



COUNTY OF AUGUSTA
COMMONWEALTH OF VIRGINIA
DEPARTMENT OF COMMUNITY DEVELOPMENT
P.O. BOX 590
COUNTY GOVERNMENT CENTER
VERONA, VA 24482-0590



MEMORANDUM

TO: Augusta County Board of Zoning Appeals

FROM: John R. Wilkinson, Zoning Administrator *JRW*

DATE: January 28, 2016

SUBJECT: Regular Meeting and Viewing

The Regular Meeting of the Augusta County Board of Zoning Appeals will be held on **Thursday, February 4, 2016, at 1:30 P.M.**, in the Board Meeting Room, Augusta County Government Center, 18 Government Center Lane, Verona, Virginia.

Please meet in the Board of Supervisors Conference Room at the Augusta County Government Center in Verona at **9:00 A.M., Thursday**, for the Staff Briefing prior to going out to view the items on the agenda. Lunch will follow at **Country Cookin at noon**.

Enclosed are the minutes of last month's meeting, the agenda for **Thursday's** meeting, staff reports and site plans on each of the requests.

If you cannot attend this meeting, please notify this office as soon as possible.

JRW/bcw

Enclosures

**ADVANCED
AGENDA**

Regular Meeting of the Augusta County Board of Zoning Appeals

Thursday, February 4, 2016, 1:30 P.M.

1. CALL TO ORDER

2. DETERMINATION OF A QUORUM

3. MINUTES

Approval of the Called and Regular Meeting of January 7, 2016

4. PUBLIC HEARINGS

- A. A request by James Potter, agent for Redeeming Life Ministries, for a Special Use Permit to have a day care operation within a church on property it owns, located in the eastern quadrant of the intersection of Hammond Lane and Christians Creek Road, in the Beverley Manor District.

- B. A request by Rick Shuffield, agent for Love's Travel Stops and Country Stores, Inc., for a Special Use Permit to have a travel plaza and truck stop, tire shop, convenience store, and restaurant on property owned by Augusta County Company, LLC, c/o Ramsey Enterprises, located on the north side of Pilot Truck Drive, in the northwest quadrant of the intersection of Pilot Truck Drive and Lee Jackson Highway (Route 11), in the Riverheads District.

5. OLD BUSINESS

6. MATTERS TO BE PRESENTED BY THE PUBLIC

7. MATTERS TO BE PRESENTED BY THE ZONING ADMINISTRATOR

8. STAFF REPORT

15-13	David or Catherine Marie Riccioni
15-14	Waynesboro Church of the Nazarene
15-15	Andrey Kunitsa
15-16	Dominion Assets, LLC

9. ADJOURNMENT

AGENDA ITEM # 4A

Date 2/4/16

PROPERTY OWNER:
Redeeming Life Ministries

APPLICANT:
James Potter, agent for Redeeming Life Ministries

LOCATION OF PROPERTY:
In the eastern quadrant of the intersection of Hammond Lane and Christians Creek Road, in the Beverley Manor District

SIZE OF PROPERTY:
18.345 acres

VICINITY ZONING:
General Agriculture and General Industrial to the north; General Agriculture to the south, east, and west

PREVIOUS ZONING OR S.U.P.:
12/95 Zoned General Agriculture

LAND USE MAPS:
Rural Conservation Area

UTILITIES:
Private

APPLICANT'S JUSTIFICATION:
To have a day care operation within a church

PLANNING COMMISSION'S COMMENTS:
No Comment

BUILDING INSPECTOR'S COMMENTS:
Obtain all necessary building permits, inspections and occupancy permits in compliance with the Uniform Statewide Building Code.

HEALTH DEPARTMENT'S COMMENTS:
A private OSE has identified a drainfield site on this property, however, no official proposal has been submitted to this office for review. Any submittal will require engineered plans for sewage disposal for the church, day care, and all activities proposed at the site. The proposed day care provider will need to apply to this office for a food service permit.

HIGHWAY DEPARTMENT'S COMMENTS:

The use is expected to generate more than 200 additional trips per day on Christians Creek Road, which currently carries approximately 1,200 vehicles per day as a Minor Collector. The commercial entrance currently being designed for the church must also account for the additional trips that would be generated by the day care. Due to the nature of the intersection, VDOT will require a stop sign exiting the church entrance, and "puppy track" pavement markings are being required around the curve to deter traffic from inadvertently going straight through to the church entrance when meaning to stay straight (right) on Christians Creek Road. Additional vegetation clearing and signage removal/installation may also be required to promote the safety of this unique intersection, and would be included with the permit to construct the commercial entrance. The first submittal of the Site Plan for the church has been reviewed, but the plan is not currently approved; therefore, the additional use as a day care should be accounted for before the second submittal.

SECTION 25-74I - LIMITED BUSINESSES AND INDUSTRIES IN AGRICULTURE ZONES

Where outside storage is not prohibited, all outside storage areas will be adequately shielded or screened from view.

There will be no outside storage except for the required playground equipment.

The operator will be a resident on the premises unless the board of zoning appeals determines that such residency is not appropriate in the specific case, taking into account the nature of the business and the character of the neighboring properties.

The Pastor will not live onsite, but lives within four (4) miles of the property.

The business and anticipated enlargements thereof will be appropriate for agriculture areas.

Day care centers provide a needed service to the area and are appropriate in agricultural areas.

The business shall have direct access on to a state maintained road and approval by the Virginia Department of Transportation or the expected traffic on a private road or easement can be accommodated by the access proposed.

The church and day care will have direct access to Hammond Lane and VDOT has given approval for the location of the entrance.

On-site traffic flow will adequately and safely accommodate all traffic to and from the public highways.

The 18.345 acre site can adequately and safely accommodate all traffic.

Only pre-existing structures will be utilized unless the board of zoning appeals finds that proposed new construction will be not only compatible with neighboring properties, but will also be a substantial benefit to neighboring properties.

The applicant is in the process of obtaining site plan approval for a new church, and the day care operation will be within the church.

Reasonable limitations are imposed on the enlargement or expansion of the business. Business structures larger than four thousand (4,000) square feet or accumulated expansions by more than fifty percent (50%) shall not be permitted unless the board finds that a larger structure or expansion is not only compatible with neighboring properties, but will also be a substantial benefit to neighboring properties.

