

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

VIRGINIA: At the Called Meeting of the Augusta County Planning Commission held on Tuesday, November 13, 2007, at 3:00 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 rezonings and the preliminary plats. The Planning Commission traveled to the following sites which will be considered by the Commission:

1. A. Troy or Pamela I. Rutherford and Rutherford Construction, Inc. – Rezoning
2. Interstate Business Park LLC –Rezoning

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Chairman

Secretary

PRESENT: J. Curd, Chairman
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R.L. Earhart, Senior Planner and Secretary

VIRGINIA: At the Regular Meeting of the Augusta County Planning Commission held on Tuesday, November 13, 2007 at 7:00 p.m. in the Board Meeting Room, Augusta County Government Center, Verona, Virginia.

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DETERMINATION OF A QUORUM

Mr. Curd stated as there were seven (7) members present, there was a quorum.

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MINUTES

Mr. Bridge moved to approve the minutes of the Called and Regular meeting held on October 9, 2007. Mr. Byerly seconded the motion, which carried unanimously.

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A. Troy or Pamela I. Rutherford and Rutherford Construction, Inc.

A request to rezone approximately 25 acres from General Agriculture to Single Family Residential with proffers and approximately 32.6 acres from Rural Residential to Single Family Residential with proffers owned by A. Troy or Pamela I. Rutherford and Rutherford Construction, Inc. located at the east end of Wild Cat Cove (Rt. 823) and south of the end of Beagle Gap Run (Rt. 1621) in Beagle Gap Forest Subdivision in the Wayne District.

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

1. The minimum square footage for single-family dwellings will be 1,500 square feet.

2. All lots will be served by public water and sewer.
3. No dwellings will be built on the 57.665 acres until the street connection has been made with Sandy Ridge Road (Rt. 621).
4. Prior to the issuance of the building permit for the 75th dwelling on this property, 2" of asphalt will be overlaid on Beagle Gap Run from Route 340 to its terminus and on the entire length of Wild Cat Cove.

Kyle Olson, representative for Rutherford Construction, stated he is seeking a rezoning of the parcels because they are located in an Urban Service Area and the rezoning will facilitate a better use of the property. The request is in compliance with the Comprehensive Plan.

Mr. Curd asked if there will be a phasing of the development.

Mr. Olson answered there will be one phase for the entire development.

Mr. Curd asked if there were any plans for the mature trees in the development.

Mr. Olson stated the trees will work with the ambiance of the subdivision.

Mr. Curd asked if there was anyone wishing to speak in favor of the request.

Mr. Curd asked if there was anyone wishing to speak in opposition to the request.

Jimmie Roadcap, 241 Turk Mountain Lane, Waynesboro, asked if Mr. Olson would show him on the map the location of the power line, as he stated he owns a section of the land proposed for rezoning. He stated he was not notified by Augusta County of the rezoning. He explained the land was the subject of a rezoning in 1986 by John E. Major who was told a portion of the property belonged to Mr. Roadcap. Mr. Roadcap stated the plat is recorded with his deed at the Augusta County Courthouse in Staunton.

Darlene Alford Craig, 87 Gilbert Lane, Waynesboro, explained her property adjoins the property proposed for the rezoning. She stated she has seen what Rutherford Construction, Inc. has done in Stuarts Draft and is concerned it will happen with this development. She is also concerned with the houses being built too close together and the possibility of wild fires. She expressed safety concerns on Sandy Ridge Road. Ms. Craig stated Sandy Ridge Road is too narrow for this type of development. She explained traffic will increase, and the existing homes are close to the road. She stated the road cannot be widened without having to destroy the existing homes based on their location. She also voiced concern with the amount of children playing in the road, and an increase in traffic will only make for a greater safety issue.

Steve Stachowski, 30 Whipporwill Way, Waynesboro, stated the rear of his property will adjoin the property proposed for rezoning. He explained he has lived in the area for five

years and he enjoys the wildlife and nature in the area. Mr. Stachowski stated Beagle Gap Road cannot handle the increased traffic and voiced concern about the safety issues.

