Regular Meeting, Wednesday, February 24, 2021, 7:00 p.m. Government Center, Verona, VA.

PRESENT: Gerald Garber, Chairman
Butch Wells, Vice-Chair
Pam Carter
Michael Shull
Scott Seaton
Jeffrey Slaven
Steven Morelli
Timothy K. Fitzgerald, County Administrator
Jennifer M. Whetzel, Deputy County Administrator
John Wilkinson, Director of Community Development
Angie Michael, Executive Assistant

VIRGINIA: At a regular meeting of the Augusta County Board of Supervisors held on Wednesday, February 24, 2021, at 7:00 p.m., at the Government Center, Verona, Virginia, and in the 245th year of the Commonwealth....

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Chairman Garber welcomed those present for the meeting.

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Mr. Morelli, Supervisor for the South River District, led the Pledge of Allegiance.

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Ms. Carter, Supervisor for the Pastures District, delivered the invocation.

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STAUNTON EM 2, LLC PROPERTY -- REZONING
This being the day and time advertised to consider a request to rezone from Gen. Business to Multi-Family Residential with proffers approximately 13.8 acres owned by Staunton EM2, LLC located in the Beverley Manor District. The proposed general use of the property is apartments. The general use of the property as stated in the Comprehensive Plan is Business, where business uses of varying scale and scope would be appropriate. The Planning Commissions recommends approval with the proffer.

Leslie Tate, Senior Planner, stated that this property is known as the Staunton Mall. The applicant submitted the following proffers: pedestrian connectivity will be provided between the proposed Multi-Family Residential and existing General Business zoned portions of the development, as well as to the public right-of-way on U.S. Rt. 11 and Frontier Drive for connectivity with future pedestrian infrastructure. The property has been zoned general business since 1975. The Staunton Mall opened in 1968. It has experienced a decline in business and needs improvements. There is multi-family residential zoning and development that is adjacent to this proposed multi-family rezoning. The proffers that provide for pedestrian connectivity between the existing General Business and proposed Multi-Family Residential portion of the property, along with connectivity to Frontier Drive and U.S. Route 11, comply with the goals of the Comprehensive Plan that call for interconnected, pedestrian-oriented development in Urban Service Areas. The proposed redevelopment also aligns with Comprehensive

STAUNTON EM 2, LLC PROPERTY – REZONING (CON'TD)
Plan goals and policies that identify the need for infill development, enhancing the character of existing urban environments, siting mixed-use development in urban areas and siting residential development near existing water and sewer infrastructure.

Ray Burkholder, Balzer and Associates, stated that at the Planning Commission meeting citizens had concerns about traffic, noise, and construction. An overall density reduction in traffic is expected. Multi-Family will help support revitalization.

Mr. Morelli asked if there were plans to build a privacy fence.

Mr. Burkholder stated that some of the housing in the area is behind the Belk Store and that section is not being rezoned.

Dr. Seaton questioned the water issue for the neighbors.

Mr. Burkholder stated that the demolition will not disturb any of the water or gas lines and service will not be disrupted.

The Chairman declared the public hearing open.

Nancy Young, 1431 Barterbrook Road, Staunton, owns homes next to the mall area. She has concerns with noise, trash and debris and opposes the rezoning.

Stewart Young, 1439 Barterbrook Road, Staunton, is opposed to the rezoning. He has concerns with barriers and traffic will be an issue.

Brenda Calahan, 1421 Barterbrook Road, Staunton, opposes the rezoning request. Foot traffic is a concern. She does not want to be held liable for any injuries.

Ray Burkholder stated that the current water line is private and will be made public. There will be notice sent out to residents. Tonight is simply allowing the rezoning. There is still a lot of work to be done before construction will start.

There being no other speakers, the Chairman declared the public hearing closed.

Mr. Wells moved, seconded by Mr. Slaven, that the Board approve the rezoning request as presented.

Vote was as follows: Yeas: Garber, Carter, Wells, Shull, Slaven, Seaton, and Morelli
Nays: None

Motion carried.

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MILL PLACE – REZONING
This being the day and time advertised to consider a request to amend the concept plan and proffers for Mill Place Commerce Park (MPCP) in Verona in the Beverley Manor District. The Planning Commission recommends approval of the request and additionally recommends that warehouse uses be removed from the list of prohibited uses and rather considered by the Board of Supervisors after a Special Use Permit request.

