. Cole
J. Curd

VIRGINIA: At the Called Meeting of the Augusta County Planning Commission held on Tuesday, March 9, 2010, at 3:00 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 Planning Commission traveled to the following sites which will be considered by the Commission:

1. Bernard, LC- Rezoning
2. Cedar Bluff, Inc.- Rezoning

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Chairman

Secretary

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E. Shipplett
T.K. Fitzgerald, Director of Community Development
R. L. Earhart, Senior Planner and Secretary
K. Bullerdick, Associate Planner

ABSENT: T. Cole
J. Curd

VIRGINIA: At the Regular Meeting of the Augusta County Planning Commission held on Tuesday, March 9, 2010, at 7:00 p.m. in the Board Room, Augusta County Government Center, Verona, Virginia.

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DETERMINATION OF A QUORUM

Ms. Shiflett stated as there were five (5) members present, there was a quorum.

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INTRODUCTION OF DIRECTOR OF COMMUNITY DEVELOPMENT

Ms. Shiflett welcomed Timothy K. Fitzgerald as the new Director of Community Development. She stated he was replacing Dale Cobb who retired on March 1st of this year.

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MINUTES

Mr. Bridge moved to approve the minutes of the Called and Regular Meeting on February 16, 2010.

Mr. Shipplett seconded the motion, which carried unanimously.

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RECOGNITION OF THOMAS H. BYERLY

Ms. Shiflett invited Mr. Byerly to the podium and presented him with the resolution adopted at the January Planning Commission meeting thanking him for his twenty (20) years of service on the Commission. Ms. Shiflett also presented Mr. Byerly with a framed County seal in recognition of his service to the County.

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RECOGNITION OF DALE L. COBB

Ms. Shiflett invited Mr. Cobb to the podium and presented him with a plaque thanking him for his dedicated service to the Commission since 1974.

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NEW BUSINESS

Augusta Health Care, Inc. – Rezoning

A request to rezone from General Agriculture to General Business with proffers approximately 40 acres owned by Augusta Health Care, Inc. located in the northwest quadrant of the intersection of Tinkling Spring Road (Rt. 285) and Goose Creek Road (Rt. 636) in Fishersville in the Wayne District.

Ms. Earhart explained the request. She stated the applicant has submitted the following proffer:

1. The only permitted use on the property will be signs.

Kathleen Heatwole, applicant for the request, presented a PowerPoint presentation. Ms. Heatwole displayed the many different “faces” of Augusta Health. She stated Augusta Health Care owns forty-seven (47) practices and the corporation wishes to place several signs along Goose Creek Road as directional references to the offices located around the complex.

Ms. Shiflett asked if there was anyone wishing to speak in favor or opposition to the request.

There being no one wishing to speak, Ms. Shiflett declared the public hearing closed.

Mr. Shipplett moved to approve the request with proffer.

Mr. Leonard seconded the request which carried unanimously.

Bernard, LC- Rezoning

A request to rezone from General Agriculture to Attached Residential with proffers approximately 5.1 acres owned by Bernard, LC located on the west side of Keezletown Road (Rt. 750) approximately 0.4 of a mile south of the intersection with Weyers Cave Road (Rt. 256) in Weyers Cave in the Middle River District.

Ms. Earhart explained the request. She stated the applicant has submitted the following proffers.

1. No more than 30 dwelling units (16 duplex and/or triplexes and 14 townhouse units) will be built on the 5.1 acres.
2. Development of the property will be in substantial conformance with the Concept Plan for Bernard LC Property prepared by Blackwell Engineering and dated January 2010.
3. Property owner will dedicate thirty feet (30') of right-of-way to VDOT from the existing centerline of Route 750.

William H. Lindsey, 1411 Woodhurst Blvd, McLean, applicant for the request, explained he inherited the property from his uncle and it is his wish to make it a nice area for the community. He asked the Commission to table the request until he has had an opportunity to meet with Becky and Jim Shreckhise, adjacent property owners to address further concerns and indicated they have a meeting set up for March 22nd to meet with the neighbors. He further indicated that he wanted to do something nice and something that will make the neighbors happy.

Mr. Leonard asked Mr. Lindsey if he was familiar with the property.

Mr. Lindsey stated he has only visited the site a couple of times.