Bill Tueting, 92 Fieldhaven Place, Staunton, stated he is not opposed to the request as it is in an Urban Service Area. He asked who will be paying for the water and sewer. Mr. Tueting asked if dwellings will be built before the connector road is completed and who will pay for the connector road. He stated he does not have an objection if the developer is going to pay for the water and sewer and road connections, but he does object if the developer will benefit at the expense of the County and the Augusta County Service Authority and he feels the citizens of Augusta County should be considered in this rezoning.

Shelia Tillman, 26 Hutchinson Lane, Waynesboro, stated the rear of her property adjoins the property proposed for rezoning. She stated she too is concerned with the width of Sandy Ridge Road and an increased amount of traffic on Route 340 and Sandy Ridge Road. In regards to safety and the increased amount of traffic, Ms. Tillman asked if Sandy Ridge Road were widened, would there be any plans for sidewalks. She also asked if the development would affect the cost and pressure of the water supply. Ms. Tillman asked if there will be a buffer between the existing houses and the proposed development, and what the setback for the homes and detached buildings will be. She commented on the number of vacant homes in the County that have not sold, and if the developer had taken that into consideration.

Bill Tueting asked how this development will impact the school system.

Ms. Earhart stated for the record, comments were received from Gary Spears, 61 Wild Cat Cove, Waynesboro. He asked if the Planning Commission would consider a larger lot size for the development. Mr. Spears also stated concern with the turn around at the end of Wild Cat Cove and concerns with the connector road to Sandy Ridge Road.

Kyle Olson addressed the concerns and questions of the citizens and property owners. He explained the location of the power line. In regards to safety on Sandy Ridge Road, Mr. Olson explained he has met with VDOT and discussed the traffic plan for ingress and egress in the subdivision. He stated approximately 15 to 18 lots will use Sandy Ridge Road as a potential main corridor for entry. He stated the majority of the properties will use the existing subdivision streets. He stated he has proffered to add a few inches of surface to the existing roads in the subdivision. He stated there is a good ingress and egress into Beagle Gap Run. Mr. Olson addressed concerns with economics and stated they will build homes as the market allows. He stated they have done a traffic study and there will be sidewalks in the new development. He further stated sewer and water costs will be taken care of by the developer.

Mr. Bridge asked about the number of anticipated units.

Mr. Olson answered the area to the north will consist of approximately 40 to 42 units and the southern portion of the parcel will consist of approximately 75 to 80 units.

Mr. Curd asked if there will be curb and guttering and sidewalks.

Mr. Olson answered yes.

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

Mr. Roadcap voiced concern in regards to the locations of his property lines.

Mr. Curd asked Mr. Roadcap to provide a plat and a copy of his concerns to Augusta County prior to the Board of Supervisors meeting on November 28, 2007. Mr. Curd stated Mr. Roadcap should get the information to Community Development Staff as soon as possible.

Mr. Bridge stated he is concerned with the comments from the School Board and the impact on the school system as Wilson Middle School is currently at program capacity.

Ms. Tilghman stated the concerns of adjacent property owners are also legitimate. However, she stated the request is in compliance with the Comprehensive Plan; it has public water and sewer, and is adjacent to an area that is already developed. She stated in order to save the land in Augusta County, there needs to be smaller lots. Ms. Tilghman stated the pros of the request outweigh the negatives. She moved to recommend approval of the request with proffers.

Ms. Shiflett seconded the motion.

Mr. Bridge stated he can support the motion, but the Board of Supervisors needs to understand the complexity and seriousness of the schools being at capacity and how future developments will impact the school system.

Ms. Shiflett encouraged staff prior to the Board of Supervisors meeting to clarify Mr. Roadcap's boundary lines to ensure his property is not being encroached upon.

Mr. Byerly stated there are a lot of roads with high traffic counts, but looking at the data these counts are not that high. He stated there are also many narrow roads in Augusta County.

Mr. Curd stated a motion has been made and properly seconded to approve the request with proffers, the motion carried unanimously.

Steven Eric Bradley

A request to rezone from Exclusive Agriculture to General Agriculture approximately 0.28 acres owned by Steven Eric Bradley located on the north side of Broadhead

School Road (Rt. 675) approximately 0.25 of a mile east of the intersection of Broadhead School Road (Rt. 675) and McClures Mill Road (Rt. 604) in the Riverheads District.

Ms. Earhart explained the request.

Monte Atkins, 717 Broadhead School Road, Greenville, explained the reason for the request is to extend his backyard a little further.

