

PRESENT: S.N. Bridge, Chairman
W.F. Hite
T. H. Byerly
K. A. Shiflett
T. Cole
R. L. Earhart, Senior Planner and Secretary

VIRGINIA: At the Called Meeting of the Augusta County Planning Commission held on Tuesday, May 13, 2008, at 3:30 p.m. in the Board of Supervisors' Conference Room, Augusta County Government Center, Verona, Virginia.

ABSENT: J. Shomo, Vice-Chairman
J. Curd

The Planning Commission assembled in the Augusta County Government Center to discuss the rezonings and Plan of Development. The Planning Commission traveled to the following sites which will be considered by the Commission:

1. William W. Little – Rezoning
2. Mountain Vista Condominiums – Plan of Development

Chairman

Secretary

PRESENT: S.N. Bridge, Chairman
J. Curd
W.F. Hite
T. H. Byerly
K. A. Shiflett
T. Cole
D. Cobb, Director of Community Development
R. L. Earhart, Senior Planner and Secretary

STAFF: J. Sharp, Associate Planner

ABSENT: J. Shomo, Vice-Chairman

VIRGINIA: At the Regular Meeting of the Augusta County Planning Commission held on Tuesday, May 13, 2008, at 7:00 p.m. in the Meeting Room, Augusta County Government Center, Verona, Virginia.

* * * * *

DETERMINATION OF A QUORUM

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

* * * * *

MINUTES

Mr. Byerly moved to approve the minutes of the Called and Regular meeting held on April 8, 2008. Mr. Hite seconded the motion, which carried unanimously.

* * * * *

William W. Little - Rezoning

A request to rezone approximately 2.5 acres from General Agriculture to General Business with proffers owned by William W. Little located on the north side of Stuarts Draft Highway (Rt. 340) approximately 0.2 of a mile east of the intersection of Stuarts Draft Highway (Rt. 340) and White Hill Road (Rt. 654) in Stuarts Draft in the South River District.

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

1. There shall be no entrance onto Route 340 installed along the frontage of this property. Access will be through a shared entrance with an adjacent parcel.
2. A buffer consisting of a single row of Arborvitae (4' tall at time of planting) planted 20' on center along the northern property line (TM 84D (1) 2) will be established prior to development of the site if that property (TM 84D (1) 2) is still zoned General Agriculture. The buffer will be maintained until such time as the use or zoning of the property is changed to business.

William Little, 1283 Christians Creek Road, Staunton, stated he owns the property adjacent to the property he is requesting to be rezoned. The adjacent property he stated is his business, Mule Motor Machines, which restores cars and farm equipment. He stated the reason for the request is to increase the amount of land he has for displaying vehicles. Mr. Little explained to the Commission there will be no heavy traffic on site or noise or light pollution. Mr. Little stated he has been working with his neighbor to the right of the parcel, Mr. Mongold. Mr. Mongold asked him to remove the brush on his property while Mr. Little was clearing his site effectively removing the buffer that he had. He indicated that Mr. Mongold said he is pleased with the work Mr. Little has done in cleaning up his property and is enjoying his view. He indicated Mr. Mongold doesn't want Mr. Little to do anything else to his property. Mr. Little concluded by saying if the request is approved, there will be no noise or light pollution and stated he would like to continue working on developing the property.

Mr. Byerly asked Mr. Little if Mr. Mongold was the adjacent property owner.

Mr. Little stated Mr. Mongold is the renter of the property, but he has spoken with the property owner regarding the rezoning and he doesn't want the buffer either.

Mr. Byerly asked if the property owner has any concerns with the request.

Mr. Little stated the adjacent property owner felt positive about the request, as this request he feels will increase his property value.

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

Mr. Bridge stated he felt what is proffered is not substantial enough to act as an effective buffer. However, after hearing Mr. Little's presentation, he stated the adjacent property owners may not have a concern with the buffering and prefer that it be left alone. Mr. Bridge also stated the property is in much better condition than it was four months ago, prior to Mr. Little purchasing the property.

Ms. Shiflett stated if the Planning Commission were to approve the request, there would be a conflict with proffer #2, as Mr. Little is stating adjacent property owners would prefer not to have a buffer. She stated the proffer would have to be changed or withdrawn.

Mr. Bridge asked Mr. Little if he had any concerns with proffer #2.

Mr. Little stated he will plant the required buffer if necessary. He stated he feels the adjacent property in the future will be rezoned to General Business and therefore at that time, a buffer will not be needed. Therefore, he stated he feels the buffer is unnecessary to plant and then tear down when the properties are rezoned.

