Town of Strasburg

SPECIAL MESSAGE TO THE PUBLIC

WHILE WE HAVE A THREAT OF TRANSMISSION OF THE COVID-19 CORONAVIRUS AND IN RECOGNITION OF A GOVERNOR'S ORDER – PLEASE DO NOT APPEAR IN PERSON TO THE MAY 26th, 2020 MEETING. PLEASE UTILIZE OUR LIVESTREAM BY ACCESSING THE LINK BELOW

https://www.strasburgva.com/administration/page/town-strasburg-electronic-meetings

To make public comment please submit to: comment@strasburgva.com
by 4:00 p.m., Tuesday, May 26th, 2020

Planning Commission

Tuesday, May 26th, 7:00 PM

Planning Commission Members:

Robert Flanagan, Chair Hank Dean, Vice-Chair Steve Nicholson Brian Otis Vince Poling John Rhodes Scott Terndrup, Council Representative

Staff Contacts:

Lee Pambid, Planning & Zoning Administrator



Agenda

Call to Order: Chairperson Flanagan

Introduction of new Planning Commission Member - Brian Otis

Approval of Agenda

Approval of Minutes:

1. Tuesday, November 26th, 2019, Planning Commission Meeting Minutes

Citizen Comments

Staff Topic Introduction

Public Hearing:

- To receive public comments on a Site Plan for the location of an asphalt plant on a previously approved and existing site/use. The location is 749 Borden Mowery Road.
- To receive public comments on the FY2020-2021 through FY2024-2025 Capital Improvement Plan (CIP) pursuant to the Code of Virginia Section 15.2-2239

Action Items:

• Kickin' Asphalt Site Plan

<u>Description</u>: Site Plan for the location of an asphalt processing plant on a previously approved and exisiting site/use located at 749 Borden Mowery Road.

<u>Staff Contact</u>: Lee Pambid, Planning & Zoning Administrator

<u>Support Documents</u>: Staff Report

FY2020-2021 through FY2024-2015 Capital Improvement Plan

<u>Description</u>: Proposed 5-year Capital Improvement Plan to be presented to the Town Council <u>Staff Contact</u>: Wyatt Pearson, Town Manager

Discussion Items:

1. Staff Updates

New/Old Business

Adjournment

If you require any type of reasonable accommodation as a result of physical, sensory, or mental disability in order to participate in this meeting, please contact Amy Keller, Clerk of Council, at 1-(540)-465-9197, or akeller@strasburgva.com. Three (3) days of notice is required.

MINUTES OF THE STRASBURG PLANNING COMMISSION MEETING HELD ON TUESDAY, NOVEMBER 26^{TH} , 2019, AT 7 P.M. IN THE COUNCIL CHAMBERS OF THE STRASBURG TOWN HALL.

PLANNNG COMMISSIONERS PRESENT: Chairperson Flanagan, and Commissioners Dean, Massey, Nicholson, Poling, and Rhodes. Absent: Council Member Terndrup.

STAFF PRESENT: Town Manager Pearson, Planning & Zoning Administrator Pambid, and Clerk of Council Keller.

Chairperson Flanagan called the meeting to order and reviewed the agenda.

• Approval of Agenda:

The approved was approved as presented.

• Approval of Minutes:

Tuesday, October 22nd, 2019, Planning Commission Meeting Minutes – one correction – Commissioner Nicholson offered a correction to the minutes; he noted he was absent from the October 22nd, 2019 meeting.

Commissioner Poling moved for approval of the October 22nd, 2019, minutes as corrected; second by Commissioner Nicholson. With no further discussion, the motion passed unanimously.

Citizen Comments

• Staff Topic Introduction

P&Z Administrator Pambid reviewed the topic by reading from the Staff Report included in the packet.

The applicant has applied for a Preliminary Development Plan for ALL three phases of development totaling 251 residential units, which consists of 111 townhouses, one section of 44 single family dwellings, a second section of 96 single family dwellings, and the associated right-of-way, recreation, stormwater, and utility infrastructure. The Preliminary Development Plan features several right-of-way improvements, including a 10' asphalt trail along Old Valley Pike (US Route 11) and within Phase 1 between the townhouses and the pads for future commercial development. Improvements to Route 11 are included in Phase 1.

The plan also features:

- A total number of units (251) below the proffered maximum of 256.
- An internal 10' asphalt trail approximately 1,650 feet in length, or around 1/3 of a mile;
- Phase 1 of Cedar Valley Drive is approximately 1,300 feet in length and will feature one vehicular travel lane and one bicycle lane in each direction;
- A proffered 30' access easement containing an emergency drive leading from the end of Cedar Valley Drive to Colley Block Road is proposed, and will be approximately 1,200 feet long.
- Private streets within the townhouse phase.
- Three (3) tot lots and several areas of open common space.
- Internal sidewalks along all streets and along Colley Block Road.

Staff has requested the following: 1) additional landscaping features at key entrances to reinforce residential phasing; and 2) private drainage easements along the rears of lots not adjacent to common area.

The 80.68-acre site is composed of two parcels located along the north line of Old Valley Pike (US Route 11) at its intersection with Crystal Lane. It is also bound to the west by the east line of Colley Block Road. The site is located within the Entrance Corridor Overlay District and the Golden Triangle Urban Development Area, designations meant to encourage high quality design. The parcels were created by minor subdivision approved by the Town on May 15, 2018, and recorded on August 13, 2018. Parcel "A" is owned by Cedar Valley Development, LLC, and the remainder is owned by SFC Properties, LLC.

Open space requirements are governed by UDO Section 4.16 Open Space/ Greenspace, and compliance will be demonstrated with calculations provided during the administrative construction plan review and the Final Development Plan, which is reviewed by the Planning Commission and Town Council.

As stated in previous staff reports, the proposed uses remain the same as the original development proposal from 2004 as well as the conceptual development plan approved in December 2018. The overall phasing plan includes a mix of townhouses, single family dwellings, and commercial development. Surrounding existing uses include townhouses to the south, single and multi-family dwellings to the west, vacant residential to the north, and a shopping center, pharmacy with drive through, and multi-family to the east.

The staff is aware of the applicant's requirements to obtain reviews and regulatory clearances of certain environmental and wildlife issues. These reviews are required by the state of Virginia, and land disturbance activities cannot commence until clearances have been obtained.

This Preliminary Development Plan application and review is for all three phases of the project. Construction plans and final development plans can be submitted for individual phases or sections.

Improvement guarantees (bonding) and covenants and restrictions will be reviewed during the construction plan review phase. Construction plans and deed covenants and restrictions are technical and will be reviewed administratively. Bond estimates will be submitted and reviewed by the staff prior to and then included in the Planning Commission's and Town Council's Final Development Plan review and approval.

The previously approved construction plans dated July 26, 2006 are currently valid until July 1, 2020, pursuant to Code of Virginia Section 15.2-2209.1. However, the construction plans did not substantially match the previous 'Master Development Plan'. Therefore, the developer proposed and the Town approved (December 13, 2018) a Conceptual Development Plan (previously known as a Master Development Plan) amendment under the current Unified Development Ordinance, which was not in effect during the original review and approval from the early 2000s. The developer is also proceeding with designs for updated construction plans.

The Town of Strasburg Comprehensive Plan considerations were reviewed.

At the time of the staff report's preparation, the Planning office had received one phone call regarding this development proposal. The question was with regards to the adequacy of the soils for development and of the proposed stormwater provisions.

Staff finds the following: • As provided for in UDO Section 2.29.1, the layout of the Preliminary Development Plan is substantially consistent with the Conceptual Development Plan approved by the Planning Commission on December 13, 2018. The staff's recommendation will be made at the meeting.

Should the Planning Commission approve the PDP, staff recommends the following conditions:

- 1) Additional landscaping features shall be provided at both access points on Colley Block Road, at both ends of the Phases 1 and 2 on the east west collector, and at the entrance; and
- 2) Private 10' drainage easements along the rears of lots not adjacent to common area shall be provided.

Mr. David Frank, engineer representing the applicant, said they have discussed the landscaping features and they are expecting the final homebuilder to do this. The easements in the backyards are not usually a preliminary plan thing, but they have no objections. The trails have been identified and the fourth trail presents no problems to them. There are 10 passive recreational amenities throughout.

Public Hearing:

• To receive public comments on a preliminary development plan for 111 townhouse lots and 140 single family lots on tax parcels #025 A 002 and #025 A 002B, containing approximately 80.68 acres. The site is located along the north line of Old Valley Pike (US Route 11) at its intersection with Crystal Lane. The site is zoned Planned Development (PD) District and is in the Entrance Corridor (EC) Overlay District.

Luke Fester, Massanutten Street, Strasburg, VA: Pointed out a section on the plan where the Hupp's property adjoins. The stream does not come through where the map is showing it to go through. The map is not right and DEQ is sending someone to see what he is talking about. The review by DEQ is supposed to be done by next week and they will get back to them then. He asked about the recreational areas and he asked if they were for public use.

Mr. Frank said the main trail might become a part of the main Strasburg Trail system and if this happens, then it would be dedicated to the town.

Mr. Fester continued by saying the area where this is being built is unstable. He discussed some of the holes. The types of springs in the area could cause the town to lose its Town Run. He would like to see someone about where the water meets as it is on the Hupp property which has already seen a lot of erosion and loss of trees. He further discussed the runoff and how it will come to this property. He said it is a bad idea. He said that what is off of the property that is being developed should be looked at more.

Larry Bright, Zea Street, Strasburg, VA: Stated this development is not far from three quarries. What closed those quarries down was that when they were digging for the limestone, the springs sprung loose and the quarry filled. The entire area is full of underground caverns.

He thought the goal of the town was to bring people to downtown Strasburg. If we have a strip mall, what will happen to the downtown area? This is all his opinion, but he would like them to take it into consideration.

Kim Bishop, 728 Crystal Lane, Strasburg, VA: Stated she has been on **Mr. Fester's** property, and she has seen where the property comes together; she wanted to make the Commission aware that he is not making this up. As a citizen, she has concerns. You can see how the area has widened. He is telling the truth.

Cliff Hupp, owner of the Hupp Property and lives in Winchester, VA: Said he worked for the Department of the Interior for 41 years. He has a Ph.D. in the study of water, rivers, etc. All of the building will increase the impervious water shed. He discussed the peaks of floods, and said he wrote a paper on this and presented this to the Commission. He discussed the peaks on a stream in Fairfax County after building took place. This has a huge impact on the pervious surface. He showed a picture of trees on another creek and how the erosion happens. He wanted to know why are we having a planning meeting before the DEQ releases the results.

P&Z Administrator Pambid said these are not construction level plans and this is when the report of DEQ will be looked at. **Mr. Hupp** said he has heard rumors about where they did the study.

Andrew Hall, Hupp's Ridge, Strasburg, VA: Mr. Hall questioned the level of parking. As president of the HOA at Hupp's Ridge, he doesn't think this level of parking is adequate; he would push for a higher level to satisfy the number of vehicles people have. He said they should also start planning school bus stops and things such as this. Sooner or later you will have kids and these should be incorporated into the HOA property. As Frontier Fort Lane adjoins this project, they look forward to having parking on both sides of the street. As the trail is put in, as it approaches Mineral Street, they would like for this to join with their development.

Larry Bright: Asked if anyone thinks the developers or builders are going to move here? No, they have the bottom line of the almighty dollar and are not interested in our town at all.

Being no further speakers, the Public Hearing closed at 7:32 p.m.

• To receive public comments on amendments to various provisions of the Unified Development Ordinance, Section 4.19, generally known as the "Sign Ordinance".

P&Z Administrator Pambid reviewed the main themes of the Reed vs. The Town of Gilbert, Arizona. Town Manager Pearson spoke to the subject of political signs and how it would be handled. There are specific regulations for temporary signs as far as yard sales, etc.

Chairperson Flanagan asked how liberal the regulations are as far as content. He asked if there are some perimeters and used a "gentlemen's club" as an example. **Town Manager Pearson** said there is some regulation as far as lewd content.

It was noted that the historical district might not allow all the same signs as other districts.

Chairperson Flanagan opened the public hearing at 8:35 p.m.

Mr. Hall said there was a previous discussion on private art and how it could fall into signage.

Town Manager Pearson said these will go to Town Council and we are not including murals as signage. Art does not meet the definition of a sign.