Stephen Bradley, 613 Broadhead School Road, Greenville, stated he is the property owner and does not have any objection with the request.

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

Mr. Byerly moved to recommend approval of the request.

Mr. Bridge seconded the motion which carried unanimously.

Interstate Business Park LLC.

A request to rezone from General Business to Multi Family Residential with proffers approximately 17 acres and a request to rezone from General Business to General Business with proffers approximately 86.7 acres owned by Interstate Business Park LLC located in the northeast quadrant of the intersection of Tinkling Springs Road (Rt. 285/608) and Ramsey Road (Rt. 635) in Fishersville in the Beverley Manor District.

Ms. Earhart explained the request. She stated the applicants have submitted the following revised proffers:

1. Development of the parcel shall be in general accord with the Preliminary Plat for Westgate prepared by Terra Concepts, P.C. and dated October 22, 2007, as amended from time to time and approved by the County's Department of Community Development (the "Preliminary Plat").
2. Interstate Business Park, L.L.C., its successors or assigns, shall cause completion of the "Road Improvements," as defined in that certain Development Agreement dated as of November 22, 2003, by and between the County of Augusta, Virginia and Bill V. Neff, Sr., as amended and assigned by that certain First Amendment to and Assignment of Development Agreement dated as of January 20, 2006, by and among the County of Augusta, Virginia, Bill V. Neff, Sr., and Interstate Business Park, LLC, and as further amended from time to time

(the "Development Agreement"). The Road Improvements shall be substantially completed and open for public use prior to the issuance of the building permit for the fifty-first (51st) residential unit in the Multi-Family Residential zoned property.

3. Willowbrook Drive shall be substantially completed and open for public use between Expo Road (Rt. 935) and Ramsey Road (Rt. 635), as shown on the Preliminary Plat, prior to the issuance of the building permit for the fifty-first (51st) residential unit in the Multi-Family Residential zoned property.
4. Within sixty (60) days of the later to occur of: (i) approval of the rezoning, or, (ii) approval from VDOT of the Road Construction Plans labeled "Neff Property Rte. 608" dated 6/22/05 and the corresponding Construction Sequencing Plan, Interstate Business Park, LLC, its successors or assigns, shall enter into amendments to the Development Agreement and related agreements, in forms approved by the County Attorney, which shall exclude the Multi-Family Residential zoned property from the terms of the Development Agreement and related agreements.
5. Construction in the Multi-Family Residential zoned property shall be staged with the development of the General Business zoned property. The staging plan is as follows (the square footage as stated below shall include all improvements constructed on the property shown on the Preliminary Plat):
 - A. Stage I shall consist of a minimum of 50,000 square feet of improvements in the General Business zoned property and up to 50 individual residential units in the Multi-Family Residential zoned property; provided, no building permits shall be issued for individual residential units until certificates of occupancy have been issued for 50,000 square feet of improvements in the General Business zoned property.
 - B. Stage II shall consist of a minimum of 100,000 square feet of improvements in the General Business zoned property (including the square footage of improvements completed as a part of Stage I in excess of 50,000 square feet for which a certificate of occupancy has been issued) and up to 100 individual residential units in the Multi-Family Residential zoned property; provided, no building permits shall be issued for individual residential units until certificates of occupancy have been issued for 150,000 square feet of improvements in the General Business zoned property (in the aggregate for Stages I and II).
 - C. Stage III shall consist of a minimum of 100,000 square feet of improvements in the General Business zoned property (including the square footage of improvements completed as a part of Stages I and II in excess of 150,000 square feet for which a certificate of occupancy has been issued) and any additional individual residential units in the Multi-Family Residential zoned property; provided, no building permits shall be issued for individual residential units until certificates of occupancy have been issued for 250,000 square feet of

improvements in the General Business zoned property (in the aggregate for Stages I, II and III).

