

PRESENT: R. Thomas, Chairman  
C. Bragg, Vice Chairman  
G. Campbell  
R. Harris  
L. Howdyshell  
T. Jennings  
L. Tate, Senior Planner  
C. Vanterve, Planner I  
J. Wilkinson, Director of Community Development

ABSENT: K. Leonard

VIRGINIA: At the Called Meeting of the Augusta County Planning Commission held on Tuesday, February 8, 2022 at 4:15 p.m. in the Board Room, Augusta County Government Center, Verona, Virginia.

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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.

A request to amend the concept plan and zoning ordinance for the Stone Valley Planned Unit Development to change the zoning for TMP 075 58, also known as "Area C" containing approximately 3.7 acres and located on the north side of Fossil Drive, from Limited Business to Multi-Family Residential.

Fossil Drive  
Stuarts Draft, VA

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Chairman

\_\_\_\_\_  
Secretary

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J. Wilkinson, Director of Community Development

VIRGINIA: At the Regular Meeting of the Augusta County Planning Commission held on Tuesday, February 8, 2022, at 7:00 p.m. in the Board Room, Augusta County Government Center, Verona, Virginia.

### **DETERMINATION OF A QUORUM**

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

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### **Minutes**

Mr. Kyle Leonard moved to approve the minutes of the called and regular meeting held on January 11, 2022.

Mrs. Carolyn Bragg seconded the motion, which carried unanimously.

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### **Public Hearing**

Mr. Thomas stated that there was only one item on the agenda for the Public Hearing.

Mrs. Leslie Tate introduced the request to amend the concept plan and zoning ordinance for the Stone Valley Planned Unit Development to change the zoning for TMP 075 58, also known as "Area C" containing approximately 3.7 acres and located on the north side of Fossil Drive, from Limited Business to Multi-Family Residential. The property is owned by Sunrise Investors, Inc. and located in Stuarts Draft in the South River magisterial district. The proposed general use of the property is 48 apartment units. The property is

located in the Urban Service Area of the Comprehensive Plan and planned for future mixed use development.

Mrs. Tate stated that the original Stone Valley Planned Unit Development was approved in 2007 and that in 2016 there were administrative changes made that reduced the number of townhouses and increased the number of single-family dwelling units.

Mrs. Tate stated that there were six 2 story apartment buildings planned for Area C ranging from 6 units per building to 10 units per building for a total of 48 units with 3 entrances proposed onto Fossil Drive.

Mrs. Tate noted the Planned Unit Development Ordinance regulations states that no planned unit development shall be allowed which does not incorporate a variety of dwelling types.

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

Mr. Barry Lotts with Lotts & Associates spoke on behalf of the developer. He stated that the developer would like to keep the theme of what is already in the area and doesn't feel that limited business would work.

Mr. Lotts stated that when looking at the proposed apartments from Fossil Drive it would look like a 1 story building like other buildings that are there now.

Mr. Lotts mentioned that in the last 14 years no businesses have shown interest in the property.

He stated that the County requires 96 parking spaces but there will actually be 140 parking spaces so there will be plenty of parking. He stated no parking would be on Fossil Dr.

Mr. Lotts stated that VDOT has said the amount of traffic would not change if it were multi-family compared to the limited business it is zoned now.

Mr. Thomas opened the public hearing asking if anyone wished to speak on the request.

Mark Racheau of 25 Marble Dr. stated he rejects the proposed rezoning to multi-family because he felt the water and sewer system would not accommodate the increase. Mr. Racheau stated the limited business zoning would enhance the area and help to drive revenue up.

Ms. Dorothy Robinson of 121 Stone Dr. stated that homeowners were never consulted about the rezoning. Ms. Robinson asked what the legal rights and liabilities of the homeowners and apartment residents would be if the rezoning is approved. Ms. Robinson stated homeowners were never told there was a potential for apartments when they were sold their properties. She stated that current homeowners do not want un-owner occupied apartments in their neighborhood.

Ms. Natalie Fitzgerald of 193 Locust Grove Ln. stated that she is not against housing, just concerned about the type. She stated that she felt the apartments do not meet what the neighborhood was established to be. Ms. Fitzgerald stated that she felt this could put a

financial burden on the HOA moving forward and felt there are too many unanswered questions.

Mr. Frank Micucci of 53 Marble Dr. said that no one was ever told about the plan to build apartments. He stated his concern for the HOA regarding the common areas of the neighborhood and who would be liable if anything were to happen in those areas.

