

PRESENT: T. Jennings, Chairman  
G. Campbell, Vice Chairman  
L. Howdyshell  
K. Shiflett  
S. Bridge  
K. Leonard  
J. Wilkinson, Director of Community Development  
L. Tate, Senior Planner

ABSENT: J. Curd

VIRGINIA: At the Called Meeting of the Augusta County Planning Commission held on Tuesday, August 13, 2019, at 6:30 p.m. in the Board Room, Augusta County Government Center, Verona, Virginia.

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Mr. Jennings called the meeting to order.

The Planning Commission reviewed the rezoning request by Martin and Linda Lightsey with updated proffers. Mr. Jennings reminded the commission that all comments from the July meeting concerning the Lightsey request for rezoning would be continued to the August meeting.

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Chairman

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Secretary

PRESENT: T. Jennings, Chairman  
G. Campbell, Vice Chairman  
L. Howdyshell  
K. Shiflett  
S. Bridge  
K. Leonard

J. Wilkinson, Director of Community Development  
L. Tate, Planner II

ABSENT: J. Curd

VIRGINIA: At the Regular Meeting of the Augusta County Planning Commission held on Tuesday, August 13, 2019, at 7:00 p.m. in the Board Room, Augusta County Government Center, Verona, Virginia.

**DETERMINATION OF A QUORUM**

Mr. Jennings stated as there were six (6) members present, there was a quorum.

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**Minutes**

Mrs. Tate informed everyone of a change to the July 9, 2019 Planning Commission meeting minutes. The change represents an addition to clarify that the motion to continue the public hearing on the Lightsey matter until next month, was carried unanimously. Mr. Leonard moved to approve the minutes of the called and regular meeting held on July 9, 2019 as corrected.

Mr. Bridge seconded the motion, which carried unanimously.

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**Public Hearing**

Mr. Jennings stated that the public hearing from the July 9, Planning Commission meeting was to be continued to this month's meeting. He reminded everyone that all comments made during the previous meeting would be considered part of this public hearing also.

Mrs. Tate read the request by Martin and Linda Lightsey with proffered conditions. Those conditions pertain to a waiver of fire flow requirements of Chapter 24 of Augusta County Code and are summarized as follows, the installation of a water line and hydrant on the west side of Spring Hill Rd. at an elevation no higher than existing hydrants on the east side of the road to maintain water pressure at the same level, the installation of a 10,000 gallon underground water storage tank that would be operated by a well and pump system to provide water replacement as needed to the storage tank. Maintenance of the tank would be the responsibility of the property owners and the HOA.

Mr. Lightsey stated that that he had proffered an enhanced system with the 10,000-gallon storage tank, and that the tank could provide 100% of the flow rate for 90 minutes. Mr. Lightsey also stated that the proposed tank would have an estimated cost of \$60,000.00.

Mr. Jennings asked if anyone present would like to speak in favor of the request. With no one to speak, Mr. Jennings asked if anyone would like to speak in opposition to the request.

Christine May of 2186 Spring Hill Rd. stated that she was a mother concerned about the possibility of schools needing to be redistricted. She stated that currently the children are enrolled at Fort Defiance High School and that if they were to be redistricted to Buffalo Gap High School, it would be a far distance for the children to travel each day.

Mr. Scott Eaton of 2186 Spring Hill Rd. stated that he was a professor of geology from JMU and he was neither for or against the request. Mr. Eaton stated that a major water fault runs under the Lightsey property. He is concerned with the potential of contaminants from the proposed rezoning that future homes could cause to the underground water fault. Mr. Eaton urged the commission to look into an underground geological survey.

Mrs. Tate stated that the county has a source water protection ordinance and that the proposed rezoning property does fall within that source water protection ordinance and that the commission is aware of the standards of that ordinance.

With no one else to speak in favor or against the request Mr. Jennings closed the public hearing.

Mr. Howdyshell stated that the Lightsey property does meet the Comprehensive Plan. He stated that he is aware of the concerns with the fire flow, but that houses currently there don't meet the fire flow requirements. Mr. Howdyshell mentioned that the Augusta County Service Authority has not had the opportunity to get all the lines up to date. Mr. Howdyshell believes Mr. Lightsey has come up with a plan to help protect the community he wants to develop. Mr. Howdyshell stated that he believed the Planning Commission should approve the request and let the Board of Supervisors make the final decision.

Mr. Howdyshell made a motion to approve the request with proffers. Mr. Greg Campbell seconded the motion.

Mrs. Shiflett stated that she still has concerns because of the fire flow issue.

Mr. Bridge noted that the county has an ordinance that any new residential developments have to meet fire flow requirements. Mr. Bridge stated that in talking with staff that there are other options that this property could use to meet the fire flow requirements, including

the addition of another storage tank or individual wells. Mr. Bridge stated that the rezoning request is in compliance with the comprehensive plan.

Mr. Leonard stated that the fire flow requirements are in the comprehensive plan. He noted that after hearing from Mr. Eaton, that there are concerns with water contamination.

Mrs. Tate informed everyone that after meeting with Fire and Rescue, and the Service Authority, that as long as 500 gallons a minute could be reached a fire flow waiver would not be required.

Mr. Campbell stated that the rezoning request is consistent with the comprehensive plan in terms of future use of the property. He stated that he believes a lot has been put into mitigating the water issue. Mr. Campbell stated that he agrees with Mr. Howdyshell in that the fire flow issue should be taken up more with the Board of Supervisors.

Mr. Jennings stated that he felt the property would be developed in the future, but that the future is not right now.

Mr. Jennings asked for Mr. Howdyshell to restate the motion he made.

Mr. Howdyshell made the motion to approve the request with proffers, being that the request meets the comprehensive plan.

The motion was defeated with a 2-4 vote against the request.

Mrs. Shiflett made a motion to recommend to the Board of Supervisors that the request be denied because the request does not meet the fire flow requirements.

Mr. Bridge seconded the motion.

The motion was carried with a 4-2 vote.

### **Matters to be Presented by the Public**

Mr. Jennings asked if there were any other matters to be presented by the public.

Chris Fauber of 2349 Spring Hill Rd. was concerned about the traffic issues that would be a result of the proposed rezoning.

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### **STAFF REPORTS**

#### **A. CODE OF VIRGINIA – SECTION 15.2-2310**

Mrs. Tate reviewed with the Commissioners the requests coming before the BZA at the September meeting. There were two applications for a special use permit for GREA Properties Staunton, LLC to continue existing assisted living facilities. There was a request by Carlos Gum to have an attached accessory dwelling unit in the basement of the principal dwelling unit. A request was made by Fowl Ball, LLC to process hemp for human consumption. A request was made by Goldwrench Enterprises, LLC to construct

a garage addition onto the existing building, and to enlarge the existing non-conforming building no closer to the road and to relocate and increase the fenced vehicle storage area.

The Planning Commission took no action on the BZA items.

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There being no further business to come before the Commission, Mr. Bridge made a motion to adjourn.

Mrs. Shiflett seconded the motion which carried unanimously.

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Chairman

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Secretary