Ed Blackwell, Blackwell Engineering, 566 East Market Street, Harrisonburg, stated he is representing the applicant. Mr. Blackwell explained they are asking the request to be tabled in order to meet with the adjacent industrial business and residential neighbors. He explained they would be tightening up the proffers in terms of number of units, type of units, adding more of a buffer adjacent to the industry to address their concerns. He

stated when they come back in 60 days they hope to have a plan that will meet most of the concerns of the neighbors. He asked for more time to do their homework, but asked to hear comments from the public since they were in attendance tonight to be sure all the concerns are identified.

Ms. Shiflett asked if there was anyone wishing to speak in favor of the request.

Ms. Shiflett asked if there was anyone wishing to speak in opposition to the request.

Wesley Wampler, 1028 Keezletown Road, Weyers Cave, stated he has resided in Weyers Cave for approximately twenty-four (24) years and in that time he has witnessed a lot of development. Mr. Wampler stated some of the development has been done well and some done poorly. He stated his objective is to figure out how to develop this piece of property to meet both the developer's needs, as well as blending in with the character and lifestyle of the neighborhood. He objects to this development as it is currently presented and stated that he would put it in the "poorly done" category due to its density and form which are not consistent with the community. He stated to not consider the funeral home when looking at this proposal is naïve. Mr. Wampler gave Harshbarger Subdivision as an example. He explained Harshbarger is an example of poor planning. He stated the development is high density, no green space, noise and light pollution, a negative impact on traffic flow, no pedestrian facilities, and is a strain to the school system. He stated if the goal of the County is to be a blended community in Weyers Cave, this development should not be high density. Mr. Wampler stated he could support something more similar to what is already on the west side of Route 750- homes a minimum of two thousand square feet (2,000 sq. ft.) on ½ to 1 acre lots predominantly fronting on Keezletown Road and homes that would be a combination of brick and vinyl, keeping the existing tree buffer, minimizing spillover from outdoor lighting and having pedestrian sidewalks. Mr. Wampler explained he can support the request only if it is not a high density development and have the above mentioned proffers. He stated despite the poor development, Weyers Cave is an overall nice community and he wishes to continue to reside there.

Karl Stoltzfus, Jr., stated he owns property and operates a business adjacent to the proposed development and lives to the south of the proposed development. He indicated that he is not against development; he is in favor of appropriate development. Mr. Stoltzfus stated he has the following immediate concerns. Regarding density, Mr. Stoltzfus explained the residential neighborhood to the west of the proposed development consists of lots one acre and larger, he explained the proposed density for this development is six (6) dwellings per acre with no green space. He stated that is higher than Harshbarger and the recommended density in the Comprehensive Plan. He stated concern with regard to noise and explained this is not a quiet area since there are heavy industrial uses adjacent to his parcel and the residents will be within 100' of these businesses. With regard to the close proximity of the neighborhood to the industrial uses, he stated he is also concern with liability and vandalism. Mr. Stoltzfus stated a portion of the property is impaired as there is a sinkhole located to the rear of the parcel. He noted when developing his own property, he took the time and effort to

design a facility that works with the community. Mr. Stoltzfus requested a reduced density, to retain the existing foliage and install a fence that needs to be 8' -10' tall and not the six (6) feet that is required by ordinance. He also asked for a minimum setback of at least 100' from existing industrial uses. Mr. Stoltzfus concluded by asking the developer not to create conflicts when developing this property.

Norma Jean Riddle Hampton, 812 Keezletown Road, Weyers Cave, displayed a diagram concerning traffic congestion along Keezletown Road. She explained the high amount of bike and pedestrian traffic currently on the road and voiced concern with safety. Ms. Hampton also noted the high amount of truck traffic already on the road. Ms. Hampton noted issues concerning the timing of the traffic light at the intersection of Keezletown and Weyers Cave Roads. She stated that she understood the developer would be building a right turn lane into the development but indicated there is no accommodation for left turn movements. She asked who would be responsible for funding the left turn lane into the development.

Ms. Shiflett asked if there was anyone else wishing to speak in opposition to the request. There was no one else wishing to speak. Ms. Shiflett stated the public hearing would not be closed tonight. She explained the public hearing will remain open allowing individuals to speak on May 11 after more information is presented.

Mr. Hite moved to table the request for sixty (60) days. Mr. Bridge seconded the request which carried unanimously.

