

PRESENT: S.N. Bridge, Chairman
J. Shomo, Vice-Chairman
J. Curd
W.F. Hite
K. A. Shiflett
R. L. Earhart, Senior Planner and Secretary

ABSENT: T. Byerly
T. Cole

VIRGINIA: At the Called Meeting of the Augusta County Planning Commission held on Tuesday, June 10, 2008, at 3:30 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 rezonings and the preliminary plat. The Planning Commission traveled to the following sites which will be considered by the Commission:

1. EBCO, LLC – Rezoning
2. Crescent Development Group LLC; Ponus Ridge, LLC; Metro and Alice Gosnell Oleska; Alice Gosnell Oleksa; and Stanley G. III or Jean M. Cline - Rezoning

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Chairman

Secretary

PRESENT: S.N. Bridge, Chairman
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ABSENT: T. Byerly

VIRGINIA: At the Regular Meeting of the Augusta County Planning Commission held on Tuesday, June 10, 2008, at 7:00 p.m. in the Meeting Room, Augusta County Government Center, Verona, Virginia.

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DETERMINATION OF A QUORUM

Mr. Bridge stated as there were six (6) members present, there was a quorum.

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MINUTES

Mr. Hite moved to approve minutes of the called meeting and the revised minutes of the Regular meeting held on May 13, 2008. Ms. Shiflett seconded the motion, which carried unanimously.

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EBCO, LLC - Rezoning

A request to rezone approximately 0.383 acres from General Agriculture to General Business with proffers owned by EBCO, LLC located on the north side of Stuarts Draft Highway (Rt. 340) just east of the intersection of Stuarts Draft Highway (Rt. 340) and School Boulevard (Rt. 9030) in Stuarts Draft in the Beverley Manor District.

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

1. There shall be no direct access onto Stuarts Draft Highway (Route 340) from this property.
2. Owner/developer agrees to plant evergreen and ornamental trees within the 25' side yard setback along the eastern property line (TM75B (1) 62) starting at 10' from the right-of-way at Route 340 to 10' from the right-of-way line at EBCO Circle. The plantings will consist of "Green Giant" Arborvitae planted 10' on center and shall be 5-6 feet in height at the time of installation. The plantings will also consist of ornamental Cherry trees planted 30' on center and shall be 1 to 1 1/2" caliper at the time of installation. The trees will be planted at the time of development of the site if that property (TM75B (1) 62) is still zoned General Agriculture. The buffer will be maintained until such time as the use or zoning of the adjacent property is changed to business.

Ray Burkholder, Balzer and Associates, 1561 Commerce Road, Verona, explained the request for the rezoning is a planning effort as the adjacent properties owned by EBCO, LLC are zoned General Business. He stated there are no plans for developing the property at this time and there is currently an occupied home on the property. Mr. Burkholder stated County Staff had concerns with the buffering that was proffered. He stated the property currently has landscaping adjacent to the house that will remain in place if the property is rezoned. He explained the arborvitae that is proffered, plans for ornamental trees, and the existing landscape will provide an adequate buffer that will eventually touch and will provide an appealing canopy buffer. Mr. Burkholder stated the property owner that resides at the adjacent property does not have any concerns with the rezoning

Ms. Shiflett stated she feels the 10' arborvitae will not provide adequate screening, and that she agrees with staff's concerns that the trees should be planted closer together to provide adequate screening. Ms. Shiflett stated she believes the brick home is rental property.

Mr. Burkholder stated he had discussed the rezoning with the property owner and that he is not aware of whether or not the property is rented.

Ms. Shiflett stated the residents of the rental property can change at any time. She stated she would prefer the plantings to be closer together.

Mr. Burkholder stated these trees are not narrow, as they will grow to be 12 feet wide. He stated the proffer was specifically amended to include the Green Giant Arborvitae variety of tree.

Ms. Shiflett asked how wide the buffer will be at the time of planting.

Mr. Burkholder stated the trees will be approximately two to three feet wide at the time of planting. He stated he feels expanding the buffer will serve no purpose as he will be giving up half of the property for a buffer to an adjacent parcel that will eventually be zoned to business.

