

PRESENT: J. Curd, Chairman
S. Bridge
G. Campbell
K. Leonard
K. Shiflett
J. Wilkinson, Director of Community Development

ABSENT: T. Jennings, Vice Chairman
L. Howdysshell
L. Tate

VIRGINIA: At the Called Meeting of the Augusta County Planning Commission held on Tuesday, April 10, 2018, at 4:30 p.m. in the Board Room, Augusta County Government Center, Verona, Virginia.

Mr. Curd called the meeting to order.

Mr. Wilkinson reviewed with the Commissioners the items coming before the BZA in May.

The Planning Commission reviewed the rezoning requests and traveled to the following sites which will be considered at the Public Hearing.

- 1. Blue Ridge MHC, LLC c/o Walter Stone for The Carlyle Group, Inc. – Amend & Restate Proffers**
- 2. V R Associates, Inc. – Rezoning**
- 3. The Fishburne-Hudgins Educational Foundation – Rezoning**
- 4. Garland F., Jr. & Melony Easter and Garland F. & Evelyn B. Easter – Rezoning**

Chairman

Director

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VIRGINIA: At the Regular Meeting of the Augusta County Planning Commission held on Tuesday, April 10, 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 five (5) members present, there was a quorum.

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MINUTES

Mr. Bridge moved to approve the minutes of the called and regular meetings held on March 13, 2018.

Mr. Campbell seconded the motion, which carried unanimously.

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Blue Ridge MHC, LLC C/O Walter Stone for the Carlyle Group, Inc. – Amend & Restate Proffers

A request to amend and restate proffers on approximately 28 acres owned by Blue Ridge MHC, LLC % Walter Stone for The Carlyle Group, Inc. located off East Side Highway in Crimora in the Middle River District.

Mr. Wilkinson reviewed the request as presented on PowerPoint. He stated the current proffers are being amended to increase the number of spaces in the park from 60 to 74.

Richard Blackwell with Blackwell Engineering and residing at 70 Peyton Randolph Court, Harrisonburg, stated he represents the Carlyle Group. The property was purchased several years ago at which time it was proffered to have 60 sites. He was approached about the possibility of increasing the number of sites allowed to 74. There was concern whether or not the treatment plant could handle an additional 14 units. A study was done by engineers and Department of Environmental Quality which showed the treatment plant could handle at least 14 more sites. The property is served by its own water and treatment plant.

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

Larry Parr of 1925 East Side Highway stated his land joins the back portion of the park. He has concerns regarding the expansion of the park in relation to his property. The wooded area between his property and the park's keeps the noise down and buffers his property from view. If they are going to remove the wooded area in order to expand the park, he is opposed to the request.

Mr. Blackwell indicated on the map on PowerPoint where the expansion would be and stated it would be along the road more towards the Grottoes side and not towards Mr. Parr's property.

Mr. Parr stated Mr. Blackwell answered his question and he is not opposed to the request.

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

Mrs. Shiflett stated this is a continuation of what is already there. The studies show the present lagoon can handle the runoff from the additional sites. She moved to recommend approval of the request.

Mr. Bridge seconded the motion, which carried unanimously.

V R Associates, Inc. - Rezoning

A request to rezone from General Business and Multi-Family to Multi-Family (with elimination of existing proffers) approximately 9.7 acres owned by V R Associates, Inc. located on the east side of Route 11, Lee Highway, approximately 0.2 miles north of the intersection of Route 11 and Weyers Cave Road (Route 256) in Weyers Cave in the North River District.

Mr. Wilkinson explained the request as presented on PowerPoint.

Ray Burkholder of Balzer & Associates and representative for V R Associates, Inc., stated currently the geometry of the parcels is odd and with the topography of the property, it is

challenging to get business uses in this area. As slated in the Comp Plan if the property is rezoned, it will still be keeping with the mixed uses. The difference in traffic from multi-family to business is insignificant. He referred to one of the proffers regarding keeping vehicle trips under 250 per day. This proffer did not account for traffic coming out onto Route 11. They are proposing another entrance farther south which will help dissipate the traffic. With the reduction in zoning to multi-family, which will create less peak trips, and with the new entrance there should not be 250 vehicular trips per day. Connection will be made through private streets and not public streets. Staff had some concerns regarding how the neighboring property, identified as Tax Map #19-(14)7A, will access to Route 11. The intent, as well as County Code, is that connectivity for that property will need to be provided internally with a T turnaround as VDOT has suggested. This will provide access coming from the back to this parcel. The second entrance may need to be pushed an additional 50' to get the 750' separation distance VDOT is requiring.