MILL PLACE – REZONING (CONT'D)
Ms. Tate stated that development of MPCP began in the early 1990's. The last amendment was 2013 with minimal changes. In 2003, a portion was rezoned to business. Since 2013, four manufacturing industries have joined the park. Ms. Tate showed a map of the park with the existing concept plan. The amendments to the concept plan include, but are not limited to, the following: re-designation of three distinct areas of the park, eliminate upper story residential as a permitted use in the park, designate the entire park to permit general industry uses over 50,000 square feet, eliminate by-right business/office development in newly designated Area 2 and Area 3, create a Special Use Permit process for flex space, add prohibited uses to the concept plan, add specific permitted uses in Area 1 such as call center, museum and day care centers, add specific permitted uses in Area 2 such as hotel/conference center and day care centers, identify passive and accessory active recreation as permitted throughout the park. The proposed general uses of the property are Business and Industrial. The general uses stated in the Comprehensive Plan are Business, where business uses of varying scale and scope would be appropriate, and Industrial, where industrial uses of varying scale would be appropriate.
The three options for Mill Place Commerce Park are as follows:

1) Approve the most recent concept plan that includes an Area 4, which permits warehouse uses by right and prohibit them in the remainder of the park, which was amended between the Planning and the Board of Supervisors meeting.
2) Approve the most recent concept plan that includes an Area 4, which permits warehouse uses by right and allow for Area 3 of the park to apply for a Special Use Permit for warehousing.
3) Uphold the recommendation of the Planning Commission to approve the concept plan as presented during the February 9 meeting and remove warehouse uses from the list of prohibited uses and consider them following a Special Use Permit request for all of Area 3.

The County currently owns majority of the land in Mill Place Commerce Park. Therefore, staff will not make a recommendation on the proposed concept plan and proffer amendments.

The Chairman declared the public hearing open.

Frank Root, 130 Root Lane, Staunton, is concerned with the warehousing restrictions. The overall idea of rezoning makes it more restrictive. Wants to see the park marketable and full.

There being no other speakers, the Chairman declared the public hearing closed.

Mr. Wells moved, seconded by Dr. Seaton, that the Board approve the rezoning request as outlined in option #2 above.

Vote was as follows: Yeas: Garber, Carter, Wells, Shull, Slaven, Seaton, and Morelli
Nays: None

Motion carried.

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MILL PLACE COVENANTS
The Board considered the revised Mill Place Commerce Park covenants.

Timothy Fitzgerald, County Administrator, stated that for several years, staff board members and other landowners in Mill Place Commerce Park have been discussing covenants for Mill Place Commerce Park. The covenants focus on the design and development of the Park. Major enhancements include fewer restrictions and more flexibility, further clarification of sign standards, mechanical equipment, and construction timelines. These covenants also reflect changes and input as a result of two meetings with other Mill Place landowners. The required number of signatures have been received in order to bring the covenants to the Board of Supervisors for formal consideration.

Mr. Wells moved, seconded by Mr. Morelli, that the Board authorize the Chair of the Augusta County Board of Supervisors to sign the revised Mill Place Commerce Park covenants.

Vote was as follows:	Yeas:	Garber, Wells, Shull, Slaven, and Morelli
	Nays:	Carter and Seaton

Motion carried.

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ROUND HILL SOLAR – WITHDRAWN

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VHDA TAX CREDIT PROJECTS
The Board considered a revitalization resolution.

Ms. Tate stated that the County has received requests from Ganderbrook L.C. and Cardinal Meadows Limited Partnership/Overlook Land Company, LC for the Board to consider passing a resolution designating these parcels as revitalization areas to improve the grant scoring process for VHDA low income tax credits. VHDA defines a Revitalization Area as any area that the industrial, commercial or other economic development of such area will benefit the city or county but such area lacks the housing needed to induce manufacturing, industrial, commercial, governmental, educational, entertainment, community development, healthcare or nonprofit enterprises or undertakings to locate or remain in such area; and private enterprise and investment are not reasonably expected, without assistance, to produce the construction or rehabilitation of decent, safe and sanitary housing and supporting facilities that will meet the needs of low and moderate income persons and families in such area and will induce other persons and families to live within such area and thereby create a desirable economic mix of residents in such area.
Cardinal Meadows is located on the west side of White Hill Road, approximately 0.3 miles north of the intersection of White Hill Road and Stuarts Draft Highway in the Riverheads District with 60 units across four stories. The property has been zoned for multi-family residential development since 1974. No site plan has been provided at this time. There appears to be a lack of multi-family residential development in the Stuarts Draft area in recent years. The Board approved revitalization area resolutions on several previous requests in 2020 in the Fishersville area. The parcel is designated by the County Comprehensive Plan for medium density residential development, meaning that such a recommendation is not in keeping with the Comprehensive Plan's Future Land Use Map, although the property is currently zoned for multi-family development.