Ms. Earhart explained staff is suggesting buffering half of the property with trees to be planted closer together in a double row as opposed to a single row. She explained it will be the same number of trees, but they will be planted in a double row. She stated the buffer will only be required if the adjacent property is not zoned business at the time of development.

Ms. Earhart explained the buffer staff is suggesting would only go half way back along the adjacent property rather than the entire length to Ebco Circle. She explained rather than planting a single row of trees 10' on center on that portion, there could be a double row of trees planted 10' on center. The intent she stated, was to have an effective buffer without increasing the number of trees, only if at the time of development, the adjacent property was not zoned business or industrial.

Mr. Burkholder asked how much of the front yard will be buffered. He stated concern with site distance onto Route 340.

Ms. Earhart stated there should not be a concern with site distance, as it is proffered there will be no entrance onto Route 340.

Mr. Burkholder asked if a recommendation can be made, staff's concerns can be addressed.

Mr. Bridge asked if there was anyone wishing to speak in favor of the request.

Bob Pingry, 306 Goose Creek Road, Fishersville, stated the area is slated for business zoning. He stated he felt more money and resources than needed are being put into a parcel of land that will eventually be zoned to business.

There being no one desiring to speak, Mr. Bridge declared the public hearing closed.

Mr. Curd stated the request is in compliance with the Comprehensive Plan and is located in an Urban Service Area. He stated he would prefer the proffers to state the current

landscape on the property will remain, however he stated he feels the positives outweigh the negatives.

Ms. Earhart stated the applicant can amend the proffers without having to advertise again since the original proffers mentioned landscaping.

Mr. Curd asked Mr. Burkholder if he would be willing to amend the submitted proffer to state the current landscaping within the buffer will not be disturbed.

Mr. Burkholder answered yes.

Mr. Curd moved to recommend approval of the request with the amended proffers.

Mr. Shomo seconded the motion, which carried unanimously.

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Crescent Development Group LLC, Ponus Ridge, LLC, Metro and Alice Gosnell Oleska, Alice Gosnell Oleska; and Stanley G. III or Jean M. Cline – Rezoning

A request to rezone a total of approximately 139.3 acres from General Business, Single Family Residential, and General Agriculture to General Business with proffers (approximately 27.3 acres), Single Family Residential with proffers (approximately 26.3 acres), Duplex Residential with proffers (approximately 38.5 acres), Townhouse Residential with proffers (approximately 35.9 acres), and Multi-Family Residential with proffers (approximately 11.3 acres) owned by Crescent Development Group LLC, Ponus Ridge, LLC, Metro and Alice Gosnell Oleska, Alice Gosnell Oleska; and Stanley G. III or Jean M. Cline located on the south side of Jefferson Highway (Rt. 250) across from the intersection of Jefferson Highway (Rt. 250) and Woodrow Wilson Avenue (Rt. 358) in Fishersville in the Wayne District.

Ms. Earhart explained the request. She stated the applicant has submitted the following 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 12, 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 12, 2008 and prepared by Balzer & Associates.
3. There will be no lot or street access onto Existing Rt. 636.

4. The developer will install 4' wide paved walking trails throughout the development and connecting the areas of Open Space within the development as generally depicted on the Conceptual Plan entitled "Myers Corner" dated May 12, 2008 and prepared by Balzer & Associates. 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 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 not more than 200 residential units.