Mrs. Shiflett asked if the new units would be low income.

Mr. Burkholder stated they would not be low income.

Mrs. Shiflett asked what the occupancy is on the existing apartments.

Mr. Burkholder stated he is unsure, as his firm was not involved in that development.

Mr. Leonard asked Mr. Burkholder to explain the ideas his firm has for the complex.

Mr. Burkholder stated the first block coming off Darty Street will be more of a townhouse style unit containing about 15 units. The townhouses could be purchased or rented. The apartments will have an option for a one bedroom unit that will hopefully appeal to students, and there will also be two and three bedroom units. There will possibly be four buildings with a total of 130 – 140 units.

Mr. Leonard asked if the roads will be private and who is responsible for maintaining them.

Mr. Burkholder stated the roads will be private. There will be one ownership and if they are sold out there will be a property owner's association that will maintain the roads and the property.

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

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

Mr. Leonard stated he wants to see the business aspect continued, however, due to the topography of the parcels, he realizes that would be difficult to do.

Mrs. Shiflett stated she would like to see business stay along the front of the property but because of the current configuration, she also realizes that would be difficult. She moved to recommend approval of the request.

Mr. Bridge stated after looking at the property, there are some serious issues and challenges with the topography. The design concept of the proposed development is a good use of the property. He seconded the motion to recommend approval, which carried unanimously.

The Fishburne-Hudgins Educational Foundation - Rezoning

A request to rezone from General Agriculture to Single Family Residential (portion east of East Side Highway) and Rural Residential (portion west of East Side Highway) with proffers, approximately 46 acres owned by The Fishburne-Hudgins Educational Foundation located directly north of Patrick Mill Lane and Turk Mountain Lane, divided by East Side Highway in Waynesboro in the Middle River District.

Mr. Wilkinson explained the requested as presented on PowerPoint. He reviewed the proffers with the Commissioners.

Jamie Craig of 609 East Columbia Street, Falls Church stated Mr. J. B. Yount, now deceased, retained his services to examine all of Mr. Yount's properties in order to help with his estate planning. Upon Mr. Yount's passing he contacted Roger Willets, Executor of the Yount estate, to ask if there was going to be any of the Yount property available for sale. Of the properties Mr. Yount owned, this parcel was the best to consider for development that meets the Comprehensive Plan. He and Tom Shumate, Land Planner, have met with the County Administrator and the Fire Chief to discuss issues regarding water availability and supply. The plan is to put water tanks in a location where the tankers task force will have accessibility to recharge in the event of a brush fire or other fire event. He explained, using the map on PowerPoint, the maximum scenario of 69 parcels. He indicated where seven lots will be located and stated they will be on wells and drainfields. He indicated where the wetland is and explained that it has been set aside with no intention of disturbing. A market analysis report that was published in a local paper shows there is a shortage of affordable housing in this particular part of Augusta County. Residents of the County are looking for slightly larger lots with no sidewalks, curbs and gutters, and in a price range of \$225,000 - \$250,000. The market for this type of housing can be addressed by creating the 48 lots with public water and sewer availability and by providing fire protection and safety concerns.

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

Roger Willets, Executor of the Yount estate stated the property was left to the Fishburne-Hudgins Educational Foundation. The association is interested in selling the property. The use Mr. Craig is proposing is in compliance with the Comp Plan. It would be a good use as the property is not serving any useful purpose. The proposal would be an attractive development and meets fire capacity.

Donna Fix of 172 Turk Mountain Lane stated she is not completely in favor of the request. She appreciates the consideration of larger lots with fewer houses. She has concerns regarding buffering around the development outside of Cedarcrest. She is concerned about the increase in traffic and the fact there is no room to pass and there are not shoulders on the road. There are a lot of issues with the proffers that have not been resolved.

Mr. Craig stated Mrs. Fix's representative contacted the State's Attorney to request an opportunity to purchase an easement in order to gain access to the sewer. Mr. Craig's response to Mrs. Fix's request was when they are through with the rezoning process and the sewer is being built into the system, they will be required to put stub into Mrs. Fix's land by rule of VDOT, in case she decides to develop it in the future. The reason they are connecting to Cedarcrest is by rule of VDOT. The road has to continue to provide access to Turk Mountain Lane. He is not in a position as the contractual owner to say if Mrs. Fix can have sewer connections at this point.

