

PRESENT: T. Jennings, Chairman
S. Bridge
J. Curd
L. Howdlyshell
K. Leonard
K. Shiflett
J. Wilkinson, Director of Community Development
L. Tate, Planner II

ABSENT: G. Campbell, Vice Chairman

VIRGINIA: At the Called Meeting of the Augusta County Planning Commission held on Tuesday, January 8, 2019, at 5:45 p.m. in the Board Room, Augusta County Government Center, Verona, Virginia.

* * * * *

Mr. Jennings called the meeting to order.

Mrs. Tate reviewed with the Commissioners the items coming before the BZA in February, sharing aerial maps of the properties and specifics of the application requests.

Mrs. Tate reviewed with the Commissioners the Stuarts Draft Small Area Plan Future Lane Use Map Resolution and the Augusta County Comprehensive Plan Update 2014/2015 Planning Policy Area/Future Land Use Map Resolution that will come before the Commission for approval at the Public Hearing.

The Planning Commission reviewed the following rezoning request and proffer amendment request and traveled to the following site, which will be considered at the Public Hearing.

EJ's LC

Chairman

Secretary

PRESENT: T. Jennings, Chairman
S. Bridge
J. Curd
L. Howdlyshell
K. Leonard
K. Shiflett
J. Wilkinson, Director of Community Development
L. Tate, Planner II

ABSENT: G. Campbell, Vice Chairman

VIRGINIA: At the Regular Meeting of the Augusta County Planning Commission held on Tuesday, January 8, 2019, at 7:00 p.m. in the Board Room, Augusta County Government Center, Verona, Virginia.

DETERMINATION OF A QUORUM

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

* * * * *

EJ's LC

A request to rezone from General Agriculture to General Business approximately 1.65 acres (TMP 075B 1 34, 35, 36, 38, and 39) owned by EJ's L.C. located on Stuarts Draft Highway (Rt. 340) between the intersections of Stuarts Draft Highway (Rt. 340) with Stone Drive and Locust Grove Lane in Stuarts Draft in the South River District.

Mrs. Tate explained the request as presented on PowerPoint. She explained the different zonings that surround the property which include Single-family Residential, Planned Unit Development, General Business and General Agriculture. She stated there is one lot (identified as Lot 37) owned by an individual that is zoned General Agriculture and is in the middle of the lots that are being requested to be rezoned.

Barry Lotts, surveyor and agent for EJ's LC stated the purpose of the request is to rezone the property to business. EJ's LC already owns the adjoining property currently zoned for business. There is a concern about the individual lot zoned General Agriculture. Staff recommended an eight foot privacy fence around the property to be rezoned to business as a buffer to Lot 37. The applicant feels an eight foot fence would be unattractive and he would like to wait to make a decision about the buffering during the site plan process.

Mr. Bridge asked in order to protect Lot 37, what other type of buffer would be considered.

Mr. Lotts stated on the Stuarts Draft side, the house on Lot 37 is only 10' off the property line and the owner's driveway crosses the applicant's property line. If they put a fence up, it will be against the house on Lot 37 and box it in. At the site plan stage, they will present something more attractive that would be acceptable to Staff. The first stage is to get the property rezoned in order to get to the interconnection VDOT wants from Rt. 340 to Fossil Drive.

Mr. Leonard asked if the proposed business will face Rt. 340 or Fossil Dr.

Mr. Lotts stated they are not sure right now. There will be one connector road off of Rt. 340 to Fossil Drive and all the businesses will be off of the connector road. The businesses could face Rt. 340, the new connector road and Fossil Dr. VDOT has given instruction of where the entrance off of Rt. 340 will be, and it will be right beside lot 37.

Mrs. Shiflett asked if there has been any discussion with the neighbor about his property that encroaches onto EJ's lot. That issue should be resolved before the rezoning could go forward. She also has concerns regarding the entrance off of Rt. 340 being up against Lot 37.

Mr. Lotts stated he did not know if the applicant has talked with the property owner of Lot 37 regarding the issue. The neighbor's property only encroaches a foot or so, but if they put a fence up, it will cause a bigger deficit to the neighbor. With the new entrance, there will be a 10 or 15 foot strip of property between EJ's and Lot 37 where they will be able to create a buffer.

Mr. Leonard asked if the entrance off of Rt. 340 will be on the Waynesboro side.