Scott Williams, Crescent Development Group, LLC, P.O. Box 5586, Charlottesville, stated he is the managing member of Crescent Development, LLC and the primary applicant for Myers Corner. Mr. Williams explained the request is a well thought out mixed use project that has been approved by County Staff. He stated the plan is in compliance with the Comprehensive Plan and meets the goals outlined in the Fishersville Small Area Plan, and most importantly, he stated advances one of the County's main road priorities, the construction of Route 636 Relocated. He stated the proffer of Route 636 Relocated brings on the reality that many new road projects now have to be financed by a public/private partnership as there is a shortage in state and local funding. He explained the plan will include many land uses including General Business, Single Family Residential, Duplex Residential, Townhouse Residential, and Multi-family Residential. He stated the total 139 acres will be broken up as follows, 27 acres of General Business, with retail and professional office space, 11 acres of Multi-family, located to transition from the business to the residential, 36 acres of Townhouse Residential that will be dispersed in pods throughout the project, 38 acres of Duplex Residential, and 26 acres of Single Family Residential. Mr. Williams stated the principle of a mixed use development is to attract a diverse group of owners and renters including retirees, young professionals, singles, empty nesters, and families that will live and work in this area. He stated the plan consists of 112 residential acres with approximately 30% of the land designated as open space. Myers Corner he stated will consist of 420 units that will represent a gross density of 3.75 units per acre and 6 dwellings per acre. Mr. Williams also stated the plan will consist of a corridor of trails and sidewalks that will run from Route 250 through the site and connect with existing Route 636. He explained existing natural features will be utilized to develop a Stormwater and Erosion Management Plan. Mr. Williams stated the goals of the Comprehensive Plan have been met by this development. Mr. Williams explained the

Comprehensive Plan states 80% of the County's new growth should be in the Urban Service Areas and it encourages Mixed Use Development, and this development achieves both of those goals. Mr. Williams also explained the Fishersville Small Area Plan encourages Mixed Use Development-interconnected developments with businesses being located at major intersections, as this plan will do. Mr. Williams stated it was noted in Staff's comments that school capacity is a concern. He addressed those concerns by stating this development being Mixed Use, will have less of an impact on the school system than a Single Family Residential development. He explained the Single Family Residential zoning is the smallest designated amount of acreage in the development. In regards to road improvements, Mr. Williams stated there is less money for road improvement projects. He explained Route 636 is a critical road and feels it is too critical to wait for state funding for improvements. In summary, Mr. Williams stated he feels this is the most effective use for this land and it meets the goals of both the Comprehensive Plan and the Fishersville Small Area Plan.

Mr. Bridge asked if there was anyone wishing to speak in favor of the request.

Bob Pingry, 306 Goose Creek Road, Fishersville, stated he is an adjoining property owner. Mr. Pingry stated he was disappointed that he was not considered in the design of this project, but none the less, he stated he is in favor of the request, with amendments to the submitted proffers. His concerns were addressed as follows. He stated the highest density area was located in the back of the development. Mr. Pingry stated he feels the higher density should be placed to the front of the development, closer to the ingress/egress, to reduce the amount of traffic coming in and out of the development. Mr. Pingry also stated the existing hedge/fence rows located along the western property line that appear to be located in the green space, be proffered to remain in the development. Mr. Pingry discussed the beauty of the 100 year old capalta trees and requested that they be proffered to remain on the property. Mr. Pingry also stated the pond that is identified on the plan be proffered to be protected with a buffer. He explained the hardwoods located on the northwest side of the property and the wetlands located on the property should be proffered to be protected. Mr. Pingry further stated he would prefer that the road that will "dead-end" adjacent to his property consist of a 100 feet buffer. Mr. Pingry concluded by stating he is sorry this property is being developed, as this area is a beautiful piece of property, but he understands the request is compatible with the Comprehensive Plan and is located in an area slated for growth. He stated he feels this is a great project and feels it is important for the County to bring businesses and jobs to the area.

Mr. Bridge asked if there was anyone wishing to speak in opposition to the request.

Matt Haskins, 122 Troxell Lane, Staunton, explained he is not an adjacent property owner, but his parcel is located in close proximity to the request. He stated he is concerned with preserving the habitat. Mr. Haskins also stated he is concerned with the buffering on his property to the development as well as the school capacity and the impact the development will have on traffic at the intersection of Route 250 and Woodrow Wilson Avenue.

Kristin Pingry, 306 Goose Creek Road, Fishersville, stated she has the same concerns as Mr. Haskins. She stated she moved here in 2007 and has enjoyed watching the wildlife. She stated she is concerned with preservation of the habitat and feels that should be considered with planning developments.