The day care operation will be within the new church.

Evidence that the business will be connected to public sewer or that an onsite sewage disposal system can be approved for the business use.

The applicant is working with the Health Department to get approval for a private septic system.

There are adequate provisions set forth for the protection of fire, environmental and other hazards.

The church will have smoke alarms and fire extinguishers onsite.

All items displayed for sale or stored on site shall be set back at least twenty-five feet (25') from the edge of the pavement of any adjoining roads, and in no case shall a display or storage area be within the right-of-way of any road.

No items will be displayed for sale.

STAFF RECOMMENDATIONS

The applicant is requesting to have a day care operation within a new church. The church site plan is currently under review. The applicant is requesting to have up to one hundred (100) children in the day care program. The majority of the staff will be church members.

Staff feels that having a day care operation within the church will provide a much needed service to the community and would be compatible with the area. Staff would recommend approval with the following conditions:

Pre-Conditions:

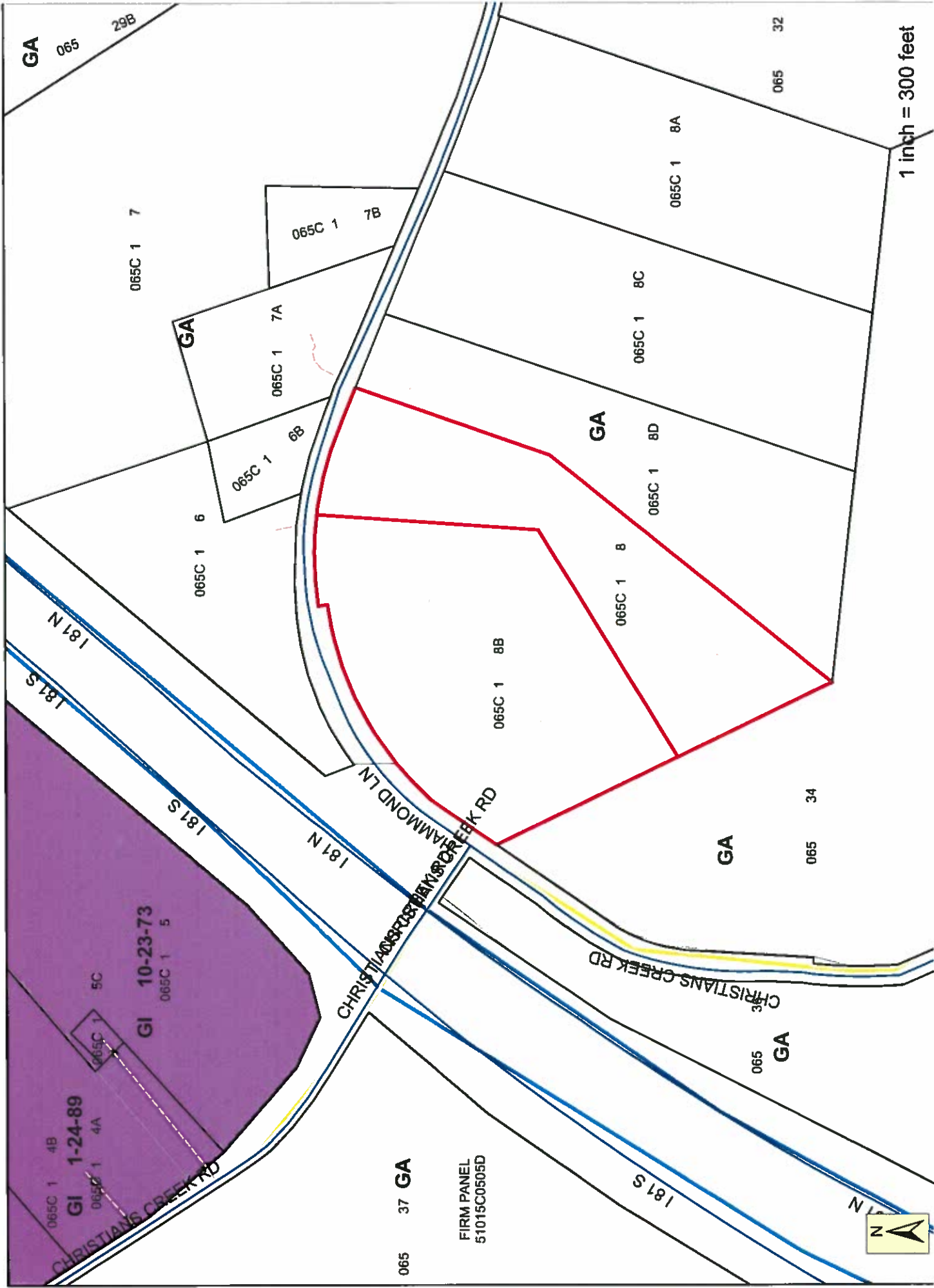
1. Obtain VDOT entrance permit and provide a copy to Community Development.
2. Obtain Health Department approval and provide a copy to Community Development.
3. Provide a copy of the license from the Department of Social Services.

Operating Conditions:

1. Be permitted to have a day care operation with up to one hundred (100) children, as determined by Social Services.
2. Site be kept neat and orderly.