Ms. Earhart explained the actions available to the Planning Commission. They can: (1) Accept the request as submitted and Mr. Little would have to plant the buffer, (2) Mr. Little can change the proffers on the request, in which case the request would have to be readvertised and another public hearing would have to be held, or (3) the Planning Commission can recommend to approve the request to the Board of Supervisors with proffer #1 only and this request would not have to be advertised.

Mr. Cobb stated the proffered buffer is not an effective buffer. He stated the County's Zoning Ordinance will require a 25' grass strip, at a minimum, if the adjacent property is not zoned General Business at the time of development.

Ms. Shiflett moved to recommend approval of the request with proffer #1 only.

Mr. Byerly seconded the motion. He asked if the buffer would be required if the property were to change ownership.

Ms. Earhart answered no. She stated the only requirement will be the grass strip under the Zoning Ordinance.

The motion carried unanimously.

* * * * *

Town of Craigsville and Gordon A. Painter – Add Public Use Overlay

A request to add the Public Use Overlay zoning designation with proffers to approximately 1.1 acres of land owned by the Town of Craigsville and Gordon A. Painter located on the south side of Estaline Valley Road (Rt. 601) approximately 0.1 of a mile west of the intersection of Estaline Valley Road (Rt. 601) and Furnace Road (Rt. 862) in the Pastures District.

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

1. Additional permitted uses at this site will be:
 - a. Water treatment plants

Richard Fox, Mayor, Town of Craigsville, stated the reason for the request is that the Town of Craigsville was put under a Consent Order by the Health Department to have a water filtration facility for the town's spring put in place by February 2008. He stated with the setbacks, this timeframe was not met, but they are working on it. Mr. Fox stated at the present time, the town is operating off of the town's wells. He stated the town needs to put in a \$1.2 million filtration plant in order to put the springs back on line.

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

Mr. Bridge stated he can support the request and commended Mr. Painter for allowing his property to serve the community.

Ms. Shiflett moved to recommend approval of the request with the proffer.

Mr. Hite seconded the motion which carried unanimously.

* * * * *

Mountain Vista Condos at Windward Pointe – Plan of Development

A request to approve a Plan of Development for Mountain Vista Condos at Windward Pointe. Mountain Vista Condos are proposed to be located on the eastern side of Barren Ridge Road (Rt. 642) less than 0.1 of a mile north of the intersection of Barren Ridge Road (Rt. 642) and Jefferson Highway (Rt. 250) in Fishersville in the Wayne District. The complex will consist of 76 duplex and townhouse units and a recreational area.

Ms. Earhart explained the request.

Andy Piplico, 3025 River Reach Road, Williamsburg, stated he is the owner of the property. Mr. Piplico stated several changes have been made on the plans since the request was first brought to the County in January of this year. He stated the provisions have been approved under the County Ordinance by the Subdivision Agent, the Building Inspection Department, VDOT, the Engineering Department, Parks and Recreation, ACSA (contingent on fees being paid), and Fire and Rescue. Mr. Piplico stated Bill Moore, Balzer and Associates, is present to answer any questions the Commission may have with the request. Mr. Piplico stated he determined the demographics in the early stages of this development as to what types of recreational facilities would be required by the Parks and Recreation Department under the County Ordinance. He stated he felt the primary age group for this development would be over the age of 55 years old and young professionals. He stated he felt the number of children in the units would be small. Based upon those determinations, Mr. Piplico stated he provided the required recreation that was discussed and approved by Parks and Recreation. He stated he had given the Commissioner's a copy of the letter with Parks and Recreations' comments just before the meeting. In summary, Mr. Piplico stated all County Ordinance and technical requirements have been met for this development. In regards to the Planning Department's comments,