Stephanie Haskins, 122 Troxell Lane, Staunton, stated she understands the plans for the Fishersville Small Area Plan, but she too is concerned with preserving the wildlife on the property. Ms. Haskins also stated she is concerned with the buffering of her property and the development and she agrees that the Multi-Family zoning should be placed at the front of the development closest to the ingress/egress.

Mr. Williams stated the high density zoning was placed in the development where the topography allowed it to fit without having to do a lot of grading. Mr. Williams stated while he understands the adjacent property owners' concerns, he stated the multifamily units were placed on the plan for a reason. He stated if areas such as this were sacrificed, the density of the Comprehensive Plan's goal would not be achieved and would affect the economic viability of the plan and not allow Route 636 Relocated to be built. In regards to the fence row, he stated there is a fence line for an external boundary that is established. He stated he is uncertain whether or not the plantings were on this development's side, or if they were on the side of an adjacent property owner. Where these plantings will not need to be affected for utility reasons, Mr. Williams stated it is in the development's best interest to keep these plantings as well, and this is certainly a goal. He stated as the adjacent properties sit higher than the development, he feels a row of trees will not suffice as an effective buffer, but he is willing to work to keep the existing buffer along the fence line. In regards to the catalpa trees, Mr. Williams stated he is not aware of their location in relation to his project. Mr. Williams explained a great deal of planning and thought has been put into this project and each use and structure was placed at its location for a reason, therefore he cannot proffer these trees to be protected. Mr. Williams stated the open space was worked in to get the most amount in between uses. He explained a large part of the development will use natural drainage for stormwater management, and as Mr. Pingry was concerned, the open space was concentrated around these areas. Mr. Williams stated he appreciates the natural habitat and stated it will be preserved to the best of his ability in this area. He also noted additional acres that will be owned by the developer located across the railroad tracks and Route 636 that will be preserved. He reiterated the most important part of this plan is Route 636 Relocated and stated it will have a positive impact on the intersection of Route 250 and Woodrow Wilson Avenue. He stated it is important to utilize the designated areas for growth. If not, developments will be pushed into the more rural areas of the County.

Mr. Curd asked if it would be an option to amend the proffers to protect the external fence rows located near the Troxell property.

Mr. Williams stated the location would have to be specific, as he is not aware how much of the fence/hedgerow is located on the property. He stated to the extent the fence/hedgerow is on his property, he will proffer to protect it, but he is not for certain

how much of the fence/hedgerow is located on his property where the townhouses are proposed.

Ray Burkholder, Balzer and Associates, 1561 Commerce Road, Verona, stated there were two issues that needed to be addressed. The first is to determine exactly what is being proffered to be preserved, and he stated that can be done pretty easily. The second issue is to establish that the fence/hedgerow that is going to be protected is on the perimeter. He stated he feels a width needs to be established, for example a five foot buffer, for the purpose of utility reasons. With that, he stated he can also address Mr. Pingry's concern with the Right of Way. Mr. Burkholder explained the Right of Way was placed there for lot frontage access for the townhouses, not necessarily for use. He stated some greenspace can be put around the Right of Way, from Goose Creek to the Royal Care property.

There being no one else desiring to speak, Mr. Bridge declared the public hearing closed.

Mr. Curd stated he was concerned with the fence row adjacent to the Troxells' property. He asked for a five foot buffer on the property line adjacent to the Troxells' property. He stated he was sympathetic about wildlife preservation, but he does understand this is in an Urban Service Area slated for future growth. He explained the Comprehensive Plan encourages this type of project to be located in this area, as it is adjacent to Route 250, it has public water and sewer, the developer has offered to build a major portion of Route 636, and he has worked to address concerns that have come up over the years with this project. Mr. Curd stated Mr. Williams has shown patience and has addressed any concerns that have arisen with staff. Mr. Curd stated school capacity has always been a concern, but if this development is not approved, it will be a matter of time before another development of this kind will come along. He explained this area is where the growth is wanted.

