

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

ABSENT: K. Shiflett

VIRGINIA: At the Called Meeting of the Augusta County Planning Commission held on Tuesday, February 14, 2012, at 4:30 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 rezoning and sign ordinance. The Planning Commission traveled to the following site which will be considered by the Commission:

1. Barterbrook Investment Co., LLC – Rezoning

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Chairman

Secretary

PRESENT: J. Curd, Chairman
K. Leonard, Vice Chairman
K. Shiflett
T. Cole
W. Garvey
E. Shipplett
W.F. Hite
T. 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, February 14, 2012, at 7:00 p.m. in the Board Room, Augusta County Government Center, Verona, Virginia.

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DETERMINATION OF A QUORUM

Mr. Curd stated as there were seven (7) members present, there was a quorum.

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MINUTES

Mr. Garvey moved to approve the minutes of the called and regular meeting held on January 10, 2012.

Mr. Hite seconded the motion, which carried unanimously.

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Barterbrook Investment Co., LLC – Rezoning

A request to rezone a total of 86.47 acres from General Agriculture and Multi-Family Residential to Single Family Residential with proffers (34.73 acres), Attached Residential with proffers (26.73 acres), and Multi-Family Residential with proffers (25 acres), owned by Barterbrook Investment Co., LLC and located on the west side of Barterbrook Rd (Rt. 635) approximately 0.4 of a mile south of the intersection with Frontier Drive (Rt. 644) near the City of Staunton in the Beverley Manor District.

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

1. The developer or his successors or assigns shall build the improvements as depicted in the VDOT Traffic Impact Analysis (TIA) of Vista Ridge dated 9-23-2011 and prepared by Segars Engineering. All traffic improvements shown in the TIA shall be bonded or constructed prior the issuance of the first building permit for a residential unit. The following shall be completed prior to the issuance of the first Certificate of Occupancy for any residential unit:

- a. Right turn lane(s) along Barterbrook Road at any main road connection(s) from Barterbrook Road to the property as described in number 8.a.ii on page 60 of the TIA, including a turn lane onto Frontage Road 217, or in lieu thereof, a turn lane onto a newly constructed road, if such road provides access to current Frontage Road 217.
- b. An adequate pavement structure to accommodate projected traffic along Barterbrook Road, including projected Vista Ridge traffic, as indicated by the TIA, will be provided on Barterbrook Road from Frontage Road 217 to the end of the pavement improvements at the intersection of Frontier Road and Barterbrook Road.
- c. A 2' paved bike lane/shoulder on each side of Barterbrook Road from Frontage Road 217 to the intersection of Barterbrook Road and Frontier Drive.

The following improvements shall be bonded or constructed prior to the issuance of the first building permit for any residential unit and shall be completed prior to the Certificate of Occupancy for the 350th residential unit.

- d. A right turn lane on Barterbrook Road at its intersection with Frontier Road (southeast corner only), as described in number 8.a.i on page 60 of the TIA.

2. There shall be no individual lot entrances off of Barterbrook Road (Route 635).
3. Building height shall not exceed 4 stories in the Multi-Family zoned portion of the property as depicted on Rezoning Exhibit A prepared by Segars Engineering dated January 20, 2012.
4. The layout of the development, including the road network and open space, shall be as generally depicted on Rezoning Exhibit B prepared by Segars Engineering dated January 20, 2012.
5. The exterior appearance of the multi-family buildings shall include (a) a mixture of masonry and siding, (b) varying colors and/or textures of siding, (c) contrasting trim,

(d) multiple roof lines, and (e) landscaping including flowering shrubs and/or trees, as generally depicted on Rezoning Exhibit C. Construction of the multi-family buildings shall include construction quality that meets or exceeds the standards of stamped concrete accents, steel and/or concrete stairs, dimensional shingles, and powder coated railings.

