

PRESENT: K. Shiflett, Chairman
S. Bridge
J. Curd
K. Leonard
E. Shipplett
T.K. Fitzgerald, Director of Community Development
R. L. Earhart, Senior Planner and Secretary

ABSENT: W.F. Hite, Vice Chairman
T. Cole

VIRGINIA: At the Regular Meeting of the Augusta County Planning Commission held on Tuesday, August 10, 2010, at 7:00 p.m. in the Board Room, Augusta County Government Center, Verona, Virginia.

DETERMINATION OF A QUORUM

Mrs. Shiflett stated as there were five (5) members present, there was a quorum.

MINUTES

Mr. Leonard moved to approve the minutes of the Regular Meeting on July 13, 2010 and the Called Urban Service Overlay District Meeting on May 24, 2010 as received.

Mr. Shipplett seconded the motion, which carried unanimously.

An Ordinance amending the Zoning Ordinance of Augusta County by establishing a new district entitled "Planned Commerce District".

This Ordinance amends the Zoning Ordinance of Augusta County by establishing a new district entitled "Planned Commerce District". The district will allow the mixing of industrial and commercial uses, along with the necessary supporting accessory uses and facilities, including upper-story residential uses. Business and industrial use categories such as light and general industrial, research and development, professional and business offices, retail and service businesses, limited outdoor storage, and upper-story residential uses may be permitted if approved as part of a concept plan for the

development of the property. General outdoor storage and vehicle sales, repair, and storage on sites with existing buildings may be allowed with the approval of a Special Use Permit if the use is designated for a specific area on the concept plan.

Mrs. Earhart presented the ordinance amendment. She stated there are several reasons for the request including current economic development trends and the need for flexibility. She stated the Board asked that the district be created as a result of work done to update the Mill Place Commerce Park master plan and also to facilitate new growth for existing and future developments. She explained the district will allow for a mixture of business and industrial uses, as well as upper-story residential development and open space in the same zoning classification. Mrs. Earhart stated a concept plan at the rezoning stage, like the one in the Planned Unit Development District, will be required. She further stated at least three (3) different uses will be required within the district, as well as three (3) different areas, unless the district is for an existing building. Permitted uses she explained will include general industrial, light industrial, research and development, warehouse, professional and business offices, retail and service businesses, hospitality, upper-story residential, common open space, and limited outdoor storage. General outdoor storage and the sales, storage, and repair of vehicles will be permitted with an approved Special Use Permit. Mrs. Earhart stated uses permitted by Administrative Permit within the district are generally those that are permitted within the current business and industrial districts. She stated these uses will include the off-site sale of seasonal items, office trailers, temporary equipment and material storage in connection with off-site construction, mobile banks, day care centers, outdoor display of merchandise, soil sifting, Class A home occupations, certain wireless communication facilities and certain wind energy systems. She explained general outdoor storage, as well as the sales, storage, and repair of vehicles and equipment, will be allowed by Special Use Permit, if identified on the Concept Plan. Certain wireless communication facilities and certain wind energy will also be allowed by Special Use Permit. Mrs. Earhart stated many of the uses that require Special Use Permits in either General Business or General Industrial will be prohibited in the proposed Planned Commerce District. She stated these uses include batching plants, quarries, junkyards, slaughterhouses, truck stops, recreational attractions including theme parks and race tracks, and adult businesses.

Mrs. Shiflett questioned whether or not the parcels are expected to be split zoned.

Mrs. Earhart answered split zoning could be a possibility with this district, for example, General Business on a portion of the property and Planned Commerce on the remaining portion of the property.

Mrs. Earhart further explained certain requirements within the district as follows. There will be no minimum lot area and width unless specified on the Concept Plan. There will be a requirement of twenty feet (20') of lot frontage on an internal public street, private street, or parking lot. There will be a required twenty-five foot (25') setback from perimeter boundaries, fifty foot (50') setback from an interstate, arterial, or collector street, and thirty-five feet (35') from any other external public or private street. The

setback from any internal public street will be twenty feet (20') and the setback for private streets or interparcel travelways will be as described on the Concept Plan. Height requirement for structures will be a maximum of seventy-five feet (75') and buffer yards will be required based on the land uses adjacent to the development and the applicant must identify which buffer will be utilized at the time of rezoning as part of the Concept Plan. With regards to parking requirements, Mrs. Earhart explained the regulations will establish a "blended rate" for mixed use buildings. She further stated the regular ordinance requirements can be applied at the discretion of the developer and if the use of the property ever changes, the building will go back through the site plan process and additional parking will be added, if necessary.