Ms. Earhart stated she wanted to clarify Mr. Pingry's concerns to modify the request in terms of the location of the multi-family and townhouses in the development. She stated because this request is not a Planned Unit Development, there are specific areas planned for the different zonings. She explained while a portion of the request can be denied, the density of the areas cannot be relocated within the development so the density will be lost. The movement of zoning classifications would require the request to be resubmitted and readvertised.

Ms. Shiflett thanked Mr. Williams on a plan that meets all requirements of the Comprehensive Plan. She stated it is nice to see a plan such as this. She stated she would have preferred to see a Planned Unit Development, but that she feels this plan will be a success. She explained she too sympathizes with the preservation of wildlife, but the County cannot afford to have land such as this laying idle.

Mr. Bridge stated he too would like to commend Mr. Williams and staff on the work that has been put into this project. He stated he does have some concerns on the preservation of the land and the impact on the effected schools and traffic in the area,

however, he stated the positives outweigh these concerns as the Comprehensive Plan encourages developments such as this in the Fishersville area and stated he can support the request.

Mr. Curd moved to recommend approval of the request with the revised proffers adding open space along the western boundary of the property.

Ms. Shiflett seconded the motion which carried unanimously.

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NEW BUSINESS

Edenbrook Subdivision

Located on the south side of Ladd Road (Rt. 631) just west of the intersection of Ladd Road (Rt. 631) and Bel-Grene Drive (Rt. 1090) in the South River District. The plat contains twenty five (25) lots zoned Rural Residential.

Ms. Earhart stated the plat meets the technical requirements of the Ordinance, but there is a concern regarding the ordinance provision regarding providing access to adjacent property owners. She stated the engineers have indicated they will address these concerns during the construction phase of the project.

Troy Austin, Lotts, Austin, and Associates, P.O. Box 1167, Stuarts Draft, stated he is the engineer working on the project and can address any concerns the Commission may have.

Mr. Curd asked who is responsible for maintaining the stormwater drainage ponds.

Mr. Austin stated as it is now written, the responsibility is left up to the property owner, but the County will have the authority to maintain or correct the easements if there were any problems.

Mr. Curd stated there was a question regarding the alignment of the road easements.

Mr. Austin stated he was aware there was a problem regarding the alignment, but he can address it during the construction plan phase. He explained there are currently two parcels that need road access and there is fifty (50) feet to do so. Mr. Austin proceeded to show the Commission the location of the Right of Way on the map of the development.

Ms. Shiflett asked if it is the developer's responsibility to take the Right of Way to the property line in both directions.

Mr. Austin stated he was planning to have the road go to the length of the property with a gravel turn around at the property line. He stated it will be difficult to have the Right of Way with both parcels and build the road at the same time with a corner.

Ms. Earhart stated that was the concern with Engineering Staff, who feels it may take more than a 50 feet Right of Way in order to make an alignment that either property owner can utilize.

Mr. Austin stated he has not seen Engineering's comments addressing this concern.

Ms. Earhart stated she will provide Mr. Austin a copy of Engineering's comments, as that was not her understanding.

Ms. Shiflett stated if Mr. Austin has not seen Engineering's comments, the Planning Commission should consider tabling the request until Mr. Austin has had the opportunity to review all Staff's comments.

Mr. Austin stated he understood there were comments from Engineering, but that he did not know the detail of the comments. He stated he was told that these comments could be addressed at the construction plan phase of the project.

Mr. Curd asked if the fees have been paid.

Ms. Earhart stated she believes they have been paid.

Mr. Austin stated he feels the comments and concerns can be addressed prior to the Board of Supervisors meeting on June 25, 2008. He stated the subdivision meets the requirements of the Subdivision Ordinance and VDOT's requirements. He stated he needs to know staff's concerns more specifically.

Ms. Earhart stated staff's concern was for the subdivision to meet the ordinance requirements and that adjacent property owners will be provided street access.

Mr. Austin asked if the concern was to provide additional Right-of-Way, or to build the road differently.

Ms. Earhart stated Dale Cobb, Director of Community Development, was not as concerned with the road being built all the way to the property line, but more significantly, the land be dedicated so that it could be built to the property line of either property in the future.