Mr. Hall asked what if the hardware store wanted to paint screws and pliers on the side of their wall, and **Town Manager Pearson** said that would be considered a sign. **Mr. Hall** said it is thought provoking and **Town Manager Pearson** said they would have to address this at some point.

With no other speakers, the Public Hearing closed at Closed public hearing at 8:39

Action Items:

• Summit Crossing Preliminary Development Plan

<u>Description</u>: A layout plan and preliminary subdivision plat for 111 townhouse lots and 141 single-family lots.

Staff Contact: Lee Pambid, Planning & Zoning Administrator

Support Documents: Staff Report

P&Z Administrator Pambid had reviewed the Staff Report prior to the Public Hearing and had no other comments. **Mr. Frank** said he was in attendance to answer any questions. The erosion and storm water are part of the construction plans. He can have a surveyor come and accurately show this correctly.

Mr. Hupp asked how far the flood projections go downstream. **Mr. Frank** said the point of study is where you can see the HOA lines. **Mr. Hupp** asked who is responsible for what happens

downstream, and Mr. Frank responded that DEQ has regulations.

Commissioner Poling said it is required that post construction can have no more water than it did pre-construction, and **Mr. Frank** agreed with that statement.

Commissioner Poling asked if stormwater management is a directive of DEQ and it is. **Commissioner Poling** asked if DEQ comes out and looks at this and they do, and **Mr. Frank** added that Erosion and Sediment Control is under Shenandoah County. **Commissioner Poling** asked what happens if DEQ requires significant changes and **Town Manager Pearson** said the UDO allows for the changes and it might or might not go through the Planning Commission.

P&Z Administrator Pambid said the comments on stormwater capacity is way beyond the level of detail that is required for a Preliminary Plan. **Chairperson Flanagan** said it needs to be in the record for the developer.

Chairperson Flanagan said the Commission previously approved Phase I, and asked if there have been any changes to Phase I, and it was said the Commission is only concentrating on Phases II and III at this meeting. Mr. Frank said an opportunity has presented itself to show all three phases of the development. If there were to be a major change to the plan, it would need to come back to the Planning Commission. They made no significant changes to Phase I and most of the changes are to Phase III due to the requests of the town.

Chairperson Flanagan said it is a good suggestion to connect this development with Hupp's Ridge. **Mr. Frank** showed the connections and how you can get to Route 11.

Chairperson Flanagan said in looking at Phase III, will these homes front Colley Block and they will. This has been consistent all along. **Chairperson Flanagan** said this will make a major change to the appearance to Colley Block Road.

Commissioner Poling said the initial process started in 2004. When it came to the Town Council and Planning Commission at that time, what approvals were given. **P&Z Administrator Pambid** did not have the approvals in front of him, but he reviewed what he could remember. **Commissioner Poling** asked what happened in 2006 to cause this to stop. **Town Manager Pearson** said this has been protected by the process of the state.

Commissioner Poling said there were environmental issues that are troubling. What avenue does the Planning Commission have for not approving. **Town Manager Pearson** said the developer chose to start over so it is not known about the vested right.

Mr. Frank said to get the approval of the site plan, there was a stormwater management plan approved. Pervious areas increase flooding. What was shown earlier is very dramatic and very real. **Mr. Frank** said they are using the most current DEQ regulations. DEQ regulations are written to "pay for the sins of the past." The development plans will not contribute to downstream problems.

Commissioner Poling discussed his history with stormwater management. DEQ has the final say and this is different than when this was approved in 2006. **Mr. Frank** said they are in excess of the open space. The Comprehensive Plan dictates where the growth needs to occur. **Commissioner Poling** said maybe the Comprehensive Plan didn't show where the development should have happened.

Commissioner Massey said the Town Run is a serious issue and this development might have an

adverse effect on it. The town needs to be aware of and take action where needed to protect Town Run. He continued by saying that in the drawings we have seen, there is a lack of connection between the housing areas and the walkways. The only connection is at roads. He doesn't see any changes on the plans. He doesn't see any guarantees that walkways will be there and built. The land needs to be marked as preserved for walkways and there needs to be connections other than the major highways. Pambid said he would like to have a discussion with Frank as he would like to have more connections. Frank said they could add connections, but they wouldn't be ADA compatible due to the grade. Massey would like to see step connection even if it isn't ideal. People who want to use their feet need to be able to get around.

Pambid discussed how people would have to get to "tot lots" and staff has suggested adding some amenities so that they are accessible and evenly spaced for the entire project. Massey said there should be a pedestrian connection. He pointed out on the plan where the connections should be extended.

Commissioner Massey said there is an electric line that runs through the property. Who takes care of the land under the lines? **Mr. Frank** said it is an electrical easement and they can add it to the HOA covenants to take care of this as long as the power company agrees with it.

Commissioner Massey said a motion should include an expression for the connections. **Commissioner Poling** didn't want to approve something that would allow for the people to walk through their property. He wouldn't want to diminish the value of the property. He understands the need for connectivity, but he isn't sure how to solve the problem.

Commissioner Massey moved for approval subject to the discussions that have taken place which include the two suggestions by staff and further considerations to multiple accesses to phases I, II, and III); second by Chairperson Flanagan.

With no further discussion, the motion passed unanimously.

• Sign Ordinance Amendments

<u>Description</u>: Amendments to multiple provisions of UDO Section 4.19 (Sign Ordinance). Key changes include the following: remove content-based regulations per U.S. Supreme Court case Reed vs. Gilbert (2016); improve clarity; remove duplicates and obsolete language; amend historic signage regulations, including allowing administrative approval under certain circumstances; allow electronic message boards for certain uses such as drive-through restaurants.

Flag signs were discussed as far as what they actually are. It could be that feather signs would not be included in the ordinance.

Commissioner Poling moved to recommend to Town Council the approval of the Sign Ordinance Amendments; second by Commissioner Rhodes.

Discussion:

Chairperson Flanagan said this has brought heated reaction from many people and he wonders what has been done to placate this. **Town Manager Pearson** said we are striving for simplification. **P&Z Administrator Pambid** said these provisions are making the ordinance more business friendly.

With no further discussion, the motion passed unanimously.

Discussion Items:

1. Staff Updates

The Boards and Commissions Dinner will be held on Thursday, December 5.

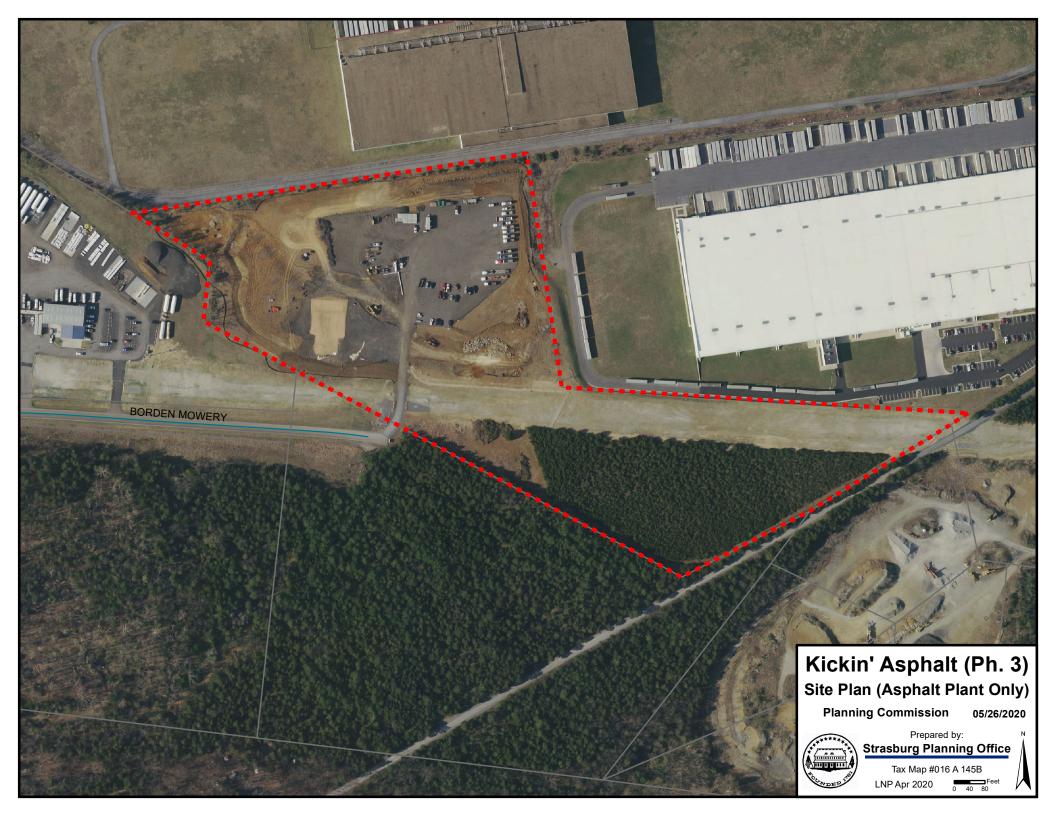
December 24th is the next scheduled meeting. As of now, **P&Z Administrator Pambid** said there are no items on the agenda. Unless there is something the Planning Commission wants to meet about, there will be no meeting in December. It was decided there will be no meeting during December.

P&Z Administrator Pambid said he gives monthly reports to Council. It was suggested to email this to the Planning Commission.

New/Old Business

Adjournment

Being no further business, the meeting adjourned at 8:45 p.m.





Memorandum

To: Strasburg Planning Commission

From: Leander N. "Lee" Pambid, Planning and Zoning Administrator

Date: Wednesday, May 20, 2020

Re: Kickin' Asphalt Phase 3 (Asphalt Processing Plant Location) Site Plan Application

Identification and Location Information

Applicant	Tyler Austin, Racey Engineering	
Property Owner	Kickin Rentals III, LLC Tax Parcel # 016 A 145B	
Location	33601 Old Valley Pike, US Route 11	
Acreage	20.02 acres	
Zoning	Business Park/ Limited Industrial (BP/LI)	
Overlays	None	
Adjacent Zoning	BP/LI (all adjacent properties)	
Adjacent Uses	Vacant; Petroleum; Manufacturing	

Overview

Report Date: 5/20/2020

PC Date: 5/26/2020

The applicant requests approval of a site plan amendment specifically for the location and the construction of a previously approved Special Use Permit. At the time of approval by the Planning Commission and Town Council, the minutes indicated that this phase of the site's development would need to come back to the Planning Commission. That is the purpose of this case.

The SUP's 2017 site plan anticipated the addition and indicated the general location of the asphalt processing plant along the eastern edge of the site, and with this case, that location has shifted slightly within the same general envelope. The overall height of the processing plant is 60'. Please note the plans include a possible second silo, which must be approved by amending the June 13, 2017 Special Use Permit. See Condition #3 of the Special Use Permit (FY17-18/061). This requires a Planning Commission recommendation and Town Council action.

Staff has requested that the heavy equipment storage area and staff parking areas switch in order to remove the heavy equipment from public view as much as possible. The purpose of this request is grounded in Section 3.14.2.B.9. Additionally, staff has requested that physical protection be provided for the northern buffer from daily heavy activity of the laydown area



and drive aisle. The purpose of this request is to protect trees and buffer plantings from daily wear-and-tear as well as from further encroachment of these graveled areas into the grass areas shown on the original plan.

Eleven (11) conditions were attached to the Special Use Permit. A response letter detailing the applicant's responses to or compliance with the conditions was received on April 8, 2020 and is attached. The following select conditions are detailed further below:

- Compliance with Condition #1 requiring evidence of approved permits is pending. A DEQ permit is required.
- Conditions #6 and #7 describe landscaping requirements. The C25 buffer per #6 has been installed per the approved plan and was inspected by the staff in October of 2019. The response to #7 proposes installing vegetation once the asphalt plant has been installed and sight lines and visual impact determined in the field. A supplementary landscape plan will need to be provided should additional landscape material be needed.
- Per Condition #8, a minor subdivision and right-of-way dedication plat is under administrative staff review and action for the extension of Borden Mowery Drive. The minor subdivision reduces the current site from 20.02 acres to a minimum of 11.93 acres and creates a maximum of 3 lots. This is reported here for informational purposes only, and the plat does not require review or action by the Commission.
- Per Condition #9, a Traffic Impact Analysis was performed. The Town received it, and the report concluded that current existing road conditions, intersections, and capacity can support the proposed asphalt plant.
- Condition #11 requires a 3rd party inspection of the plant within the first 6 months of operation. While the following are not specified in the condition:
 - specific timing of the inspection;

Report Date: 5/20/2020

PC Date: 5/26/2020

- what the inspection is looking for;
- what constitutes a passing inspection;
- o what the consequences are for a failed inspection; and
- what the time limit is for correcting any deficiencies and what the penalties are for exceeding a time limit;

staff recommends that this inspection take place sometime in month 4 or 5 to give the operator/ applicant time to identify, inspect for, and address any deficiencies by the end of the 6-month period. A Town site inspection for compliance with SUP conditions and normal UDO requirements should also take place within the same time frame.