Wanda Wallace of 10 Pinebark Drive shared her concerns about the heavy traffic already on Rt. 340 and the fact that many accidents happen there. If a new development is put in, there needs to be stoplights. She has concerns for the wildlife on the undeveloped property and she does not want the woods destroyed for the development. If there is going to be more housing, there needs to be more law enforcement in the area. She likes the idea of the water tanks.

Walter Alldredge of 81 Woodside Drive stated his property backs up to the Yount property. He was told when he purchased his property that the woods behind him was wetlands and people could not build there. He has issues with water runoff from the existing drainage ditch and is concerned about an increase in runoff a new development would cause. Northwood subdivision is a single family subdivision and the houses are approximately 35-40' apart. If the proposed density is allowed he is concerned that the culture and ambiance of the neighborhood will change. He asked the Planning Commission to recommend the lowest density possible.

Mr. Craig stated by rule in order to obtain the rezoning they are required to provide a plan that will show the maximum potential development. The plan is to mimic Northwood by using 12,000 square foot lots with homes approximately the same size as in Northwood, which is around 1400 square feet. Addressing the road safety concerns, he stated he has no control over VDOT's requirement to inter-connect to Turk Mountain Lane will be required in order to provide flow. A south-bound left hand turning lane with 200' of storage in order to provide a safe way for people to make the left turn. Regarding the runoff concerns, the entire area outside of the wetlands will be used for retention pond to provide for storage in the event of a flood.

Mrs. Wallace stated even if they install the turning lanes, the road is still not safe. Safety issues need to be addressed further.

Stephanie Wallace of 10 Pinebark Drive stated there is a big piece of property that was cleared off of Lady Slipper Drive. She asked how many homes will be going into that area.

Mr. Wilkinson stated as of right now, there are no plans for development have been received for Lady Slipper Drive.

Mark Snodgrass of 67 Turk Mountain Lane stated his house is next to where the entrance of the subdivision will be. He is not in favor of or against the request. He asked for clarification that the additional seven lots will be on septic and well and that there will only be 48 lots and not 69.

Mr. Curd stated the seven lots will be on well and septic and that Mr. Craig stated there would be 48 lots.

Mr. Snodgrass stated he is concerned with school capacity and asked what comments the school board had.

Mr. Wilkinson stated the schools stated in their comments that the development may have significant impact on the local schools.

Mr. Snodgrass asked if the Service Authority has considered how the new development will affect water and sewer capacity.

Mr. Wilkinson stated approximately 100 additional sewer connections are available.

Mr. Craig stated the problem is the flow rate in this area is fine for residential services but is not optimal for firefighting. If the tanks are put on the road they will be easily accessible. It takes 3000 gallons of water to extinguish a house fire. Two or three tankers from different fire departments are sent to the call in order to have a surplus of water. His proposal provides 60,000 gallons static to immediately recharge the tankers in case of another fire event. The water is there for the use of the fire department.

Mr. Snodgrass asked if the runoff into the South River would affect the recharge area.

Mr. Wilkson stated it will not affect the recharge area. The Service Authority looks at all requests closely to make sure recharge areas are not affected.

Mr. Snodgrass stated he is concerned with VDOT's requirement to use Cedarcrest as a through road. He asked if VDOT would look into the possibility of putting removable bollards there to limit the road traffic and allow for bicycles to go through.

Mr. Wilkinson stated VDOT will not consider that because it will be a public street. It is typical that VDOT would want connectivity so there are multiple options for exits from the subdivision. The County also has requirements for interconnectivity.

Mr. Snodgrass stated he would like the Commission to consider a lower density of half acre lots if they recommend approval.

Stan Thompson of 283 Patrick Mill Ln. stated with this development and the addition of the lots at Blue Ridge Home Park he is concerned with the increase in traffic. He stated cars have to pull off the road on Patrick Mill Lane when meeting another vehicle. The new development will destroy woodland and wildlife.

Michael Shiflett of 349 Patrick Mill Lane asked how large the water tanks will be. He is concerned about school capacity and road safety. If the lots are developed on Patrick Mill Lane, it will affect hunting privileges that the residents currently have.

