

PRESENT: K. Leonard, Chairman
T. Cole, Vice Chairman
W. Garvey
W. Hite
K. Shiflett
R. L. Earhart, Senior Planner and Secretary

ABSENT: J. Curd
E. Shipplett
T. Fitzgerald, Directory of Community Development

VIRGINIA: At the Regular Meeting of the Augusta County Planning Commission held on Tuesday, June 11, 2013, at 7:00 p.m. in the Board Room, Augusta County Government Center, Verona, Virginia.

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DETERMINATION OF A QUORUM

Mr. Leonard stated as there were five (5) members present, there was a quorum.

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MINUTES

Mr. Hite moved to approve the minutes of the called and regular meeting held on May 14, 2013.

Mr. Cole seconded the motion, which carried unanimously.

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Zoning Ordinance Amendment - §25-4 Animal Unit Definition

An ordinance to amend Section 25-4 of the County Zoning Ordinance, Definitions, by adding 3 miniature donkeys to the list of animals that shall be considered equivalent to one animal unit.

Mrs. Earhart explained the proposed amendment and stated that the definition of limited agriculture is only applicable in Rural Residential settings. The lot is to be at least five acres in size, no more than one animal unit per acre is allowed, and it does not include

poultry and swine. This is not designed to be a weight equivalent definition, but is designed to be what is compatible with a rural residential setting.

Mr. Leonard opened the public hearing. There being no one present desiring to speak, Mr. Leonard closed the public hearing.

Mrs. Shiflett moved to recommend approval of the zoning ordinance amendment.

Mr. Hite seconded the motion, which carried unanimously.

Subdivision Ordinance Amendment - §21-9.1 Interconnectivity Requirement

An ordinance to amend Section 21-9.1 of the County Code, Streets and Street Connections to allow the Board of Supervisors to waive the requirement that all private streets, except for those in cluster subdivisions in General Agriculture districts, be designed to connect to adjacent properties. Such waivers shall only be granted if the Board of Supervisors determines that a waiver shall have no adverse impact on adjacent properties, the traveling public, and the ability to provide emergency services to the development and that the adjacent property shall have at least right in/right out access to state maintained roads.

Mrs. Earhart explained the amendment would add a waiver provision which would only be applicable to private streets. The change would not fully eliminate street connections, but would allow the Board of Supervisors to waive the connection under certain conditions for private streets.

Mr. Leonard opened the public hearing.

Frank Root, developer and owner of Towns on Imperial, stated that he did not realize that private streets required connections when he applied for the rezoning for Towns on Imperial. He stated that he feels that commercial traffic and public access harms the value of a townhouse community and increases safety risks for the residents. He stated that the property owners will be responsible for maintenance of the private streets and should not have to pay for upkeep due to the extra traffic which would use the roads if connections were required.

Mr. Garvey stated that he lives on a private road and he doesn't like the thought of connection to public streets.

Mr. Leonard asked Mr. Garvey how many residents lived on his street.

Mr. Gravey said ten.

Mr. Leonard asked Mr. Root how many residents he anticipates having at Towns on Imperial.

Mr. Root said there will be about 100 units.

Mr. Leonard referred to the illustration of the property on PowerPoint. He pointed out the fact that there is a rather long lane to get to the development. He feels that it would be an inconvenience to anyone to access public streets through the development.

Mr. Root indicated on the PowerPoint presentation that there is commercial property behind the development and residential property beyond that. He anticipates that traffic would cut through his development to get to the residential portion.

Mr. Leonard reminded Mr. Root that because of the residential property behind the Towns on Imperial, it is important to have street connections for the safety and well-being of this and other residential developments. Mr. Leonard asked Mr. Root how many accesses there will be in and out of the development.

Mr. Root said there will be two connections to Imperial Drive, which is a public street, and eventually there will be a traffic light as well. He reminded the Commissioners that he is not seeking approval of this particular case, but he is asking for a provision to the Ordinance, that under justifiable conditions, the Board of Supervisors could grant a waiver.

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

Mr. Garvey stated that since the Board of Supervisors would look at each individual case, he is in favor of letting developers ask for the waiver.

Mrs. Shiflett stated that there are too many different configurations of land to say that one ordinance fits everything. There needs to be some ability to look at each individual situation. She doesn't think it should be easy to get a waiver, but each request should be considered. She stated that she didn't feel there was any harm in letting the Board of Supervisors grant a waiver when necessary.

Mr. Cole asked if the request would go directly to the Board of Supervisors.

Mrs. Earhart stated that it would.

Mr. Cole moved to recommended approval of the amendment to add the waiver provision for private streets with the recommendation that each request be reviewed, and a recommendation made, by the Planning Commission prior to being presented to the Board of Supervisors.

Mr. Garvey seconded the motion, which carried unanimously.

Comprehensive Plan Review

Mrs. Earhart referred to the Policy Area and Future Land Use Maps that each Commissioner received for their magisterial district. She asked them to review the maps and report which areas they feel need to be looked at closely by the Planning Staff and Planning Commission for changes that may need to be made to the future Land Use maps.

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STAFF REPORTS

A. CODE OF VIRGINIA – SECTION 15.2-2310

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

Mr. Leonard asked if there were any comments regarding the upcoming items on the BZA agenda.

13-31 Monte N. and Donna C. Atkins

The Planning Commission is concerned about placing a business storage yard at this location, even though it was once a business. They noted the presence of several homes across from the request. Mr. Leonard moved to encourage the Board to look closely at the proximity of the business to the existing dwellings and encouraged the Board to consider some type of screening to protect the adjacent properties from the potential adverse impacts from the storage yard.

Mr. Cole 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