

PRESENT: T. Jennings, Vice Chairman
G. Campbell
L. Howdysshell
K. Shiflett
L. Tate, Planner II and Secretary
J. Wilkinson, Director of Community Development

ABSENT: J. Curd, Chairman
S. Bridge
K. Leonard

VIRGINIA: At the Called Meeting of the Augusta County Planning Commission held on Tuesday, January 9, at 4:30 p.m. in the Board of Supervisors' Conference Room, Augusta County Government Center, Verona, Virginia.

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The Planning Commission met to review the request coming before them at the Public Hearing. There were no questions or comments from the Commissioners. They traveled to the following site being considered for rezoning:

1. **Stuarts Draft Town Center, LLC**

Chairman

Secretary

PRESENT: J. Curd, Chairman
T. Jennings, Vice Chairman
S. Bridge
G. Campbell
L. Howdysshell
K. Leonard
K. Shiflett
J. Wilkinson, Director of Community Development
L. Tate Planner II and Secretary

VIRGINIA: At the Regular Meeting of the Augusta County Planning Commission held on Tuesday, January 9, 2018, at 7:00 p.m. in the Board 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. Jennings moved to approve the minutes of the called and regular meetings held on November 14, 2017.

Mr. Bridge seconded the motion, which carried unanimously.

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Stuarts Draft Town Center, LLC

A request to add the Public Use Overlay zoning designation with proffer to approximately 0.65 of an acre owned by Stuarts Draft Town Center, LLC located directly northeast of the intersection of Draft Avenue (Rt. 608) and Wayne Avenue (Rt. 639) in Stuarts Draft in the South River District.

Mrs. Tate explained the request as presented on PowerPoint. She stated the only proffer is that the additional permitted uses of the site will be a school with a maximum occupancy of 49, including students and staff, and unlit outdoor recreation associated with the school use.

Robyn Puryear, Vice-president of Keys Academy and of 14095 Lovers Lane, Culpeper stated the request is for a private special educational facility. The school is licensed by the Virginia Department of Education and will serve students who range in age from five years to 22 years old. Under Federal law, special education students have the right to a free and appropriate education until the age of 21. Once the student turns 22 years old, they are no longer eligible to receive educational services with Keys Academy. The school will serve students who primarily have a special education disability classification of emotional disability. It will also service students with high functioning Autism, other health impairments, speech/language disabilities and learning disabilities. The school serves students who will benefit from blended instruction which combines computer generated instruction and teacher facilitated instruction. All students should have a cognitive ability to receive instruction by a computer and do not require one on one instruction. All of the students are placed by IEP team decisions made by the local public school. If the public school feels they can no longer meet the needs of the student, they look for private day placement that can meet the student's needs. The goal is to keep the student in their community or near their community to avoid the students being on a school bus for a long period of time. The mission of the school is to provide a unique learning experience to students that have difficulty regulating their behavior. Many students are not ready for the public school educational setting. The goal of Keys Academy is to help the students at their current level to get them to a state of well-being so they are available for learning. Once they are available to learn, they are educated and are regulated until they have the learning ability to go back into the public school setting. The school wants to provide a secure, caring, and stimulating environment. The academy will strive to build relationships with the local schools, parents, caregivers, social workers, school psychologist, FAPT teams, and DSS. There are many students who are able to go back into the public school system in order to participate in extracurricular activities such as sports programs. The school will keep a 1-3 staff to student ratio. The academy will follow the Augusta County public school schedule and will operate on a 180 day school year. There is a six week program in the summer to help students go out into the community to places such as the library, restaurants and parks in order to practice the skills they have learned. In addition to Augusta County, the academy will also serve Nelson County, Waynesboro City, Staunton City, and potentially Harrisonburg City and Rockingham County. The academy is licensed by Virginia Department of Education and credited by Virginia Association of Independent Special Education Facilities. Many of the students will graduate from their home public school after finishing the program at the academy and will receive a Standard Diploma. The goal is to return the majority of the students back into the public school system or to have them ready to transition into the work force, trade school or college. The academy focuses on student's social and emotional gains. When the student enters the academy they don't act in socially expected ways. The goal is to get the students to

where they know what to do and how to act when they get upset. The building currently is not finished on the inside, which will allow Keys Academy to finish the building best suited to the needs of the students. The location is a student friendly area in terms of safety and is located next to the green space and the Stuarts Draft Park. The academy would like to apply for VDOE licensing by the end of February or early March, with an anticipated open date of June for the summer program or August to begin the regular school year.