Mr. Austin stated he feels it would be necessary to meet with staff and discuss these concerns more specifically.

Ms. Shiflett moved to recommend approval of the request contingent on receiving a revised plat with signatures showing the road connection to the adjacent properties in a

manner sufficient to meet Staff's concerns, and ACSA fees being paid prior to the Board of Supervisors meeting on June 25, 2008.

Mr. Curd seconded the request which carried unanimously.

Fishersville Small Area Plan- Presentation by Staff

Mr. Sharp stated the purpose of the Fishersville Small Area Plan was to refine the Comprehensive Plan's recommendations for the Fishersville area, and to establish a vision for Fishersville independent of the Comprehensive Plan. He stated the Fishersville Small Area Plan supercedes the Comprehensive Plan. Mr. Sharp explained an advisory committee of ten members first met in October of 2007 to help develop the plan. The committee met a total of six times and acted as an advisory committee and a sounding board to residents and the public. He explained there were three public meetings held beginning in November of 2007. The draft plan was presented to the public on May 20th, 2008. Mr. Sharp stated Fishersville is defined as an Urban Service Area between two cities. He explained the area is approximately 16.6 square miles and consists of approximately 7,000 residents, with a projected population of 10,000 by the year 2028. Mr. Sharp further presented the highlights of the Fishersville Small Area Plan to the Commission.

Mr. Shomo asked Mr. Sharp to explain how the Myers Corner rezoning request before the Planning Commission tonight relates to the Fishersville Small Area Plan.

Mr. Sharp stated the proposed development is located in a Neighborhood Mixed Use area, which is a lower density mixed use category in the plan.

Mr. Shomo asked the source for the water.

Mr. Sharp stated the sources are Stuarts Draft and west of Staunton.

Mr. Sharp further explained the Thoroughfare Plan for Fishersville and the Twenty Year Transportation Plan for Fishersville. The main goal of this plan he stated is to increase the safety and capacity of the roadway network. The main goal of the plan he stated is to move traffic around the congested core in Fishersville, in particular the Route 608/Route 250 intersection. The other significant concept of the Thoroughfare Plan for Fishersville is the idea of greenways with multiuse paths along the main roads. Mr. Sharp explained the goal of the Fishersville Small Area Plan is to create a "community feel" that lives and works in a unified manner, and to protect the agriculture to the north and south so that development does not encroach in to these areas. In regards to the economy of Fishersville, Mr. Sharp stated the focus is on strengthening the key business sectors, in particular Augusta Medical Center and other health services. The end of the Fishersville Small Area Plan will consist of a design plan of the small area that will give an idea of all the goals in the plan and a visual of what the area is projected to look like once this plan is implemented. Mr. Sharp explained the next steps of the plan are to complete the final draft, advertise and hold public hearings on the plan

with the Planning Commission and the Board of Supervisors. Mr. Sharp concluded the Fishersville Small Area Plan will be added onto the Comprehensive Plan, along with the Fishersville Small Area Plan map, with an adoption of this amendment planned for August.

Mr. Cole asked if the "Better Models" prepared by the Valley Conservation Council has had a role in developing this plan.

Mr. Sharp answered yes it has played a significant role in drafting this plan.

Ms. Earhart stated a similar project was done by Frazier and Associates for the County.

Mr. Shomo asked about the attendance at the public hearings.

Mr. Sharp stated there were approximately 50 people at the first and third meetings, and approximately 125 at the second.

Mr. Shomo asked the reason for the difference in number.

Mr. Sharp stated the large number in attendance at the second meeting was because of the proposed motocross track at Augusta Expoland. He stated overall, he felt there was good participation, comments, and media coverage.

Mr. Bridge asked if the recommendations in the Fishersville Small Area Plan will be implemented by rezonings in the future.

Mr. Sharp explained these will be considered as recommendations for proposed developments.

Ms. Earhart stated ideas that have gone into the plan will eventually become ordinance amendment suggestions during the review process.

Mr. Curd asked once adopted, will compliance with the Fishersville Small Area Plan become part of staff comments on rezonings.