Citizen Comment

At the time of the preparation of the staff report, no comments had been received from the public.

Recommendation

Staff recommends approval of the proposed site plan amendment, with the following conditions:

- Prior to signature, the plan be revised per the annotations on the staff's plan, including swapping the employee parking and heavy equipment storage areas and providing additional protection for the northern landscape buffer.
- Bring all pole mounted light fixtures into compliance with current requirements.
- The conditions of the Special Use Permit (see FY17-18/061) are still in effect.

Attachments

- 1. Staff aerial and annotated plans (layout and asphalt plant specification plans)
- 2. Chronology of approvals, including SUP conditions and engineer's SUP response letter.

Staff Contact

Report Date: 5/20/2020

PC Date: 5/26/2020

Lee Pambid, Planning and Zoning Administrator

Phone: 540-465-9197 x 127

Email: lpambid@strasburgva.com



December 4, 2019

Kenneth Radford Kickin Asphalt 749 Borden Mowery Drive Strasburg, VA 22657

Re: Kickin Asphalt

749 Borden Mowery Drive Tax Map # 016 A 145B Town Approvals

Dear Mr. Radford:

This letter is issued to document the approvals for the above referenced facility, given the absence of any prior approval letters.

- 1. **FY17-18/034:** Temporary Use approved by the Strasburg Town Manager on September 20, 2017, subject to conditions. This permit has been superseded by the subsequent approvals of a special use permit and site plan.
- 2. **FY17-18/061:** Special Use Permit approved by the Town Council on June 13, 2017, and by the Town Manager on October 30, 2017, subject to conditions. **See attached.**
- 3. **FY17-18/166:** Site Plan (construction plan) approved by the Planning Commission on November 28, 2017, and by the Planning and Zoning Administrator on May 29, 2018.
- 4. **FY18-19/025:** Sign Permit approved by the Planning and Zoning Administrator on September 18, 2018.

Digital files of each of these documents are available upon request. You may contact me at **540-465-9197 x127 and** <u>lpambid@strasburgva.com</u> if you need any additional information or require further assistance.

Sincerely,

Leander N. "Lee" Pambid
Planning and Zoning Administrator

Attachments (1)

SUP Conditions

PC: Wyatt Pearson, Strasburg Town Manager

KICKIN RENTALS III, LLC.

Special Use Permit June 13, 2017

Conditions

- 1. All necessary permits shall be obtained before operation begins. Copies of all applicable permits shall be submitted to the Town of Strasburg and verified by the Town as valid before operation begins.
- 2. Only one (1) asphalt batch or continuous fixed plant shall be running at production capacity at any given time.
- 3. Only two (2) silos shall be permitted on the site. Initially, the applicant is granted permission to install and operate one silo. The applicant, or a future owner may request permission for the installation and use of a second silo, by amending the Special Use Permit (fees waived).
- 4. Any deliveries relating to the operations on site will occur between the hours of 7:00am and 7:00pm.
- 5. The applicant shall install all the necessary mitigation efforts to ensure the operation of the asphalt plant does not produce offensive noise, dust, or odors. The Code of Virginia Title 48. Nuisances, and Strasburg Town Code Chapter 38 Environment, shall serve as the applicable standards for enforcement.
- 6. The installation of a C25 Buffer yard as described in the Unified Development Ordinance (UDO) shall be installed along the front, side, and rear property lines to screen all permitted uses. The installations shall be maintained in accordance with UDO section 4.15.14.
- 7. Additional vegetative screening shall be installed and maintained in functional condition to screen the asphalt plant structure from Interstate I-81, and the western portion of Borden Mowery Drive. The installations shall be maintained in accordance with UDO section 4.15.14.
- 8. The land owner will prepare a deed and plat to convey Right of Way for the extension of Borden Mowery Drive on a parallel alignment with the gas line as identified on the Existing Features Plan Sheet C101 that was submitted as part of this application, with a minimum width of eighty (80) feet.
- 9. The applicant shall conduct a Traffic Impact Analysis (TIA), of sufficient form and content as approved by the Virginia Department of Transportation, to determine whether any improvements need to be made to the existing or proposed transportation infrastructure, in order to accommodate the proposed uses. The TIA shall be completed prior to operation beginning.
- 10. No operation or function related to asphalt production or distribution will be permitted in the residual area south of the proposed Borden Mowery Drive extension.

11. Within the first six (6) months after all necessary permits for operations are obtained (copies of which shall be submitted to the Town) the applicant will pay for an independent third party inspection of the operating plant. The Town shall choose the criteria for inspection; the time of inspection; and the independent third party inspector.

Accepted by Town Council and Applicant:

KICKIN RENTALS III, LLC.

Kenneth Radford, President

TOWN OF STRASBURG

Wyatt Pearson, Town Manager



March 26, 2020

Town of Strasburg 174 East King Street Strasburg, VA 22657 Ph: 540-465-9197 RECEIVED

APR - 8 2020

Project: Kickin' Rentals III, LLC – Proposed Asphalt Plant Strasburg, Virginia

otraobarg, mgma

Racey Project Number: 7530

Subject: Special Use Permit Conditions - Asphalt Plant Submittal Package

On behalf of Kickin' Rentals III, LLC ("Kickin'"), Racey Engineering, PLLC ("Racey") is submitting this narrative along with several attachments that serve as the formal submittal package for the Proposed Asphalt Plant. This submittal package includes documents as required in the Special Use Permit. Itemized below are the conditions of the Special Use Permit along with our responses exemplifying compliance with the conditions.

Condition 1

All necessary permits shall be obtained before operation begins. Copies of all applicable permits shall be submitted to the Town of Strasburg and verified by the Town as valid before operation begins.

RESPONSE: Kickin' is working with DEQ on completing the permit. All permits will be complete before any operations begin.

Condition 2

Only one (1) asphalt batch or continuous fixed plant shall be running at production capacity at any given time.

RESPONSE: Only one continuous fixed plant is proposed.

Condition 3

Only two (2) silos shall be permitted on the site. Initially, the applicant is granted permission for the installation and operate one silo. The applicant, or future owner may request permission for the installation and use of a second silo, by amending the Special use Permit (fees waved).

RESPONSE: Two proposed silos has been shown on the layout exhibit, with the second being shown as "future". If the second silo is desired, the owner will request permission by amending the Special Use Permit.



Condition 4

Any deliveries relating to the operations on site will occur between the hours of 7:00am and 7:00pm.

RESPONSE: Acknowledged. All deliveries relating to operations will occur between 7:00am and 7:00pm.

Condition 5

The applicant shall install all the necessary mitigation efforts to ensure the operations of the asphalt plant does not produce offensive noise, dust or odors. The Code of Virginia Title 48. Nuisances, and Strasburg Town Code Chapter 38 – Environment, shall serve as the applicable standards for enforcement.

RESPONSE: Acknowledged and understood.

Condition 6

The installation of a C25 Buffer yard as described in the Unified Development Ordinance (UDO) shall be installed along the front, side, and rear property lines to screen all permitted uses. The installations shall be maintained in accordance with UDO section 4.15.14.

RESPONSE: C25 Buffer Yard has been installed as shown on the approved Site Plan, and as approved by the Town's site inspection.

Condition 7

Additional vegetative screening shall be installed and maintained in functional condition to screen the asphalt plant structure from Interstate I-81, and the western portion of Borden Mowery Drive. The installations shall be maintained in accordance with UDO section 4.15.14

RESPONSE: Additional screening will be installed, as necessary, in the described areas once the plant is installed. Kickin' will coordinate with the Town to determine if any additional screening is necessary and the precise locations.

Condition 8

The land owner will prepare a deed and plat to convey Right of Way for the extension of Borden Mowery Drive on a parallel alignment with the gas line as identified on the Existing Features Plan Sheet C101 that was submitted as part of this application, with a minimum width of eighty (80) feet.

RESPONSE: The Subdivision and Right-of-Way plat is included in this package. The deed is being prepared and will be submitted separately once completed. It is understood that the Town will need to review and approve this Right-of-Way Plat.



Condition 9

The applicant shall conduct a Traffic Impact Analysis (TIA), or sufficient form and content as approved by the Virginia Department of Transportation, to determine whether any improvements need to be made to the existing or proposed transportation infrastructure, in order to accommodate the proposed uses. The TIA shall be completed prior to operation beginning.

RESPONSE: The TIA has been and approved by both VDOT and the Town electronically with no impacts shown by the asphalt plant operation.

Condition 10

No operation or function related to asphalt production or distribution will be permitted in the residual area south of the proposed Borden Mowery Drive extension.

RESPONSE: Understood. No operations related to asphalt production or distribution are planned or will occur in the residual area south of the proposed Borden Mowery Drive extension.

We feel that this submittal package contains all documentation as required in the above conditions of the Special Use Permit. An expedited administrative review of this package is requested, as the purchase of this plant is time sensitive and hinges on the approval by the Town.

If you have any questions, please feel free to contact Kenneth Radford or myself.

Sincerely,

Racey Engineering, PLLC

Tyler Austin, PE, LS Operations Manager

Attachment: Two (2) - Proposed Asphalt Plant Layout Exhibit Plan

Two (2) - Copies of the Subdivision and ROW Dedication Plats

[Close]



MINUTES OF THE TOWN OF STRASBURG PLANNING COMMISSION MEETING, HELD ON TUESDAY, NOVEMBER 28TH, 2017 AT 7 P.M. IN A FIRST FLOOR OFFICE AT STRASBURG TOWN HALL

PLANNING COMMISSIONERS PRESENT: Chairperson Flanagan and Commissioners Nicholson, Poling, Reynolds, and Council Member Terndrup. Absent: Commissioners Dean and Massey.

TOWN STAFF PRESENT: Town Manager Pearson, Planning & Zoning Administrator Settle, and Clerk of Council Keller.

Approval of Agenda:

Commissioner Nicholson moved for the approval of the agenda; second by Commissioner Poling. With no discussion, the motion passed unanimously.

Action Items:

1. Approval of Minutes: Minutes of the October 24th, 2017 and November 6th, 2017 Planning Commission meetings.

Commissioner Nicholson moved for the approval of the minutes from the October 24th, 2017 Planning Commission meeting and the November 6th, 2017 Planning Commission meeting; Commissioner Reynolds offered the second to the motion. With no discussion, the motion passed unanimously.

2. Site Plan Application for T.M.P. #016A145B

Application for the establishment of a heavy construction contracting facility in the Northern Shenandoah Business Park at the end of Borden Mowery Drive. The property is zoned Business Park/Limited Industrial and the applicant, Kickin Asphalt, is proposing to establish this permitted use as their primary operations location and will construct an asphalt plant in accordance with their previously-approved Special Use Permit at a later date.

P&Z Administrator Settle reviewed the staff report. Shenandoah County asked that the applicant install a six inch line for a fire hydrant. Staff recommends approval with the addition of this.

Berlin Bly, representing the applicant, said they made some adjustments to the C25 landscape buffer. Their understanding was that the landscaping was to buffer sound and block and the C25 requires a lot of flowering trees and shrubs and they have substituted with more evergreen. They were trying to stay within the intent of the UDO.

Commissioner Poling asked if the issue of "phasing" of the plant had been resolved. **Town Manager Pearson** said they are only going for this site plan application at this point and will come back once a plant is decided upon. It has not been determined if they will be building a completely new plant or a used plant, but either way, the State will have to grant approval. **Commissioner Poling** asked that if Phase III never happens, does this site plan meet all the requirements of the town's ordinances. **P&Z Administrator Settle**

said they received an SUP for the asphalt plant, but the site plan does meet the ordinances and **Town Manager Pearson** said a highway construction is a by-right use of the land.