Mr. Leonard asked for clarification on the 1-3 student/teacher ratio.

Mrs. Puryear stated they are required to maintain a 1-3 staff to student ratio.

Mrs. Tate explained the maximum of 49 that was proffered is not what they envision the number of students to be. They envision having a maximum of 25 students. At any given time the maximum they have proffered would be no more than 49 students and staff in the building.

Mrs. Puryear stated for 25 students, they will have 12 to 14 staff members on site.

Mr. Jennings asked for more detail on the plans for the parking area, drainage channel in the back of the property, and the recreational area.

Mrs. Puryear stated they are trying to decide the best location for the recreational area. Part of the parking lot could be the paved basketball court recreation area. It would make more sense to have the recreation area closest to the building. The green space would be the larger play area.

Mr. Bridge stated the grassy area behind the next building down does not appear to be part of the property. Will the academy be able to use that grassy area?

Mrs. Puryear stated that they will be able to use it. There is a right-of-way through that area that is part of this property. The property owner of the grassy area is excited to have a school next door.

Mr. Bridge asked how the students will be transported to the academy.

Mrs. Puryear stated the majority of the students are transported by cars or small vans provided by the local public school system. Some students are brought by buses. It depends how many students they are servicing and where the students are located geographically.

Mr. Bridge asked for an estimation of the volume of cars, buses and staff vehicles that will be in and out in the mornings and evenings.

Mrs. Puryear stated at max capacity there would be no more than 12 staff cars coming in and possibly three to four cars and two to three buses, depending on how the local school systems want to provide that transportation. The local school system will look at the safety needs of the students, the geographic area, and the most inexpensive way to transport the students. From time to time there will be vehicles there from outside agencies.

Mr. Bridge stated obviously the building is near two streets that have a lot of traffic all day, morning and evening. Given the possibility of some of the students acting inappropriately, what are the safety concerns being that close to the road?

Mrs. Puryear stated safety is the number one concern of the academy. It is hard to find property far removed from the main road that is adequate for a school of the right size with the needed infrastructure such as internet access. The entrance on Wayne Avenue will only be for public access and will not be a student entrance/exit. The other entrance/exit opens into the parking area side of the building. The entrance/exit that is currently on the front of the building will become a window and will no longer be an entrance/exit to the street. Draft Avenue has been the biggest concern because it is a busier street. The space between Rt. 268 and the small building next door will be fenced off so there will be no access onto Draft Avenue. With the 1-3 staff to student ratio, students are never left unattended and students with significant needs always have someone with them. Having most of the student traffic on the internal side of the building, which opens up into the parking area and with no access to Draft Avenue, meets the goal of making the property safer. She stated she strongly believes students will be kept safe at this property or it would not even be considered.

Mr. Bridge asked if the tattoo shop that is part of the property will continue to operate at that location and if so, where will parking for that business be located.

Mrs. Puryear stated the building is still being leased to that business owner. It is unclear where parking for the business will be, but hopefully it will not be beside the school. The business operates by appointment only, so they only have one customer at a time.

John Tsakis of 1279 Nova Dr., Waynesboro, registered agent of the Stuarts Draft Town Center, LLC (property owner of the request), explained where parking for the tattoo business would be on the Draft Avenue side. He stated the business is very low impact and customers can park along the street.

There being no further questions from the Commissioners, Mr. Curd opened the Public Hearing.

Mr. Tsakis stated he is very much in favor of the request. It is a very low impact situation having Keys Academy as the tenant. As stated, the academy does not want to have more than a total of 49 students and employees combined and there will be very few trips in and out of the property. Overall, for the size of the building it would be beneficial for everyone concerned.