Mr. Lotts stated yes, it will be on the Waynesboro side.

There being no more questions from the Commissioners, Mr. Jennings opened the Public Hearing.

There being no one to speak in favor of or against the request, Mr. Jennings closed the Public Hearing.

Mr. Leonard stated he has concerns regarding Lot 37. Since the owner of Lot 37 did not attend the meeting, it would seem he does not have any issues with the rezoning.

Mr. Bridge asked what could be required for the buffering while waiting for the site plan to be submitted.

Mrs. Tate explained the applicant can say they desire to provide buffering, but because the ordinance does not require it, there is no recourse in making it happen at the site plan stage.

Mr. Bridge stated this is a difficult situation since there is no requirement for buffering, however, it does meet the Comp Plan designation. Given the fact that the owner of Lot 37 did not attend the meeting or express concerns about the rezoning, he moved to recommend approval of the request.

Mr. Howdyshell seconded the motion.

Mrs. Shiflett stated she has concerns about protection for Lot 37 from the business uses. There needs to be a more concrete plan for buffering.

Mr. Jennings stated absence of the owner of Lot 37 weighs on the decision to recommend approval.

The motion carried 4-2, with Mr. Curd and Mrs. Shiflett being opposed.

EJ's LC

A request to remove the following proffered conditions: a sign identifying business limited to 32 square feet – approx. 4' X 8', Business hours – 7 A.M. to 7 P.M. Monday thru Saturday – No Sunday hours, and no outside storage of equipment or supplies from approx. 0.803 acres (TMP 075B 1 32 and 33) owned by EJ's L.C. located on Stuarts Draft Highway (Rt. 340) approximately 500 ft. west of the intersection of Stuarts Draft Highway (Rt. 340) and Locust Grove Lane in Stuarts Draft in the South River District.

Mrs. Tate explained the request as presented on PowerPoint. She stated the lots are already zoned General Business with proffers and are beside the lots being proposed for rezoning in the first request. It would make sense to remove the proffers with the recommended approval of the previous proposed rezoning, in which no proffers were offered.

Mr. Lotts stated they are requesting the proffers to be removed so all the General Business zoned lots will be the same.

There being no questions from the Commissioners, Mr. Jennings opened the Public Hearing.

There being no one to speak in favor of or against the request, Mr. Jennings closed the Public Hearing.

Mr. Bridge moved to recommend approval of the request.

Mr. Howdysshell seconded the motion.

Mr. Curd stated the recommendations by the Planning Commission are not always accepted by the Board of Supervisors. He thinks the motion should state that should the Board of Supervisors approve the rezoning, the proffers will be removed.

There was no discussion to amend the previous motion.

The motion carried 4-2 with Mrs. Shiflett and Mr. Curd being opposed.

Stuarts Draft Small Area Future Land Use Plan

A request to amend the Augusta County Comprehensive Plan 2014/2015 Update by adopting the Stuarts Draft Small Area Future Land Use Map. The proposed Stuarts Draft Small Area Future Land Use Map, in addition to multiple changes from one existing future land use designation to another, creates an additional future land use designation, Recreational Business, where business uses serving and/or compatible with outdoor recreation would be appropriate. The proposed Stuarts Draft Small Area Future Land Use

Map amends the County's Comprehensive Plan Future Land Use Map, specifically for the Stuarts Draft area.

Mrs. Tate referred to the current 2015 adopted map on PowerPoint and explained the different Comp Plan designation areas on the map. She stated Agriculture Conservation Areas, Rural Conservation Areas and Public Lands are the only areas that do not receive the future land use designation. She reviewed the Stuarts Draft Small Area Plan (SDSAP) on PowerPoint. She pointed out the Urban Service Areas (USA) and stated these areas currently have or will eventually have both public water and sewer services available. The Community Development Areas (CDA) either have public water or sewer available, but not both. Rural Conservation and Agriculture Conservation Areas do not have public utilities. With the amendment request being presented, none of the planning policy areas changed within the plan boundary. The Future Land Use Designations associated with the planning policy areas is what is being proposed to be changed. She referred to a map on PowerPoint that showed the Stuarts Draft Small Area Plan boundary and the future land uses that are currently adopted by the Comp Plan. She stated the Advisory Committee looked at each use and asked the public at two separate public meetings for ideas for improvements in each area. She referred to the draft map of the Stuarts Draft Future Land Use Map and explained the changes on the map that the committee and public worked on together. She indicated the areas where the committee thought density could be increased and where density could be decreased. She indicated the areas where industry is proposed to be changed to neighborhood mixed use. She explained the areas proposed for Recreational Business would consist of low density residential or low impact business compatible with or serving recreational uses.