Council Member Terndrup asked what a C25 buffer means and **P&Z Administrator Settle** explained this as defined in the UDO. He said the C25 buffering is a condition of the SUP. **Council Member Terndrup** asked if the applicant would be required to maintain the buffer and **P&Z Administrator Settle** said that they do have to maintain it and it is how it is written in the UDO.

Council Member Terndrup said because of decisions of Council, there is only a voluntary agreement with the applicant on the odors, etc. We are relying on the good will of the corporate neighbor that they comply with this voluntary agreement. **Chairperson Flanagan** said this comment is duly noted, but felt it would be better stated when Phase III is brought before the Commission as this is basically a laydown yard.

Commissioner Poling said he is relying on what staff is saying in that it meets all the requirements of the UDO.

Chairperson Flanagan moved to approve the site plan as amended with amendments of the evergreen trees in place of decorative trees, the handicap spaces, and the hydrant line; second by Commissioner Nicholson. With no further discussion, the motion passed unanimously.

Commissioner Nicholson moved for adjournment; second by Commissioner Poling. The motion passed unanimously and the meeting adjourned at 8:32 p.m.

Name of site plan/ development, not property owner.

Phase 3

ASPHALT PLANT LAYOUT FOR

KICKIN' RENTALS III, LLC

SHENANDOAH COUNTY, VA

Town of Strasburg Davis Magisterial District

PROJECT SITE BORDEN MOWERY DRIVE NORTH

VICINITY MAP SCALE: 1" = 2000'

PROJECT COORDINATES 39° 00' 32.31" N 78° 21' 7.73" W

PROPOSED USE:

THE PURPOSE OF THIS PLAN SET IS TO DEPICT THE LOCATION, LAYOUT, AND SITE LOGISTICS OF A NEW ASPHALT PLANT, AS REQUIRED BY THE SPECIAL USE PERMIT. ALL OTHER SITE RELATED ITEMS ARE A PART OF THE APPROVED SITE PLAN, DATED 05/22/18.

Standard Town Approval Blocks flush with the upper right corner, dimensions intact. Do not resize.

Tyler S. Austin P. Lic. No. 053674 05/04/20	Asphalt
SONAL ENGINEE	ickin' /
PERMIT REVIEW SET	Kick

(Asphalt Processing

PERMIT REVIEW SET

May 26,2020

Staff Plan

ADDRESS: 749 BORDEN MOWERY DRIVE STRASBURG, VIRGINIA 22657 TELEPHONE NO:

PROJECT SITE SUMMARY:

OWNER/APPLICANT:

CONTACT:

(540) 465-1764PROJECT ENGINEER: RACEY ENGINEERING, PLLC **CONTACT:** TYLER S. AUSTIN, P.E. 312 WEST MAIN STREET ADDRESS: LURAY, VIRGINIA 22835

KICKIN' RENTALS III, LLC

MR. KENNETH RADFORD

TELEPHONE NO: (540) 743-9227

TAX MAP/PARCEL ID: 84-8-1-2

DB: 1412 PG: 615 DEED BOOK/INST NO:

COMMERCIAL MAG DISTRICT: DAVIS STRASBURG

PROPERTY CLASS: BUSINESS PARK\LIGHT INDUSTRIAL

FLOOD ZONE; FEMA MAP NO .: ZONE X; 51171C0075C

20.02 ACRES PROPERTY AREA: FRONT - 10' SETBACKS: BACK - 25'

SIDE - 20'

Provide the same data on this cover sheet as the originally approved plan, including parking.

RECEIVED

May 04 2020

Planning & Zoning Town of Strasburg VA

AGENCY APPROV	ALS
ZONING ADMINISTRATOR	DATE

Sheet List Table

Sheet Title

COVER SHEET

EXISTING FEATURES

OVERALL SITE LAYOUT

EXPANDED ASPHALT PLANT LAYOUT

ROAD PROFILE

Sheet Number

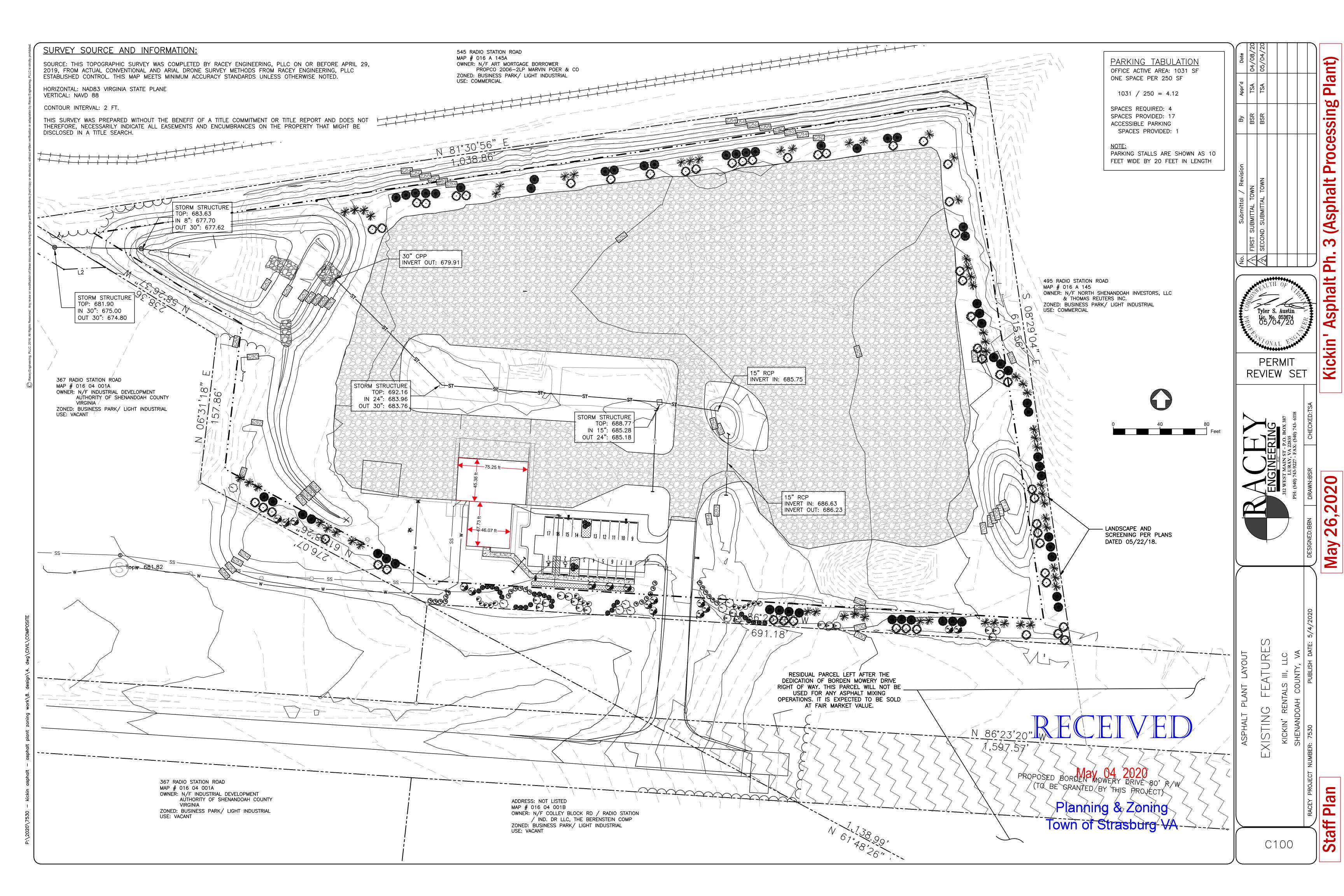
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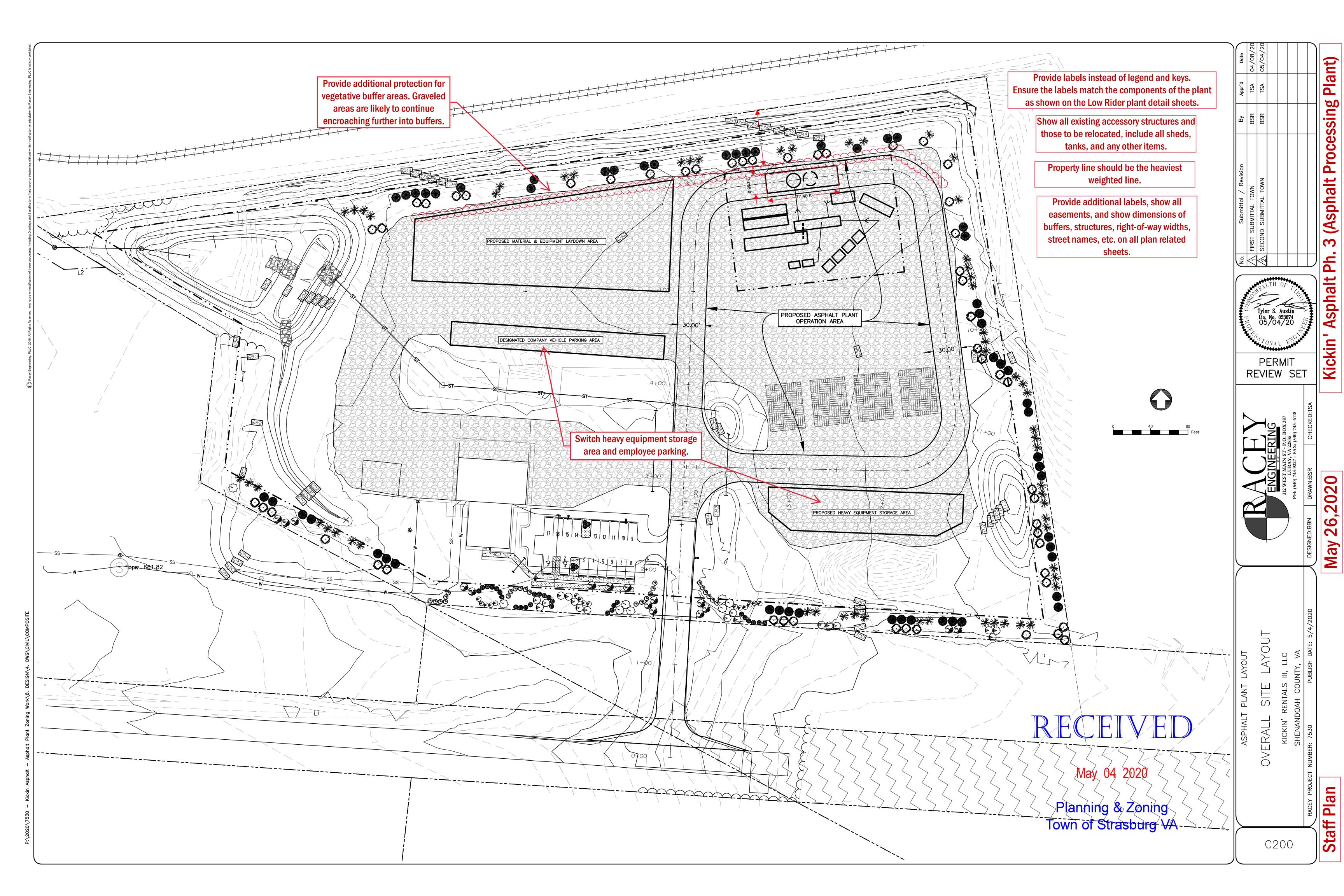
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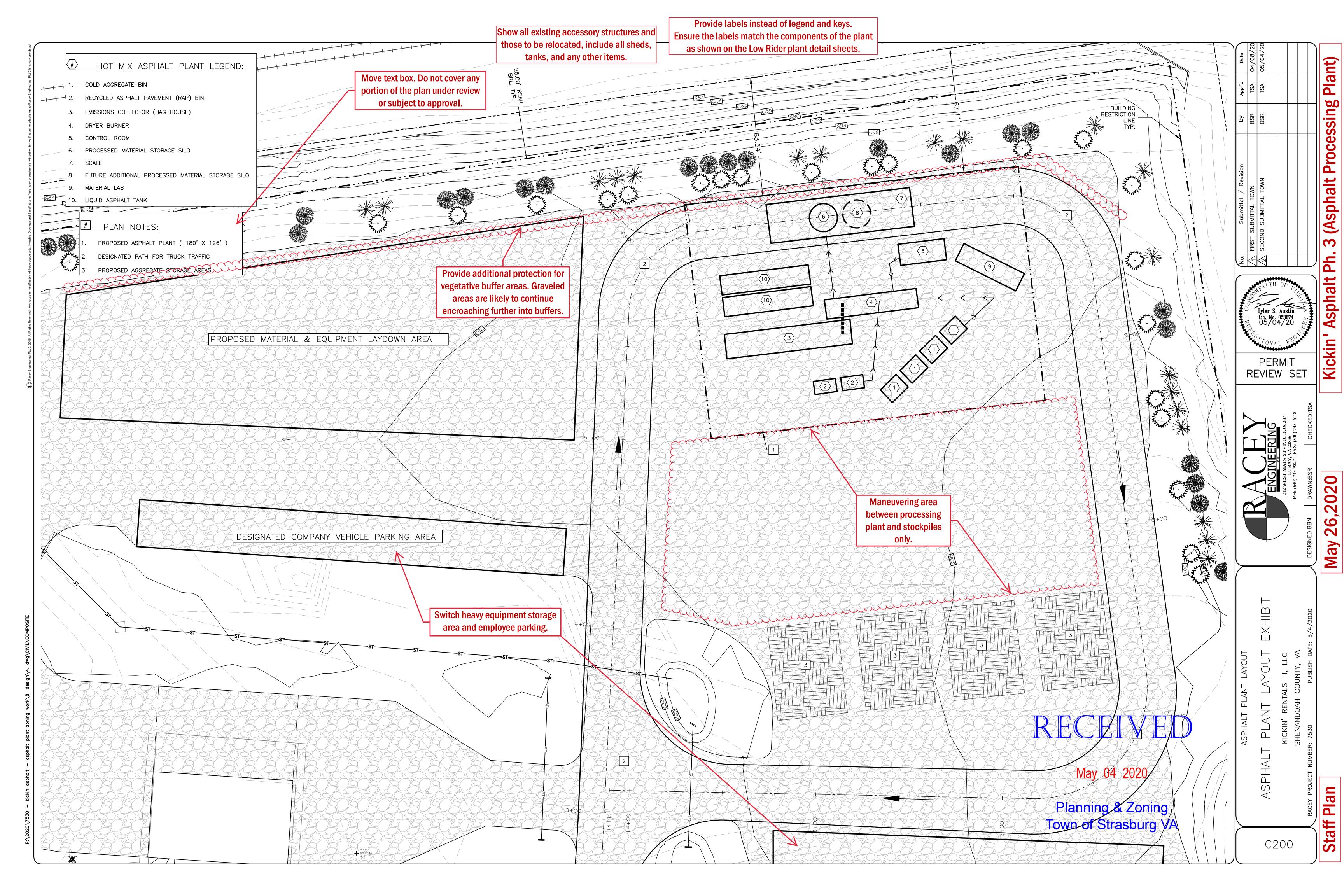
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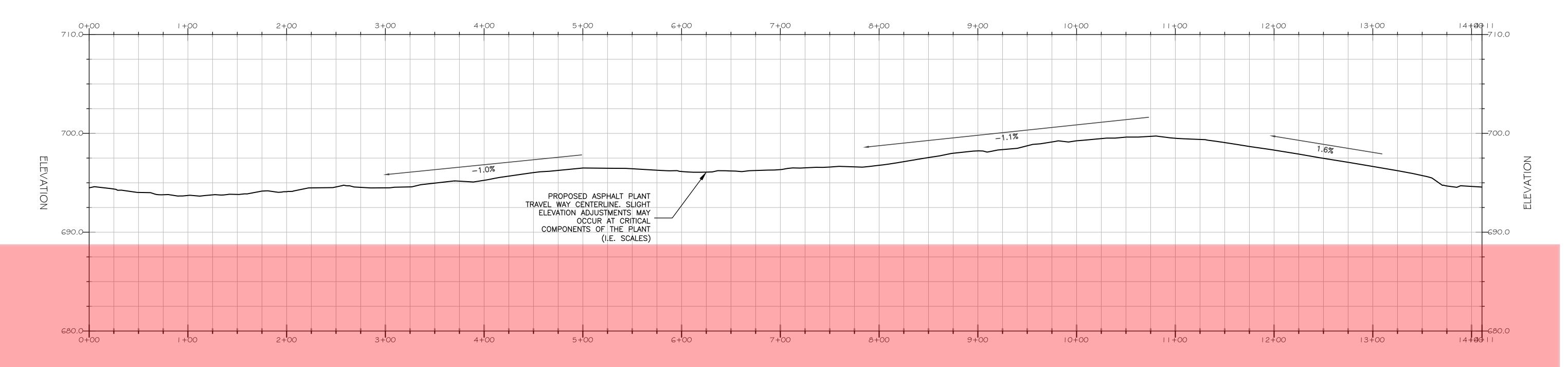