Mr. Craig stated the water tanks will be 30,000 gallons a piece and are 12' in diameter. They will sit on bollards on the ground, placed horizontally, and will be fenced in for security purposes. The fire department may ask for the water tanks to be placed vertically. If they are placed vertically, the static weight of the water can be used. Addressing the traffic concerns, he stated a Traffic Impact Analysis was conducted and was reviewed and approved by David Atwood of VDOT. The left-hand southbound turn lane is required by the State based on the present traffic counts and what is being projected with the installation of the 48 lots. Regarding density concerns, if they were to go with a denser development, curbs and guttering would be required and a right-hand taper on the northbound side in order to account for the additional traffic.

Mr. Leonard asked if there will be a place for fire trucks to exit the roads to access the water tanks, or will the trucks have to sit in the road.

Mr. Craig stated it is fire department's requirement to have the tanks, so it depends on how they want the tanks placed, horizontally or vertically. There will be a 5,000 square foot area for the fire trucks to back into in order to access the tanks off of the road.

Dan Holsinger of 146 Patrick Mill Ln. stated he is a partner in Holsinger Farms and owns land on 3 sides of the property that will adjoin the proposed development. Right now there is a wooded area which gives a buffer to neighboring properties from noise and farm odors. If the proposed seven lots are allowed to be developed, the current buffer will be eliminated. He would prefer the property that adjoins the wooded area would not be developed.

Mrs. Fix stated VODT's comments regarding the minimum applicable standard VIGS4 Rural Local Road Standard is 22' pavement with shoulders. Turk Mountain Lane has no shoulders. She asked if Turk Mountain Lane was changed from 18' to 22' to accommodate the plan, who will cover those expenses. She expressed further concerns regarding traffic and school capacity.

Terry Robertson of 313 Patrick Mill Lane stated safety is the biggest issue. The road conditions on Patrick Mill currently are not good. There will need to be a lot of improvements to Patrick Mill if the development is approved. She expressed her concerns

regarding the high traffic on Route 340 and how difficult it is to turn on and off of Patrick Mill Lane onto 340. A lot of road improvements will be needed to handle a new development.

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

Mrs. Shiflett stated proffer 2C says water tanks will be filled with the existing County water supply system. That seems to conflict with the Service Authority's comments.

Mr. Wilkinson stated the Service Authority is not in agreement with proffer 2C because they do not think the County water system has the capacity to fill the water tanks.

Mr. Craig stated the initial concept is to truck the water in and interconnect into the system. During late night hours when there is very little demand for water, a meter can be set to top the tanks off and keep them full.

Mrs. Shiflett stated according to the Service Authority's comments, they do not want it connected.

Mr. Craig stated the Service Authority has indicated they do not want it as a primary fill source, nor do they want it interconnected to serve the residential houses.

Mr. Bridge asked if a traffic study was done on Turk Mountain Lane and Route 340.

Tom Shumate Jr., Land Planner, stated the study was done on Turk Mountain Lane, Route 340 and Patrick Mill Lane.

Mr. Leonard stated he is sympathetic to the concerns of the public. He is disappointed VDOT does not see the concerns the residents do. This is in an area where the County wants to see growth and he doesn't feel he can oppose the request.

Mr. Bridge thanked the Public for coming and expressing their concerns. When making decisions, the Commission has to go by the Comp Plan and VDOT's comments. He also loves the land and loves to hunt, but based on the Comp Plan this area is slated for development. He does not feel he can oppose the request.

Mrs. Shiflett moved to recommend approval with proffers, however, proffer 2C needs to be clarified before the Board of Supervisors meeting to make sure the developer and the Service Authority are in agreement.

Mr. Bridge seconded the motion, which carried unanimously.

Garland F., Jr. & Melony Easter and Garland F. & Evelyn B. Easter - Rezoning

A request to rezone from General Agriculture to Single Family Residential approximately 12.6 acres owned by Garland F Jr. or Melony Easter and Garland F or Evelyn B Easter

located on the east side of Old Goose Creek Road (Route 640), approx. 1.04 miles west of the intersection of Old Goose Creek Road and Lifecore Drive (Route 636) in Fishersville in the Wayne District.

Mr. Wilkinson explained the request as presented on PowerPoint and indicated the portion of the property to be rezoned. He stated the majority of the property has been zoned single family residential since 1948.