There being no questions from the Commissioners, Mr. Jennings opened the Public Hearing.

June Cohron of 211 Draft Avenue stated she is a member of the Stuarts Draft Small Area Plan Advisory Committee. She stated the residents are pleased with what has been proposed for the plan. With the future land use maps, they are hoping to have development that is expected in an Urban Service Area, but also wish to maintain the pastoral views and attractiveness of the community.

David Fitzgerald of 147 Wayne Avenue thanked the County for the planning they are doing for Stuarts Draft. He is in support of the planning but has concerns about his property located next to the ballfields. If the land is designated to be industrial, he is concerned that real estate taxes will be increased. He asked if there has there been a study done to have a bypass between Rt. 340 and Ridgeview Acres. When the County designates an area to be in a growth area there needs to be support for infrastructure to get the highways established.

Mrs. Tate stated the Future Land Use Designation does not affect taxes or any zoning on a property. It would affect the property only if the property was proposed to be rezoned.

Mr. Fitzgerald stated the location of his property may be better suited to develop into residential instead of waiting on industry to come in, which would require big highways.

Sherry Hockman Sumerlin owns property at 265 Draft Avenue and stated she did not receive any mailings regarding the SDSAP. She likes the idea of seeing Stuarts Draft grow, realizes the need for development, and agrees that the pastoral land needs to be preserved. While they need to see progress and growth, she does not want to see development such as multiple density residential.

Mrs. Tate indicated on the map the areas that are being proposed for lower density. What is being proposed is the adoption of the Future Land Use Map. The overall plan will be much bigger having chapters related to various public sectors and will also have goals, objectives, and policies. If the map is adopted by the Board of Supervisors, amendments to the Comp Plan can still be made after the adoption.

Mrs. Hockman asked for a time reference when the changes will take place.

Mrs. Tate stated the time frame of the plan is a 20 year horizon.

Mrs. Tate stated she received a letter submitted from Mr. Darrell Alexander who could not attend the meeting. He offers these comments with a recognition that all parties involved are coming with positive intent to solve some important issues for the future of our community:

Dear Augusta County Planning Commission,

I hope all is well.

I received the letter with maps dated December 19, 2018 from Leslie Tate. Up until this time, I was not aware of potential changes to the Comprehensive Plan for Stuarts Draft. Candidly, I did not even know what a Comprehensive Plan was until I began to educate myself, mainly via online research, and discussions with County representatives and other citizens. I am still coming up to speed on the implications of all the planning work in progress, but wanted to weigh in with my initial thoughts in advance of the Planning Commission Public Hearing on January 8th.

I am deeply concerned with the process and disagree with the proposed Future Land Use designation for my property at 95 Edgewood Lane (~11 acres adjacent to the Stuarts Draft Park). The proposal is to have my land designated as Urban Open Space and is defined as "land permanently set aside for open space uses such as conservation easements and county recreation areas." I have multiple thoughts in this regard:

- I believe the Urban Open Space designation should be reserved for property already owned by Augusta County*
- To specifically call out certain parcels owned by private land owners for future Park use simply seems wrong*
- There are several properties adjacent to the Park and other recreation areas in Stuarts Draft and the County can pursue a purchase of any of these parcels, either developed or undeveloped, and turn them into a Park or recreation area if that is what is desired*
- If anything, I think the Urban Open Space designation should be an overlay to a swath of property around existing recreation areas versus calling out specific, privately owned land. For example, a circumference of a half mile around all existing public use areas could be used*
- As it relates to my property specifically, my concern is compounded by the fact that my deceased father, the previous owner of the property, invested to have public water and sewer available to the property*

I am unable to attend the Public Hearing on January 8th due to a work commitment. I respectfully ask that my comments be read into and included in the official record of the Public Hearing. At this point, I plan to attend the Board of Supervisors Public Hearing on January 23rd.

I appreciate your consideration in this matter.