C202

Staff Plan

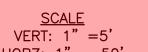




Include approval letter once provided, and conditions of original Special Use Permit either this sheet or separate sheet.

STATION

PROPOSED ASPHALT PLAN CENTERLINE PROFILE



RECEIVED

May 04 2020

Planning & Zoning Town of Strasburg VA

5 H 1800-821-5600

STANDARD HAVENS INC.



PORTABLE DRUM PLANT

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Planning & Zoning Town of Strasburg VA

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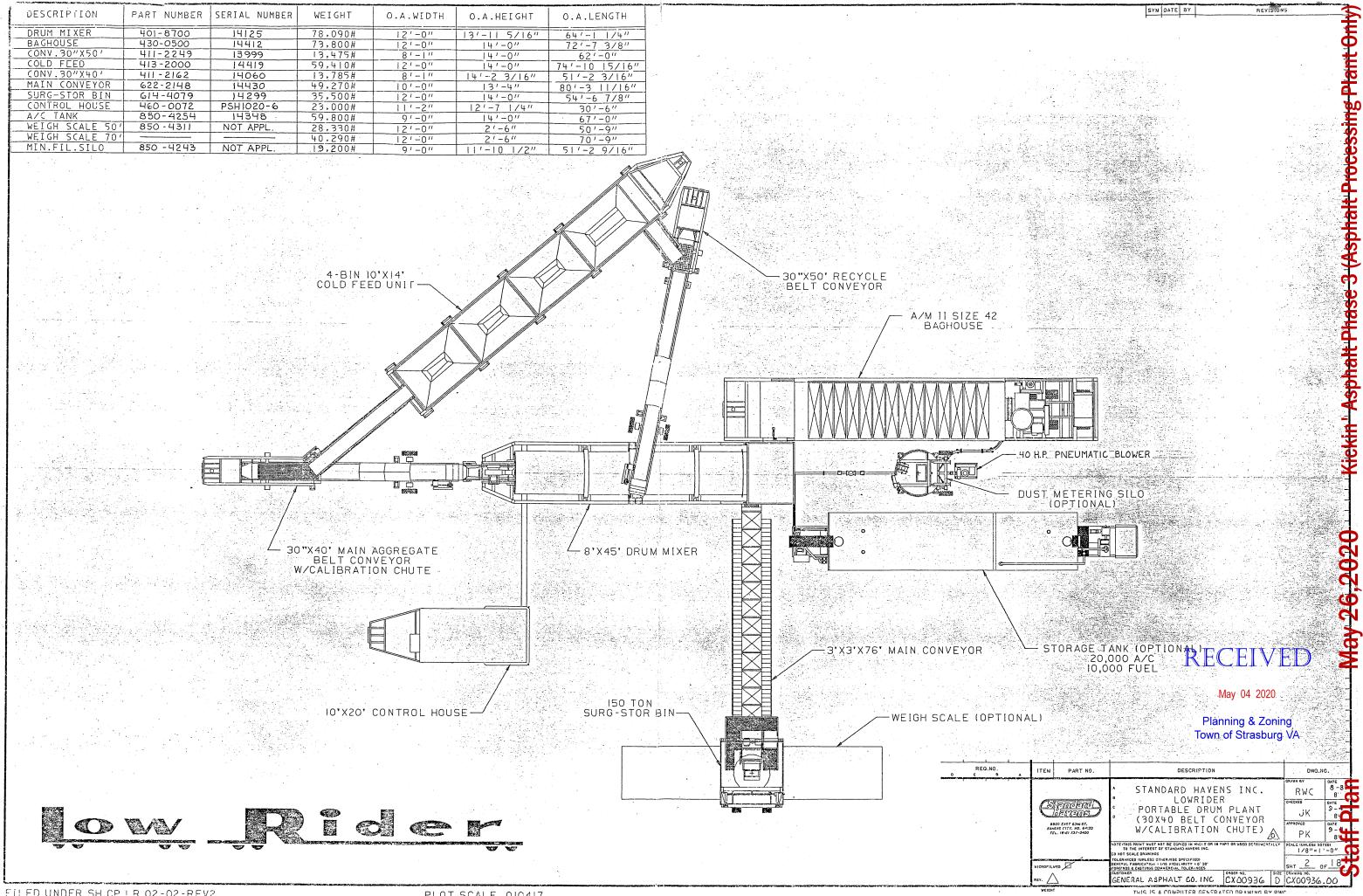
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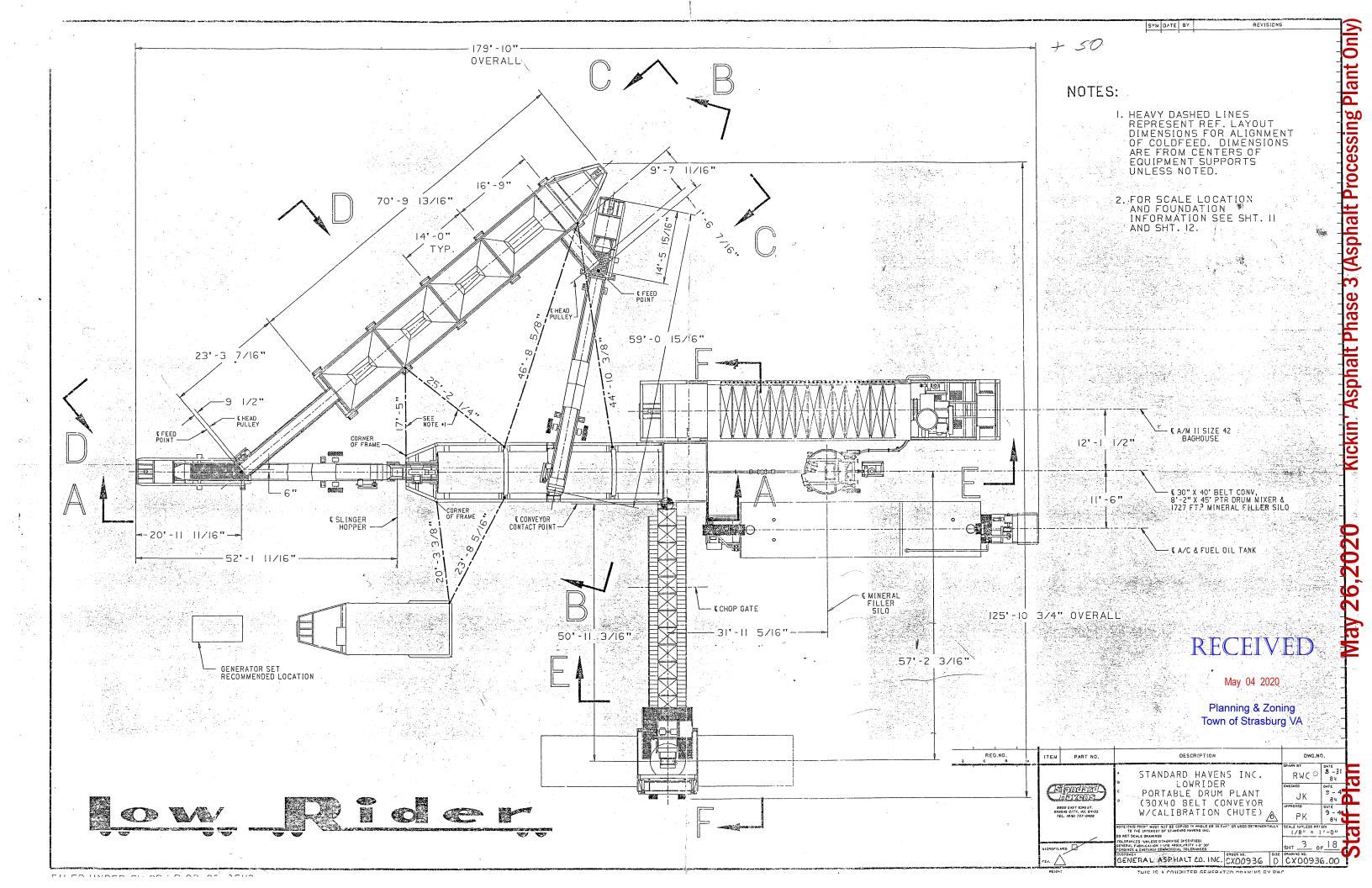
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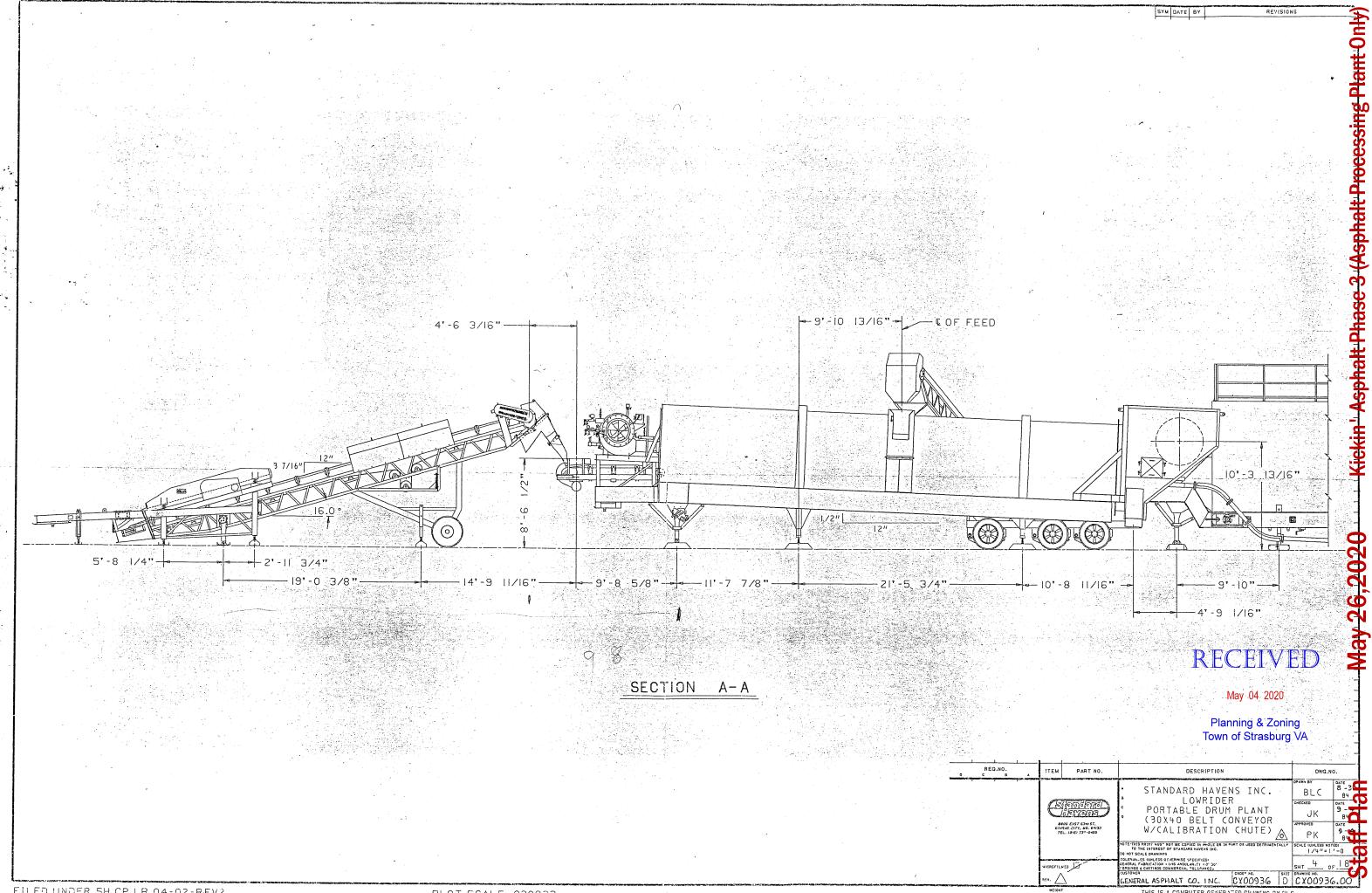
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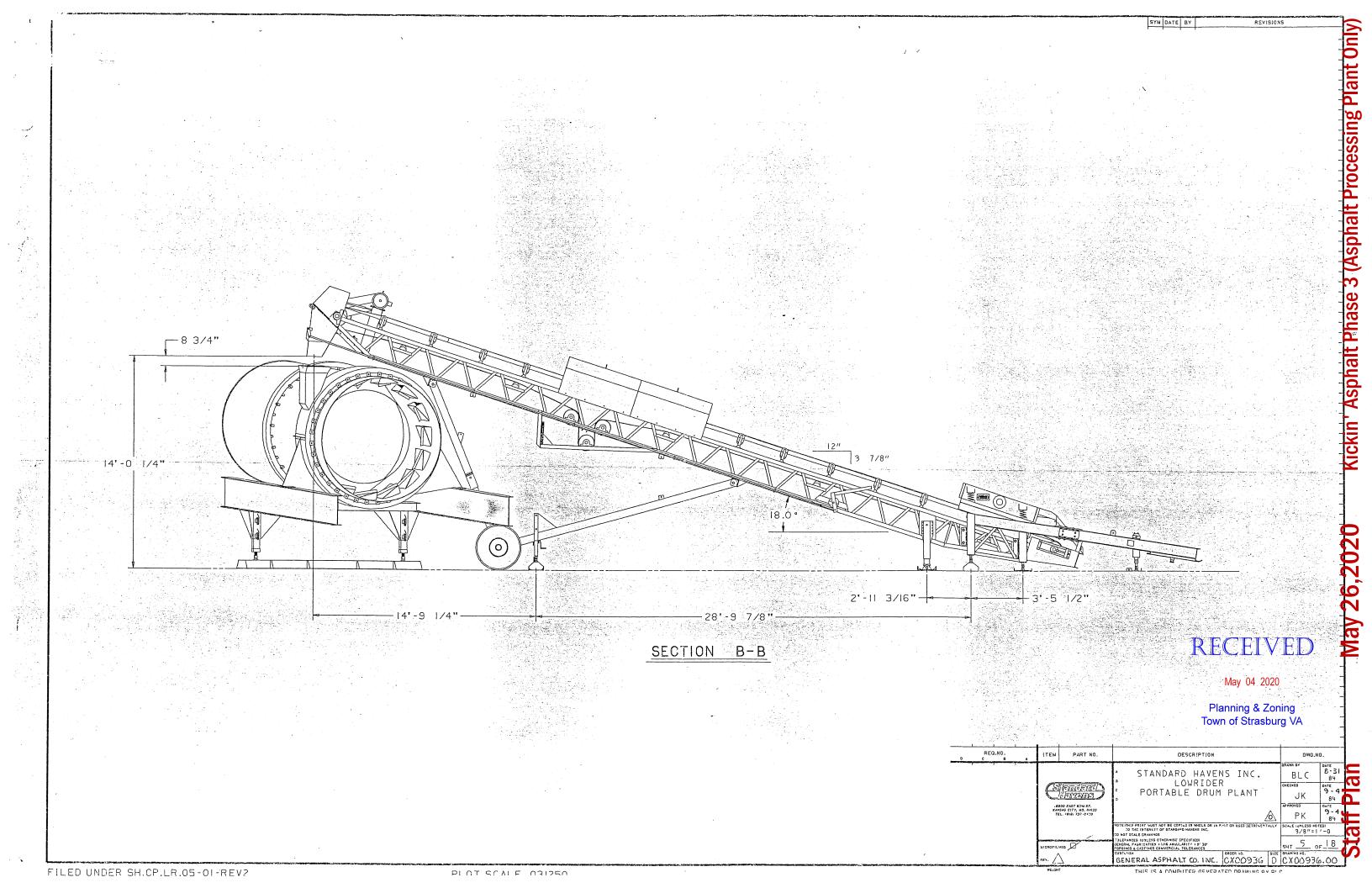
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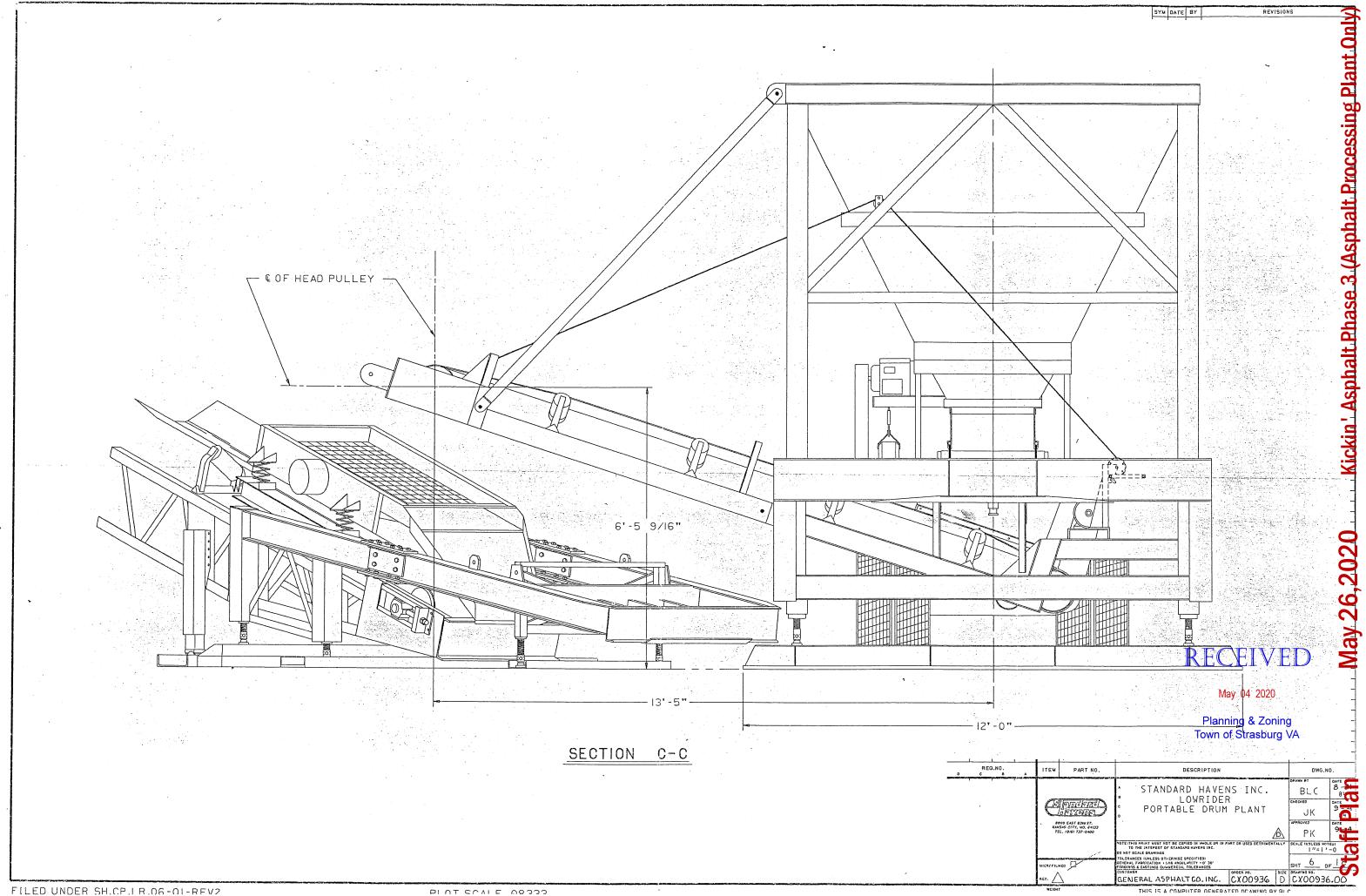