Mr. Piplico stated he met with Wendell Coleman, Supervisor for the Wayne District, and Community Development Department staff. He stated after that meeting, he has come up with some provisions to address Planning's concerns with the development. The first concern Mr. Piplico addressed was the recreation facilities. Mr. Piplico stated if more young children were to reside in this development than expected, a playground facility would be provided. He stated that once 75% of these units were sold or leased and before the development is turned over to a Homeowner's Association, if at that time or anytime before, 25% of these units are occupied by children ages 11 and under, he will install a playground. Once 75% of the units are either sold or leased, Mr. Piplico stated a survey will be conducted by the developer or manager of the development to determine the demographics of the residents, and the results will be provided to the Director of Community Development for review. Mr. Piplico then proceeded to address the concern with parking. He stated he has written in his proposal, additional parking will be provided adjacent to buildings 8 & 9 as the entrance to North Windgate Drive is constructed and the grades and slopes are determined. Mr. Piplico stated this change can be executed under the current Zoning Ordinance under Section 25-218, paragraph D, item #2, "minor changes". He stated this change will be reviewed and approved by the Director of Community Development prior to installation. The last concern Mr. Piplico addressed was the steep grade to the entrance of North Windgate Drive. He proposed North Windgate Drive be defined as the secondary entrance and the grade will be reduced as much as possible during the engineering phase of the project with the goal to reduce the grade 1.5 to 2% consistent with the maximum grades of the other streets in Windward Pointe, as well as the proposed development. Mr. Piplico further stated the primary entrance to the development will be South Windgate Drive and during times of inclement weather there will be signs directing residents to use the primary entrance. The Homeowners Association will also implement procedures to sand and/or salt all entrances and streets within the development prior to, during, and immediately after, ice and snow storm events. Mr. Piplico concluded by stating any changes to this proposal will be reviewed and approved by the Director of Community Development.

Mr. Curd asked Mr. Piplico the average square footage on the units in the development.

Mr. Piplico stated the average unit will be 1300 square feet with a basement and/or a bonus room.

Mr. Curd asked if the plans for the development have remained consistent.

Mr. Piplico answered yes.

Mr. Curd asked if it had always been Mr. Piplico's intention to solely market to potential buyers ages 55 years and older.

Mr. Piplico stated no. He explained there are sets of stairs to access the upper units. Mr. Piplico stated this development will also attract young professionals. He explained the size, the fact that the units will only have two bedrooms, and the sizes of the yard will dictate the demographics.

Mr. Curd asked if some of the units will be leased.

Mr. Piplico answered yes.

Mr. Bridge asked when Mr. Piplico anticipates the Association will take control of the development.

Mr. Piplico stated generally when 75% of the units are either sold or leased.

Ms. Shiflett stated concern with #3 in regards to the grade of the entrances. She stated she feels the proposal is vague and she is concerned with the safety of the entrance. She further stated that 15% is very steep, even if Fire and Rescue approved it.

Mr. Piplico stated he does not have a problem with reducing the grade to 13% at the north entrance. He stated this is the reason why he is directing traffic to the south entrance, as the primary entrance.

Mr. Cobb asked if it would be possible to lower the grade of North Windgate Drive to 13% and South Windgate Drive to 10%.

Bill Moore stated he feels that would be possible.

Mr. Piplico stated that was ok with him.

Mr. Byerly stated he wanted to be sure that could be achievable without destroying the development.

Mr. Cobb stated he does not want the County Zoning Staff to be responsible for regulating the inclement weather policy.

Mr. Byerly stated he would prefer the inclement weather policy to be included in the duties of the Association.

Mr. Bridge asked if Mr. Piplico was agreeable to adding that once 75% of the units are sold and/or leased and if at the time there are 15 or more units sold and/or leased to residents with children ages 11 years and under, not only will a playground be required, but that it must be approved by the Director of Parks and Recreation.

Mr. Piplico agreed to that stipulation.

Mr. Byerly added it should be the responsibility of the developer to construct the playground, not the Association.

Ms. Earhart asked Mr. Piplico at what time will the owner of the property become the Association.

Mr. Piplico answered when 75% of the units are transferred from the developer, the Homeowner's Association will then be established.

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

James Earhart, 1426 Jefferson Highway, Staunton, stated he is an adjacent property owner to the development, and stated his concerns are with lighting and whether or not there will be a dumpster, and if so, the location and pick up time. He doesn't want it during the night.

Mr. Piplico stated there will not be a dumpster. He explained the residents will have a scheduled trash pick-up day and there will be trashcans at the ends of the driveways one day only. He also explained there will be no lights except for those around the units. Mr. Piplico stated the service will be paid for in the Homeowner's Association fees.

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

Mr. Byerly stated he appreciates the cooperation between the developer and staff in working to address the concerns. He stated now it is a matter of clarifying the language in the agreement and clearly spelling out who is responsible for what and when.

Mr. Curd stated he understands the desire of the developer to keep North Windgate Drive open as long as the County gets the language right about the steep grades. He also wants the recreational items clarified. He further stated he feels it is just a matter of clarifying the language. He commended the developer in working with staff and addressing the concerns.

Ms. Earhart wanted clarification for item #2 in the agreement in regards to the parking.

Mr. Piplico stated the language was chosen, as this would allow for minor changes in the agreement.