6. Any buildings constructed in the Multi-Family Residential zoned property within 115' of the centerline of Ramsey Road (Rt. 635) (as measured at the time of the approved proffer) shall not exceed 35' in height. All other buildings constructed in the Multi-Family Residential zoned property shall not exceed 45' in height.
7. The owner shall install a minimum 20' planted buffer parallel to Ramsey Road (Rt. 635) along the Multi-Family Residential zoned property. The buffer shall contain a mixture of deciduous and evergreen trees and shrubs and shall be subject to the approval of the Planning Commission as part of the Plan of Development for the Multi-Family Residential project.
8. The owner shall dedicate to the County or the Virginia Department of Transportation, for public street purposes, (a) such portions of the parcel as are necessary to construct the Road Improvements in accordance with the Development Agreement, and (b) additional portions of the parcel parallel and adjacent to Ramsey Road (Rt. 635) within an area 25' from the existing centerline of Ramsey Road (Rt. 635).
9. The recreational amenities for the Multi-Family Residential project shall include, at a minimum, a clubhouse/fitness center, outdoor swimming pool, tot lot, and tennis/multiuse court and shall be subject to the approval of the Planning Commission as part of the Plan of Development for the Multi-Family Residential project. Nothing herein shall preclude a determination by the Planning Commission that additional recreational amenities are necessary to meet the recreational needs of the expected residents.
10. There shall be no direct access from the Multi-Family Residential zoned property to Ramsey Road (Rt. 635), or to the Multi-Family Residential zoned property from Ramsey Road (Rt. 635). All vehicular entrances for the Multi-Family Residential zoned property shall be on Willowbrook Drive.
11. There shall be no direct access from the General Business zoned property to Ramsey Road (Rt. 635), or to the General Business zoned property from Ramsey Road (Rt. 635). All vehicular access to and from the General Business zoned property shall be by means of the parcel's internal road system, as generally shown on the Preliminary Plat.
12. Within one hundred twenty (120) days of the approval of the rezoning, Interstate Business Park, LLC, its successors or assigns, shall use its best efforts to rename of the subdivision from "Interstate Business Park" to "Westgate" following the procedures set for the Section 15.2-2272 of the Code of Virginia. In summary, the procedure requires vacating the earlier subdivision plat and putting

a new plat to record with the new subdivision name, with the agreement of all of the lot owners or by an action of the Board.

Keith Lancaster and Lois Haverstorm, Southern Development, 170 South Pantops Drive, Charlottesville, and Steve Edwards, Terra Concepts, 224 Court Square, Charlottesville, explained to the Planning Commission the location of Westgate. Mr. Edwards stated the request is in compliance with the Comprehensive Plan, as it is part of an Urban Service Area. He explained the property being requested for rezoning is seventeen acres in the rear portion of the property to allow for multi-family units. Mr. Edwards and Mr. Lancaster proceeded to display the current approved master plan of the property. Mr. Edwards stated he did not feel this was the best use for the site, but the property was platted and approved before it was purchased by Interstate Business Park, LLC. Mr. Edwards stated the development is currently in Phase I of construction. He explained the purpose of the request to rezone from General Business to Multi-Family is to attract larger retail developments in a block style design as opposed to the traditional contractor style layout. Mr. Edwards proceeded to show the Planning Commission a presentation of the vision of the development, which included tree lined connected streets, anchor stores, a town center, a stormwater pond to accommodate water runoff, and pedestrian sidewalks. He explained the multi family development will consist of approximately 18 two to three story buildings, totaling approximately 242 proposed multi-family units. Mr. Edwards further stated he feels Multi-Family Zoning would be appropriate because the proposed rezoning is located in the back of the property which will be hidden by business zoned tenants, and it will serve as a transition from the Business Zoning to the General Agriculture Zoning along Ramsey Road (Rt. 635). Mr. Edwards stated he feels this rezoning will jump start the development, as larger business retailers are looking for higher numbers of roof tops in the vicinity to support these businesses. He stated the current parcel lacks the opportunities for big box development, the square footage potential is limited with the layout of the plan, and it does not have a residential component to attract larger retailers to the area. He stated this proposal has the new zoning established, the preliminary plat under review, new proffers will link multi family zoning with business zoning, the TIF Agreement will be modified, the parcel is in the growth area, the layout is suitable for big box development, commercial square footage is maximized, it provides a residential transition to the current General Agriculture zoning along Ramsey Road (Rt. 635), and the residential zoning will generate less traffic using the surrounding roads. Mr. Edwards stated the only downside to the proposal is the residential zoning will have less economic value for Augusta County as opposed to commercial or business zoning. Mr. Edwards compared the existing master plan to the proposed plan and stated the existing plan consists of 91 acres with zero residential zoning and a floor area ratio of .125 and an estimated commercial potential of 559,000 gross square feet. He stated the proposed master plan development consists of 72 acres, 17 acres of residential, a higher FAR, and a commercial potential of 886,000 gross square feet. Mr. Edwards displayed examples of Waynesboro and Staunton developments similar to that being proposed with residential developments adjacent to larger retailers.