Ms. Shiflett asked if any of the Commissioners wanted to provide any feedback to the developer. She stated she wanted to see the trees remain as a buffer. She indicated that the existing trees are valuable and can't be replaced, although more may be needed. She noted concern with overflow parking for the funeral home. She wants to see a plan for that and indicated that strictly grass may not be enough.

Cedar Bluff, Inc.

A request to rezone from General Agriculture to Single Family Residential with proffers approximately 23.5 acres owned by Cedar Bluff, Inc. located in the northwest quadrant of the intersection of Benz Road (Rt. 1614) and Kolb Circle (Rt. 1615) in Lyndhurst in the South River District.

Ms. Earhart explained the request. She stated the applicant has submitted the following proffers:

1. The minimum square footage for single family dwellings will be 1600 square feet.
2. No more than 10 residential lots will be created out of the 23.5 acre tract.
3. No habitable structure will be built below an elevation of 1360'.

Jim Brenneman, P.O. Box 189, Lyndhurst, applicant for the request, explained he acquired the property approximately twenty one (21) years ago. He explained the property was once a nursery and he converted the parcel to working fields. Mr. Brenneman stated he now wants to create ten (10) residential lots. He explained within the development, the smallest lot will be approximately one acre. But the average will be about 2 acres. He noted the road will need to be improved and the waterline will need to be extended.

Ms. Shiflett asked if there was anyone wishing to speak in favor to the request.

William Cole, Pastor, Calvary Baptist Church, stated he is representing the church body which has 8 families living with a ½ to 1 ½ mile radius of this property. Mr. Cole stated he has discussed the rezoning with the congregation and everyone feels this would be positive for the community.

Ms. Shiflett asked if there was anyone wishing to speak in opposition to the request.

Edward Burkholder, 42 Kolb Circle, Waynesboro, stated he is not necessarily against the rezoning, but he is concerned with the size of the proposed homes. He asked that a larger home size be proffered in the request to be more compatible with the adjacent neighborhood. Mr. Burkholder further requested larger lots as he is concerned with water runoff as a result of the higher density.

There being no one else desiring to speak, Ms. Shiflett declared the public hearing closed.

Jim Brenneman stated the bulk of the existing drainage will be rerouted to the South River. With regard to the size of the homes, Mr. Brenneman stated the proposed proffers on house size are the same as the first phase of the development.

Ms. Shiflett asked Mr. Brenneman if he knew the exact size of the homes.

Mr. Brenneman answered the smallest home is approximately eighteen hundred square feet (1,800 sq. ft.).

Mr. Leonard asked if any of the homes will be "spec homes".

Mr. Brenneman answered no, especially with today's economy. He stated he does not want "spec homes" as he owns a lot of land adjacent to this parcel.

Mr. Bridge stated he had some concerns with the water runoff, but feels that will be addressed. He stated he also had some concerns about the size of homes being proffered, but after viewing the site and seeing the variety of homes in the area and being told that the proffers match the existing proffers on the adjacent residential land, he can support the request and moved to recommend approval with proffers.

Mr. Shiplett seconded the request.

Ms. Shiflett stated in today's economy sixteen hundred square feet (1,600 sq. ft.) is a reasonable request. She noted the water runoff will need to be resolved, but she does not see that as an issue.

The motion carried unanimously.

County of Augusta – Stuarts Draft Park

A request to amend and restate the proffers on approximately 12.9 acres known as Stuarts Draft Park owned by the County of Augusta Board of Supervisors located on the east side of Edgewood Lane (Rt. 1562) approximately 0.1 of a mile south of the intersection with Stuarts Draft Highway (Rt. 340) in Stuarts Draft in the South River District.

Ms. Earhart explained the request. She stated the applicant has submitted the following proffers:

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

Kathleen McQuain, Assistant Director, Augusta County Parks and Recreation Department, stated the department foresees holding more festivals and events at this location for the community. She explained the department has a pending application, but needs the rezoning approval.

Ms. Shiflett asked if there was anyone wishing to speak in favor or opposition to the request.

There being no one desiring to speak, Ms. Shiflett declared the public hearing closed.

Mr. Shiplett moved to recommend approval of the amended and restated proffers.

Mr. Leonard seconded the request which carried unanimously.

Upper Valley Regional Park Authority

A request to add the Public Use Overlay designation with proffers to approximately 134 acres known as Natural Chimneys owned by Upper Valley Regional Park Authority located on the north side of Natural Chimneys Road (Rt. 731) just east of the intersection of River Road (Rt. 730) and Natural Chimneys Road in the North River District.

