

**ADVANCED
AGENDA**

Regular Meeting of the Augusta County Planning Commission

Tuesday, February 9, 2016, 7:00 P.M.

1. CALL TO ORDER

2. DETERMINATION OF A QUORUM

3. MINUTES

Approval of the Called and Regular Meetings on January 12, 2016.

4. PUBLIC HEARINGS

A. A request to rezone approximately 3.3 acres from Limited Business to General Business with proffers owned by P.J. Wright, Jr., located on the south side of Jefferson Highway (Rt. 250) approximately 0.2 of a mile east of the intersection with Aero Drive (Rt. 1006) and adjacent to the city limits of Waynesboro in the Wayne District.

5. MATTERS TO BE PRESENTED BY THE PUBLIC

6. NEW BUSINESS

7. OLD BUSINESS

8. MATTERS TO BE PRESENTED BY THE COMMISSION

9. STAFF REPORTS

**A. Information for Commission – Code of Virginia, Section 15.2-2310
(Board of Zoning Appeals Items)**

10. ADJOURNMENT

**COUNTY OF AUGUSTA
STAFF REPORT
P. J. Wright, Jr.
February 9, 2016**

SUMMARY OF REQUEST: A request to rezone approximately 3.3 acres from Limited Business to General Business with proffers owned by P.J. Wright, Jr., located on the south side of Jefferson Highway (Rt. 250) approximately 0.2 of a mile east of the intersection with Aero Drive (Rt. 1006) and adjacent to the city limits of Waynesboro in the Wayne District.

PROPOSED PROFFERS:

1. Prohibited uses of the property shall include:
 - a. Gasoline retail outlets.
 - b. Warehouses and distribution centers, including mini-warehouses.
 - c. All uses which utilize the outdoor display or storage of vehicles, equipment, manufactured homes, boats, and building supplies; and the outdoor storage of merchandise or other goods.
 - d. All uses not conducted entirely within an enclosed building, including "drive-through" facilities. However, parking, loading and unloading facilities, dumpster sites, and vehicular and pedestrian passageways are allowed.
2. No free-standing sign shall exceed 25' in height. The total sign area per parcel will not exceed two (2) square feet per linear foot of lot frontage.
3. If 67C2 (8) 5 and 6 are developed individually, the total aggregate area of any structure or structures on the individual lot may not exceed 10,000 square feet. If combined into a single lot, the total aggregate area of any structure or structures may not exceed 18,000 square feet.
4. No building shall exceed thirty-five feet (35') in height.

EXISTING PROFFERS:

1. There will be no business development on the west side of Pratt's Run.
2. No freestanding sign shall exceed 25' in height.
3. The total sign area per parcel will not exceed two (2) square feet per linear foot of lot frontage.
4. Prohibited uses shall include: gasoline retail outlets, warehouses and distribution centers.
5. Prohibited uses on Lots 2, 3, 4, & 5 as shown on the plan identified as Exhibit A "Boyington Place" dated March 3, 2009 and prepared by Balzer and Associates, Inc., shall include restaurants with drive-through windows.
6. Access will be provided to adjacent property identified as Tax Map 67, Parcel 67 as shown on Exhibit A "Boyington Place" dated March 3, 2009 and prepared by Balzer and Associates, Inc. No additional development on any lots in Boyington Place will occur until the improvements as described on

Exhibit A "Boyington Place" dated March 3, 2009 and prepared by Balzer and Associates, Inc. are bonded in a form acceptable to the County.

7. No building permit for Lots 4 and 5 as shown on Exhibit A "Boyington Place" dated March 3, 2009, prepared by Balzer and Associates, Inc., may be applied for until the developer has obtained a Final Letter of Map Revision from FEMA for all improvements covered by the Conditional Letter of Map Revision for the site.

VICINITY ZONING: General Business to the north and east (in the City of Waynesboro); Limited Business to the west; and Attached Residential to the south.

PREVIOUS ZONING: Limited Business: (7/22/1998 and 4/22/09 Amended proffers)

COMPREHENSIVE PLAN PLANNING POLICY AREA/FUTURE LAND USE DESIGNATION: Urban Service Area: Business

SOILS: Not Applicable

COMMENTS FROM ENGINEER: Development of the property may increase stormwater discharge. Stormwater management must be addressed per the provisions of the Augusta County Stormwater Ordinance.

Use of water quality protection measures listed in either the Virginia Stormwater Management Handbook or through the Virginia Stormwater Management BMP Clearinghouse will be required depending on the disturbed acreage. With respect to water quantity, all points of discharge must comply with the Adequate Channel provisions of 9VAC25-840-40 subdivision 19.

This property drains to South River which is listed on the Virginia DEQ 2014 Impaired Waters List. This impaired segment extends from the headwaters downstream to its confluence with Stony Run. The impaired use is recreation, the specific impairments are E. Coli and fecal coliform bacteria. The sources are agriculture, non-point sources and wildlife other than waterfowl. This segment is included in the bacterial TMDL for Middle River / South River which must be considered by the applicant (Federal TMDL ID # 7700).