Keith Lancaster stated a project this size takes time to develop. Mr. Lancaster explained entitlement is important in a development this size and in order to jumpstart the project by bringing larger retailers to the area, more rooftops are needed in this development. He stated the preliminary plat referred to in the presentation will be on the Planning Commission's agenda in January.

Mr. Curd asked Mr. Lancaster and Mr. Edwards if they had ever been on site while an event was being held at Expoland.

Mr. Lancaster answered he had not, but he has met with John Wilkinson, Zoning Administrator, in regards to the current request for a Special Use Permit for a motocross track and he feels the request will not have a great impact on this request for residential development.

Mr. Curd stated there is a significant amount of noise created during events held at Expoland, in particular the monster truck shows and tractor pulls.

Mr. Edwards explained he grew up in the area near Eastside Speedway and grew accustomed to the noise. He feels after time the residents will become accustomed to the noise as well, and that it will not be a great impact on the residential area. He stated the motocross is approximately 6,000 feet away from the proposed development. He thanked Mr. Curd for his concern.

Mr. Curd asked the applicant to interpret what is meant in Proffer #1 by "general accord".

Mr. Lancaster stated he envisions a multi-family layout. He stated if there is a change to the layout proffered in the plan, it will have to be approved by the Director of Community Development and go before the Planning Commission.

Ms. Earhart explained the Planning Commission is concerned since there is not a preliminary plat to approve at this time and proffer #1 references the preliminary plat in accord with changes, what is meant in terms of changes to the master plan or preliminary plat.

Mr. Edwards stated the Preliminary Plat that will go before the Planning Commission in January will have the same street layout. The only difference, he added is 17 acres on the Preliminary Plat will be divided into five lots, which will be dissolved once the zoning is approved.

Ms. Earhart stated if there are changes to the Preliminary Plat, does Proffer #1 mean the request will then have to come back before the Planning Commission to amend the proffer to reflect the new Preliminary Plat.

Mr. Lancaster stated his plan is not to change the planned layout of the development if approved.

Mr. Curd asked, if approved, when development will begin.

Mr. Lancaster stated road improvements have already started. The bond has been posted for road improvements on the Expo Road intersection. He stated he has met with Patrick Coffield, County Administrator and Dale Cobb, Director of Community Development and VDOT to get final right-of-way acquisitions so construction of the improvements can move forward along Route 608. He stated approximately \$5 million will be spent on road improvements.

Ms. Shiflett asked what improvements will be made.

Mr. Lancaster stated improvements will consist of four lanes and stoplights.

Mr. Edwards proceeded to show the Planning Commission the locations of the stoplights and medians.

Ms. Shiflett asked if there will be a stoplight on Ramsey Road.

Mr. Lancaster stated the recent traffic count did not warrant a traffic light at this time.

Mr. Byerly asked what was meant by "substantially complete" in regards to the proffers.

Mr. Lancaster stated the reason why "substantially complete" and "open to public use" were stated, is because they wanted the road open for public use, but allow the time to work with VDOT to have the road accepted into their system. He stated the road can be open, but not accepted at that point.

Mr. Bridge asked if the residential development was approved, when the development will begin.

Mr. Lancaster stated he has been working with staff and the County Attorney on the proffers, he stated the development will intertwine the residential component with the business component.

Mr. Bridge asked the applicants if they could show the ingress/egress traffic pattern for the residential development.

Mr. Edwards explained Willowbrook Drive will connect Ramsey Road to Expo Road. The access to the multi-family development will be off Willowbrook Drive.

Mr. Byerly asked the build out time for the 242 proposed homes on the site.

Mr. Lancaster stated the residential units will be linked to the commercial properties, so the time depends on the amount of time it takes for the developers to attract businesses.