Regards,

Darrell Alexander

James Kindig of 3546 Stuarts Draft Highway stated he has property in the Urban Service Area. He stated there is no way in 20 years that there will be water and sewer in parts of that property. They have access to water that runs along Rt. 340, but to take water to another location on the property would be financially prohibitive. On the north side of Rt. 340, VDOT has looked at the site distance required for different types of entrances and can see the possibility for entrances on that side of the road. On the rest of the property, it does not seem to fit into any of the Planning Policy Areas other than Agriculture Conservation Area. There are swaths of property that are CDA being included in the USA. The Comp Plan says with the density of housing allowed, these areas have to be in a CDA, not an USA. It does not make sense to put all these properties into an USA for long range planning. He would like to have his property out of the USA because it will have the future planning designation for multiple things. He feels there needs to be a closer look and more landowner input to make additions or amendments to the Comp Plan.

There being no one further to speak in favor of or against the request, Mr. Jennings closed the Public Hearing.

Mrs. Tate reminded the Commissioners that if they approve the Resolution for the proposed amendment, it would be for the specific map discussed during this hearing and will include the new Recreational Business Future Land Use Designation.

Mr. Jennings asked Mrs. Tate for clarification that the amendment does not change the zoning of any properties. Mrs. Tate stated the amendment does not change any zonings or planning policy areas. It will only change the future land use designations that are used as a guide as development requests come to the County.

Mr. Bridge stated the individual concerns can be brought before the Board of Supervisors at the hearing on January 23. The Committee has spent a good amount of time working on the plan and has gotten input from the individuals that attended the meetings. He moved to recommend approval of the amendment.

Mr. Leonard seconded the motion, which carried unanimously.

Mr. Howdyshell stated future planning is the key. The landowner has to decide what he wants to do with his property. He stated the County does not get the information out to the citizens and needs to have a plan to keep citizens better informed.

Mrs. Tate read the following Resolution for the Stuarts Draft Small Area Plan Future Land Use Map to be considered for adoption by the Commission:

**RESOLUTION IN SUPPORT OF THE
STUARTS DRAFT SMALL AREA PLAN FUTURE LAND USE MAP AS AN AMENDMENT TO THE
AUGUSTA COUNTY COMPREHENSIVE PLAN UPDATE 2014/2015 PLANNING POLICY
AREA/FUTURE LAND USE MAP**

WHEREAS, Augusta County is in the process of reviewing and updating its Comprehensive Plan, specifically for the Stuarts Draft Area; and

WHEREAS, Stuarts Draft is one of Augusta County's Designated Growth Areas; and

WHEREAS, the Board of Supervisors appointed an Advisory Committee for the Stuarts Draft Small Area Plan; and

WHEREAS, the Advisory Committee, in consultation with County staff, has prepared a draft Future Land Use Map for the Stuarts Draft Area which proposes some future land use designation amendments to the adopted Augusta County Comprehensive Plan 2014/2015 Update Planning Policy Area/Future Land Use Map; and

WHEREAS, two public meetings have been held to gather public input concerning draft components of the plan, including the draft future land use map, and public input from those meetings has been considered by the appointed Advisory Committee; and

WHEREAS, Virginia State Code Section 15.2-2228 provides that the Planning Commission may recommend parts of the comprehensive plan as work on the plan progresses as long as any such part covers one or more major sections or divisions of the locality or one or more functional matters; and

WHEREAS, the amended/updated future land use map is an important functional matter as it is used for the evaluation of land use applications; and

WHEREAS, a public hearing on the proposed amendments was held in accordance with Section 15.2-2204 of Virginia State Code.

NOW THEREFORE be it resolved that the Augusta County Planning Commission recommends approval of the amendments to the Augusta County Comprehensive Plan 2014/2015 Update Planning Policy Area/Future Land Use Map, as shown on the map entitled, "Stuarts Draft Future Land Use Map 2018," including the addition and description of Recreational Business as a Future Land Use category both of which are attached to this resolution.

Adopted: January 8, 2019

By: _____

E. Thomas Jennings, Jr., Chairman

Augusta County Planning Commission

Augusta County Comprehensive Plan 2014/2015 Planning Policy Area/ Future Land Use Map

A request to amend the Augusta County Comprehensive Plan 2014/2015 Planning Policy Area/Future Land Use Map for land located east of Lipscomb Road, north of the railroad tracks, and north, south and west of the terminus of Benz Road. The proposed amendment changes this land from Urban Service Area with a future land use designation of industrial to Community Development Area with a future land use of low density residential.