Mr. Bridge asked if moving the parking spaces would be considered a minor change.

Mr. Piplico answered yes.

Ms. Shiflett moved to recommend approval of the request contingent on the developer agreeing to:

1. The owner must construct a playground facility in the future before turning control of the development over to the Homeowners Association (when 75% of the units have been sold) or at any time prior to this date, if 25% of the units contain children age 11 or under. When 75% of the units have been sold or rented, the developer or manager of the Association will conduct a survey of residents and review the contracts and/or leases to determine the demographics of the current residents. This report will be provided to the Director of Community Development. If a playground facility is warranted and prior to construction by the owner, the facility must be approved by the

Director of Parks and Recreation for the County. The playground facility must also be permanently maintained, along with the other recreational amenities.

2. Provide additional parking adjacent to buildings #8 and 9 as the North Windgate Drive entrance is constructed and the grades and slopes are determined.
3. Reduce the grades of North Windgate Drive to 13% and South Windgate Drive to 10% or less. Internal signage will be added directing residents to use South Windgate Drive during times of inclement weather.

All changes must be approved by the Director of Community Development.

Mr. Byerly seconded the motion.

Mr. Piplico stated he understood it was the Planning Commission's concern to reduce the grade of the entrance on North Windgate Drive from 15%-13%.

Mr. Piplico stated that there are existing streets in Windward Pointe that have grades of 12.5% and Planning's concerns were only about the connections with the stub streets of North Windgate and South Windgate Drives.

Ms. Shiflett voiced her concern regarding the street grades and what exactly the developer was willing to change. She questioned whether it was even doable to try to reduce the street grades in the development.

Mr. Piplico stated that North Windgate can be reduced to 13%, but everything else needed to be left as engineered.

Ms. Shiflett moved to amend the motion to read that the entrance on North Windgate would be reduced to 13% and delete the reference to South Windgate Drive..

Mr. Byerly seconded the motion.

Mr. Bridge asked if this addressed staff's concern.

Ms. Earhart said that staff's concern was with the grade of the street at the entrances to the development. However, the grade of the internal streets was a concern of the Planning Commission in their review of the Plan of Development.

Mr. Cobb asked for clarification on the motion.

Ms. Earhart stated that the only entrance that would be reduced would be North Windgate Drive and that would be reduced from 15 to 13%; everything else would remain the same.

The amendment to the motion passed on a 6-0 vote.

The amended motion to approve subject to:

1. The owner must construct a playground facility in the future before turning control of the development over to the Homeowners Association (when 75% of the units have

been sold) or at any time prior to this date, if 25% of the units contain children age 11 or under. When 75% of the units have been sold or rented, the developer or manager of the Association will conduct a survey of residents and review the contracts and/or leases to determine the demographics of the current residents. This report will be provided to the Director of Community Development. If a playground facility is warranted and prior to construction by the owner, the facility must be approved by the Director of Parks and Recreation for the County. The playground facility must also be permanently maintained, along with the other recreational amenities.

2. Provide additional parking adjacent to buildings #8 and 9 as the North Windgate Drive entrance is constructed and the grades and slopes are determined.
3. Reduce the grades of North Windgate Drive to 13% or less. Internal signage will be added directing residents to use South Windgate Drive during times of inclement weather.

The motion passed unanimously.

* * * * *

NEW BUSINESS

Annual Scorecard

Mr. Sharp explained the purpose of the Annual Scorecard is to show all of the key statistics about the County at the same time and in the same context, rather than in the form of multiple annual reports. He stated that this way it is possible to see where the County is at the time as well as the recent trends. He stated it is also the first step in a broader annual review process.

Mr. Sharp noted that the County had grown by 7.8% since 2000. He stated the County ranked in a tie for 46th among Virginia counties and cities for rate of growth during that time. He stated that 76% of that growth was due to in-migration. He stated that the County was getting older. He stated that there are almost 26,000 parcels of land zoned agriculture and that they tend to be smaller than people think. He stated that 94% of the County is zoned agriculture. He stated that between 2003 and 2007, the rezonings that were approved removed about 713 acres from agricultural zoning. He stated that most of the land was rezoned for residential use. He stated that 1,791 new lots were created through the minor subdivision process since 1998. He stated that those parcels averaged 3 acres in size, and that there was a significant peak in subdividing land in 2005-2006. He stated that the number of building permits issued in the County has fallen off recently and that almost all of the decline was in the Urban Service Areas and in residential and mixed use zoning. He stated that only 39% of new residential building permits from 2007 were in the Urban Service Area, where the Comprehensive Plan calls for 80% to go there. He stated that other factors like employment and utilities match the growth trends, while others, particularly enrollment in public schools have not. Mr. Sharp stated the scorecard will be presented to be Board of Supervisors on May 27, 2008 hopefully with the

endorsement from the Planning Commission. Mr. Sharp then asked for questions or comments from the Commissioners.