Mr. Curd stated Mr. Lancaster had explained the development will have greater investment if residential zoning is added. He asked Mr. Lancaster if the rezoning was not approved, will the development have as much investment and will they revamp the business layout as currently proposed, but delete the residential.

Mr. Lancaster answered a lot of money has been invested into the property. He stated he feels the residential zoning will attract big businesses, but if the rezoning is not approved, the parcel will be developed with a block style design for a better functioning project.

Ms. Shiflett stated the interstate bridge is currently at a grade F Level of Service. She stated approximately fifty thousand square feet of business development is currently being discussed with County staff. She stated with the proposed development, it could possibly add another fifty homes immediately. She asked Mr. Lancaster if he had any plans for alleviating traffic concerns on the bridge.

Mr. Lancaster stated residential zoning will lower the traffic count for the area. He stated the development of the town center will be a lengthy process with a build out time of approximately ten years. He stated he has been talking with VDOT and believes the earliest time for improvements to the bridge will be in the year 2012.

Mr. Edwards questioned Ms. Shiflett's comment, asking if there was already fifty thousand square feet of development being discussed with County staff.

Ms. Shiflett answered yes. She stated there is approximately fifty thousand square feet of development being discussed at this point. She stated the development is included in the proposed plat, which is covered by the revised proffer.

Ms. Earhart stated the proffer as currently written would include the new development under site plan review.

Mr. Lancaster stated they are paying for road improvements, water, sewer, etc. He stated with those improvements, he feels he is entitled to include that development in his project.

Mr. Byerly asked staff if Route 608 was the most congested and critical road in the County.

Ms. Earhart stated she is not aware of any worse roads and the County has had studies done showing the need for improvements on Route 285/608.

Mr. Byerly stated he is concerned with congestion on Route 608.

Mr. Shomo asked of the lots that were sold, how many were sold to investors and how many were sold to developers, and can they be divided.

Ms. Earhart stated staff has received site plans on some of the parcels. She stated she does not know if the other lots were bought for development or by investors.

Mr. Byerly asked if the traffic impact is known on the seven parcels that have been sold.

Mr. Lancaster stated two lots were bought by an investor, one lot is planned for a hotel, one lot was bought by a local bank, and he is unsure of the plans for the remaining lots.

Mr. Curd asked if there was anyone wishing to speak in favor to the request.

Mr. Curd asked if there was anyone wishing to speak in opposition to the request.

Rick Kane, stated he is representing Ervin Marshall, Red Beech Farm, 279 Ramsey Road, Fishersville. He commended the applicants on their presentation and stated if Mr. Marshall had seen the presentation, his thoughts may have changed. He explained his greatest concern is road improvements to Ramsey Road. He stated currently it is difficult to make a left hand turn off of Ramsey Road onto Route 608 and encouraged the developers to consider a traffic light. Mr. Kane asked the developers if they were aware or concerned with the cow and chicken manure in the agriculture zonings, as there were pastures across from the proposed residential developments. Mr. Kane stated he is concerned with the amount of increased commercial trucks on Route 608 and concerned with a residential area being next to commercial property in regards to buffering. Mr. Kane stated he is also concerned with the amount of industrial noise. He stated he would like to see more density in the area, but he is concerned with buffering.

Mr. Curd asked Mr. Kane how many acres Mr. Marshall owns.

Mr. Kane answered 125 acres.

Mr. Curd asked Mr. Kane if Mr. Marshall actively farms the property.

Mr. Kane stated Mr. Marshall rents the property to a farmer.

Bill Tueting, 92 Fieldhaven Place, Staunton, stated he is opposed to the request because of the impact on the schools and the traffic impact on Route 608. Mr. Tueting stated he feels the proffers are not clearly stated. He asked who is responsible for paying for the road improvements to Route 608. He believes the rezoning should not be approved.

Steve Edwards explained his vision for this development will consist of young professionals and retirees. He stated he does not feel the residential zoning will have a great impact on the local schools. Mr. Edwards stated there will be a minimum of a twenty foot buffer along Ramsey Road. In regards to the TIF Agreement, Mr. Edwards stated the seventeen acres will be removed from that agreement.

Keith Lancaster stated he believes the industrial and farming noises will not be of any concern.

Mr. Curd asked Mr. Lancaster if he thinks residents will mind the smell and noise.

