

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

ABSENT: J. D. Tilghman, Vice-Chairman

VIRGINIA: At the Called Meeting of the Augusta County
Planning Commission held on Tuesday,
January 13, 2004, at 4:30 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 rezoning, two master plans, and the upcoming items on the BZA agenda. They joined the Augusta County Parks and Recreation Commission in the Training Room for a presentation by Ron Sites, Director of Parks and Recreation, on their recently completed Master Plan.

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Chairman

Secretary

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

VIRGINIA: At the Regular Meeting of the Augusta County
Planning Commission held on Tuesday,
January 13, 2004, at 7:00 p.m. in the Board
Meeting Room, Augusta County Government
Center, Verona, Virginia.

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ELECTION OF OFFICERS

Mr. Byerly asked Mr. Shomo to present the nominating committee report.

Mr. Shomo placed into nomination the names of Kitra Shiflett as Chairman, Justine Tilghman as Vice Chairman, and Dale L. Cobb as Secretary.

Mr. Shomo moved the nominations cease.

Mr. Bridge seconded the motion which carried unanimously.

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DETERMINATION OF A QUORUM

Ms. Shiflett stated as there were six (6) members present, there was a quorum.

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MINUTES

Mr. Shomo made a motion to approve the minutes of the Called and Regular meeting held on December 9, 2003. Mr. Bridge seconded the motion, which carried unanimously.

Ms. Shiflett stated she would like to thank Mr. Byerly for his service as Chairman. She indicated he had done an excellent job and the Commission was glad to have him as their chairman.

Augusta County Service Authority – Rezoning

A request to amend and restate the proffers on 24.057 acres owned by the Augusta County Service Authority and located on the northwest side of Berry Farm Road (Route 626) approximately 0.5 of a mile south of the intersection of Berry Farm Road (Route 626) and Quicks Mill Road (Route 612) in Verona in the Beverley Manor District.

Mrs. Earhart explained the request.

Bo Beasley, Augusta County Service Authority, P.O. Box 859, Verona, VA 24482, stated the purpose of the change in the proffers is to utilize the Berry Farm house that is located on this property and is currently vacant. For the last 23 years it has been used as a daycare facility for young and pre-school age children. VFW Post 10826 from Verona is interested in using this facility on a monthly basis to hold their VFW meetings. A change in the proffer is necessary to allow them to use the building.

There being no one desiring to speak in favor of, or in opposition to, the request, Ms. Shiflett declared the public hearing closed.

Mr. Hite made a motion to recommend approval with proffers.

Mr. Byerly seconded the motion, which carried unanimously.

Cedar Park - Master Plan

Cedar Park containing 6 lots zoned General Business and 7 lots zoned Limited Industrial located in the southwest quadrant of Laurel Hill Road (Route 612) and Indian Mound Road (Route 792) in the Beverley Manor District.

Mrs. Earhart explained the plan. She also indicated the plan met the technical requirements of the ordinance.

Steve Wisely, 1107 Pine Glen Rd., Staunton, VA 24401, stated he was a principle in the corporation that owns this property. They are requesting that the Limited Industrial area be changed from 5 lots to 7 lots. He stated they had a potential buyer for several of the lots and this fits their needs a little better.

Mr. Hite made a motion to recommend approval of the plan.

Ms. Tilghman seconded the motion, which carried unanimously.

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Ivy Ridge – Master Plan

Ivy Ridge containing 12 lots zoned General Industrial, 24 lots zoned General Business, 52 lots zoned Single Family Residential (15), and 66 lots zoned Townhouse Residential located in the southwest quadrant of Ladd Road (Route 631) and Tinkling Spring Road (Route 285) in the South River District.

Mrs. Earhart explained the plan. She also indicated there were still some issues that needed to be addressed. A sewer line notation needs to be changed to a water line. She stated they brought a plan with them tonight that has that correction made. The revised plan has not yet been reviewed so that would still be an issue. She also indicated Route 914 needed to be abandoned and the public hearing on that issue is scheduled for tomorrow night.

Barry Lotts, Lotts, Austin & Associates, P.O. Box 1167, Stuarts Draft, VA, 24477, stated he was representing the property owners. Basically, they are resubmitting this plan with some minor revisions to bring it up to date with what is actually going on out there. They abandoned Route 914 and they did some changes in the townhouse area which included reconfiguring a street and they also changed some lots along Route 608 and Ladd Road.