Garland Easter of 1103 Leatherman Lane, Elkton stated he wants to rezone approximately 12.6 acres to single family residential with 12-20 lots, with an accumulative of 60-80 lots total. Because of the topography, smaller lots will need to be created potentially into $\frac{1}{4}$ - 1 acre lots. The houses will be in the \$225,000 - \$300,000 price range. There is a main sewer line going through the property and a water main on the corner of the larger piece of property, as well as on Greenview Drive. The water flow has not been tested yet by the Service Authority. There is a possibility the water lines will need to be upgraded and will be tied in together.

Mr. Curd asked for clarification there would be a total of 60 lots on the 40 acres.

Mr. Easter stated it would be a maximum of 80 lots on the 40 acres.

Mr. Bridge asked if there would be any other exits proposed other than Old Goose Creek Road.

Mr. Easter stated Old Goose Creek was the only exit proposed. VDOT has mentioned the possibility of an emergency entrance, but he is uncertain what their plans consist of in relation to Troxell Lane.

Mr. Wilkinson stated if entrances off of Old Goose Creek Road are blocked, people may be allowed to use Troxell Lane.

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

The following persons spoke in opposition of the request due to concerns regarding the use of Troxell Lane as an emergency exist and to access the proposed development, school capacity, increase in traffic with this proposed development as well as the increase in traffic from the proposed development of the Fishburne-Hudgins proposal, wear on the roads, water pressure, paying for upkeep of Troxell Lane, and safety of children. They are concerned about compromising the rural rustic nature of Old Goose Creek Road. They all asked the Commission to recommend denial of the request.

Ben Cash of 288 Old Goose Creek Road
Mike Troxell of 84 Troxell Ln.
Sarah Splaun of 35 Troxell Ln.
Bob Pringy of 306 Old Goose Creek Road

Chris Potter of 142 Greenview Dr.
Jennifer McMannis of 91 Troxell Ln.
Catherine Brady of 128 Greenview Dr.

Mr. Pringy had specific questions for the Commission.

He asked what the density of the homes per acre is.

Mr. Wilkinson stated four houses per acre.

Mr. Pringy asked for clarification that on the 40 acres, a maximum of 160 homes could be built, even though Mr. Easter is only proposing 80 homes.

Mr. Wilkinson stated that would be the maximum density for 40 acres less the roads.

Mr. Pringy asked what the water and sewer source is to this property.

Mr. Wilkinson stated public water and sewer are available.

Mr. Pringy asked if the request is denied by the Board of Supervisors, what Mr. Easter's options will be.

Mr. Wilkinson stated Mr. Easter can appeal the decision or he can wait a year and reapply.

Mr. Pringy asked what proffers were discussed.

Mr. Wilkinson explained that due to State legislation, proffers can no longer be accepted unless they are directly attributable to an action caused by the rezoning of the property. A proffer can only be accepted if a study was done that showed a proffer was required to lessen an impact that was identified.

Mr. Pringy asked if an impact to schools would be one of the items to be allowed as a proffer.

Mr. Wilkinson stated the School Board's comments stated there would very little impact from the rezoning of the 12 acres.

Mr. Pringy asked for Mr. Wilkinson to read VDOT's comments.

Mr. Wilkinson read VDOT's comments from the final Staff Report.

Mr. Pringy asked based on VDOT's comments would there be a basis for the Board of Supervisors to deny the rezoning.

Mr. Wilkinson stated it would not be a basis for the Board of Supervisors to deny the request, but VDOT would require improvements to be made by the developer before an entrance permit would be granted. Mr. Wilkinson stated he cannot speculate whether the Board will deny or approve the request. The Board will take all comments by the public into consideration.

Mr. Pringy asked if there are any plans for ingress and egress off of Route 250.

Mr. Wilkinson stated the proposed entrance will be off of Old Goose Creek Road.

Mr. Pringy stated Old Goose Creek Road is an old historic road and was designed to be wide enough for a horse and buggy. There have been accidents on the road and serious accidents at the intersection of Route 250 and Old Goose Creek Road. Is there a chance the VDOT recommendations can be waived.

Mr. Wilkinson stated he cannot answer that.

Mr. Pringy stated if there is no assurance the road can be improved, the Planning Commission has a duty to deny the request.

Chris Potter of 142 Greenview Drive has concerns about this request in view of the previous recommendations for the addition of 14 lots at Blue Ridge Manufactured Home Park, 55 more lots for the Fishburne-Hudgins request, and the 60-80 lots being proposed with this request. He asked how the electrical grid capacity will be supported. An additional 60-80 lots will create an excessive electrical consumption. He asked if the property is rezoned to single family, do the structures have to stay as permanent structures or can that lot become a manufactured home park.