Mr. Lancaster said when you cluster people and amenities, impacts like that arise.

Mr. Curd asked how far road improvements will be made on Ramsey Road.

Mr. Edwards answered improvements will extend from the intersection of Ramsey Road and Route 608 to Willowbrook Drive.

Mr. Curd asked when these improvements will be made.

Mr. Lancaster stated the improvements will be completed before the 51st unit is completed.

Mr. Byerly questioned the marketability of a residential neighborhood of 242 units against a heavy industrial complex. He stated he does not see 242 units supporting all that business.

Ms. Tilghman asked why the stoplight is being placed at the subdivision entrances rather than Ramsey Road.

Mr. Edwards explained the process of a VDOT conducted traffic study. He stated a consultant studied the trip counts at the intersections, and Ramsey Road did not meet the warrants to justify a traffic light at that location.

Ms. Tilghman asked Mr. Edwards if he knows the new road did not meet the warrants to a stoplight.

Mr. Curd asked Mr. Edwards when the traffic study for Ramsey Road was completed at this intersection.

Mr. Edwards answered in the year 2005.

Ms. Tilghman asked at that point was the study based on the original plan. She asked if the same results would occur with the new changes.

Ms. Earhart explained the property was zoned in 1980. The traffic study was based on the existing zoning and did not focus on the bridge or Ramsey Road. She stated it focused on the road improvements needed in front of their property and the traffic lights and turn lanes at their new intersections. She stated she believes there was a cost share agreement for a traffic light at Ramsey Road and Route 608 and she feels the County was going to pay the bulk of it because the traffic already existed. Ms. Earhart stated she would clarify this information before the November 28, 2007 Board of Supervisors meeting. She stated VDOT stated in their comments they wanted the developer to redo the traffic study, as

they too were concerned about its relevance because it was done at a different time and place. Now that the developer is asking for residential zoning, the traffic study would render different results.

Ms. Tilghman stated the proposed rezoning shows an entirely different traffic flow. She stated if this plan were to be approved, Ramsey Road would become a main road for the residential development.

Mr. Edwards stated the original entrances will remain the same. He explained the only difference will be Construction Lane, which was a cul-de-sac, will now extend through the development where Willowbrook Drive was in the original plan. Mr. Edwards stated by adding a town center approach, traffic will be dispersed throughout the development. He explained the residential zoning will lower the amount of trips per day. In regards to Ms. Earhart's comments, Mr. Edwards stated he too believes the developer is responsible to pay a certain percent of the traffic light when necessary.

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

Ms. Shiflett stated she likes the new plan of development, the design, and tree lined streets. She stated road improvements are desperately needed to Route 608. She explained mixing residential and business districts works great in some areas, but she feels it will not work in this area. She stated she believes there are high enough traffic counts in that area to support large retailers, without having to add more residential units. Ms. Shiflett stated the heavy industrial and business uses would be a detriment to residential zoning. She stated the traffic counts on Rt. 608 should support big box retailers. People from all over the County will shop here. She further stated the property has been zoned Business for years and the traffic impacts would be more immediate if the zoning were changed. She stated she liked the business layout, but will not support the multi-family. She moved to recommend denial of the request, however if the Board of Supervisors does approve the rezoning, she moved to recommend the following changes to the proffers be made prior to the approval of the rezoning: 1. A proffer be added to tie the development of the project to the traffic impact on the interstate bridge. 2. Proffer #2 be amended to include tying the road improvements to the business development. 3. Proffer #5 be amended to exclude the square footage of development that occurs on lots sold prior to the rezoning. 4. Proffer #12 be deleted in its entirety.

Mr. Shomo seconded the motion.

The motion carried on a 6 to 1 vote with Mr. Bridge in opposition.

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NEW BUSINESS

Lynview Subdivision

Located on Mt. Torrey Road (Rt. 624) adjacent to Featherstone Manor and Kingswood Meadow Subdivisions in the South River District. She stated the plat contained 79 lots zoned Single Family Residential, which will be served by public water and alternative sewer systems.

Ms. Earhart explained the location of the preliminary plat. She stated all of the comments have been addressed and the plat meets the technical requirements of the ordinance.

Mr. Bridge moved to recommend approval of the preliminary plat as submitted.