Ms. Betty Taylor of 200 Locust Grove Ln. questioned the traffic and how residents would be able to get out with the added traffic from the apartments.

Mr. Thomas asked if the applicant wished to address any of the concerns mentioned.

Barry Lotts stated that concerning the water and sewer, that has been checked by the Augusta County Service Authority and the capacity is very high and not a concern. He stated that the stoplight was an issue for VDOT to handle.

Ms. Robinson spoke again asking about the developer paying for the stoplight at 340 and Stone Dr. and whether or not that was still planned for.

Ms. Tate stated that from her understanding the stoplight was still on the rezoning books for VDOT and if it were ever warranted the developer would be responsible for it.

Ms. Robinson asked about the proffer that mentioned when 100 permits were issued a second entrance off of Rt.340 would be put in.

Ms. Tate stated that once 100 dwelling units are built, the county ordinance requires 2 entrances.

With no one left wishing to speak Mr. Thomas closed the public hearing.

Mr. Thomas re-opened the public hearing for others that wished to speak on the request.

Ms. Cynthia Sweet who has recently bought a house on Old Oak Dr. but has not moved in yet stated her concern for the HOA. She stated that she felt renters did not share the same values as homeowners.

Ms. Sarah Wright of 34 Brownstone Dr. is concerned about the density in the area and the transient nature of the apartments.

Ms. Marlys Allison of 51 Stone Dr. stated that she moved to the neighborhood for safety and security. She stated that she was concerned that the occupants of the apartments would not share the same commitment to the property as the homeowners.

Mr. Courtney Erb of 177 Locust Grove Ln. shared his concern for the number of cars and traffic. He stated that he was never under the impression that apartments would be built in the area.

With no one left to speak Mr. Thomas closed the public hearing.

Mrs. Bragg stated that she understands the need for housing and encourages growth in the county but stated that every proposal does not fit into every community. Mrs. Bragg noted that Stone Valley is a planned community area and people knew what they were getting into when they invested in their property. Concerning HOA agreements, Mrs. Bragg stated that there are a lot of questions that need answers.

Mrs. Bragg made a motion to deny the rezoning request.

Mr. Greg Campbell stated that he agreed with Mrs. Bragg and seconded the motion.

Mr. Thom Jennings stated that he felt it was a mistake for the developer not to engage the community about this and supports the motion to deny.

Mr. Larry Howdyshell stated that he understands the concerns with rental properties and doesn't feel like this is the right place for them.

Mr. Thomas called for a vote.

The motion to deny the request was passed unanimously.

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### **New Business**

Mr. Thomas presented a resolution to Commissioner Greg Campbell and thanked him for his service to the Augusta County Planning Commission.

Mrs. Bragg made a motion to approve the resolution with Mr. Howdyshell seconding the motion.

The motion was approved unanimously.

### **RESOLUTION**

WHEREAS, the County of Augusta in consideration of the dedicated service of Gregory W. Campbell; and

WHEREAS, Mr. Campbell diligently served the citizens of Augusta County for nearly four years in the capacity of a public servant; and

WHEREAS, Mr. Campbell served on the Augusta County Planning Commission from May of 2018 to February of 2022; and

WHEREAS, Mr. Campbell served as Vice Chair of the Augusta County Planning Commission in 2019 and Chair of the Augusta County Planning Commission in 2020; and

WHEREAS, the Augusta County Planning Commission is desirous of expressing their appreciation and thanks to Mr. Campbell for his dedicated service on this commission, and expressing their congratulations to Mr. Campbell for his appointment to the administration of Virginia Governor Glenn Youngkin.

NOW, THEREFORE BE IT RESOLVED that the Augusta County Planning Commission does hereby publicly thank Mr. Campbell for his service, which he has so aptly fulfilled with diligence and concern for the citizens of Augusta County.

BE IT FURTHER RESOLVED, that this resolution be adopted by the Commission, recorded in its minutes, and a copy presented to Mr. Campbell.

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### **Staff Reports**

Before the discussion of upcoming BZA agenda items Mr. Jennings recused himself due to a personal conflict of interest and excused himself from the meeting room.

Mrs. Tate discussed with the commissioners the agenda items for the March Board of Zoning Appeals meeting.

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### **Adjournment**

With there being nothing else to discuss, the meeting was adjourned by acclamation.

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Chairman

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Secretary