

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

VIRGINIA: At the Regular Meeting of the Augusta County Planning Commission held on Tuesday, October 12, 2010, at 7:00 p.m. in the Board Room, Augusta County Government Center, Verona, Virginia.

DETERMINATION OF A QUORUM

Mrs. Shiflett stated as there were seven (7) members present, there was a quorum.

MINUTES

Mr. Bridge moved to approve the minutes of the Regular Meeting on September 14, 2010 as received.

Mr. Leonard seconded the motion, which carried unanimously.

NEW BUSINESS

Crescent Development Group, LLC, Ponus Ridge, LLC, and Stanley G. III or Jean M. Cline- Amend and Restate Proffers

A request to amend and restate the proffers on approximately 139 acres currently zoned General Business, Multi-family Residential, Attached Residential, and Single Family Residential owned by Crescent Development Group, LLC, Ponus Ridge, LLC, and Stanley G. III or Jean M. Cline. The property is known as Myers Corner and is located on the southwest side of the intersection of Jefferson Highway (Rt. 250) and Woodrow Wilson Avenue (Rt. 358) in Fishersville in the Wayne District.

EXISTING PROFFERS:

1. Applicant will design and build Rt. 636 Relocated as a 2 lane facility with required turn lanes from its intersection with Rt. 250 through the Applicant's and the Cline's property to the property boundary of TM 66C (1) 11, and dedicate 120' of right-of-way as generally depicted on the Conceptual Plan entitled "Myers Corner" dated May 22, 2008 with revisions dated June 16, 2008 and prepared by Balzer & Associates. Phases I and II of Route 636 Relocated will be built as generally depicted on the Conceptual Plan.
2. There will be no direct lot access onto Rt. 636 Relocated. The only access points will be the street connections as generally depicted on the Conceptual Plan entitled "Myers Corner" dated May 22, 2008 with revisions dated June 16, 2008 and prepared by Balzer & Associates.
3. There will be no lot or street access onto Existing Rt. 636.
4. The system of open space in the development will be as generally depicted on the Conceptual Plan entitled "Myers Corner" dated May 22, 2008 with revisions dated June 16, 2008 and prepared by Balzer & Associates. The open space will include retention of the existing hedgerow/fence along the western property boundary with the Troxell and Pingry tracts in at least a 5' strip of open space as depicted on the plan. The developer will install 4' wide paved walking trails throughout the development and connecting the areas of open space within the development. The paved walking trails will be maintained by the development's HOA. In lieu of walking trails, sidewalks may be built along some streets. The net result will be a pedestrian system from Route 250 to existing Route 636.
5. If street lights are installed, they will be installed and maintained at the expense of the development's HOAs.
6. Trash collection will be provided by the HOAs.
7. Applicant will dedicate to VDOT a minimum of 24 feet of right-of-way along Rt. 250.
8. The minimum size, defined as the aggregate area of the finished floor space of all floors, of the townhouses will be 1,000 sq. ft.; of a duplex will be 1,100 sq. ft.; and of the single family homes will be 1,200 sq. ft.
9. Development of the property before the initial stage of Rt. 636 Relocated is built will be limited to issuing building permits for not more than 40,000 sq. ft. of business property and not more than 100 residential units. Development of the property before Phase II of Rt. 636 Relocated is bonded and/or construction begun will be limited to issuing building permits for no more than 200 residential units.

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

REVISED PROFFERS:

1. Applicant will design and build Rt. 636 Relocated as a 2 lane facility with required turn lanes from its intersection with Rt. 250 through the Applicant's and the Cline's property to the property boundary of TM 66C (1) 11, and dedicate 120' of right-of-way as generally depicted on the Conceptual Plan entitled "Myers Corner" dated September 16, 2010 and prepared by Balzer & Associates. Phases I, II, and III of Route 636 Relocated will be built as generally depicted on the Conceptual Plan entitled "Myers Corner" dated September 16, 2010 and prepared by Balzer & Associates.
2. There will be no direct lot access onto Rt. 636 Relocated. The only access points will be the street connections as generally depicted on the Conceptual Plan entitled "Myers Corner" dated September 16, 2010 and prepared by Balzer & Associates.
3. There will be no lot or street access onto Existing Rt. 636.
4. The system of open space in the development will be as generally depicted on the Conceptual Plan entitled "Myers Corner" dated May 22, 2008 with revisions dated June 16, 2008 and prepared by Balzer & Associates. The open space will include retention of the existing hedgerow/fence along the western property boundary with the Troxell and Pingry tracts in at least a 5' strip of open space as depicted on the plan. The developer will install 4' wide paved walking trails throughout the development and connecting the areas of open space within the development. The paved walking trails will be maintained by the development's HOA. In lieu of walking trails, sidewalks may be built along some streets. The net result will be a pedestrian system from Route 250 to existing Route 636.
5. If street lights are installed, they will be installed and maintained at the expense of the development's HOAs.
6. Trash collection will be provided by the HOAs.
7. Applicant will dedicate to VDOT a minimum of 24 feet of right-of-way along Rt. 250.
8. The minimum size, defined as the aggregate area of the finished floor space of all floors, of the townhouses will be 1,000 sq. ft.; of a duplex will be 1,100 sq. ft.; and of the single family homes will be 1,200 sq. ft.
9. Development of the property before Phase I of Route 636 Relocated is built or bonded will be limited to development that has an ITE traffic generation of no more than 2526 vehicles per day. Development of the property before Phase II of the Route 636 Relocated project is built or bonded will be limited to development that has an ITE traffic generation of no more than 7,500 vehicles per day. Development of the property before Phase III of the Route 636 Relocated project is built or bonded will be limited to no more than 200 residential units.