Mr. Byerly commented on the number of school aged children and stated the document and findings show this is not a growing county. He stated based on popular belief the County is being overtaken by growth, the Annual Scorecard proves differently and this can be proven in comparing the number of building permits. Mr. Byerly stated while this shows the County's economy is healthy; something needs to be done to generate the population.

Mr. Cole asked if the number of Building Permits is going down in the Urban Service Areas because these areas are the most expensive to build.

Mr. Sharp stated that the Scorecard doesn't make that kind of conclusion, but that is something that is often suggested.

Mr. Curd stated this was correct. He stated the Comprehensive Plan calls for 80% of new growth to be in those areas, and there has only been 30% growth according to the study.

Ms. Shiflett commented she feels there has been an increase in children, this number is just not reflected in the public school system figures.

Mr. Sharp answered this is correct. He stated while there has been an increase in the number of children in the school age group, this growth has not been reflected in the public school system.

Mr. Byerly commented on the additions local industries have completed.

Mr. Cobb stated he agrees with Ms. Shiflett in that the County needs to take care of existing industry and be proactive in searching for these industries and providing incentives for them to come to the area.

Mr. Cole asked Mr. Sharp if he could make comparisons to income statewide.

Mr. Sharp stated the County's average income is lower than the State's average.

Mr. Bridge stated local graduates leave the area to work in Northern Virginia for higher pay, but he feels they do not all want to live there their entire lives.

Mr. Byerly stated it would be beneficial to review the Social Services workload. He also asked how this information could be distributed to the general public. He stated that the public should have access to it.

Mr. Sharp stated the data from Social Services can, however, be deceiving, in that the programs, etc. provided by Social Services are largely dependent on funding.

Ms. Earhart explained the goal of the Annual Scorecard is to provide information to decision makers of the County, so that they can see where we are, not necessarily how well the Comprehensive Plan's implementation is proceeding.

Ms. Shiflett thanked Mr. Sharp for the time and effort he put in to preparing the Annual Scorecard. She moved to endorse the Annual Scorecard to the Board of Supervisors.

Mr. Byerly seconded the motion which carried unanimously.

Mr. Bridge also commended Mr. Sharp on the work going into the Annual Scorecard and stated he feels Mr. Byerly made a good point regarding providing this information to the public.

Mr. Sharp stated this is a process. He explained the Annual Review was envisioned to be a process that may take two to three months. He stated that Comprehensive Plan amendments were recommended to be considered during the Annual Review process.

Ms. Shiflett asked if there have been any Comprehensive Plan amendment requests.

Ms. Earhart answered not yet, but staff is expecting requests in the future. She stated it is up to the Planning Commission as to how they would prefer to process the requests, whether it is as they are submitted or several times a year. She also stated that projects like the Fishersville Small Area Plan and the Augusta County Service Authority Master Plan might have to be considered as well.

Ms. Shiflett stated that those projects are different from a map change request. She stated that those would be best considered when they are complete. She stated it may be her preference to look at the map changes as an entire group. But, Ms. Shiflett stated if there are not a lot of requests, she feels it may be more efficient to process them as they are submitted.

Mr. Byerly asked what the Board of Supervisors plans to do with the Annual Scorecard.

Mr. Sharp stated at this time it is undetermined. He asked the Planning Commission for ideas on how they would like to see this information utilized.

Mr. Byerly state he feels it would be important for the citizens of the County to be aware and understand this information.

Mr. Sharp asked if Mr. Byerly is suggesting a public meeting.

He stated not necessarily.

Mr. Cole stated it would be important to present this information to interest groups such as conservation groups, farmers, PTAs, the Chamber of Commerce, etc.

Mr. Cobb stated staff could go out into the community to talk to these groups. He stated communication is a big problem.

Mr. Byerly stated he feels if the public would understand the economic strength of Augusta County, they would appreciate the area more when compared with other counties.

Ms. Shiflett moved to recommend Comprehensive Plan map changes be considered on a bi-yearly basis as an entire group, and other requests be considered as submitted.

Mr. Hite seconded the motion which carried unanimously.

* * * * *

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 no formal action on the BZA items.

* * * * *

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

* * * * *

Chairman

Secretary