Additionally, the 2007 Augusta County Comprehensive Plan lists the South River – Porterfield Run watershed as a Priority Watershed for Groundwater Protection due to the presence of karst features and the location of Source Water Assessment Program zones.

This property lies within the Conical Zone of the Airport Overlay District (APO) for the Waynesboro Eagles Nest Airport. The floor of the zone above the site is

approximately 1690 Ft msl, and the highest grade on the site is approximately 1380 Ft msl, a difference of 310 Ft.

Portions of this property lie within Zone AE on the FEMA FIRM. The applicant has obtained a Letter of Map Revision from FEMA. Any development on this portion of the property must meet the provisions of the Floodplain Overlay Ordinance.

The applicant may want to consider Best Management Practices designed to reduce pollutant loads and is advised to contact the U.S. Army Corps of Engineers and the Virginia Department of Environmental Quality for any requirements related to proposed work in wetland areas or adjacent to any streams. Use of water quality protection measures listed in either the Virginia Stormwater Management Handbook or through the Virginia Stormwater Management BMP Clearinghouse is encouraged.

COMMENTS FROM ZONING ADMINISTRATOR: The proffers should adequately restrict the heavy business uses that could otherwise impact the adjoining residential zoning.

COMMENTS FROM ACSA: There is an existing 8" water line along the front property line of TM#67C2-(8)-6. There is an existing 8" sewer line along Pratts Run along the northwest property line of TM#67C2-(8)-5. There are existing 8" and 10" sewer lines along southwestern property line of TM#67C2-(8)-5.

Water and Sewer Notes:

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://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.

COMMENTS FROM HEALTH DEPARTMENT: Public utilities are listed to serve the property.

COMMENTS FROM FIRE-RESCUE: This request will have little to no impact on service delivery for this area.

TRAFFIC: Rt. 250 Jefferson Hwy.
AADT: 18,000 vpd (2014)
Posted Speed Limit: 45 mph
Functional Classification: Minor Arterial
Peak Hour K Factor: 0.106
Peak Hour Directional Factor: 0.523

COMMENTS FROM VDOT: The proposed rezoning should not have a significant impact on surrounding roadways. The change in business potential uses, when considering the provided proffers, should only minimally change the potential traffic generation. Pratts Run currently has left and right turn lanes from Rt. 250.

SCHOOL BOARD STAFF COMMENTS: The rezoning request will have no significant impact on Wilson Elementary School, Wilson Middle School, and Wilson High School.

COMMUNITY DEVELOPMENT STAFF COMMENTS:

Pros

1. Request is in compliance with the Comprehensive Plan Land Use Map.
2. Request is compatible with adjacent development to the north, east, and west.
3. Request is compatible with adjacent zoning to the north and east.
4. Public water and sewer are available to serve the property.
5. Property is located in an Urban Service Area where the County wants to encourage its future commercial and industrial growth.

Cons

1. Request is not compatible with adjacent development to the south.
2. Property was rezoned in 1998 and the proffers were amended in 2009. Little has changed in the area to warrant a change in the zoning.

COMMUNITY DEVELOPMENT STAFF RECOMMENDATION: This 3.3 acres was part of larger area zoned from Single Family Residential to Limited Business in 1998. It sits on Jefferson Highway (Rt. 250) and adjacent to a large commercial development in the City of Waynesboro. However, it is also adjacent to single family residential development in the County. Limited Business zoning with a smaller square footage of buildings and uses that must be conducted completely indoors provided the transition from the heavy business uses to the east to the single family residential uses to the west and south. The applicant is now seeking the ability to build a larger building on the property if the 3.3 acres is combined into a single lot. (Currently it is divided into 2 lots.) The applicant has proffered the same use restrictions that are currently applicable on the site, as well as the restrictions applicable in Limited Business zoning regarding the

prohibition of uses that aren't conducted entirely within enclosed buildings and uses that utilize outdoor storage and display. He has proffered that if the lots are combined, the maximum square footage for a building on the site will be 18,000 versus the 10,000 square foot limitation on each site. Since the last rezoning/amendment of proffers on this site, the property owner has made the access improvements proffered as part of old Proffer #6 and the Final Letter of Map Revision from FEMA (old Proffer #7) has been approved. Therefore, neither of these items were proffered as part of this request.

This property is immediately adjacent to the Kroger Shopping Center development and there will still be some Limited Business development to the west as a transition prior to the single family residential development on Aero Drive. The land to the south is now Attached Residential also providing a transition to the Single Family Residential zoning further south. In addition, the floodplain on the southern end of the property provides a natural buffer between the uses as well. With the proffers provided the General Business zoning should function in much the same way as Limited Business zoning did in terms of being a transition between heavy business and single family residential uses. Recommend approval of the rezoning with the proffers.

P J Wright, Jr.