Mrs. Earhart explained Scott Williams, Crescent Development, applicant of the request, has submitted a letter addressed to Jeffery Lineberry, dated October 12, 2010 addressing VDOT's concerns.

Scott Williams, Crescent Development Group, LLC, explained the proposed changes to the proffers are in regard to the phasing and timing of the project as well as the timing of the Route 636 road construction. He stated the revised proffers will not affect the proposed land use or impact the neighborhood. He explained when the proffers were approved in 2008, they agreed to build Route 636 Relocated in two phases, with the second phase beginning prior to the start of construction of two hundred-one (201) residential units. He explained he is now requesting to construct Route 636 Relocated in three phases with a traffic count as the “triggering” factor due to the recent economic conditions. Mr. Williams explained this change will allow for the interior roads to be constructed with development and noted that he is still committed to building Route 636 Relocated.

Mr. Curd asked Mr. Williams to clarify the location of Phase II.

Mr. Williams explained the location of Phase II on the PowerPoint presentation to the Commission and public in attendance.

With regard to Proffer #9, Mr. Curd asked how the ITE traffic generation of no more than 7,500 vehicles per day was determined.

Mr. Williams explained it was determined by the anticipated uses utilized in the Traffic Impact Design Analysis done for this project.

Mr. Curd asked when Mr. Williams anticipates the 7,500 “triggering” mechanism for the construction of Phase II to be met.

Mr. Williams explained time will depend on the uses within the development, as retail will generate higher traffic counts as opposed to office space. However, he predicted approximately 2 – 2 ½ years.

Mr. Curd asked for clarification of the term “residential units”.

Mrs. Earhart explained it was individual dwelling units and included single family detached units, duplexes, townhouses, and apartments.

Mr. Shipplett asked Mr. Williams to briefly describe the Concept Plan for Myer’s Corner as he was not on the Commission at the time the parcels were originally rezoned.

Mr. Williams proceeded to describe the plan to the Commission.

There being no one to speak in favor or opposition to the request, Mrs. Shiflett declared the public hearing closed.

Mr. Leonard asked how the trip generation figures would be determined.

Mr. Fitzgerald stated as site plans are submitted the traffic count will be determined by the generation factors contained in the ITE Trip Generation Manual and not based on site counts.

Mr. Bridge stated since the Commission has already approved the land use change he can support the amended and restated proffers.

Mr. Curd stated he agrees with Mr. Bridge and all the questions he had have been answered accordingly. He moved to recommend approval of the request of the amended and restated proffers.

Mr. Hite seconded the request which carried unanimously.

Nominating Committee

Mrs. Shiflett appointed Steve Bridge, Becky Earhart and herself to the nominating committee.

Inclement Weather Ordinance

Mr. Shipplett moved to recommend approval of the following ordinance.

WHEREAS, § 15.2-2214 of the Code of Virginia (1950), as amended, authorizes the Augusta County Planning Commission to fix a schedule of regular meetings.

WHEREAS, the Planning Commission now desires to establish its schedule for regular meetings during calendar year 2011.

BE IT RESOLVED BY THE AUGUSTA COUNTY PLANNING COMMISSION:

1. The Planning Commission shall hold regular meetings during calendar year 2011, in the Board Meeting Room at the Augusta County Government Center, on the dates and at the times set forth below:

January 11, 2011	7:00 p.m.
February 8, 2011	7:00 p.m.
March 8, 2011	7:00 p.m.
April 12, 2011	7:00 p.m.
May 10, 2011	7:00 p.m.
June 14, 2011	7:00 p.m.
July 12, 2011	7:00 p.m.
August 9, 2011	7:00 p.m.
September 13, 2011	7:00 p.m.
October 11, 2011	7:00 p.m.

November 8, 2011

7:00 p.m.

2. In the event the Chairman of the Planning Commission, or the Vice Chairman of the Planning Commission, if the Chairman is unable to act, finds and declares that weather or other conditions are such that it is hazardous for members of the Planning Commission to attend a meeting, such meeting shall be continued to the next Tuesday. Such finding and declaration shall be communicated to the members of the Planning Commission and the press as promptly as possible. All hearings and other matters previously advertised shall be conducted at the continued meeting and no further advertisement is required.

BE IT FURTHER RESOLVED, that this resolution be adopted by the Commission and recorded in its minutes.

Mr. Curd seconded the motion which carried unanimously.

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STAFF REPORTS

A. CODE OF VIRGINIA – SECTION 15.2-2310

Mrs. Earhart reviewed with the Commission the requests coming before the BZA.

Mrs. Shiflett asked if there were any comments regarding the upcoming items on the BZA agenda.

10-63 – Donald L., Sr. or Karen R. Quick

Mr. Bridge moved to send the following comments to the Board of Zoning Appeals. The Commission is concerned about the site becoming a nuisance to the adjacent residences. Since this request is to build a new building and establish it for business purposes there is concern that the proposed business may not be appropriate for this location and they recommend the investment be made in Business zoning, not in a planned residential area. Although the use requested by the Quicks' may be limited, once the building is constructed and the use established, the possibility of expansion or intensification increases. If approved by the Board of Zoning Appeals, the Commission recommends that due to the size of the property and the proximity to neighbors that consideration be given to limiting the amount of outside storage and the number of vehicles allowed to be kept on site to insure compatibility with the residential character of the area.

This property is located in a Community Development Area and slated for low density residential development in the Comprehensive Plan. The property is located in close proximity to residential uses.

Mr. Curd seconded the motion which carried unanimously.

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Mrs. Earhart briefed the Commission on the Sourcewater Ordinance revisions. She explained a date of November 12 had been tentatively scheduled for a worksession to review the ordinance with plans to advertise for public hearing in January with an effective date of February 2011.

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

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Chairman

Secretary