Mr. Byerly asked if there was anyone who accessed Route 914.

Mr. Lotts indicated there was one, but they are adding Angela Court in there and he will come off of that. Mr. Lotts indicated he has been taken care of.

Ms. Tilghman asked for clarification. She stated there is an entrance now being shown on the plan that originally was not shown. She asked if that was correct.

Mr. Cobb indicated that was true.

Ms. Tilghman asked if the new entrance was in front or behind the old Manse.

Mr. Lotts indicated there is an entrance on each side of the Manse.

Ms. Tilghman commented originally there was only one entrance.

Mr. Lotts stated on the old master plan they had a statement on it that there would only be the one entrance which would be the furthest one away from Route 608.

Ms. Tilghman asked why we now had two entrances.

Mr. Lotts indicated the first entrance was put in to access that first lot coming in.

Ms. Tilghman asked if it could be accessed from the other entrance.

Mr. Lotts indicated it could be, but they would have to go around the Manse to get there and the potential purchasers of the lot would like to use that entrance for right now.

Ms. Tilghman stated she thought they had done a good job with the road but now we're just backsliding. Too many entrances on a road is what the County is trying to avoid. She asked if they had just added a new entrance off of Route 608 that wasn't there a few months ago.

Mr. Lotts indicated that was correct. They added an entrance down where the old Ladd Road came out.

Ms. Tilghman asked if that would access the same piece of property as this entrance.

Mr. Lotts indicated that entrance was only a right turn in, right turn out.

Ms. Tilghman commented in other words that would make three entrances to this particular property.

Mr. Lotts indicated once the road behind the Manse was built it would, but right now it wouldn't be. It will only be the two entrances they are proposing to use.

Ms. Tilghman asked if it was still necessary to have the entrance behind the Manse.

Mr. Lotts asked if she meant on the far side of the Manse.

Ms. Tilghman stated that is where she meant.

Mr. Lotts stated it would be necessary because in time with the ultimate design of that road, you wouldn't be able to make a left turn in to the first entrance due to the construction of a median.

Mr. Bridge stated it also indicates when that happens the County would be expected to pick up the tab for a concrete median.

Mr. Lotts indicated that's something the property owner and the County would have to work out.

Mr. Hite asked what the distance was between those two entrances.

Troy Austin, P.E., Lotts, Austin & Associates, P.O. Box 1167, Stuarts Draft, VA 24477, stated there was about 150' to 200' between the entrances. He also explained when the construction plans were submitted to VDOT the plans showed both entrances even though the master plan indicated there would be only one. He stated the entrance behind the Manse would be necessary for lot C4 to access. That will be the primary access for the lot directly behind the Manse. It is going to have to be there. He indicated, as Mr. Lotts said, the construction plans indicate when the traffic counts reach a certain number, there will be a median built in Route 631 which will prevent left hand turns into the first entrance closest to Route 608. He stated he didn't think that number had been determined and at that point that entrance would be a right turn in and right out for much the same purpose as the one on Route 608 which will relieve some of the pressure on the entrance that goes behind the Manse. He just wanted to make it known that both of those entrances were on the construction plans that were approved by VDOT.

Mr. Hite stated that it was not on the original master plan that was approved by the County.

Mr. Austin indicated that was correct.

Mr. Hite stated he just thought it was foolish to spend taxpayer money somewhere down the road to put a barrier up if the two entrances are within 150' to 200' of each other now. He stated he couldn't see it.

Mr. Austin explained at some point that barrier and that lane were going to be built and it's still being determined as to who is going to build it. He stated it is very possible it would be a County and VDOT project.

Mr. Hite questioned if there's no entrance there, is there a requirement for that median.

Mr. Austin stated there was a requirement for the barrier because it was on the ultimate construction plans. He further stated it was going to be built whether that entrance is there or not.

Mr. Hite asked what the purpose was of having the median built if that entrance isn't there. He stated he didn't understand that. He could understand it if the first entrance were that close to Route 608/285, but he didn't understand why it would be necessary if they only had the one entrance behind the Manse.