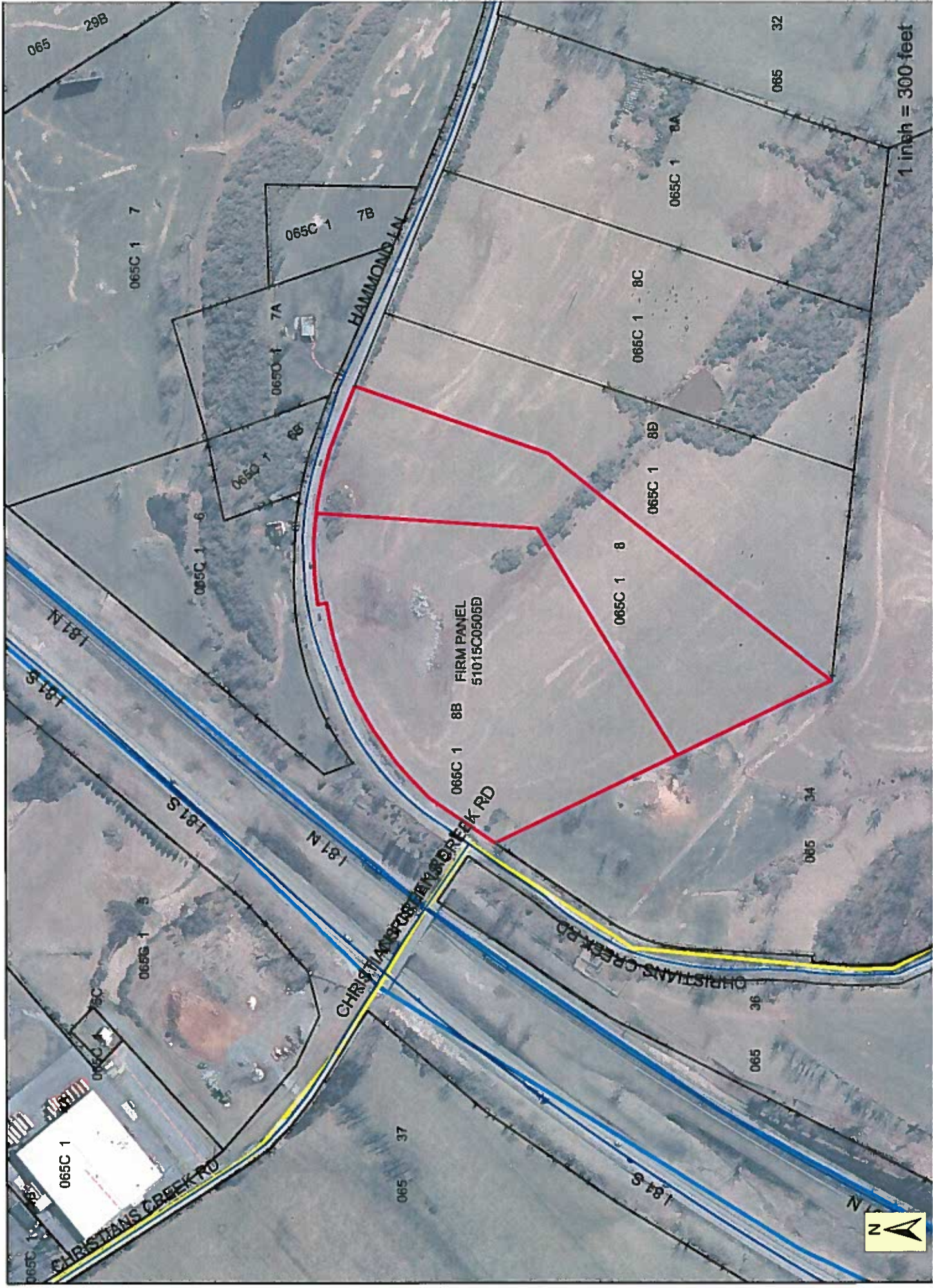
Redeeming Life Ministries



1 inch = 300 feet



Redeeming Life Ministries



REDEMING LIFE MINISTRIES
 WASHINGTON, VIRGINIA
SITE PLAN LAYOUT

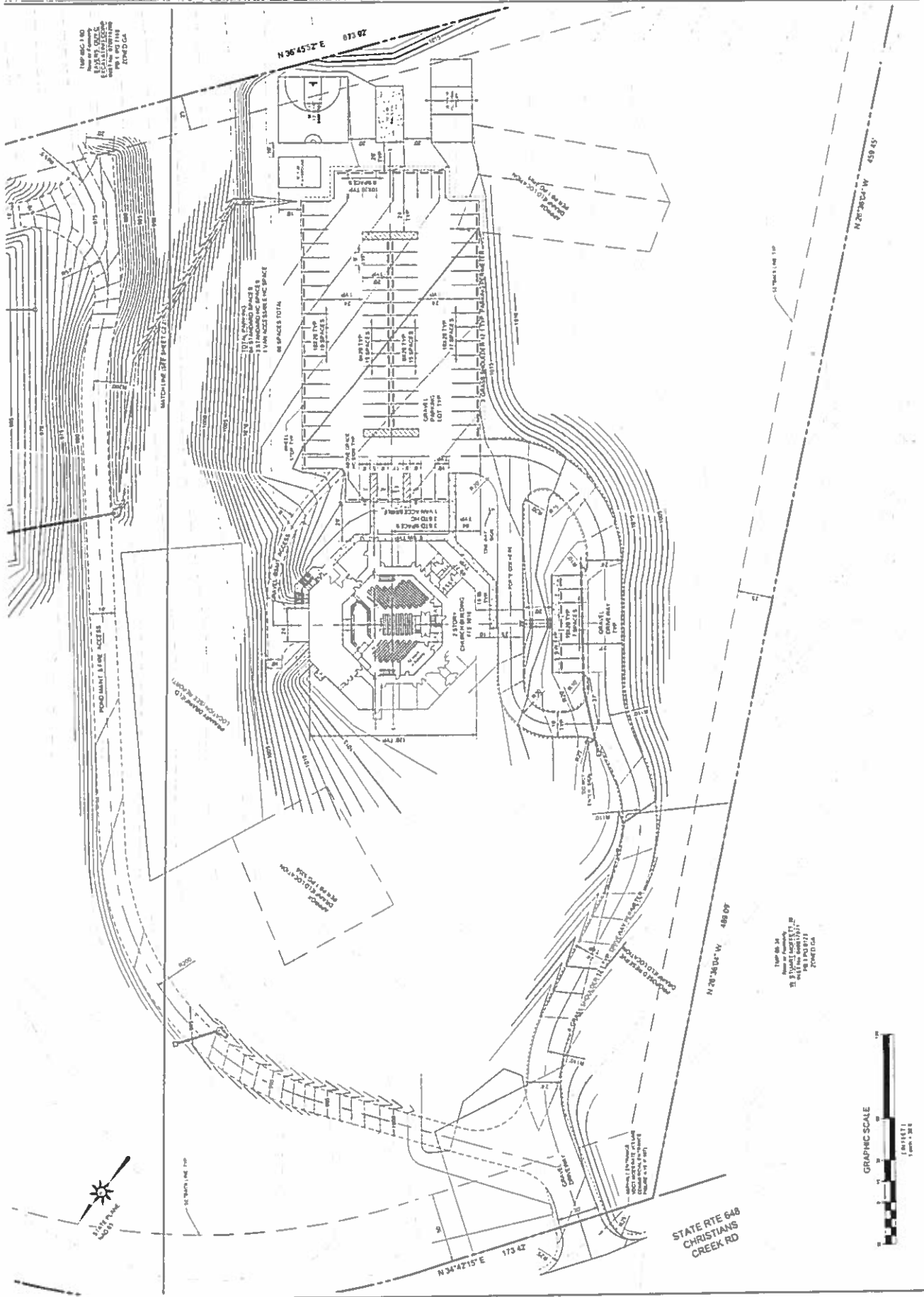


SCALE	ISSUED	DATE
1" = 40'	ISSUED	08/24/21
	DRAWN	
	DESIGN	
	CHECKED	
	REVISIONS	

REVISIONS

NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMITTING	08/24/21

SHEET C2.1



STATE RTE 648
CHRISTIANS
CREEK RD

AGENDA ITEM # 4B
Date 2/4/16

PROPERTY OWNER:

Augusta County Company, LLC, c/o Ramsey Enterprises

APPLICANT:

Rick Shuffield, agent for Love's Travel Stops and Country Stores, Inc.

LOCATION OF PROPERTY:

On the north side of Pilot Truck Drive, in the northwest quadrant of the intersection of Pilot Truck Drive and Lee Jackson Highway (Route 11), in the Riverheads District

SIZE OF PROPERTY:

82-73 (21.140 acre portion) and 82-71E (5.54 acre)

Total Acreage: 26.68

VICINITY ZONING:

General Business surrounds these parcels on the north, south, and east; General Business and General Agriculture to the west

PREVIOUS ZONING OR S.U.P.:

05/11/66 Zoned General Business

LAND USE MAPS:

Urban Service Area – Business

UTILITIES:

Public water and sewer available

APPLICANT'S JUSTIFICATION:

To have a travel plaza and truck stop, tire shop, convenience store, and restaurant

PLANNING COMMISSION'S COMMENTS:

The Planning Commission is concerned about the traffic flow in this area and the ability of the existing road system to handle the additional truck traffic generated by a second truck stop. Therefore, they recommend to the BZA, if they permit the travel plaza/truck stop, that the second entrance to the site be required to be constructed and open for use prior to the opening of the travel plaza/truck stop.

BUILDING INSPECTOR'S COMMENTS:

Obtain all necessary building permits, inspections and occupancy permits in compliance with the Uniform Statewide Building Code.

HEALTH DEPARTMENT'S COMMENTS:

No comment on water and sewer – will be served by public supply. Any proposed restaurants and/or hotels will require plan review and permits by this department.

HIGHWAY DEPARTMENT'S COMMENTS:

The proposed use will have a significant impact to the surrounding roadways. A chapter 527 Traffic Impact Analysis (TIA) has been prepared and approved by VDOT on 12/3/15. VDOT recommends that the recommendations in the approved TIA prepared by CDM Smith dated, November 2015 be made conditions of the Special Use Permit. The TIA and VDOT comments can be viewed on our public Landtrack website (<http://landtrx.vdot.virginia.gov/Default.aspx>).

