

**COUNTY OF AUGUSTA
STAFF REPORT
Augusta County Company, LLC
March 14, 2023**

SUMMARY OF REQUEST	A request to rezone from General Agriculture to General Business approximately 48.025 acres (TMP 082 75B) owned by Augusta County Company, LLC located on the west side of U.S. Route 11 approximately 0.25 miles south of the intersection of U.S. Route 340 and U.S. Route 11 in Greenville in the Riverheads Magisterial District. The property is located within an Urban Service Overlay District, in an Urban Service Area of the Comprehensive Plan, planned for General Business. The proposed usage of the property is to obtain a special use permit to develop a large warehouse and distribution center.
REZONING NUMBER	23-4
CURRENT ZONING	General Agriculture
VICINITY ZONING	Interstate 81 to the North; General Agriculture to the North, South, and West; General Business to the East
CURRENT PROFFERS	None.
PROPOSED PROFFERS	None.
OVERLAY DISTRICTS	Urban Service Overlay District
COMPREHENSIVE PLAN PLANNING POLICY AREA / FUTURE LAND USE DESIGNATION	Urban Service Area/General Business
SOILS	The parcel is not in land use; therefore, information on soils is not readily available.
OTHER INFORMATION	
SUMMARY OF STAFF RECOMMENDATION	Staff recommends denial of the rezoning.
ALTERNATIVES	<ul style="list-style-type: none"> • Recommend approval of the rezoning.

AGENCY COMMENTS

ENGINEER:

Environment Ordinance Considerations

Numerous rock outcroppings were observed on these parcels during site visits. Blasting rock in this area has, in the past, interfered with electrical distribution equipment, and therefore blasting could be restricted.

This property drains to Christians Creek which is listed on the Virginia DEQ 2022 Impaired Waters List. This impaired segment extends from its headwaters downstream to its confluence with Folly Mills Creek. The impaired uses are recreation and aquatic life, the specific impairments are E. coli and violations of the general benthics standard. The sources are: Wildlife Other than Waterfowl, Non-Point Source, Livestock (Grazing or Feeding Operations), Crop Production (Crop Land or Dry Land), Agriculture, Urban Runoff/Storm Sewers, and Streambank Erosion. TMDLs are approved for the bacterial and benthic impairments and must be considered by the applicant. This segment is included in the EPA approved Christians Creek benthic TMDL (Federal TMDL ID # 24514) and the EPA approved Christians Creek bacteria TMDL (Federal TMDL ID # 9480).

Additionally, the Augusta County Comprehensive Plan lists the Christians Creek watershed as a Priority Watershed for Groundwater Protection due to the presence of karst features and the location of Source Water Assessment Program zones. While infiltration BMPs may not be advised due to the prevalence of karst, it is recommended that water quality treatment be provided onsite vs. purchasing offsite credits.

The applicant is advised to contact the U.S. Army Corps of Engineers and the Virginia Department of Environmental Quality for any requirements related to proposed work in wetland areas or adjacent to any streams.

Overlay Ordinance Considerations

Portions of this property lie within Zone A on the FEMA FIRM. Development of 5 acres or 50 lots or more require that the applicant establish a Base Flood Elevation since one has not been determined by FEMA. The flood study conducted for construction of the new box culvert on Pilot Truck Drive Extended may be referenced. Any development on this portion of the property must meet the provisions of the Floodplain Overlay (FPO). The concept layout indicates a stormwater management facility in the general location of the FEMA designated 100-yr floodplain. The ordinance prohibits placement of such a facility to the maximum extent possible.

This property lies outside of the Source Water Protection Overlay (SWPO), Airport Overlay District (APO), and Urban Service Overlay Districts (USO).

Subdivision Ordinance Considerations

§21-9.1 Subsection B of the County Subdivision Ordinance addresses street layout and access to adjacent property. Development is required to connect to existing or planned streets and must also provide for access to adjacent property that is located with areas designated in the Comprehensive Plan as Urban Service or Community Development Areas.

Access should be provided to adjacent TM 82 Parcel 43 which is within the Community Development area slated for Low Density Residential Development and is bounded by the interstate and the floodplain of Christians Creek.

Natural Resources Recommendations from the Comprehensive Plan

The Augusta County Comprehensive Plan recommends performance standards to protect natural resources. For Urban Service Areas, a riparian buffer of 35 feet on either side of a stream is encouraged, and where feasible, stormwater should not be piped through in a manner to short-cut the buffer. Additionally, floodplain areas should have no habitable structures, but should instead be utilized for greenways & recreation areas.

In Urban Service Areas, the Comprehensive Plan recommends avoidance of slopes >25%, especially associated with stream valleys. Slopes between Rt. 11 and the project area approach the 20% range adjacent to the Christian's Creek floodplain. This should be considered for grading and utility connections. For Wetland areas, the Comprehensive Plan recommends provision of a 35 foot buffer from the edge of wetlands.

For unique natural features such as caves, major karst features, critical habitats, etc., the Comprehensive Plan recommends to tie these features in with greenways, active and passive recreation areas and flood plain preservation areas. A cemetery is present and identified on prior surveys. Any development plan should maintain access for visitation.

