

PRESENT: L. Howdysshell, Chairman
R. Thomas, Vice Chairman
G. Campbell
K. Shiflett
C. Bragg
J. Wilkinson, Director of Community Development
L. Tate, Senior Planner
C. Stoerker

ABSENT: K. Leonard
T. Jennings

VIRGINIA: At the Called Meeting of the Augusta County Planning Commission held on Tuesday, February 9, 2021 at 4:45 p.m. in the Board Room, Augusta County Government Center, Verona, Virginia.

* * * * *

Ms. Tate discussed the items on the agenda for the upcoming BZA meeting.

The Planning Commission reviewed the following rezoning request and traveled to the following site, which will be considered at the Public Hearing.

.

Staunton EM2, LLC
Former Staunton Mall
Staunton, VA

Mill Place Commerce Park
Laurel Hill Rd.
Verona, VA

Chairman

Secretary

PRESENT: L. Howdysshell, Chairman
R. Thomas, Vice Chairman
C. Bragg
G. Campbell
T. Jennings
K. Leonard
K. Shiflett
R. Thomas
J. Wilkinson, Director of Community Development
L. Tate, Senior Planner
C. Stoerker

VIRGINIA: At the Regular Meeting of the Augusta County Planning Commission held on Tuesday, February 9, 2021 at 7:00 p.m. in the Board Room, Augusta County Government Center, Verona, Virginia.

DETERMINATION OF A QUORUM

Mr. Howdysshell stated as all members were present, there was a quorum.

* * * * *

Minutes

Mr. Campbell moved to approve the minutes of the called and regular meeting held on January 12, 2021.

Mrs. Shiflett seconded the motion, which carried unanimously.

* * * * *

Public Hearing

Mr. Howdysshell stated that there were two items on the agenda for the Public Hearing.

Ms. Tate that the first item was a request to rezone from General Business to Multi-Family Residential with proffers (portion along Frontier Drive and Barterbrook Road)

approximately 13.8 acres owned by Staunton EM 2, LLC (TMP 055 82), formerly Staunton Mall, located in the northeast quadrant of the intersection of Lee Jackson Highway (U.S. Rt. 11) and Frontier Drive (Rt. 644) in Staunton 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 applicant has submitted the following proffers: Pedestrian connections 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.

Mrs. Tate stated there is existing multi-family residential and single family residential on adjoining properties along with general business zoned properties.

Mrs. Tate noted on the map the 17 acres near Rt. 11 would remain general business and that the 13.8 acres towards Barterbrook Rd. would be rezoned to multi-family.

Mrs. Tate also mentioned that staff feels that potential traffic increases and pedestrian safety prior to planned improvements to Rt. 11 should be considered during the site plan review.

Mr. Howdyshell asked if the applicant was present and wished to speak.

Mr. Ray Burkholder with Balzer and Associates spoke on behalf of the project. He stated that they had been in contact with VDOT about mitigating issues concerning entrances to the property. Mr. Burkholder stated that the residential zoning would help support existing commercial businesses.

Mrs. Shiflett asked if any green space was planned for the area.

Mr. Burkholder stated that there would be a substantial amount of green space compared to the current state of the area. He stated that there would be buffering between the multi-family area and the business zoned area.

Mr. Howdyshell opened the public hearing asking if anyone present wished to speak on this matter.

Stewart Young of 1439 Barterbrook Road stated that he was concerned about traffic. Mr. Young stated that he expects to see an increase in traffic on Barterbrook Rd. He asked if a traffic feasibility study had been done.

Mrs. Tate stated that VDOT did identify that traffic could increase from what is currently at this area. VDOT felt that a Chapter 527 Traffic Impact Analysis did not appear to be warranted, although changes in traffic patterns and volume were expected.

Brenda Callahan of 1421 Barterbrook Road stated that she was concerned about the noise that a multi-family area would bring. She mentioned that she agreed with Mr. Young about the traffic increase. Mrs. Callahan stated that the back entrance to the mall on Barterbrook Rd would increase in traffic. For those reasons Mrs. Callahan stated that she could not support the rezoning.

Nancy Young of 1439 Barterbrook Road is concerned about foot traffic. She stated that they had problems before with people cutting through their property. Mrs. Young asked if there would be any retaining wall or barrier. Mrs. Young also mentioned that trash form

the proposed rezoning area ends up on their property and with a multi-family area there it would create more trash.

With no one wishing to speak further on the request, Mr. Howdyshell closed the public hearing.

Mrs. Bragg inquired about where the main entrance to the apartments would be located.

Mr. Burkholder stated the main entrance would be located off of Frontier Dr. and that there would be connections throughout the property.

Mrs. Bragg asked if the existing entrance along Barterbrook Rd. would be improved.

Mr. Burkholder stated that at the appropriate time he would get in contact with VDOT to see if improvements can be made. He stated that the entrance on Barterbrook Rd. would be important for emergency services to have another way in to the property if needed.

Mr. Jennings stated that this is a sign of the times, that malls are a thing of the past. He stated that the property would only deteriorate more without some kind of rezoning. Mr. Jennings mentioned that he understands the concerns but feels like this is a good move.

Mr. Campbell stated that while he appreciates the concerns of the neighboring property owners, he agrees with Mr. Jennings in that the mall has been in decline and will probably continue to fall further into decline.

Mr. Campbell made a motion to approve the rezoning request.

Mrs. Bragg seconded the motion which was carried unanimously.