In general, while the traffic volume will increase as a result of this project, the nature of the traffic will be very similar to that already produced by the existing adjacent travel center. The addition of the secondary access road should also improve existing problems experienced with trucks missing the entrance to the existing travel center and needing to turn around south of the travel center on Route 11.

As part of the site plan review, VDOT will be requiring design and rehabilitation of the existing entrance to Pilot Truck Drive from Route 11 to mitigate problems with heavy trucks rutting the pavement near the intersection. The new entrance to Route 11 and other proposed improvements will also be reviewed at the time of site plan submission.

SERVICE AUTHORITY'S COMMENTS:

1. Water and sewer capacities are not reserved until system adequacy is determined (supply, treatment, transmission) and payment of the connection fees has been received in accordance with Service Authority Policy. Augusta County Service Authority Policies and Procedures can be found at <http://www.acsawater.com/oppm/main.php>.
2. Any engineering evaluations and upgrades or extensions would be the responsibility of the owner/developer and are subject to Service Authority review and approval.
3. Investigation of available fire flow is recommended to ensure that the system is capable of providing the needed fire flow to comply with the Augusta County Fire/Rescue requirements for the proposed use of the property. Any upgrades or extensions would be the responsibility of the owner/developer and are subject to Service Authority review and approval.
4. There is an existing 10" sewer line along the front property line of said parcels. There is an existing 8" sewer line running through the southwestern portion of TM 82-73. Part of this sewer line was not formally accepted into the ACSA system due to missing documentation from the developer. Items needed include an easement plat, deed of easement, and an inspection needs to be performed to ensure the line is ready for service. Any repairs would be at the expense of the developer as the line is still considered to be private due to the acceptance status.

5. There is an existing 8" water line along Pilot Truck Drive. ACSA has not been able to verify that this line was accepted into the public system. Documentation may be needed as noted with the sewer line.
6. Sewer fees: There is a special agreement pertaining to wastewater treatment in this area. If Augusta County Company, LLC is granting Ramsey Enterprises their capacity at no cost (no privilege fee) (reserved by them in an Agreement dated 12/1/2001), that grant should be documented. NOTE: this has no impact on fees due to ACSA (availability & hook-up fees).

FIRE AND RESCUE'S COMMENTS:

Fire-Rescue sees little impact to service delivery, but feels that there will be an increase of large vehicle traffic at a major intersection that is already somewhat congested.