ZONING ADMINISTRATOR: If a portion of the properties is rezoned to General Business in order to obtain a Special Use Permit to develop a large industrial distribution center and several industrial support buildings, the surrounding General Agriculture zoned properties could be negatively impacted due to noise, dust, lights, and increased traffic.

A site plan meeting the requirements of **Section 25-673** is required prior to any development on the property. The Zoning Ordinance requires a buffer yard to be provided adjacent to any property line not entirely zoned business or industrial,

and any parking areas to the side or rear and within two hundred (200') feet of any established residential use in agriculture must be screened per the requirements of **Section 25-38 and 25-308**.

All outdoor lighting must meet the requirements of Article VI "Outdoor Lighting".

AUGUSTA COUNTY SERVICE AUTHORITY:

1. Water and sewer capacities are not reserved until system adequacy is determined (supply, treatment, transmission) and payment of the connection fees has been received in accordance with Service Authority Policy. Augusta County Service Authority Policies and Procedures can be found at <http://www.acsawater.com/oppm>.
2. Any engineering evaluations and upgrades or extensions would be the responsibility of the owner/developer and are subject to Service Authority review and approval.
3. Investigation of available fire flow is recommended to ensure that the system is capable of providing the needed fire flow to comply with Chapter 24 of the Augusta County Code requirements for the proposed use of the property. Any upgrades or extensions would be the responsibility of the owner/developer and are subject to Service Authority review and approval.
4. There is an existing 8" waterline along Lee Jackson Highway fronting the subject parcels. It is strongly recommended that the applicant review the potential water demands for the proposed structures – domestic and fire flow requirements. The public water system may not be capable of providing the needed flow and/or pressure. Analysis is currently underway to determine what improvements may be needed to achieve improved levels of service. Onsite water storage and pumps may be needed to meet fire flow requirements. Service Authority Engineering Staff are available to meet upon request to review potential domestic and fire system demands.
5. There are existing 8" & 10" sewer lines along Lee Jackson Highway across from the subject parcels. Due to the topography in the area, an off-site easement and/or a private sewer pump(s) may be required to connect to the existing public pipelines. The pump system would need to be approved by the Service Authority to ensure that the receiving system is not overwhelmed. The wastewater treatment plant serving this area is a 250,000 gpd facility with approximately 90,000 to 100,000 gpd of remaining capacity. The applicant is advised to provide additional sewer system demands to Service Authority Engineering Staff for review against available capacity – see Note 1 above.

AUGUSTA COUNTY FIRE-RESCUE: After review of the above project, the Augusta County Fire-Rescue Department provides the following:

- Ensuring that there is adequate fire flow for this size project in the area.
- The proposed size of the structure and possible use could create an increase of call volume to the Riverheads Volunteer Fire-Rescue station that provides service to that area. The Riverheads Volunteer Fire Department (volunteer staffed) ran 623 fire related incidents in 2022 and the rescue squad (career staffed) ran 1,434 EMS responses.
- Another concern that could arise is the increase in traffic volume to an already congested area.

If you have further questions, please contact me at 540-245-5624.

VIRGINIA DEPARTMENT OF TRANSPORTATION:

Traffic Data:

Rte. 11 (Lee Jackson Hwy)

-AADT: 7,400 (2021)

-Speed Limit: 45 MPH

-K-factor: 0.095,

Dir. Factor: 0.618

-Funct. Class.: Major Collector

Rte. 340 (Stuarts Draft Hwy)

-AADT: 6,100 (2021)

-Speed Limit: 55 MPH

-K-factor: 0.090,

Dir. Factor: 0.607

-Funct. Class.: Minor Arterial

1. The proposed rezoning will not likely require a formal VDOT Chapter 527 Traffic Impact Analysis (TIA). However, a traffic impact analysis has been provided to determine the off-site impacts at the unsignalized access to Route 11 as well as the signalized intersection at the travel centers & Route 340. The study found that the studied intersections would operate at a Level of Service D or better and did not recommend any off-site mitigation measures.
2. VDOT was not provided any proffered conditions for this site. It is recommended that the use of the property be conditioned to a use comparable to the uses in the Traffic Impact Analysis. If the anticipated use deviates from the use assumed in the TIA that was provided, a new TIA may be required.
3. The Traffic Analysis was heavily dependent on the assumed traffic splits (which VDOT has approved), with the majority of trucks exiting by using the loop to the existing signalized intersection. There is still some lingering concern that the unsignalized loop could get over utilized to a point that there is a safety concern. Additional directional signage and/or intersection improvements may be required at site plan stage if the assumptions change. VDOT requests a signal agreement to account for any deviations from the assumed use that may warrant a signal at the access to Rte. 11.

4. Any entrance must be in accordance with Appendix F of the VDOT Road Design Manual. Access must meet sight distance and access management spacing requirements.
5. The existing access road is expected to be the primary access point(s) for the proposed facility. A portion of this road is proposed to be accepted into the State secondary system. However, there is currently punch list items active that need to be completed before acceptance.