6. Community and recreational amenities associated with the multi-family residential portion of the development shall include, at a minimum, a swimming pool of not less than 1,500 square feet and a community building of not less than 1,000 square feet. Such amenities shall be built prior to the issuance of a certificate of occupancy for the fiftieth residential unit in the multi-family residential portion of the development.
7. Development of the multi-family and attached residential portions of the project will not utilize VHDA tax credits or government subsidies or similar measures to finance/refinance construction of the units. This proffer shall not apply to the financing of any individual unit by a third party property owner.
8. No mobile (or manufactured) homes will be placed on this property.
9. At a minimum, a sidewalk and/or trail system will be provided consistent with VDOT, AASHTO and ADA standards on one side of any interior road (public or private) throughout the development; provided that this proffer is not intended to require a sidewalk or trail system in connection with any private alley or driveway.
10. There shall be no more than 7 dwelling units to a structure in the Attached Residential zoned portion of the property as depicted on the Rezoning Exhibit A prepared by Segars Engineering dated January 20, 2012. The front exterior appearance of the units in the Attached Residential zoned portion shall include (a) varying facades, (b) varying setbacks from the street, (c) a mix of masonry and siding, (d) forward facing gables or dormers, (e) varying colors of siding, (f) contrasting trim, and (g) individual hard surface driveways separated by a change of material, as generally depicted on Rezoning Exhibit D.
11. The minimum square footage for all single family dwellings built in the area zoned Single Family Residential shall be 1,200 square feet. All dwellings shall initially include a hard surface driveway. For single family dwellings build in the area zoned Single Family Residential, the exterior wall closest to the street on which the dwelling fronts shall be not less than 20' from the street nor more than 35' from the street, except that this limitation shall not apply to dwellings on the bulb of a cul-de-sac.

12. A maximum of 400 Multi-Family units and 270 Attached Residential units may be constructed on the 86 acres.
13. Prior to the issuance of a building permit for the 201st dwelling unit in the Multi-Family residential portion of the project or the issuance of a building permit for the 101st dwelling unit in the Attached Residential portion of the project, at least 20 single family dwellings shall be complete.
14. By the issuance of the 50th building permit for a single family dwelling within the property, owners of dwellings in the single family zoned portion of the property shall have access to community and recreational amenities located somewhere within the overall property. These amenities may be shared with some or all other residents of the overall property and shall include a swimming pool of not less than 1,500 square feet and a community building of not less than 1,000 square feet. There may be a fee or dues associated with the use of the amenities.

David Rudiger, 544 Newton Rd., Suite 128, Virginia Beach, VA 23462 stated that he was here on behalf of his company, Boyd Homes. He stated that this is a continuation of a prior application, but because of zoning lines being moved, this is technically a new application. This is the same case presented to the board a couple months ago. He stated that he would quickly review the company background. He reminded the Planning Commission that he has been a developer for more than 30 years, and that Boyd Homes was not only a local company, but a Virginia company with projects throughout Central and Eastern Virginia and elsewhere in the eastern United States.

Mr. Rudiger showed on the PowerPoint the prior proposal of where the single family, attached residential, and multi-family units had originally been placed within the development. He addressed the comments that were mentioned at the November meeting and the desire of the Commission to change the layout of the original plans. He stated that due to the constraints of the zoning categories, it was difficult to change the original layout; however, they have revised the plans to show the attached residential is more incorporated into the single family zoning and is also back against the existing multi-family off of Frontier Road.

He stated that the revised plan was only conceptual and most likely there will be variations to the plan because it has not yet been engineered, although they have been working with the engineers on the grading, water, and sewer aspects of the development. This is only a concept of how they envision the new proposal working. Mr. Rudiger indicated on the PowerPoint where the town homes and the single family units would be located within the development and how each part of the development would be accessed. He also indicated how the traffic would flow explaining that most of the traffic would come through the town home development out to the road instead of traveling through the single family area.