SECTION 25-304G – TRANSPORTATION RELATED BUSINESSES

Transportation related businesses, including but not necessarily limited to: travel plazas and truck stops, may be permitted by Special Use Permit provided:

All buildings, structures, and operations will be set back at least five hundred feet (500') from all residentially zoned areas, unless the board of zoning appeals is satisfied that proposed soundproofing and other barriers will adequately protect neighboring properties from noise, light, dust, odor, and vibrations. Nothing herein shall be deemed to limit the ability of the board of zoning appeals to require larger setbacks when necessary to adequately protect neighboring properties; and

The site plan shows this operation will be over two thousand seven hundred (2,700') feet from the nearest residentially zoned area.

All buildings, structures, and operations will be set back at least one hundred feet (100') from all property lines unless the board of zoning appeals determines that greater setbacks are necessary to adequately protect neighboring properties; and
The site plan shows all buildings, structures, and operations are over one hundred (100') feet from all property lines.

Traffic generated by the proposed project will be compatible with the roads serving the site and other traffic utilizing said roads; and

A Traffic Impact Analysis (TIA) dated November 2015, has been submitted and reviewed by the Virginia Department of Transportation (VDOT). Per a letter from VDOT, dated January 26, 2016, VDOT approved the TIA on December 3, 2015, contingent upon the recommendations in the approved TIA prepared by CDM Smith dated November 2015, be made conditions of the Special Use Permit. As part of the site plan review, VDOT will be requiring design and rehabilitation of the existing entrance to Pilot Truck Drive from Route 11 to mitigate problems with heavy trucks rutting the pavement near the intersection.

On-site traffic flow will adequately and safely separate automobile traffic from truck, tractor-trailer, or other large vehicular traffic and will safely accommodate all traffic to and from the public highways; and

A preliminary site plan/BZA plan prepared by Summit Engineering has been reviewed by both VDOT and Augusta County Community Development staff. The plan shows separate entrances to the facility for large trucks and automobiles and separate parking facilities are also provided. A proposed second entrance is shown on Route 11 on the site plan located approximately one thousand (1,000') feet south of Pilot Truck Drive, that could serve this new facility, Pilot Travel Center, and future businesses on the property.

The applicant feels the design of this facility will adequately and safely separate automobile traffic from truck, tractor-trailer, or other large vehicular traffic, and will safely accommodate all traffic to and from the public highways.

If within sight of an Interstate Highway, the view from the Interstate Highway is made as pleasant and inviting as possible giving consideration to the value of scenic surroundings to residents, tourists and commercial development.

There is an existing tree line along the Interstate, however, the facility will be seen by motorists traveling northbound on Interstate 81. The Board may want to consider additional tree plantings to help buffer the visual impacts from the Interstate.

The applicant feels the existing trees along with the design of the facility will be inviting to the public, tourists, and commercial development, and will not detract from the scenic surroundings of the area.

STAFF RECOMMENDATIONS

The applicant is requesting to construct a travel plaza and truck stop, tire shop, convenience store, and restaurant. The proposed facility will have eight (8) diesel fueling positions for trucks and a separate area with sixteen (16) fueling positions for gasoline, a convenience store, and restaurant. Although not part of this request, a hotel is planned for the south side of Pilot Truck Drive. The subject property was zoned General Business on May 11, 1966. Section 25-304G of the Augusta County Zoning Ordinance allows travel centers and truck stops in the General Business District with a Special Use Permit if approved by the Board of Zoning Appeals. The property is both planned and zoned for commercial use.

The site plan shows the facility meets all setback requirements. The property under consideration is surrounded by Business zoning and there are no single family dwellings on the parcels adjacent to the property.

VDOT has reviewed and approved a Traffic Impact Analysis (TIA) dated November 2015, and they state that if all recommendations listed in the TIA are completed, the proposed Love's Travel Stop should not adversely impact the transportation network at this site.

The site plan shows a proposed second entrance and access drive which could help reduce truck congestion at the Pilot Truck Drive – Route 11 intersection, and provide an alternate entrance for trucks that miss Pilot Truck Drive. The access drive will cross the floodplain which will require submittal of a Floodplain Study to be approved by FEMA.

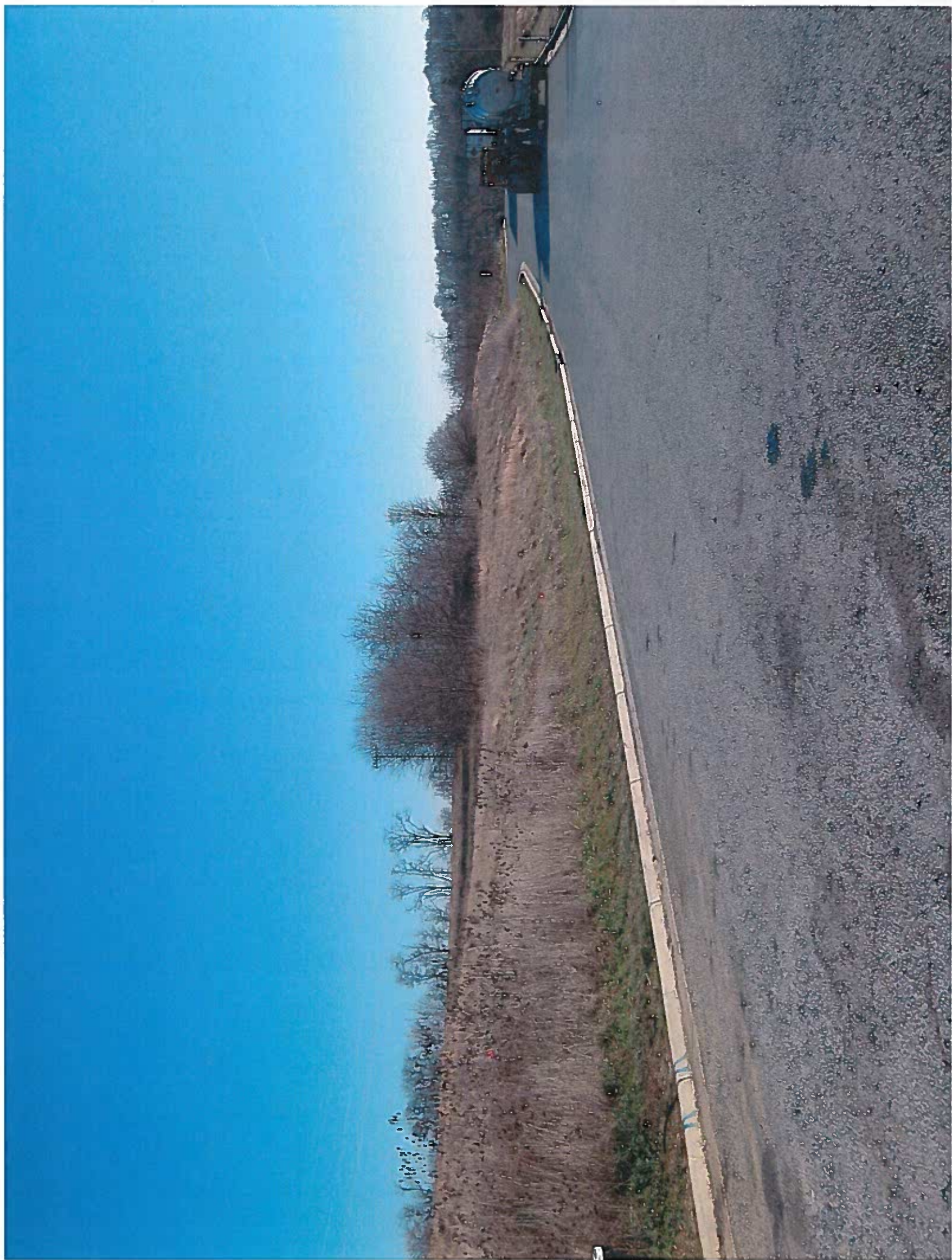
Staff feels the request meets all of the standards required by the ordinance to be considered for a Special Use Permit. If the Board feels the request is compatible with the area and desires to approve the request, staff would recommend the following conditions:

Pre-Conditions:

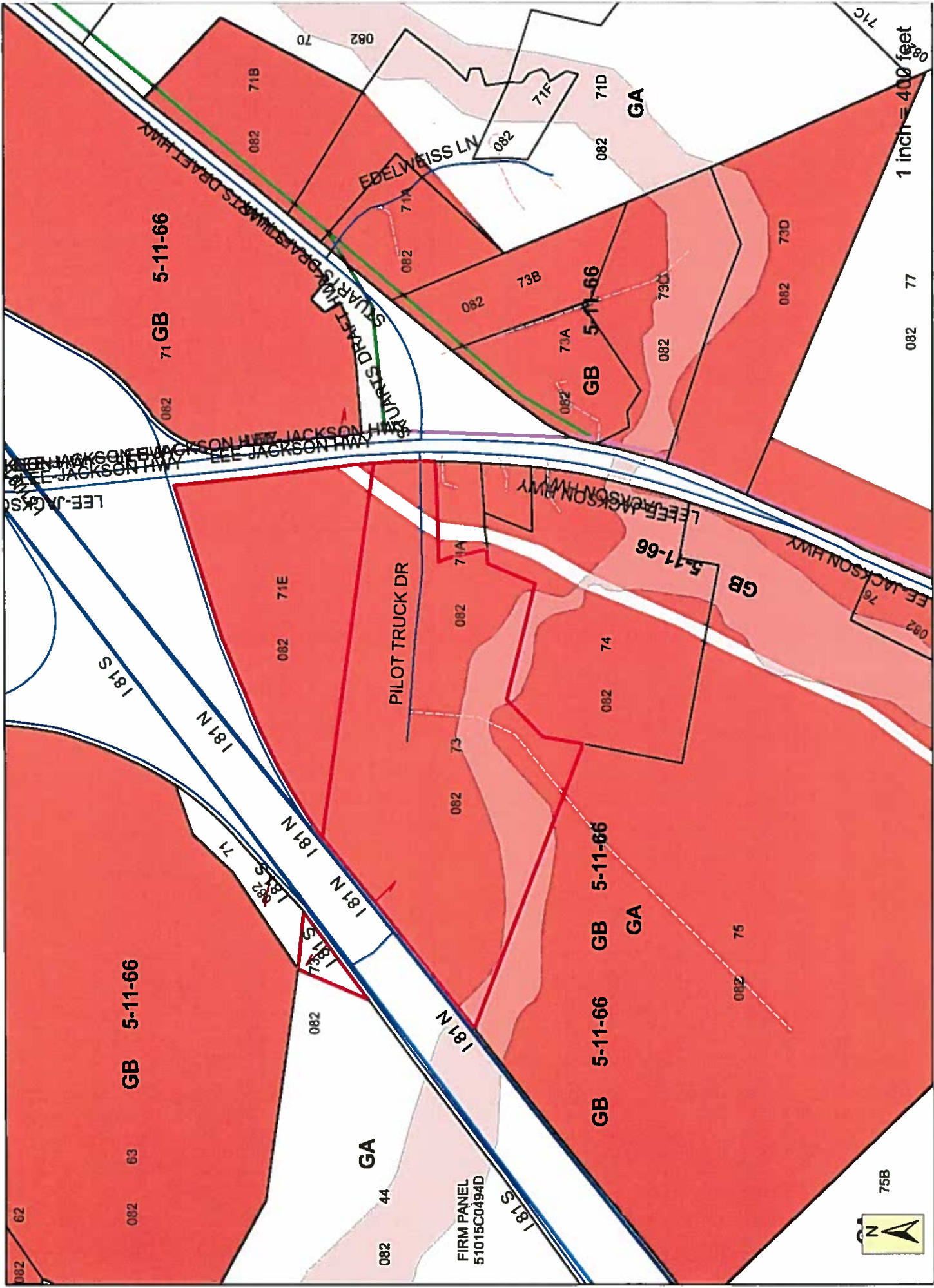
1. Submit site plan meeting the requirements of Section 25-673 "Site Plan Contents" of the Augusta County Zoning Ordinance to be approved by all appropriate departments and/or agencies.
2. All recommendations listed in the approved Traffic Impact Analysis (TIA) prepared by CDM Smith dated November 2015, must be completed and approved by VDOT.
3. The proposed second entrance and access road shown on the preliminary site plan dated January 8, 2016, will be completed **before** a Certificate of Occupancy can be issued for the travel center/truck stop or convenience store.
4. Applicant obtain FEMA approval of a Floodplain Study regarding construction or any development in the floodplain and provide a copy to Community Development.
5. Love's will submit a Spill Prevention Control and Countermeasure Plan to be approved by Augusta County's Chief of Fire and Rescue.