Mrs. Earhart explained the concept plan contents. She explained the plan will include the general layout of the property with areas identified, acreage, and permitted uses; any special lot area, width, yard, and setback requirements; buffer yard plans, if applicable; circulation plan, including existing road network, proposed public and private streets, connectivity, bike and pedestrian accommodations, and a Traffic Impact Analysis (TIA) if applicable. Mrs. Earhart explained if the application is for an existing building, information can be provided on the site plan already on file in the Community Development Department.

She also discussed the amendment process for the district. Mrs. Earhart stated if one wished to make major changes, review by the Planning Commission and Board of Supervisors' approval would be required. Mrs. Earhart explained those changes would include any changes to the overall design layout, moving area boundary lines by more than fifty feet (50'), additions to the allowable uses, changes that could result in increases of density or intensity, or any change without the consent of all the property owners. She further explained minor changes would include changes to the location and design of streets, method of management of common areas, deletion of uses in an area, or moving area boundary lines by less than fifty feet (50'). She stated minor changes would require approval of all property owners, as well as approval from the Director of Community Development.

The district requires at least three (3) different uses. Mrs. Shiflett asked would the parcel be removed from the district if at some point the parcel were to only have two (2) uses.

Mrs. Earhart explained the district requires three (3) areas with three (3) different uses. She stated if there were to be less than three (3) uses; the most logical option would be to have the parcel zoned to another classification. She further stated if there is no need for flexibility in the types of uses allowed in a single building or a desire to mix industrial and commercial uses in a single development, conventional zoning would work better.

Mr. Shipplett stated the goal of the district is to make use of existing abandoned buildings.

Mrs. Earhart stated the concept of the district is similar to “flex space” as it was discussed during the ordinance revision meetings. She explained it will allow for flexibility without having to go through the special use permit process.

Mr. Shipplett noted the importance of this district as it will not only allow for businesses to utilize existing buildings, but allow for future opportunities for Mill Place. He stated the idea of flex space will be more prevalent in the future.

Mrs. Earhart stated the district will allow flexibility of uses in the same building or the same development, but also predictability for the neighbors and the county by requiring the applicant to submit a concept plan at the rezoning stage so everyone knows what to expect.

Mr. Leonard noted the well designed neighborhoods in Crozet.

Mrs. Earhart referenced the Old Trail development and stated the development pattern is called “traditional neighborhood development” which allows a mixture of residential, as well as commercial uses. She noted Albemarle County spent a great deal of time and effort planning the development they want to see in the village of Crozet. They established the framework and the specific project planning on individual neighborhoods was done by the developers.

Dennis Burnett, Director of Economic Development, noted the importance of allowing this type of district in the County. He stated a lot of research and effort from staff has gone into developing this district, as well help from the State, which echoed the need for sites which allow flexibility. Mr. Burnett stated prospects want to locate in areas where there are restaurants and shops for their employees to go to at lunch. He noted there are several parcels within the County that can take advantage of the development pattern this district allows. He stressed the importance that time plays with prospects wanting to develop in the County and stated this district will allow flexibility for developing within existing buildings without having to wait to go through the special use permit process.

There being no one else desiring to speak, Mrs. Shiflett declared the public hearing closed.

Mr. Bridge applauded staff’s effort in researching and developing the district and stated he can support the amendment.

Mr. Shipplett moved to recommend approval of the amendment to the County’s Zoning Ordinance.

Mr. Leonard seconded the motion which carried unanimously.

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MATTERS TO BE PRESENTED BY THE COMMISSION

A. Chairman appointment of representatives to the Urban Service Overlay District Committee

Mrs. Shiflett stated she was appointing herself and Steve Bridge to serve on the Urban Service Overlay District Committee. She indicated that it was her understanding that the Committee would begin meeting in September and she would keep the Commission up to date on their progress.

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STAFF REPORTS

A. CODE OF VIRGINIA – SECTION 15.2-2310

Mrs. Earhart reviewed with the Commission the requests coming before the BZA.

Mrs. Shiflett asked if there were any comments regarding the upcoming items on the BZA agenda.

The Planning Commission took no action on the BZA items.

B. Ordinance Work Program

The Commission referred to *Agenda Item 7B*. Mrs. Earhart indicated the list of ordinance revisions was initially developed in 2004 and work has been completed on many of the items, but more items are added to the list all the time. Staff has asked the Board of Supervisors to prioritize the items on the list, so staff will have direction on their future work program.

The Commission proceeded to review each ordinance topic and the status on the revisions. With regard to the Source Water Ordinance, Mrs. Earhart stated a draft will be provided to the Board’s Ordinance Committee within thirty (30) days. She stated items on the list will be added and/or deleted based on recommendations from the Commission. She stated staff can draft ordinance amendments as requested and present them to the Board of Supervisors for consideration.

The Commission added no items to the list.

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

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Chairman

Secretary