Mr. Howdyshell stated that the next item on the agenda was a request concerning the Mill Place Commerce Park.

Mr. Robert Thomas stated that because of a business interest at a property located within the Mill Place Park, he would be recusing himself from the vote.

Mrs. Tate described the request to amend the Concept Plan and the proffers for the Mill Place Commerce Park located in the southwest quadrant of the Interstate 81/Laurel Hill Road (Rt. 612) Interchange in Verona in the Beverley Manor District. The amendments to the concept plan include, but are not limited to, the following: re-designation of 3 distinct areas of the park (Area 1 approx. 6 acres, Area 2 approx. 20.9 acres, and Area 3 approx. 308.22 acres), eliminate upper story residential as a permitted use in the park, designate the entire park to permit general industrial uses over 50,000 sq. ft., 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 amendment to the proffers eliminates the two existing proffers. The existing proffer for outdoor storage is to be covered in the covenants and restrictions, and the existing proffer for road improvements no longer applies with funding approved for improvements. 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 and scope would be appropriate.

Mrs. Rebekah Castle, Director of Economic Development stated that the county had been working over the last several years to redesign the zoning of the Mill Place Park. It was determined that in order to effectively market the park for future development, the park needed to be more conducive towards larger industrial scale projects. Mrs. Castle stated that the concept plan amendment would allow general industrial in all areas along with buildings over 50,000 square feet. Mrs. Castle stated that the amendment would be very beneficial in finding the highest and best use businesses to come to the park.

Mr. Howdyshell opened the public hearing, asking if anyone present wished to speak on the request.

Frank Root of 130 Root Lane stated that he was opposed to the request, stating that it was too restrictive. He stated that the building he owns located in the park is at risk if the current tenant leaves. Mr. Root stated that he may be stuck with a building that he cannot rent due to the fact that he may not find a manufacturer to rent to. Mr. Root stated that he felt the matter was being further complicated by the merging of the zoning request and the covenant revision. Mr. Root questioned the legality of some of the revisions.

Devon Anders, partner and president of Interchange, spoke remotely. The company owns property in the Mill Place Park that houses Sumitomo Automotive and Interchange, which is a logistics operation. Mr. Anders stated that he was surprised to hear that warehouses would be a prohibited use. Mr. Anders stated that he was informed by county staff that if the rezoning were to go through, the portion of their building used for warehouse storage would be considered to be a nonconforming use and could continue to operate if we do not modify in any way. Mr. Anders stated that this rezoning puts a restriction on their building, which was designed for multiple industrial uses. Mr. Anders asked that the county exempt his existing lot from the zoning request and maintain the warehouse use in the park.

Mr. Howdyshell asked if anyone else from the public wished to speak on the request. With no one to speak, Mr. Howdyshell closed the public hearing.

Mr. Jennings stated that it needed to be realized that Mill Place is not the success that it was thought to be and questioned the movement to make the zoning more restrictive.

Mrs. Tate stated that the rezoning would be more restrictive in the manner that warehousing would not be a permitted use at it is currently. Mrs. Tate mentioned that the rezoning made changes that were more flexible, making the majority of the park eligible for any type of industrial use including those over 50, 000 square feet.

Mrs. Bragg stated the intent of the area has been to be manufacturing and industrial type projects as opposed to warehousing. Mrs. Bragg stated that Interchange is not losing anything they currently have.

Mr. Jennings stated that he understood the intent of Mill Place, but acknowledged that it has not been a huge success.

Mr. Timothy Fitzgerald, County Administrator, stated that the park has been there for 20 years and considers it to be moderately successful. Mr. Fitzgerald stated that the intent was to be very intentional about the types of development allowed in the park, which is the reasoning behind the covenants. He mentioned the concern about traffic with warehousing in the park. Mr. Fitzgerald stated that the intent of the changes is not to be more restrictive, but to be less restrictive.

Mr. Root stated that the county has the ability to control what comes into the park. He stated that he felt it was important to respect the investments that private citizens have in the park. He stated that prohibiting uses affects property values.

Mr. Leonard asked if the current warehouse owners of the park lose their current tenants, what options they would have for their buildings.

Mr. Fitzgerald stated that he felt the Board of Supervisors would consider a Special Use Permit for a 50,000 square foot or less building. If the current warehouse owners lost their tenants, they would have that option to apply for a Special Use Permit.

Mr. Anders asked that the county exempt the buildings currently in the park from the rezoning.

Mrs. Bragg made a motion to accept the plan as presented with the addition to allowing a Special Use Permit for warehouse facilities under the discretion of the board to work out the size.

Mr. Leonard stated that he felt for the current tenants and would like the Special Use Permit to only be applicable to them.

Mrs. Bragg removed her motion.

Mrs. Tate stated that warehousing, as an accessory structure, is a by-right use.

Mr. Jennings asked if it would be simpler to adopt warehousing to be added back as a permitted use with restrictions on square footage.

Mr. Jennings made a motion to recommend approval of the request, with the exception of prohibiting warehouse uses, stating that warehouse uses should be removed from the list of prohibited uses and rather considered by the Board of Supervisors after a Special Use Permit request.

Mrs. Shiflett seconded the motion which carried with a 4 to 2 vote.

* * * * *

STAFF REPORTS

A. CODE OF VIRGINIA – SECTION 15.2-2310

Mrs. Tate reviewed with the Commissioners the requests coming before the BZA at the March 2021 meeting.

* * * * *

ADJOURNMENT

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

Chairman

Secretary