Mr. Austin indicated he couldn't answer that question. The answer that was given to them was the plans were approved contingent on the ultimate build out which includes both the lanes, the median, and the entrance. VDOT approved the plans as a whole which had both of the entrances.

Ms. Tilghman asked if VDOT had seen plans that showed only one entrance.

Mr. Austin indicated it was never submitted with only one entrance. It was always submitted with two entrances.

Ms. Tilghman stated she didn't know how they could say there was absolutely going to be a median there no matter what.

Mr. Austin stated all he could tell the Commission was what Jerry VanLear, with VDOT, told him which was it was approved contingent on the ultimate design being built at some point and the ultimate design has an additional lane, a median, and both of these entrances shown.

Mr. Cobb stated the County received a letter from Jerry VanLear that indicated the ultimate build out would be 8,000 vehicles per day. What Mr. VanLear is asking for is a resolution or a commitment from the Board of Supervisors to include this project in their secondary road program and show it as a revenue sharing project. Mr. VanLear estimated to do the preliminary engineering, right-of-way acquisition, construction and inspections this project would cost \$367,000.00.

Mr. Austin stated he thought the improvements could be built more economically, but he would like to make it clear that the owner has been working with the Supervisor for this district on how to make all this happen. All they would request is that the Board of Supervisors be given the opportunity to make this work.

Mr. Bridge stated he agreed that with another entrance 150' to 200' away and potentially the County having to spend \$367,000.00 on the improvements, he would have some concerns about that.

Ms. Tilghman indicated clearly there is the potential of spending money to benefit one occupant of a piece of property whoever that may be. It's not benefiting the whole subdivision.

Mr. Austin indicated he disagreed with that.

Ms. Tilghman asked who else it would be benefiting.

Mr. Austin stated the projections for the tax revenue for the County are very significant and that's a decision for the Planning Commission and the Board of Supervisors to make. Yes, this entrance will be primarily for this property, but the Manse is currently using this entrance as well. He commented that both of those entrances have already been built. When the road was built those entrances were already put into place, inspected and approved by VDOT, and they are already there. He thought the intention all along was there would be two entrances there. Otherwise, the plans would have never gotten approved.

Mr. Bridge asked Mr. Austin to enlighten them as to why the two entrances were never shown on the master plan.

Mr. Austin indicated he wasn't sure why they were never shown. They were not involved at that time and he didn't know the circumstances behind that.

Bill Watkins, Allen & Carwile, Waynesboro, VA 22980, stated he was legal council for Shields Enterprises. The original master plan was developed by an engineering group out of Charlottesville and the property owner is no longer using them. He stated he thought a lot of the engineering changes that have occurred are a result of what has happened in the field as we've tried to put that road through with private dollars. When you make those engineering changes in the field and you do those things to make the project happen you make adjustments in other areas. He stated the contract purchaser of that lot would like to have the option to come and go using the first entrance, at least temporarily. He also thought the ultimate build out plan would eventually restrict the flow of traffic in and out of that site to right turn in, right turn out and maybe eliminate it entirely. He stated he thought what we are here for tonight are the changes to the master plan which are extensive and we're just focusing on a small part of it. It is going to take a cooperative effort from the property owner, the County and VDOT, as it always does, to get these infrastructure improvements paid for and done. He stated he knew Mr. Cobb had an estimate of \$367,000.00, but the property owner got an estimate of the ultimate build out of less than \$100,000.00. Mr. Shields actually had Route 631 done considerably less than VDOT projected the cost of that to be. He stated the plan that has been submitted meets all the technical requirements of the ordinance. He indicated what they would like to see the Commission do if they have reservations, express those reservations and either approve the changes contingent upon those reservations or not approve it at all. What they would like

to avoid is a tabling of the whole thing. He stated that would just be disastrous. They would like it to move forward. He would guess with 6 lanes, a median would be an appropriate barrier to separate those.

Ms. Shiflett stated the partnership with the road has been an excellent one for the County and apparently for Mr. Shields also. This kind of effort needs to be encouraged and applauded. She stated she did see a safety issue. It looks like it's awfully close to Route 285 as far as backing up traffic. It is only going to take about 10 or 12 cars trying to turn in to have a traffic jam. She thought they were looking at a safety issue, as well as an ultimate build out issue that they are asking the Board of Supervisors to commit to some time in the future. It looks to her that entrance is a bad idea to start with.