He reiterated again that this is positively not how the development will be laid out. It is showing in theory that 400 multi-family units and nothing but three story buildings that are 12 units to a building will work on this site. They envisioned using a combination of three and four story buildings, not meaning that there would be some three story buildings and some four story buildings, but that the buildings would have three and four story aspects to them as they go down the slope. That will allow for a greater green area and space between the buildings. They envision having a club house and pool within the development. He mentioned that Staff requested a minimum square footage for the club house and a minimum square footage for the pool in the proffers. Even though Boyd Homes is envisioning something larger, they are only guaranteeing a 1500 square foot pool and a 1000 square foot club house, due to the fact that they do not have anything in the way of engineering plans and layouts, and at this point feel they need to be conservative. They feel from the marketing perspective they will want to have a larger clubhouse and pool and possibly more than one pool.

He spoke of the importance of the attractiveness of the entrance features and the streetscapes and how they want the development to have a feel of community upon arrival. Landscaping is an important aspect and they will be incorporating upgraded landscaping within the development.

As they reviewed the proffers, they have agreed to improve Barterbrook Road. They are committed to complying with the requirements of VDOT, although at this time the requirements have not been completely stated by VDOT. He wanted to point out that multi-family property can have up to six story buildings and can accommodate up to 700 apartment units. The entire property will have 755 units vs. 25 acres having 700 units. The developer has agreed to limit the building height to a maximum of a four story building instead of the permitted six story. They have agreed that sidewalks will be included even though they are not required by code. They have agreed to limiting the mass of the buildings in terms of how many units can be attached in one grouping in attached residential. They have agreed to quality and appearance standards and having individual driveways.

On the phasing of the development, in response to input from the County, a proffer has been included that talks about staging the development so that there were so many single family units that were developed along with the multi-family and attached residential. The concern was that this is being developed as an integrated community and not just building apartments. Boyd Homes has agreed to this type of development. Mr. Rudiger commented that after the proffers were submitted, the Augusta County School Board requested a schedule as to when people would be moving into the dwellings. He indicated that there is no way to know that, nor can they predict how fast the county will grow. They feel they have done what they can in terms of agreeing to keep this a mixed product community and they are committed to providing quality housing that people in the county will be proud to have.

Mr. Rudiger pointed out that the county requested the existing 25 acres of multi-family zoning be incorporated into the plan, but the rezoning could have been submitted for the general agricultural portion only and not have included the multi-family parcel in the plan. The county felt like it would be an improvement to the overall development to have

a different buffer and have the multi-family moved over by the interstate, and try to keep single family against single family and attached residential against attached residential because the next community over is town houses, therefore, they did incorporate the 25 acres into the rezoning plan. Had they not included it, the rezoning would have a potential to have 1122 units. They decided to meet the overall intention and not lose the 700 units that they could have in the multi-family and have decided to move them, and have reduced it from 700 units to 400 units. They feel the 755 units is a reasonable compromise and they are entitled to it.

He stated that there have been various comments from VDOT regarding sight distances and layout based upon the conceptual plan. VDOT regarded it not as conceptual but as a definite plan. There will be issues that they will have to comply with for VDOT, but they do not need to be proffered because they will have to comply with VDOT and do not know what VDOT will require at this point.

Mrs. Shiflett addressed the request by Fire and Rescue for fire lane access on all sides of the multi-family buildings. She asked if Boyd Homes intended to build so they may have access.

Mr. Rudiger indicated that they have met with Fire and Rescue since the last hearing and indicated that Fire and Rescue has said that Boyd Homes would not be required to do anything but meet code. It is their intention to provide access in accordance with all of the applicable rules, regulations, laws, and ordinances in regard to fire access. It would not be practical to build a road around every multi-family building, nor would it be good for the environment as it creates extra hard surfaces.

Mr. Garvey addressed the concern about drainage going into Christians Creek from the roof-tops and hard surface run-off. Mr. Garvey asked Mr. Rudiger if they have any plans to address the DEQ 2008 Impaired Waters list that Christians Creek is on.

Mr. Rudiger stated that they would address them as part of their design and that there would be BMPs incorporated into the design. They have set out an area in the open space which is the natural creek line. It is their intention to make sure that the affluent from the property is properly designed such that from a quantity and quality standpoint, there are no issues.