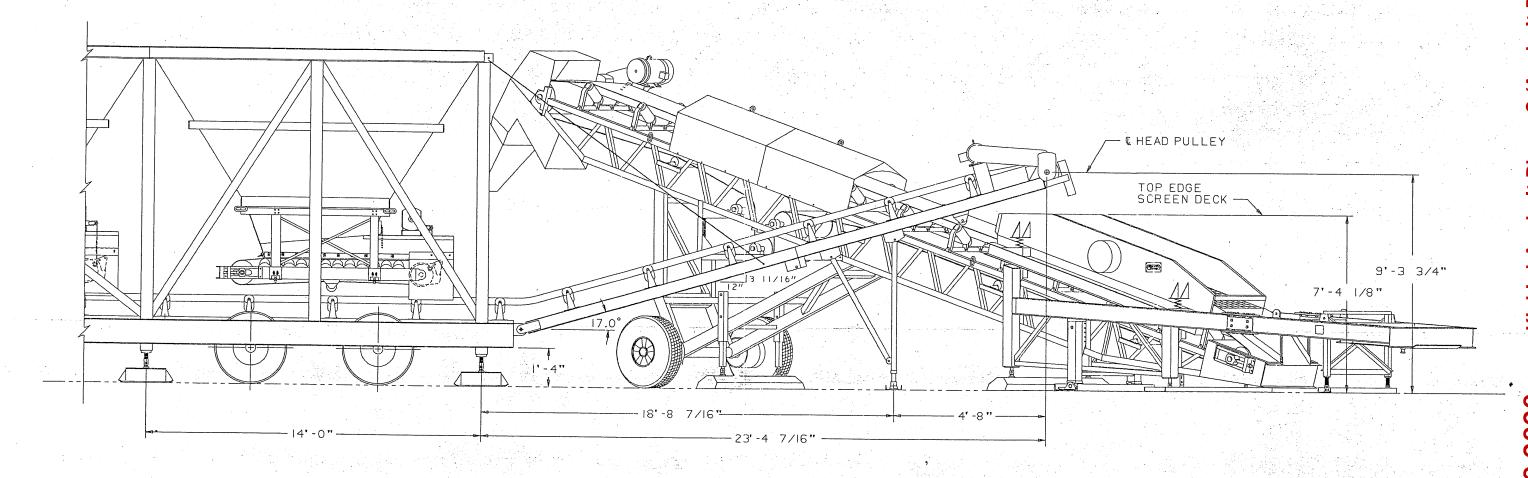
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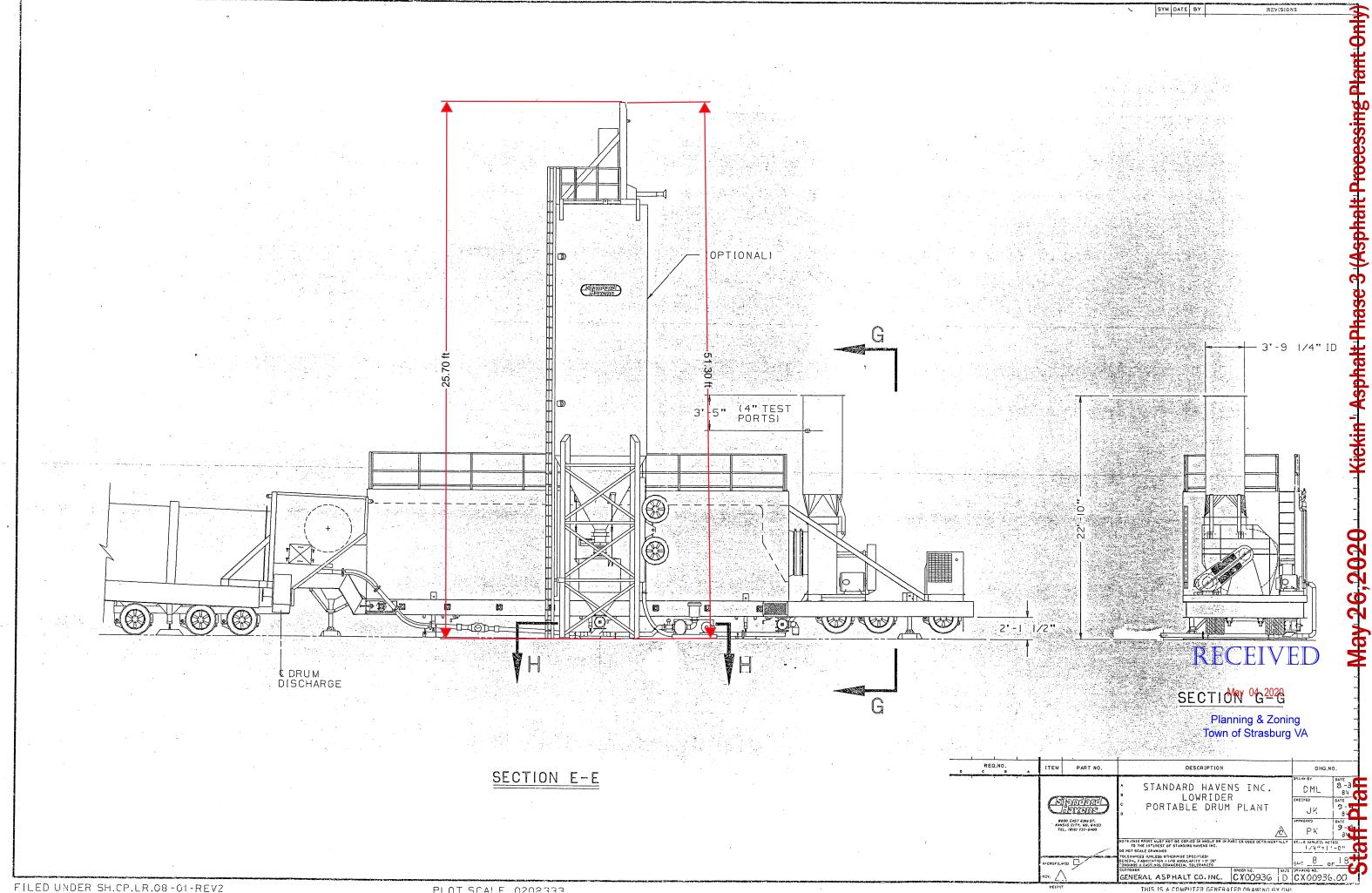
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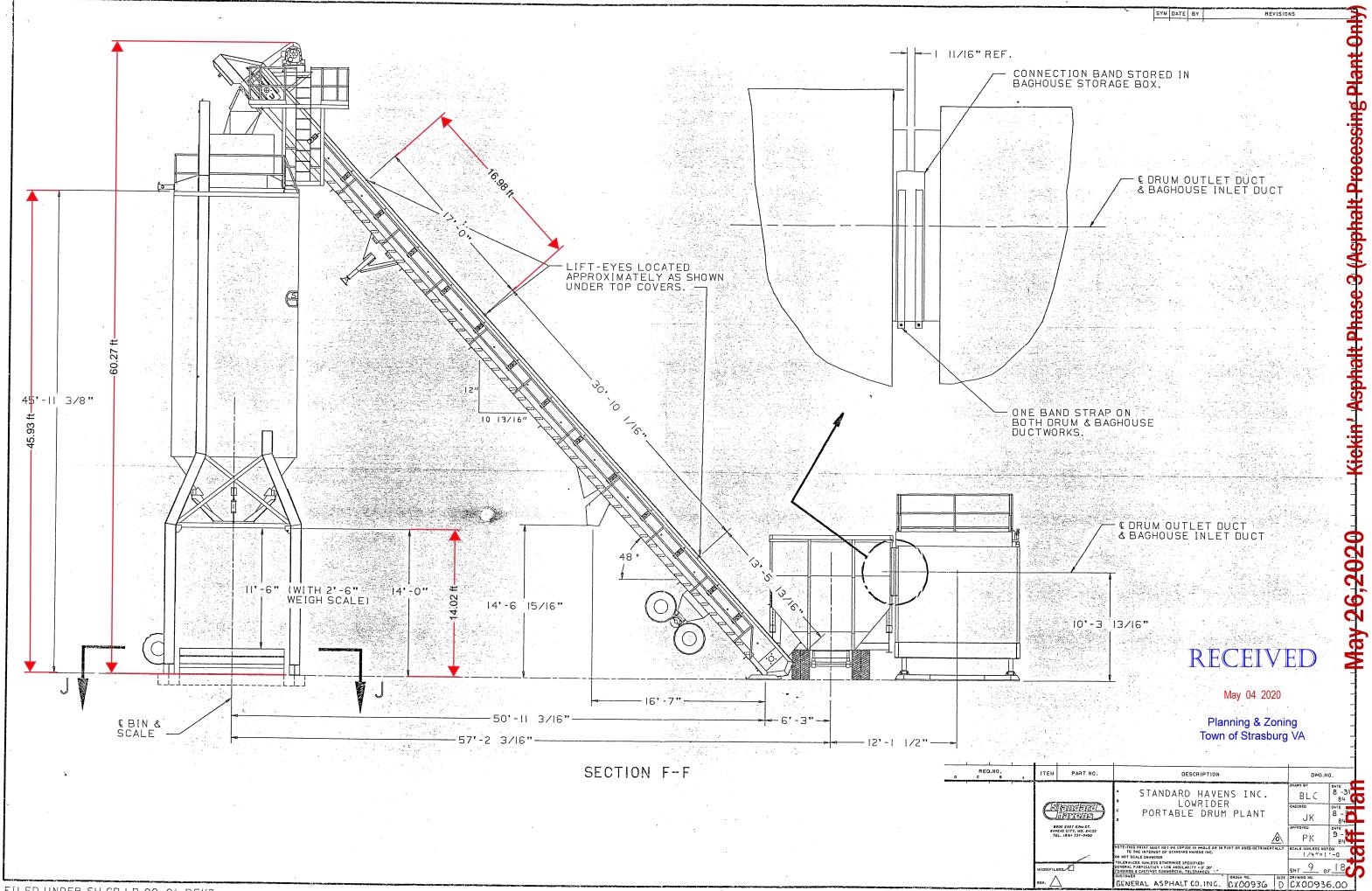
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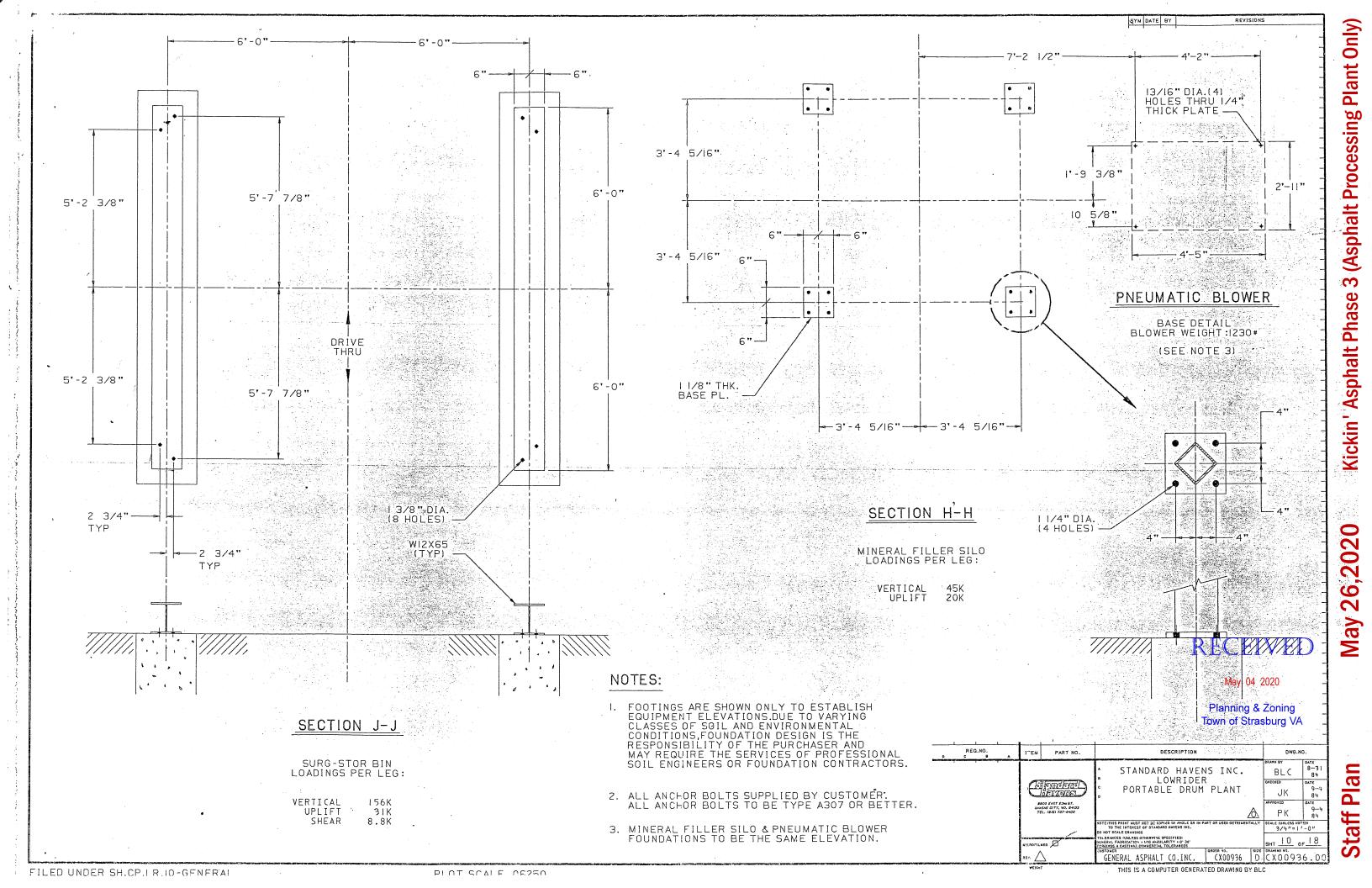
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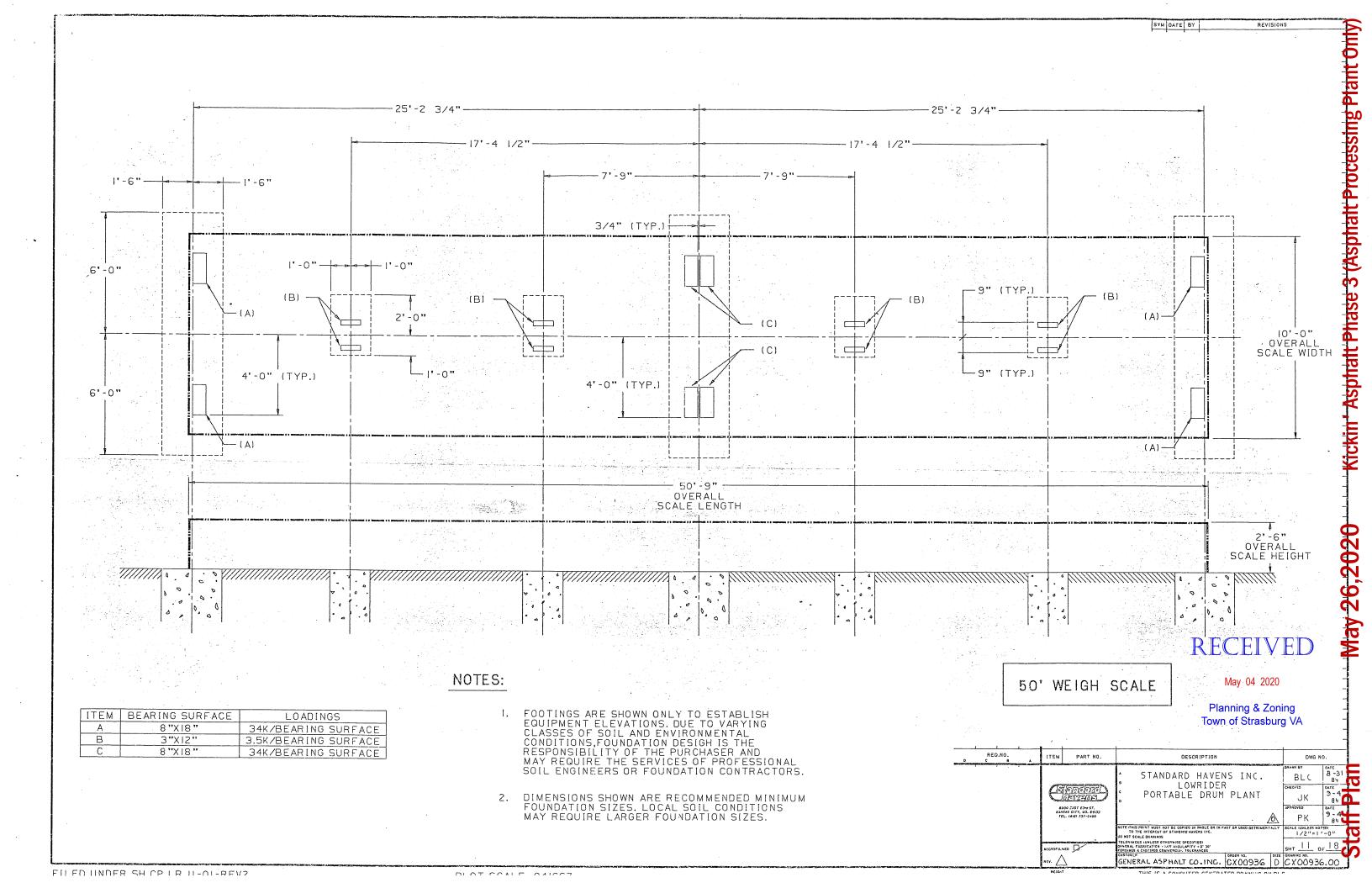
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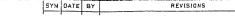
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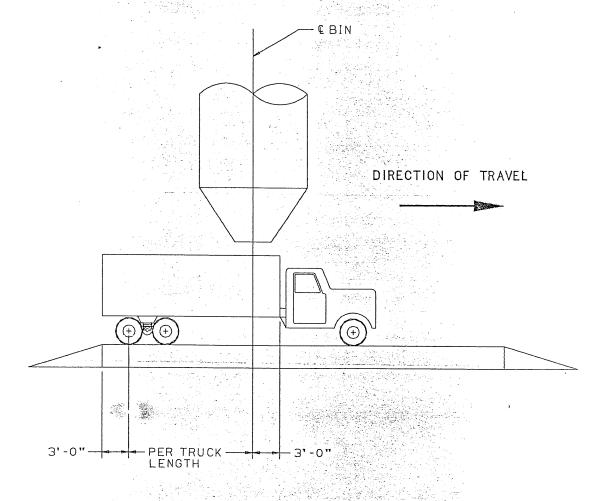