Operating Conditions:

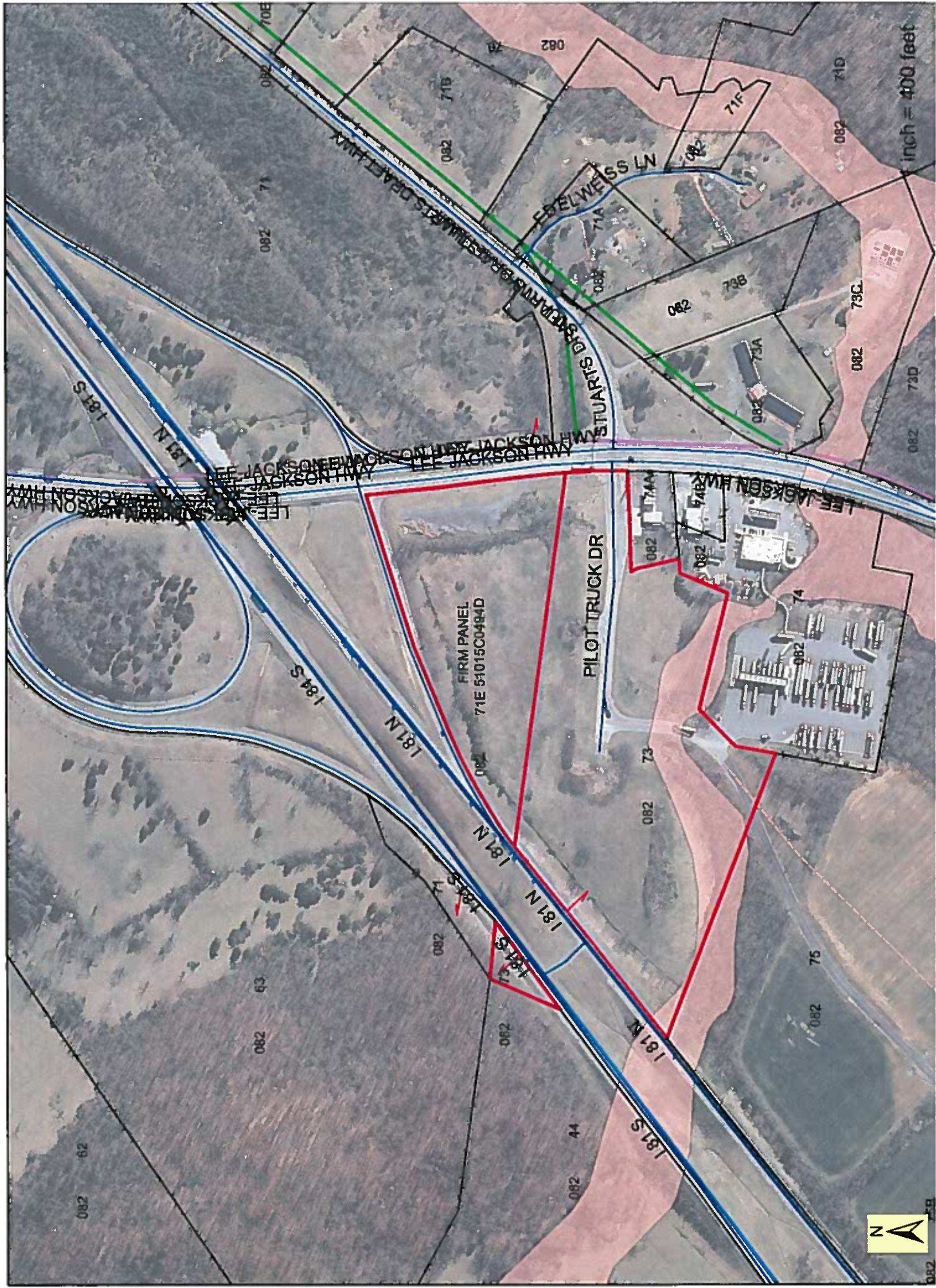
1. Be permitted to have eight (8) diesel fueling positions for trucks and sixteen (16) automobile fueling positions.
2. All tractor trailer traffic will be confined to the truck area except for fuel drops.
3. Site be kept neat and orderly.
4. No junk or inoperable vehicles, equipment, or parts of vehicles or equipment be kept outside.
5. Any new outdoor lights over 3,000 lumens require site plan submittal and must meet the ordinance requirements of Article VI.A Outdoor Lighting.