Mr. Byerly commented he would have concern if the County had to allocate the tax dollars to take care of that situation. If there was no safety issue of any significance he would trust the Board of Supervisors could negotiate with the owner an appropriate sharing of funds. He would like to go on record opposing full funding of the barrier.

Mr. Cobb stated he agreed with Mr. Watkins, we need to make a decision. He indicated it was on the Board's agenda as to whether or not they were going to take it out of revenue sharing or not. Mr. VanLear's letter clearly indicates he's looking for the Board to do that tomorrow night. He stated he and Mrs. Earhart talked to Timmons' traffic engineering department the other day and they suggested putting a 4' concrete median down the middle with an extra foot on each side which would equal 6' and you wouldn't have to have any additional right-of-way or lanes. He stated there was something mentioned about moving a light. He talked to Mr. Coffield and he indicated VDOT put a light at the wrong place and now they want that covered as part of this project as well.

Mr. Austin indicated when the light was placed they didn't look at the ultimate build out of the road and they placed the light based on what was built now. The light was handled entirely by VDOT.

Mr. Cobb stated the median estimate is 40% of what it cost Mr. Shields to build the entire road so it really isn't a realistic estimate. He suggested that the Commission not waste much time on that. It's just a matter of whether or not they are going to approve the changes on the master plan and if the Board of Supervisors should do the revenue sharing.

Mr. Byerly indicated the developer has already shown he could build it much more efficiently and he would prefer the County not do the revenue sharing. He stated he didn't feel that VDOT should ask someone else to bear the cost of the light being put in the wrong location.

Mr. Bridge made a motion to recommend approval of the changes contingent upon the sewer line note being changed to a water line, Route 914 being abandoned, and the County not using revenue sharing funds or other County dollars to install the concrete median along Route 631.

Mr. Hite seconded the motion.

Motion carried with a 3 to 2 vote with Ms. Shiflett and Ms. Tilghman in opposition and Mr. Shomo not present for the voting.

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RECOGNITION OF GINNY P. GARNER

Mr. Byerly made a motion to approve a resolution commending Ginny P. Garner for her service on the Planning Commission. Mr. Hite seconded the motion, which carried unanimously. Ms. Tilghman read the following resolution into the record:

WHEREAS, the County of Augusta in consideration of the dedicated service of Ginny P. Garner; and

WHEREAS, Ms. Garner diligently and faithfully served the citizens of Augusta County for three years in the capacity of a public servant; and

WHEREAS, Ms. Garner was appointed to the Augusta County Planning Commission in December 2000 and completed her service in December 2003; and

WHEREAS, the Augusta County Planning Commission is desirous of expressing their appreciation and thanks to Ms. Garner for her dedicated service on this commission.

NOW, THEREFORE BE IT RESOLVED that the Augusta County Planning Commission does hereby publicly thank Ms. Garner for her service which she has so aptly fulfilled with diligence and concern for the citizens of Augusta County.

BE IT FURTHER RESOLVED, that this resolution be adopted by the Commission, recorded in its minutes, and a copy forwarded to Ms. Garner.

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STAFF REPORTS

A. CODE OF VIRGINIA – SECTION 15.2-2310

Ms. Shiflett asked if there were any comments regarding the upcoming items on the BZA agenda. The Commission took no formal action on any of the Board of Zoning Appeals items.

B. ANNUAL REPORT

Mrs. Earhart presented the Planning Commission’s 2003 Annual Report for consideration by the Planning Commission. She reviewed the highlights with the Commission.

Mr. Byerly made a motion to approve the 2003 Annual Report, which was seconded by Ms. Tilghman. The motion was unanimous to approve the 2003 Annual Report and forward it to the Board of Supervisors for their consideration.

C. Comprehensive Parks, Recreation & Open Space – Master Plan

Mrs. Earhart explained the Parks and Recreation Commission is interested in getting the master plan approved as part of the County’s Comprehensive Plan. We would need to advertise the master plan for public hearing for inclusion in the County’s Plan. That hearing would probably be in March.

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

Chairman

Secretary