Ms. Tilghman seconded the motion which carried unanimously.

Forrest Glen Subdivision

Located on the south side of Weyers Cave Road (Rt. 256) just east of the intersection of Keezletown Road (Rt. 276/750) in Weyers Cave in the Middle River District. She stated the plat had 74 Single Family Residential lots, which will be served by public water and sewer.

Ms. Earhart explained the location of the preliminary plat. She stated at the time the preliminary plat was submitted, there was concern with a pond and dry hydrant that was proposed to provide fire protection and be maintained by the Homeowners Association. Since the time the plat was submitted, a study was done that recommended a pressure reducing valve be installed, which would help the fire flow deficiency in this part of Weyers Cave and eliminate the need for a dry hydrant. Staff has met with the developer and the Augusta County Service Authority and a cost sharing agreement has been developed, which will be presented to the Board of Supervisors and the Augusta County Service Authority for their approval. Since the Planning Commission will not meet in December, and contingent on the change to the plat being made and a funding agreement being approved, staff recommends the plat be approved.

Ms. Shiflett stated, although it is not the usual practice of the Planning Commission to recommend plats that "are not ready", two months would delay the development. She moved to recommend approval of the request contingent on the financing arrangement for the pressure reducing valve being finalized and the dry hydrant being removed from the plat prior to the Board of Supervisors meeting.

Mr. Byerly seconded the motion which carried unanimously.

Inclement Weather Ordinance

Ms. Earhart stated there was a concern raised last year when the Commission had to cancel a meeting due to inclement weather because the Commission did not have a formal policy. Therefore, the County Attorney prepared an Ordinance for the Planning Commission’s consideration. Basically, Ms. Earhart stated if a meeting needs to be cancelled, it will be rescheduled for the next Tuesday.

Mr. Bridge moved to recommend approval of the following ordinance.

WHEREAS, § 15.2-2214 of the Code of Virginia (1950), as amended, authorizes the Augusta County Planning Commission to fix a schedule of regular meetings.

WHEREAS, the Planning Commission now desires to establish its schedule for regular meetings during calendar year 2008.

BE IT RESOLVED BY THE AUGUSTA COUNTY PLANNING COMMISSION:

1. The Planning Commission shall hold regular meetings during calendar year 2008, in the Board Meeting Room at the Augusta County Government Center, on the dates and at the times set forth on the schedule attached to this Resolution.

2. In the event the Chairman of the Planning Commission, or the Vice Chairman of the Planning Commission, if the Chairman is unable to act, finds and declares that weather or other conditions are such that it is hazardous for members of the Planning Commission to attend a meeting, such meeting shall be continued to the next Tuesday. Such finding and declaration shall be communicated to the members of the Planning Commission and the press as promptly as possible. All hearings and other matters previously advertised shall be conducted at the continued meeting and no further advertisement is required.

Mr. Byerly seconded the motion which carried unanimously.

Nominating Committee

Mr. Curd appointed Justine Tilghman, Becky Earhart and himself to the nominating committee. They are to report back at the January meeting.

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STAFF REPORTS

A. CODE OF VIRGINIA – SECTION 15.2-2310

Mr. Curd asked if there were any comments regarding the upcoming items on the BZA agenda. The Commission took the following actions.

07-84 David P. or Pamela D. Ramsey

Mr. Curd stated this property is located in a Community Development Area and slated for low density residential in the Comprehensive Plan. He moved to recommend the Board of Zoning Appeals take into consideration the surrounding zoning and proposed land uses before approving the expansion of the permit.

Ms. Shiflett seconded the motion which carried unanimously.

07-86 Sunrise Investors, Inc.

Ms. Shiflett stated this property is located in an Urban Service Area and slated for business development in the Comprehensive Plan. She moved to recommend that the property owner be encouraged to apply for a rezoning rather than be granted a Special Use Permit.

Mr. Curd seconded the motion which carried unanimously.

07-87 Augusta Agricultural Industrial Expo., Inc.

This property is located in an Urban Service Area and slated for business and industrial development in the Comprehensive Plan. Mr. Hite moved to recommend the Board of Zoning Appeals approve the request for the Special Use Permit, as it is compatible with the surrounding uses and is an ideal location for such a use.

Mr. Shomo 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