Mr. Wilkinson stated neither manufactured homes parks nor would apartments be allowed in the single family zoning.

Jennifer McMannis of 91 Troxell Lane had specific questions for the Planning Commission and Mr. Easter. She expressed her concerns regarding the use of Troxell Lane being used as access to and from the proposed development and as an emergency road, for safety of children in the area, and school capacity. She asked if VDOT gave suggestions on Troxell Lane in their comments.

Mr. Wilkinson stated VDOT will not address Troxell Lane because it is a private lane. Their comments only address the entrance off of Old Goose Creek Road.

Ms. McMannis is concerned that VDOT will not make recommendations on the use of Troxell Lane or that it has to be widened or a safe turn lane to get off and on Troxell to Route 250.

Mr. Bridge stated he is not certain that it is understood what VDOT means in their comments that Troxell Lane will be used for emergency access. He stated it could possibly mean there would be a gate to block off Troxell for use other than emergencies.

Ms. McMannis stated the meaning of emergency access needs to be evaluated before a decision is made for this request.

Mr. Leonard asked if the Easter's have a lawful right-of-way through Troxell Lane.

Mr. Easter stated he has legal access to one dwelling on Troxell Lane.

Ms. McMannis asked Mr. Easter if he was a signer of the road maintenance agreement.

Mr. Easter stated he was not.

Ms. McMannis expressed concerned that there is no guarantee of protection for Troxell Lane because proffers cannot be accepted.

Mrs. Shiflett pointed out that most of the property is already zoned residential and can be developed. The only part that the Planning Commission can address is the 12 acres being proposed for rezoning.

Neal Conyers of 134 Twin Hills Lane stated he is representing his mother who lives at 40 Troxell Lane and was unable to attend the meeting. He is in agreement that Troxell Lane should be gated off, but he is in favor of the request. He stated there is already a sewer line in place that was put there for future development.

Mr. Easter addressed the concerns of the public. He stated the school has additional capacity of 251 students. He stated he realizes Old Goose Creek Road is a narrow road. It is not his intention to go to Troxell Lane for any reason. It is his understanding that VDOT will not allow more than 100 houses with a single entrance into a subdivision, so housing will be limited to less than 100. There is a 25 mph speed limit on Old Goose Creek Road, which should reduce the number of accidents on the road. The water flow test will need to be completed to determine capacity. This is a good area to develop because of the close location to schools and hospitals.

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

Mr. Curd stated by right the existing 28 acres could be developed. Emergency exists get used for travel other than emergencies, unless it is gated, which creates other safety issues. There are concerns with the effects on Troxell Lane. The development could generate 40 additional housing units. The goal is to limit development on rural rustic roads. He stated he does not feel he can support this request and add to the existing problems.

Mr. Leonard stated this is a small area of zoning impacting a larger project. Troxell Lane is an issue and VDOT wants to use it as an emergency access, but the availability to the access has not been defined. He is not 100% in favor of the request, but the split zoning of the land currently is an issue. He may not oppose the request, but the problems need to be addressed.

Mrs. Shiflett stated the property is slated for development, but it is not ready for development until the access is improved.

Mr. Leonard stated Mr. Easter can develop half of the property currently by putting access to Old Goose Creek Rd.

Mr. Bridge stated although this property should be developed, it will be hard to support the request with questions regarding Troxell Lane and how many improvements will need to be made on Old Goose Creek Road out to Route 250. There are not enough facts to this point to approve the request.

Mrs. Shiflett moved to recommend denial of the request.

Mr. Bridge seconded the motion, which passed 4-1 with Mr. Leonard opposed.

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STAFF REPORTS

A. CODE OF VIRGINIA – SECTION 15.2-2310

Mr. Wilkinson reviewed with the Commissioners the requests coming before the BZA at the May meeting. They had concerns regarding the following Special Use Permit request.

18-26 Destiny Family Center

This property is located in an Urban Service Area slated for Medium Density Residential development and is surrounded by Single-family Residential zoning. The Planning Commission is concerned about how the lighting will affect neighboring properties.

They asked for the Board of Zoning Appeals to consider the height of the lighting, the number of lumens and the affects to the neighboring properties when making their recommendation.

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

Chairman

Director