VHDA TAX CREDIT PROJECTS (CONT'D)
Mr. Shull noted the recently approved areas in Fishersville and questioned the overall number needed to meet demand.

Mr. Shull moved, no second, that the Board deny the Cardinal Meadows Revitalization Resolution.

Vote was as follows: Yeas: Garber, Wells, Shull, Slaven, and Morelli
Nays: Carter and Seaton

Motion carried.

Ganderbrook, L.C. is located at 843 Jefferson Highway, Staunton, in the Wayne District with no unit county provided. The Board approved a Revitalization Area designation request in February 2020 for this property, which was formerly requested by two different developers interested in pursuing developments on the same property. Due to a change in development plans, the applicant is requesting for an update to that resolution to reference the new developer and their current VHDA application.

Dr. Seaton moved, seconded by Ms. Carter, that the Board approve the Ganderbrook Revitalization Resolution.

Vote was as follows: Yeas: Garber, Carter, Wells, Shull, Slaven, Seaton, and Morelli
Nays: None

Motion carried.

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EMERGENCY OPERATIONS PLAN
The Board considered the update and adoption of the Staunton-Augusta-Waynesboro Emergency Operations Plan.

Jennifer Whetzel, Deputy County Administrator, stated that Augusta County, and the cities of Staunton and Waynesboro have recently completed an update of their Emergency Operations Plan. The Code of Virginia requires each local jurisdiction to prepare and keep current a local emergency operations plan with a comprehensive review and revision performed every four years. The following resolution requires Board approval:

WHEREAS, the Board of Supervisors of the County of Augusta, Virginia recognizes the need to prepare for, respond to, and recover from natural and manmade disasters; and
WHEREAS, the County of Augusta has a responsibility to provide for the safety and well-being of its citizens and visitors; and
WHEREAS, the County of Augusta has established and appointed a Director and Coordinator of Emergency Management;
NOW, THEREFORE, BE IT RESOLVED by the Governing Board of the County of Augusta, Virginia, this Emergency Operations Plan as revised is officially adopted, and
IT IS FURTHER RESOLVED AND ORDERED that the Director of Emergency Management, or his/her designee, is tasked and authorized to maintain and revise as

EMERGENCY OPERATIONS PLAN (CONT'D)
necessary this document during the next four (4) year period or until such time it be ordered to come before this board.

Dr. Seaton moved, seconded by Mr. Shull, that the Board approve the Staunton-Augusta-Waynesboro Emergency Operations Plan.

Vote was as follows: Yeas: Garber, Carter, Wells, Shull, Slaven, Seaton, and Morelli
Nays: None

Motion carried.

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COMMONWEALTH ATTORNEY LEASE AGREEMENT
The Board considered a lease agreement for the Commonwealth Attorney's Office.

Ms. Whetzel stated that the Commonwealth's Attorney Office has been awarded a grant from the Office of Justice Program and is expanding the scope of its current Law Enforcement Assisted Diversion program. This expansion involves hiring a full time staff member to manage the program expansion, and a sub-award contract to a local community organization to provide case management services. The current office space at 6 East Johnson Street is at full capacity. OJP guidelines state that grant funded activities should be strictly sequestered from any other activities carried on by the grant awardee in the ordinary course of business. The Commonwealth's Attorney Office is requesting to lease the space at 11 East Beverly Street (the "Witz building). The grant contains ample funds to pay for the proposed lease. This is a zero match grant which means this is a zero financial liability to the County.

Dr. Seaton moved, seconded by Mr. Wells, that the Board approve the lease agreement for the Commonwealth Attorney's Office.