Mr. Hite asked that based upon the TMDL standards established for Christians Creek, could he assume from the previous answer that if any run-off does make it to Christians Creek, it would not adversely impact the TMDL standards.

Mr. Rudiger indicated that was correct.

Mr. Shipplett brought up the fact that Boyd Homes did not have to proffer the recreational facilities and wondered why they did.

Mr. Rudiger responded by stating that the county asked for it to be proffered.

Mr. Shipplett expressed his concerns over the size of the pool which is to be 1500 sq. ft. (30' X 50') and was concerned that it was not adequate for the size of the development. He pointed out that Boyd Homes had mentioned the possibility of two pools and two club houses. Mr. Shipplett's concern was that since the 1500 sq. ft. pool was proffered, Boyd Homes would not be required to build an additional pool or club house. He asked how Boyd Homes could make the Commission more comfortable with their plans in the recreational area since the additional pool and club house have been mentioned.

Mr. Rudiger stated that one reason they made it a smaller sized pool is because they do intend to have more than one. Boyd Homes felt that it would put an extra financial burden on the homeowners to install an additional pool and recreational facility in the early phases of the development, since it will take the development several years to unfold. They intend to exceed the bare minimum of one pool, but will need to be allowed some flexibility.

Mr. Shipplett asked how many pools they intend to install, knowing that one pool will not be adequate. He asked if Boyd Homes was ready to proffer more than one pool.

Mr. Rudiger stated they would have to work out something in terms of the scheduling of an additional pool or pools. He stated that when the development was finished he could guarantee there would be more than one pool, but could not specifically say how many more. It would depend on the financing of the development. When developing the multi-family units, Boyd Homes envisions two projects of essentially 200 units each, which would have the possibility to be a project of 400 units phased out in two phases. It would be a possibility to have one pool and one club house for all 400 units, but the pool and club house would be larger. These issues cannot be figured out until the engineering plan is complete and all the numbers from the bankers are in. It is still in the early stages of planning. Mr. Rudiger asked for suggestions on how they can provide a comfort level for the Commission.

Mr. Shipplett asked if they would be willing to proffer three pools.

Mr. Rudiger stated they would be willing to proffer two pools. He stated he was unsure of how three pools would be laid out.

Mr. Shipplett asked if everyone in the development would have access to the pool and recreational area.

Mr. Rudiger stated that everyone will have access to one pool and club house, but not to every pool and club house.

Mr. Shipplett asked if there would be an HOA fee.

Mr. Rudiger stated there probably would be an HOA fee, but he doesn't know how much it will be.

Mr. Shipplett asked in constructing the units if Boyd Homes plans on using local labor.

Mr. Rudiger stated that yes they would be using local labor and that there were representatives in attendance from the local building trade that will be speaking tonight.

Mr. Shipplett asked if they would be buying materials locally.

Mr. Rudiger stated that he could not guarantee that they would be buying every product locally, but they would be dealing with local suppliers and sub-contractors.

Mr. Leonard stated that the development is backing up to single family homes already on Barterbrook Road. He stated that he is concerned particularly about the lot that is cornered on both sides by the single family development going from having two neighbors to 15 neighbors backing up to his property. Mr. Leonard asked if the developer had thought about putting in some buffer to ease the impact.

Mr. Rudiger indicated that they had not considered putting in a buffer. While planning the layout of the development, the set up was for the single family to be backed up to single family. Mr. Rudiger stated that because the existing lots are fairly large, he did not think that putting in a 15' or 20' buffer would make a difference for the current homeowners.

Mr. Leonard asked if the developer did not think that a buffer would be positive as far as the neighbors were concerned.

Mr. Rudiger responded that they had not considered a buffer and this was the first time it had been suggested, therefore, it had not been incorporated into the plan. There is already a tight layout in terms of minimum depth of the lots in trying to get two roads in for adequate ingress and egress. They would be open to discuss the ability to accommodate a buffer into the plan upon consultation with the engineers.

Mr. Leonard asked if it became an issue would the developer be willing to discuss a buffer.