Mrs. Tate reminded the Commissioner's that they reviewed the study done by Peed & Bortz at their December meeting, and the study was commissioned by the County and Service Authority related to a backbone sewer collection service system. She indicated to a map on PowerPoint showing the area where the study was conducted. The consultant divided the area into 12 sewer basins based on how the system would drain. The study did not recommend sewer improvements for sewer sheds 2, 4, 8 and 9, which are in the Urban Service Area, and is an area where the plan identifies both water and sewer infrastructure being extended within the time frame of the plan. The study was presented to the Board of Supervisors on November 26, 2018 and the Board asked Staff to prepare an amendment for the Planning Commission to review and make a recommendation. Based on the study and input from the Board of Supervisors, the amendment would change areas from an Urban Service Area and designated for industrial development to a Community Development Area and designated for low density residential development. The proposed change also includes a minor revision to the open space area designated as urban open space. The parcel boundary for the urban open space follows a conservation easement, but the change will follow the parcel boundary instead.

There being no questions from the Commissioners, Mr. Jennings opened the Public Hearing.

There being no one to speak in favor or against the request, Mr. Jennings closed the Public Hearing.

Mr. Bridge stated based on the study, the area is not suitable for sewer and it is reasonable to get it out of the current designation. He moved to recommend approval of the amendment.

Mrs. Shiflett seconded the motion, which carried unanimously.

Mrs. Tate read the following Resolution for the Augusta County Comprehensive Plan 2014/2015 Planning Policy Area/ Future Land Use Map to be considered for adoption by the Commission:

**RESOLUTION IN SUPPORT OF THE
AUGUSTA COUNTY COMPREHENSIVE PLAN UPDATE 2014/2015 PLANNING POLICY
AREA/FUTURE LAND USE MAP AMENDMENT FOR AREA EAST OF LIPSCOMP ROAD, NORTH OF
THE RAILROAD TRACKS, AND NORTH, SOUTH, AND WEST OF BENZ ROAD**

WHEREAS, a study entitled, "East Stuarts Draft Sewer Feasibility Study Phase I," prepared by Peed & Bortz, L.L.C., dated November 12, 2018, presented recommendations for potential public sewer improvements within the study area; and

WHEREAS, the Augusta County Comprehensive Plan Planning Policy Urban Service Area is defined as having both water and sewer or planned to have extensions of both utilities within the timeframe of the plan; and

WHEREAS, the Augusta County Comprehensive Plan Planning Policy Community Development Area is defined as having either water or sewer or is planned to have extensions of one of those utilities within the timeframe of the plan; and

WHEREAS, the study did not recommended areas, currently designated as Urban Service Areas, for future public sewer improvements; and

WHEREAS, the results of such study were presented to the Augusta County Board of Supervisors at their meeting on November 26, 2018; and

WHEREAS, the Board of Supervisors directed staff to prepare an amendment to the Augusta County Comprehensive Plan Update 2014/2015 Planning Policy Area/Future Land Use Map for consideration by the Planning Commission, as it relates to the aforementioned sewer study and additional input from the Board of Supervisors; and

WHEREAS, a public hearing on the proposed amendments was held in accordance with Section 15.2-2204 of Virginia State Code.

NOW THEREFORE be it resolved that the Augusta County Planning Commission recommends approval of the amendments to the Augusta County Comprehensive Plan 2014/2015 Update Planning Policy Area/Future Land Use Map, as presented on the map entitled, "Augusta County Comprehensive Plan 2014/2015 Planning Policy Area/Future Land Use Map Proposed Amendments for land located east

of Lipscomb Road, north of the railroad tracks, and north, south and west of the terminus of Benz Road" and included as an attachment to this resolution.

Adopted: January 8, 2019

By: _____

E. Thomas Jennings, Jr., Chairman
Augusta County Planning Commission

Mr. Jennings thanked Staff and all those involved for their hard work on the plan.

* * * * *

STAFF REPORTS

A. CODE OF VIRGINIA – SECTION 15.2-2310

Mrs. Tate reviewed with the Commissioners the requests coming before the BZA at the February meeting.

The Planning Commission took no action on the BZA items.

* * * * *

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

Chairman

Secretary