Vote was as follows: Yeas: Garber, Carter, Wells, Shull, Slaven, Seaton, and Morelli
Nays: None

Motion carried.

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VERONA VOLUNTEER FIRE DEPT SCBA FUNDING
The Board considered payment for SCBA loan in the amount of $50,883.83.

Funding Source:	Beverley Manor Infrastructure	8011-102	$25,441.92
	North River Infrastructure	8013-65	$25,441.91

Mr. Fitzgerald stated that Mr. Wells and Mr. Slaven have requested funding from their infrastructure accounts to pay off an SCBA loan in the amount of $50,883.83 for Verona Volunteer Fire Department. The SCBA's were purchased prior to the County assuming that program and the Verona Volunteer Fire Department has been working hard to build membership and get their finances in order.

Mr. Wells moved, seconded by Mr. Slaven, that the Board approve the funding request for payment to the SCBA loan with Verona Volunteer Fire Department.

VERONA VOLUNTEER FIRE DEPT SCBA FUNDING (CON'TD)

Vote was as follows: Yeas: Garber, Carter, Wells, Shull, Slaven, Seaton, and Morelli
Nays: None

Motion carried.

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WAIVERS – NONE

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MATTERS TO BE PRESENTED BY THE PUBLIC -- NONE

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MATTERS TO BE PRESENTED BY THE BOARD

Mr. Slaven moved, seconded by Mr. Wells, that the Board approve submittal of the SAFER Grant for twenty positions in Fire and Rescue.

Vote was as follows: Yeas: Garber, Carter, Wells, Shull, Slaven, Seaton, and Morelli
Nays: None

Motion carried.

Ms. Carter discussed why she was concerned about the SAFER Grant.

Mr. Shull reminded the Board that the grant has been received in the past and there is no guarantee it will be given this time. Moving forward the staffing level in the stations need to be reviewed.

Mr. Slaven recognized this week as National FFA Week.

Mr. Shull stated that the Legislature in Richmond does not consider what goes on in the community. Before agreeing to solar, the topography of the land needs to be reviewed.

Mr. Wells requests that the Board review the questions on solar that was given by Ms. Tate. Those questions will help establish changes needed to the solar ordinance and the Comprehensive Plan.

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MATTERS TO BE PRESENTED BY STAFF -- NONE

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February 24, 2021, at 7:00 p.m.

CLOSED SESSION
On motion of Mr. Wells, seconded by Mr. Shull, the Board went into closed session pursuant to:

(1) **the personnel exemption under Virginia Code § 2.2-3711(A)(1)** [discussion, consideration or interviews of (a) prospective candidates for employment, or (b) assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific employees]:

a) Boards and Commissions: Youth Commission, Ag & Forestal Dist.,Ag Ind. Brd., Recycling, Valley Community Services Board, Economic Development Authority

(2) **the real property exemption under Virginia Code § 2.2-3711(A)(3)** [discussion of the acquisition for a public purpose, or disposition, of real property]:

a) Verona Elementary School

On motion of Mr. Shull, seconded by Mr. Wells, the Board came out of Closed Session.

Vote was as follows: Yeas: Garber, Wells, Carter, Shull, and Slaven
Seaton and Morelli
Nays: None

Motion carried.

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The Chairman advised that each member is required to certify that to the best of their knowledge during the closed session only the following was discussed:

1. Public business matters lawfully exempted from statutory open meeting requirements, and

2. Only such public business matters identified in the motion to convene the executive session.

The Chairman asked if there is any Board member who cannot so certify.

Hearing none, the Chairman called upon the County Administrator/ Clerk of the Board to call the roll noting members of the Board who approve the certification shall answer AYE and those who cannot shall answer NAY.

Vote was as follows: Yeas: Garber, Wells, Carter, Shull, Slaven
Seaton and Morelli
Nays: None

Motion carried.

The Chairman authorized the County Administrator/Clerk of the Board to record this certification in the minutes.

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ADJOURNMENT
There being no other business to come before the Board, Ms. Carter moved, seconded by Mr. Shull that the Board adjourn subject to call of the Chairman.

Vote was as follows: Yeas: Garber, Wells, Carter, Shull, Slaven
Seaton and Morelli
Nays: None

Motion carried.

Chairman

County Administrator

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