Mr. Rudiger indicated that they would be willing to look at the plans and the possibility of adding a buffer.

Mr. Shipplett asked the developer to clarify that the proffers would reflect a two pool minimum instead of one.

Mr. Rudiger stated that he had written in his notes that the proffers would be changed to reflect two pools.

Mr. Curd asked if the developer knew approximately the amount of open space in terms of acreage.

Mr. Rudiger stated that he did not have that information with him.

Mr. Curd referred to number six (6) and fourteen (14) on the proffers and stated that due to the way they are worded that it seems the developer is proposing that the single

family homeowners will not have access to the pool and recreational facilities if construction stops at 49 houses. He asked if that was the intention of the developer.

Mr. Rudiger stated that was not the intention to stop at 50 homes just to avoid installing a pool.

Mr. Curd reiterated that the way the proffers read, it is unclear and it sounds like it could be a possibility that the single family homeowners will not have access to the pool and clubhouse if the development does not grow to 50 homes.

Mr. Rudiger responded by saying if you take a development of 50 homes and support a clubhouse and pool, operating a pool alone costs approximately \$35,000 a year, then add in a common area and clubhouse, the assessment for the HOA will be an assessment that people cannot afford. They didn't want to make a commitment that they would be required to install a pool whether homeowners could afford it or not. He stated that they wanted the facilities to be something the homeowners could enjoy and afford at the same time. Mr. Rudiger stated that he is unsure of the answer to this issue at this time, but for the benefit of the property owners and the developers they will continue to market the property and get the property sold so the property owners can afford to have a clubhouse and pool. Mr. Rudiger indicated on the PowerPoint an area of property that has been left open and could be used for a clubhouse and pool that either the single family or single family and attached residential residences could use. If they were to combine the clubhouse and pool for both the single family and attached residential, the numbers could be met at a much earlier time in terms of the minimum number of homeowners who would be able to afford the clubhouse and pool. Mr. Rudiger stated that they are conceptually willing to combine the clubhouse and pool for both single family and attached residential. Because there are not a large number of single family homes in that particular area in the development, it would be more economical for the homeowners to have this as a shared resource. He stated that he doesn't know how to rewrite the proffer, but they would be willing to make the proffer apply to single family and attached residential units so the 50 unit minimum can be met at an earlier time.

Mr. Curd asked about changes to make this project have more of a community feel.

Mr. Rudiger stated he was trying to address financing concerns and come up with objective standards. He stated 200 units is the minimum size for an apartment community. He indicated he was open to ways to improve it.

Mr. Curd suggested lowering the numbers to 150 apartments and 75 attached residential units before the single family units were built.

Mr. Rudiger stated the bank wants them to be able to build their entire project and not have it tied to something else out of their control.

Mr. Garvey asked if this plan was approved the following week by the Board of Supervisors, how soon construction would start.

Mr. Rudiger indicated that they would be starting work with the engineering plans right away.

Mr. Garvey asked if construction would start within a year.

Mr. Rudiger said that engineering and approvals could take somewhere close to a year and then they would be working on land development and construction.

Mr. Cole asked if there was a traffic study done.

Mr. Rudiger indicated there had been a traffic study done.

Mr. Cole asked what the study showed at the intersection of Barterbrook Road and Frontier Drive at 8:00 a.m.

Mr. Rudiger stated that he did not know the specific numbers but stated that they had agreed in the proffers to make the upgrades at the intersection that were recommended by the traffic impact analysis which was to add a right hand turn lane from Barterbrook Road onto Frontier Drive. The analysis indicated that was where the level of service would be impacted to the point of needing an improvement for a right hand turn lane. There was not an impact to the left hand turn that improvements would be needed from VDOT's perspective.

With there being no further questions from the Commissioners, Mr. Curd opened the Public Hearing.

Mr. Zach Straits, of 717 Selma Boulevard, Staunton, VA, the manager of Pro Build in Verona, stated that his company had a long-standing relationship with Boyd Homes and he is confident that this project could have a positive impact on the Staunton Mall as well as on the economy. He stated that he has had to lay off employees and a project of this size may allow him to re-hire those employees.