SCHOOL BOARD STAFF Comments: The request to rezone approximately 40 acres from General Agriculture to General Business in order to obtain a Special Use Permit to develop a large industrial center and several industrial support building would have no impact on these three schools regarding student enrollment and capacity. However, a large warehouse and distribution center will increase truck and van traffic that would impact the amount of traffic that already exists in the vicinity of two schools, Riverheads High School and Riverheads Elementary School. I also need to point out that the additional school building will be complete for Riverheads Middle School in the fall of 2024 which will bring more traffic to this campus as well.

The table below indicates the enrollment as of December 6, 2022.

School	Enrollment	Capacity
Riverheads Elem (RES)	743	834
Beverly Manor (BMMS)	595	800
Riverheads High (RHS)	462	600

PLANNING STAFF COMMENTS:

PROS:

1. The request is compatible with the Comprehensive Plan Future Land Use map, which shows this parcel as being planned for business.
2. The request is located in an Urban Service Area, which is the county's priority area for commercial development.
3. This property is located at an interstate interchange, where business and industrial uses are encouraged to locate. A Special Use Permit is required for the proposed warehouse and distribution center use.
4. Request is compatible with adjacent truck stop uses and adjacent business zoning to the East.
5. Both public water and sewer are available to serve the property.

CONS:

1. Request would reduce compatibility with adjacent agricultural zoning to the West.
2. The public water system may not be capable of meeting the needs of the proposed use unless additional upgrades are made.
3. The southeastern portion of the property is located in a flood plain.
4. This development will increase the existing truck traffic and overall traffic congestion at this location. According to VDOT statistics, there has been at least one (1) traffic-related fatality and seven (7) collisions resulting in injuries on this portion of Rte. 11 since 2015. The Augusta County School Board and Augusta County Fire & Rescue also have noted concerns regarding the potential impact of this increased traffic on service delivery.
5. There are numerous issues that need to be addressed prior to development. See below for additional details.

ISSUES THAT NEED TO BE ADDRESSED PRIOR TO DEVELOPMENT:

1. Numerous rock outcroppings were observed on these parcels during site visits, as well as encountered on adjacent developments recently during the construction phase. Staff would recommend that a full geotechnical study of the project area be conducted prior to development to determine underlying conditions.
2. Any development on the southeastern portion of the property must meet the provisions of the Floodplain Overlay (FPO).
3. There are currently punch list items active that need to be completed before a portion of the existing access road is accepted into the state system.
4. Though the Traffic Analysis assumes that the existing signalized intersection will be the primary access point, there is lingering concern that the unsignalized loop access to U.S. Route 11 could be over utilized. Additional directional signage and/or intersection improvements may be required if the assumed traffic splits change.
5. While public water and sewer systems are available to serve the property, upgrades will be required in order to ensure that the systems are capable of meeting the needs of the proposed use.
6. A fire flow test will need to be completed to ensure that the system is capable of providing the required fire flow to meet the requirements of Chapter 24.

OTHER NOTES:

1. *Community Engagement.* As required by state law, an advertisement was published in the newspaper for two consecutive weeks before the scheduled Planning Commission public hearing and signage was posted on the property. A notice of public hearing was posted on the County website, and staff also notified adjacent property owners via a mailing.
2. *Comprehensive Plan.* The proposed rezoning meets the following goals and policies of the Augusta County Comprehensive Plan:
 - a. Land Use and Development, Goal 1, Objective A, Policy 9, “Location of Business Development”: Encourage larger scale and higher intensity businesses, such as distribution centers and warehouses, to locate in areas designated for business use in the Urban Service Areas.
 - b. Transportation, Goal 1, Objective F, Policy 2, “Land Development”: Encourage the development of major regional traffic generators, such as distribution centers, near interstate interchanges to minimize traffic impacts on local streets and communities.
3. *Comprehensive Plan.* The proposed rezoning does not meet the following goals and policies of the Augusta County Comprehensive Plan:
 - a. Land Use and Development, Goal 1, Objective B, Policy 6, “Villages”: Encourage development in villages, such as Greenville, to conform to the established development pattern in the community.
 - b. Transportation, Goal 1: Maintain and enhance a safe and efficient roadway network that supports the intended land use and development patterns in Urban Service Areas.

RECOMMENDATION

The parcel under consideration is in an Urban Service Area, and the request is compatible with the Future Land Use Map which shows the area as being planned for General Business. The request is also located at an interstate interchange, where business and industrial development are expected and encouraged to locate. In addition, the proposed use, a warehouse/distribution center, is compatible with the existing truck fueling facilities on adjacent parcels and can be permitted in General Business districts with a Special Use Permit.

However, staff and the County are aware of significant concerns with the traffic pattern at this location, especially as relates to trucks coming off of Interstate 81 onto Rte. 11. According to VDOT statistics, there has been at least one (1) traffic-related fatality and seven (7) traffic-related injuries at and around this location since 2015. Staff and the County feel that these traffic concerns need to be evaluated and addressed prior to any rezoning being approved. Due to these

traffic concerns and potential associated impact on public safety, **staff recommends denial of the request.**

PLANNING COMMISSION RECOMMENDATION