Ms. Earhart stated this plan will become a part of the Comprehensive Plan, so the language will remain the same, but will reflect the recommendations of the Fishersville Small Area Plan.

Mr. Sharp explained the Fishersville Small Area Plan will be located in the text of the Comprehensive Plan, but with more clarification.

Mr. Cole asked about the budget component to the plan, as there is a projected twenty year growth of 3,000 residents.

Mr. Sharp answered there was no fiscal impact analysis done for the plan.

Ms. Earhart stated there is a greater chance that Fishersville will be a self supporting community than many areas due to the land set aside for commercial and industrial developments.

Mr. Bridge commended Mr. Sharp on his work and effort in drafting the Fishersville Small Area Plan.

Ms. Earhart asked the Commissioners to take the recommendations found in the Fishersville Small Area Plan and the Comprehensive Plan and to take an active role in the discussions on the ordinance review project.

Mr. Shomo asked Ms. Earhart to explain the light pollution ordinance.

Ms. Earhart explained it was applicable for properties that are zoned or used for business or industrial purposes, but also includes recreational facilities.

Mr. Shomo asked how Myers Corner will be impacted by the light ordinance.

Ms. Earhart stated the internal lights in the residential portion of the project will not be covered. She explained the reason why the streetlight issue was proffered, was because as lights are installed, in Teaverton Subdivision for example, installation was paid for by the developer, but the maintenance, etc. of the lights are paid for by the taxpayers of the County. She explained this is becoming a concern as more developments are coming to the County. It was also proffered in the rezoning for Myers Corner, that trash collection is done by the Home Owner's Association, as there is no dump site in Fishersville, and the landfill is not designed to be a residential collection site. Ms. Earhart stated in the Urban Service Areas the County will have to provide some type of waste collection service or a centralized waste container site will have to be provided.

Mr. Sharp stated the Fishersville Small Area Plan is silent on a collection site, but it does make two recommendations on this subject. The first is for each development to be responsible for their own collection. The second option is to evaluate the area to determine if it is developed or dense enough to utilize a public or private collection service.

Ms. Earhart stated ultimately, it is up to the Board of Supervisors to decide if these options were something to pursue.

Mr. Sharp stated he believes the decision will be part of the implementation strategy.

Mr. Bridge again thanked Mr. Sharp for his effort and work put into drafting the plan.

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STAFF REPORTS

A. CODE OF VIRGINIA – SECTION 15.2-2310

Mr. Bridge asked if there were any comments regarding the upcoming items on the BZA agenda. The Commission took the following actions.

08-14 Shenandoah Valley Electric Cooperative

Ms. Shiflett moved to encourage the Board of Zoning Appeals to encourage the co-location on existing towers rather than allowing new ones to be built in close proximity to one another.

Mr. Bridge seconded the motion. The motion carried on a 5 to 1, vote with Mr. Shomo opposed.

08-35 Staunton Machine Works, Inc.

Mr. Curd moved to encourage Industrial Fabricators to provide parking for their employees on site. He voiced concern about the safety of employees walking across Mule Academy Road (Route 642) so close to its intersection with Jefferson Highway (Rt. 250) and felt those considerations should weigh more heavily in the decision-making than how long the lot has been used for parking. If the Board of Zoning Appeals is inclined to approve the request, Mr. Curd suggested that a grass strip or similar buffer be required along the frontage of the property along both Jefferson Highway and Mule Academy Road. Mr. Curd also requested that the entrance be placed/constructed as far from the intersection with Jefferson Highway as possible and no access be granted on to Jefferson Highway. He also wanted to be clear in his comments that even if an entrance is approved by the BZA for the parking lot, that will not entitle them to use that entrance if and when they request a rezoning of the property to General Business. It appears that employees are also using other entranceways along Mule Academy Road for parking which appears to require the use of Mule Academy Road for “maneuvering to or from off-street parking facilities” which violates the County’s Zoning Ordinance. If the parking lot is approved at the location being requested, Mr. Curd also moved to suggest that all additional off-site parking be prohibited.

Ms. Shiflett seconded the motion which carried unanimously.

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

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Chairman

Secretary