Mr. Dave Segars, of Segars Engineering, located in Waynesboro, VA, stated that his firm conducted the traffic impact analysis. He stated that the Barterbrook Road and Frontier Drive intersection was fairly favorable and had recently been upgraded by VDOT. Based upon guidance by VDOT, the majority of people would be turning right in the morning hours for interstate access. The right turn lane will not be required until the entire development is half built out. Mr. Segars stated that he is in favor of this project.

Charles Long of 130 Willow Drive, Dayton, VA, Mayor of Dayton and a Planning Commission member stated that he had faced similar situations with developments and similar concerns. He represents a material manufacturer and they sell through Pro Build. He stated that in working with Boyd Homes he has found them to be a high caliber company.

Herb Godschalk of 1739 Barterbrook Road, Staunton, stated that they own the property to the north that adjoins the developer's property. He pointed out on the PowerPoint that they will acquire eleven new neighbors with this proposal. He stated that the

neighborhood has a rural and beautiful feel to it. He stated that there are currently 2131 apartments in Augusta County and zoning has been approved for an additional 2000, and there is capacity for another 3000. This does not include apartments in the City of Staunton. He expressed concerns about the school system and overcrowding of schools. He also expressed concerns about the road conditions due to the curves and sight line of the road. He stated that he realizes Augusta County needs to grow their tax base, but feels that Augusta County does not need a development like the one being proposed.

Stephen Kirby of 1631 Barterbrook Road, Staunton, stated that he has two concerns. The first being the massive scale of the development which will contain 750 units. His primary concern about the scale is what will happen with the roadway. In 2010 Barterbrook Road had 1000 vehicles per day, and Frontier Drive had approximately 6500. The projection of 5 – 6 vehicles per unit per day will more than quadruple the traffic. Resurfacing the road and adding bicycle lanes is not adequate for quadrupling the traffic on the road. He stated he is concerned for safety reasons about the sight distance and the increase of traffic due to the development. His second concern is that it appears from the building phases and numbers he has gathered about the development, that the priority is the apartment complexes and not on single family homes. He stated that it seems it is more of a priority to get the 300 units up before any single family residence is completed.

Christine Macciolo of 1718 Barterbrook Road, Staunton, stated that she moved here from Norfolk to get away from the sprawl of developments. She is concerned about the rural nature of Augusta County. She stated that she is concerned about road issues and the length of time the project will take and the inconveniences associated with the road work for the development. She stated that she is also concerned about the noise level of the construction and the noise level from the development once occupied. She stated that she is concerned about the invasiveness of her personal property while construction is taking place.

Hollis Jordan of 306 Frontier Drive, Staunton, stated that he is opposed to this development due to the increase of traffic.

Wanda True of 1965 Barterbrook Road, Staunton, stated that it is assumed that all the traffic will be going to Frontier Drive, however; some traffic will be going east and she is concerned about how the development will affect that traffic. She also questions the price of the homes and asked if potential homeowners could really afford recreational facilities.

Mr. Rudiger stated that the 25 acres was already zoned and approved for multi-family. The balance of the property is part of the County's comprehensive plan. The land is designed to be a mixture of residential uses. He stated that they are reducing the apartments on the site from 700 to 400. He is willing to meet with the current homeowners regarding the concern over the invasiveness of personal property and road work. He stated that they have moved the apartments next to the interstate so they will be farther away from the current homeowners.

Mr. Leonard asked how the land currently zoned for the 700 apartments could be accessed.

Mr. Rudiger said there are means of doing it, but did not want to elaborate on it at the time.

Mr. Leonard asked if the developer realized that this proposal does not meet the comprehensive plan recommendation of 4-8 units per acre.

Mr. Rudiger stated that they have been asked to incorporate the 25 acres into the overall rezoning. They have indicated that they are willing to move the multi-family units to another portion of the property where it has less impact. He stated that asking them to take property approved for 28 units to the acre and cut density by 75% is not appropriate. They are willing to resubmit without putting in the multi-family, leaving the multi-family where it is and rezoning the agriculture in keeping with the comprehensive plan.