Ms. Earhart explained the request. She stated the applicant has submitted the following proffers:

Additional permitted uses will be limited to:

- A. Active and passive recreational facilities, including camping.
- B. Community centers and similar facilities
- C. Carnivals, circuses, fairs, festivals, revivals, animal shows, exhibitions, and similar special events not permitted under 25-21 of this Chapter.

Ron Sites, Director, Augusta County Parks and Recreation explained operation of the park was transferred to the County on October 1, 2009 however some legal paperwork remains to be completed to transfer ownership. He stated the County will be continuing the operations at the park and will be hosting festivals at this location.

Ms. Shiflett asked if there was anyone wishing to speak in favor of the request.

Chris Pugh, 3782 Churchville Avenue, Staunton, stated he is present with his wife and daughter. Mr. Pugh explained the family operates a Medieval Fantasies business that has been in business since 2000. He explained the family has been hosting a festival along with the Jousting Tournament at Natural Chimneys for eight (8) years. Mr. Pugh noted participants come from all over the area and as far as Canada. He noted the event promotes tourism for the area and he is looking forward to working with the County.

Mr. Shipplett asked Mr. Pugh at what other locations does he hold these events.

Mr. Pugh answered Roanoke, Salem, Gloucester, etc.

Ms. Shiflett asked if there was anyone wishing to speak in opposition to the request.

B.J. Zimmerman, Mt. Solon, stated he owns the property located on the northeast side of the parcel. Mr. Zimmerman stated he is not opposed to festivals, but he is opposed to carnivals. He explained when the property was owned privately, carnivals were held at the park and they were disasters.

Irvin Zimmerman, 1292 Natural Chimneys Road, Mount Solon, stated he owns property across the road from the park and there have been problems with the public parking on

his property during events. He stated he does not object to the request, but is concerned with the events becoming too large.

There being no one else wishing to speak, Ms. Shiflett declared the public hearing closed.

Ron Sites stated he appreciates the comments received. He assured adjacent property owners there will be staff on duty at all times during these events. He also assured the neighbors the County is not getting into the carnival business and the goal is to continue the operation as it has been operating for the past twenty (20) to thirty (30) years.

Mr. Shipplett stated he does not have a concern with the request and moved to recommend approval with proffers.

Mr. Leonard seconded the request which carried unanimously.

County of Augusta – Crimora Park

A request to add the Public Use Overlay designation and amend and restate the proffers on approximately 18.9 acres owned by the County of Augusta located on the north side of New Hope and Crimora Road (Rt. 612) approximately 0.5 of a mile west of the intersection with Eastside Highway (Rt. 340) in Crimora in the Middle River District.

Ms. Earhart explained the request. She stated the applicant has submitted the following proffers:

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

Kathy McQuain, Assistant Director, Augusta County Parks and Recreation Department, stated the County would like to host festivals and other public events for the community at the Crimora facility. She stated the department has one application for a two (2) day Gospel Music Festival pending approval of this request.

Ms. Shiflett asked if there was anyone wishing to speak in favor of the request.

Tim Byrd, 212 Lake Drive, Crimora, representative of the Crimora Ruritan Club, explained the club has envisioned a park for the community for a number of years. He explained with help from the County, that vision is becoming a reality. He stated the goal of the park is to create a community feel for the residents of the community. Mr. Byrd stated the area has many mobile home parks and the park would allow the community the opportunity to get out and enjoy the activities the park can offer. Mr. Byrd explained the Crimora Players wish to construct an outside stage to perform. He also noted the stage will be a great asset for the Mountain Heritage Cloggers. Mr. Byrd stated there is a pending application for a "Green Festival". He stated the festival is a grass roots festival that educates the public to buy local, promoting farming and gardening.

Ms. Shiflett asked if there was anyone wishing to speak in opposition to the request. There being no one else desiring to speak Ms. Shiflett declared the public hearing closed.

Mr. Bridge moved to recommend approval of the request with proffers. Mr. Hite seconded the request which carried unanimously.

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STAFF REPORTS

A. CODE OF VIRGINIA – SECTION 15.2-2310

Ms. Earhart reviewed with the Commission the requests coming before the BZA. Ms. Shiflett asked if there were any comments regarding the upcoming items on the BZA agenda.

The Planning Commission took no action on the BZA items.

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

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Chairman

Secretary