Augusta County Company, LLC



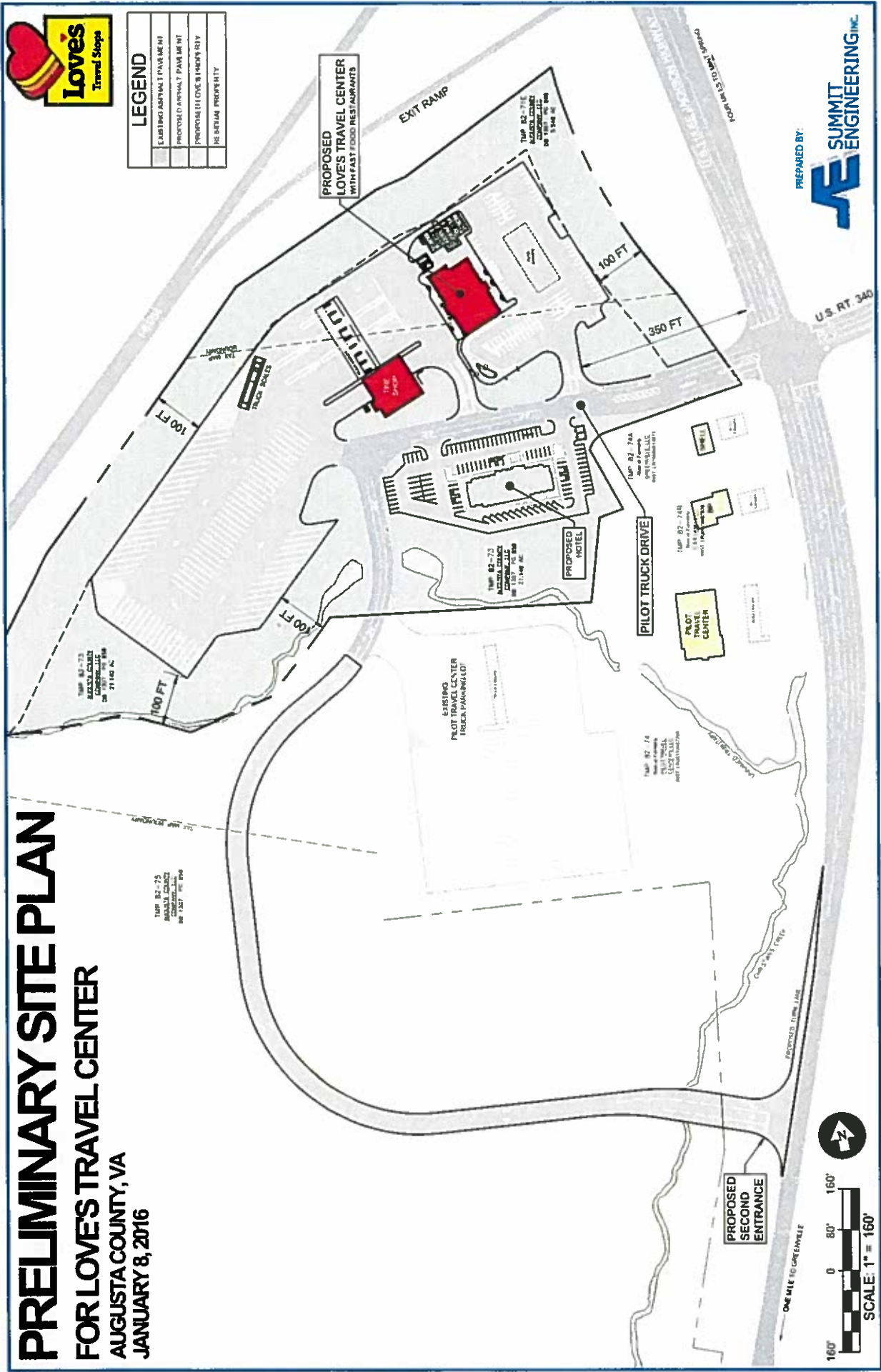
Augusta County Company, LLC





LEGEND	
[Symbol]	EXISTING ASPHALT PAVEMENT
[Symbol]	PROPOSED ASPHALT PAVEMENT
[Symbol]	PROPOSED BITUMEN PAVEMENT
[Symbol]	PROPOSED 11' EDGE IMPROVEMENT
[Symbol]	PROPOSED 11' CURB IMPROVEMENT

PRELIMINARY SITE PLAN FOR LOVES TRAVEL CENTER AUGUSTA COUNTY, VA JANUARY 8, 2016



PREPARED BY:
Summit Engineering Inc.



COUNTY OF AUGUSTA
COMMONWEALTH OF VIRGINIA
DEPARTMENT OF COMMUNITY DEVELOPMENT
P.O. BOX 590
COUNTY GOVERNMENT CENTER
VERONA, VA 24482-0590



MEMORANDUM

DATE: January 21, 2016
TO: John R. Wilkinson, Zoning Administrator
FROM: Tom Bailey, Zoning Technician
SUBJECT: Special Use Permit Inspections

The following special use permits issued in the month of April 2015 have been inspected:

15-13	David or Catherine Marie Riccioni
15-14	Waynesboro Church of the Nazarene
15-15	Andrey Kunitsa
15-16	Dominion Assets, LLC

I have enclosed a copy of those reports with the action I have taken.

TB/bcw

SPECIAL USE PERMIT INSPECTION REPORT

NAME: David or Catherine Marie Riccioni

Location: 1676 Newport Road, Raphine

Use: To have firearms and ammunition sales and gunsmithing.

Special Use Permit No.: 15-13

Date Approved: 4/2/15

Date Inspected: 1/18/16

Name of Person Inspecting: Tom Bailey

1. Site plan requirements met (including VDOT entrance):

Yes X No

If no, explain:

2. Stipulations met: Yes No X

If no, explain: Handicap parking sign is up, but the ramp has not been installed.

Action Taken: Sending letter to see if the applicant will need an Extension of Time.

SPECIAL USE PERMIT INSPECTION REPORT

NAME: Waynesboro Church of the Nazarene

Location: 2959 Hermitage Road, Waynesboro

Use: To have a child care center.

Special Use Permit No.: 15-14

Date Approved: 4/2/15

Date Inspected: _____

Name of Person Inspecting: Tom Bailey

1. Site plan requirements met (including VDOT entrance):

Yes _____ No X _____

If no, explain: _____

2. Stipulations met: Yes _____ No X _____

If no, explain: Have not completed the pre-conditions regarding VDOT and Health Department requirements.

Action Taken: Sending letter to see if the applicant will need an Extension of Time.

SPECIAL USE PERMIT INSPECTION REPORT

NAME: Andrey Kunitsa

Location: 383 Enterprise Road, Churchville

Use: To have a kennel operation.

Special Use Permit No.: 15-15

Date Approved: 4/2/15

Date Inspected: 1/20/16

Name of Person Inspecting: Tom Bailey

1. Site plan requirements met (including VDOT entrance):

Yes No

If no, explain: _____

2. Stipulations met: Yes No

If no, explain: Less than 20 dogs onsite.

Action Taken: _____

SPECIAL USE PERMIT INSPECTION REPORT

NAME: Dominion Assets, LLC

Location: 15 Angela Court, Suite A, Fishersville

Use: To have outside display and storage of food service vehicles and tables.

Special Use Permit No.: 15-16

Date Approved: 4/2/15

Date Inspected: 1/13/16

Name of Person Inspecting: Tom Bailey

1. Site plan requirements met (including VDOT entrance):

Yes X No

If no, explain: _____

2. Stipulations met: Yes X No

If no, explain: _____

Action Taken: _____