Mr. Curd declared the Public Hearing closed.

Mr. Garvey stated that he had empathy for the people opposed to this development, but this property is in a designated urban service area. He stated that he is familiar with Boyd Homes and is aware of their excellent reputation and their marketing abilities. He stated that the county would benefit from a developer like Boyd Homes and that he is in favor of the project.

Mr. Shiplett stated that he can support the project. He stated he sees this as a long-term project and good for the labor market. He indicated he believes there is a need for more town houses and upscale apartments. He further indicated that it is rare to see a project that everyone likes but he likes the layout and the pools and stated the project could have a greater impact. He concluded by saying they are getting the lesser of two evils.

Mrs. Shiflett stated that the project can help the economy. She stated the multi-family residential zoning was done 25 years ago and we've made mistakes in the past and this is one of them. She indicated that this is not prime farm land and agrees this land will be developed. She is concerned about the over-crowding of schools, the potential traffic issues, and the access for fire and rescue. She does not feel it is the right plan or the right time for this development.

Mr. Cole stated that he shares the same concerns as Mrs. Shiflett. He is concerned about the overcrowding of schools, the increased traffic on Barterbrook Road and Frontier Drive, and the issues regarding access for fire and rescue vehicles. His main concern is about the massive scale of the project and being so close to a stream that is already in trouble. This stream is the principal headwaters of the Shenandoah River, which happens to be one of the most polluted rivers in the country. He feels the phasing favors apartment buildings ahead of single family homes. He stated that because the property contains sewer and water that it should be developed, but developed such that the impacts from such a massive development are not as significant as he is afraid they

will be as the proposal is drawn at this point. He hopes these concerns will be addressed by the developer.

Mr. Hite stated that he shared the same concerns already mentioned, but felt he could support the rezoning since this is probably better than what it could be.

Mr. Leonard stated that he felt the land was well suited for development and that Boyd Homes has brought back a plan addressing their concerns. He stated that while he was concerned about the density, he could support the project as presented with the changes to the proffers.

Mr. Curd stated that he has concerns with the density and number of multi-family and attached residential units when comparing to the single family homes and the impact the development will have on the infrastructure of the county. However, with the current zoning, it could be 1200 units and he wished the project weren't so dense. He stated that he sympathizes with the current property owners, indicating he is in a similar situation and he doesn't like it one bit, however, it will be a boost for the economy, and the benefits outweigh the negatives.

Mr. Hite made a motion to approve the plan with the amended proffers.

Mr. Shipplett seconded the motion.

Mr. Curd restated that the motion before the Planning Commission was to recommend approval of the request with the proffers amended to include two pools and proffers 6 and 14 to assure that all residences shall have access to the recreational facilities.

The motion was passed 5 – 2, with Mr. Cole and Mrs. Shiflett opposed.

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An Ordinance amending the Zoning Ordinance of Augusta County Related to signs in Public Use Overlay Districts.

This ordinance amends §25-47 in Article IV. Signs, billboards and outdoor advertising structures by allowing signs in Public Use Overlay Districts to be under the same maximum size and number restrictions as properties zoned Business or Industrial. Currently the signage restrictions for properties in Public Use Overlay districts are governed by their underlying zoning classifications.

Mrs. Earhart stated that the request is to amend the ordinance related to signs. Currently, the size of signs in a public use overlay zoning district are regulated based on the underlying zoning district of the property. This is causing a problem with uses such as schools. It is being recommended that the public use overlay district have the same sign regulations in terms of maximum size and the number of sign restrictions as are allowed in business and industrial districts.

Mr. Curd opened the public hearing. There being no one to speak in favor or against, Mr. Curd closed the public hearing.

Mr. Cole made the motion to recommend approval of the Ordinance amendment.

Mr. Shipplett 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 Commissioners the requests coming before the BZA.

Mr. Curd 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