There being no one further to speak in favor of or against the request, Mr. Curd closed the Public Hearing.

Mr. Bridge stated he has reservations about the safety with the school being close to the main roads. It is a small place to get buses in and out. However, with the information that has been presented he can overlay his safety reservations. He moved to recommend approval of the request with proffer.

Mr. Jennings stated he is not comfortable with the drainage situation.

Mrs. Tate stated there is an existing zoning violation on the property for the placement of the drainage pipe that runs under the gravel drive. There are two options to bring the property into compliance. One is to provide drainage calculations to demonstrate that the pipe is adequate for the drainage channel or the pipe can be removed and returned back to a swale, which was the original means for drainage.

Mr. Jennings stated it was his understanding the pipe would be removed.

Mr. Tsakis stated he has contacted Sandy Bunch, Zoning Administrator regarding the violation and that the pipe will be removed by the end of January.

Mr. Jennings asked how removing the pipe would affect the parking and turn around area for the larger buses.

Mr. Tsakis stated removing the pipe will make that area more level and will allow for more parking spaces.

Mr. Jennings stated he is not convinced this is the best use of this property or the best location for this business. However, given the fact this building has been vacant for so long and fits into the revitalization of downtown Stuarts Draft, he is not opposed to the request.

Mr. Bridge stated being a bus driver, he is not sure how more parking will be created by removing the pipe. Most of the parking lot is beyond the swale.

Mr. Tsakis stated with the pipe not being there, there will be additional footage for parking; however, the additional parking is not needed. The parking area meets the requirements of the County for this business.

Mr. Bridge asked if the parking requirements of the County took into consideration space needed for buses.

Mr. Tsakis stated on Wayne Avenue where the building is inset it is approximately 15.5' from the corner up to the street pavement. There is a small ramp on that side of the building. If the ramp is taken away, there is approximately 9.5' where there is room for two buses to pull up. Buses will only be there briefly to drop students off in the mornings and pick them up in the evenings.

Mrs. Shiflett stated it is her understanding that a lot of water goes through the property when it rains. If there is a water event in that area, how will the back part of the property be accessed?

Mr. Tsakis stated water occurs only with extreme downpours. The ditch is usually very dry.

Mrs. Shiflett stated she understands the ditch is usually dry, however, if a large amount of water would go through that part of the property, the back part of the property could not be accessed.

Mr. Tsakis stated the water is very shallow. Maybe several inches deep in the case of extreme weather.

Mr. Bridge stated it doesn't happen often, but if there was a large water event, it will be more than several inches and will more than likely be a couple feet.

Mr. Howdyshell asked if there have been any calculations done with the culvert.

Mr. Tsakis stated he has not done any calculations but the County had done calculations about 25 years ago. After talking with Doug Wolfe, County Engineer, without updated drainage calculations, Mr. Tsakis has decided to take the pipe out.

Mr. Howdyshell, Mr. Bridge, and Ms. Shiflett expressed that they preferred that the pipe be left in place. Mr. Tsakis said he appreciated their comment.

Mr. Howdyshell stated he appreciates them taking an abandoned building and making use of it. He seconded the motion made by Mr. Bridge to recommend approval of the request with proffer. It passed unanimously.

OLD BUSINESS

Planning Commission By-laws

Mrs. Tate reviewed the revised draft of the by-laws to the Commission. She stated revisions were made based upon the recommendations of the Commission at the November meeting and also recommendations by the County Attorney.

Mr. Jennings commended Staff for the time and effort put in to updating the by-laws. He moved to approve the by-laws as written. Mr. Leonard seconded the motion, which carried unanimously.

STAFF REPORTS

A. Annual Report

Mrs. Tate reviewed the Annual Report with the Planning Commission. There were no questions or discussion by the Commissioners.

Mr. Campbell moved to recommend approval of the Annual Report.

Mrs. Shiflett seconded the motion, which carried unanimously.

B. CODE OF VIRGINIA – SECTION 15.2-2310

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

The Planning Commission took no action on the BZA items.

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

Chairman

Secretary