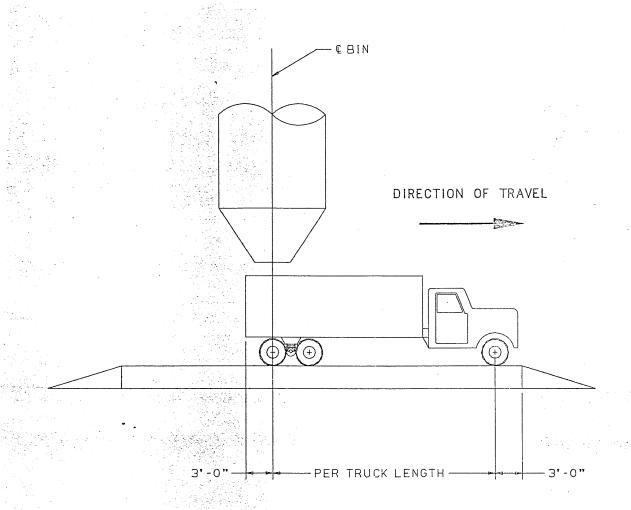




SCALE LOCATION FIGURE A

NOTES:

- I. CUSTOMER TO LOCATE TRUCK SCALE UNDER BIN.
- 2. THE SCALE LOCATION FIGURES SHOWN ABOVE ARE RECOMMENDED FOR SINGLE BIN OPERATION.
- 3. SCALE LOCATION UNDER BIN WILL VARY WITH LENGTH OF TRUCKS TO BE USED BY CUSTOMER.



SCALE LOCATION FIGURE B

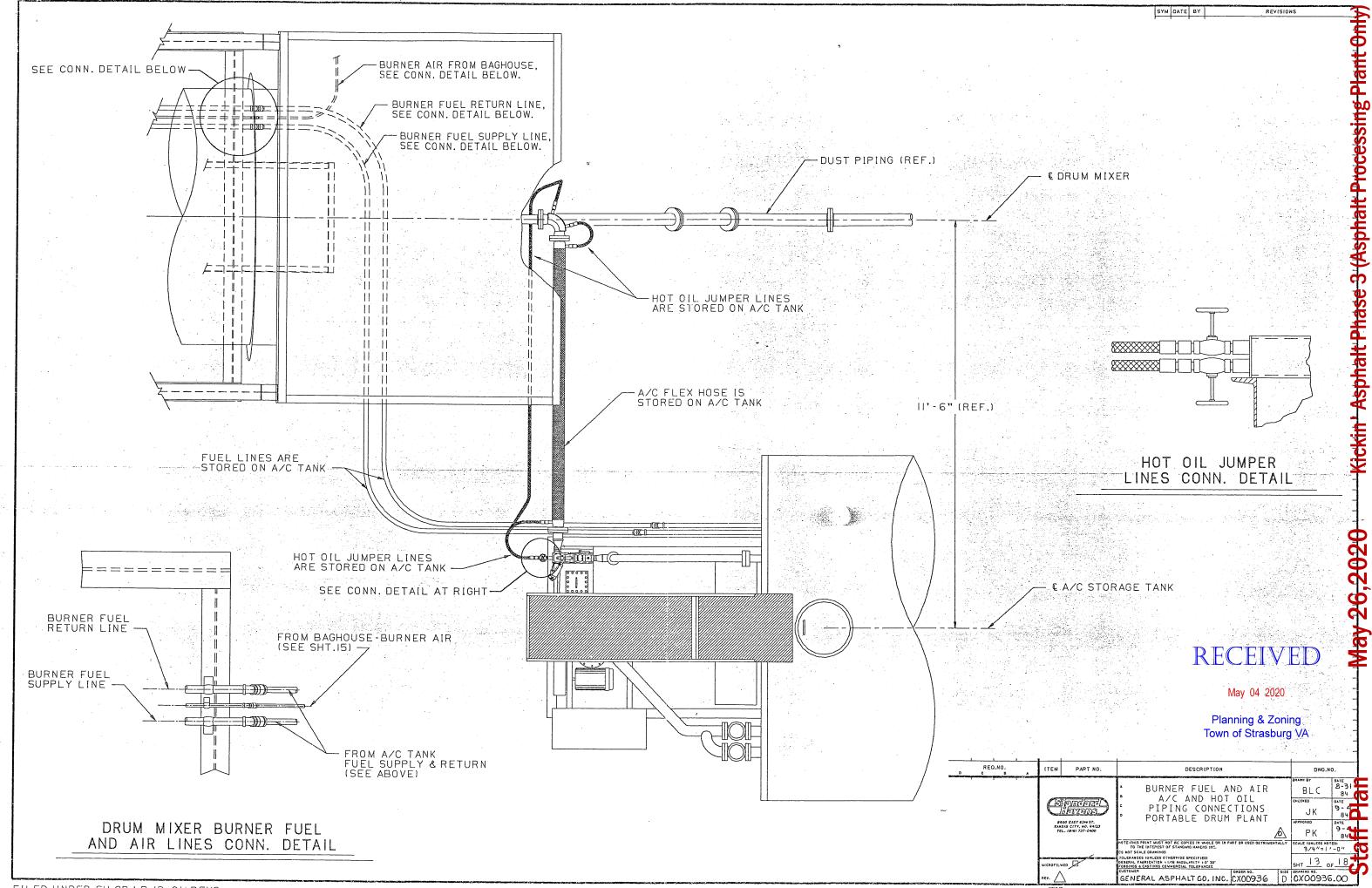
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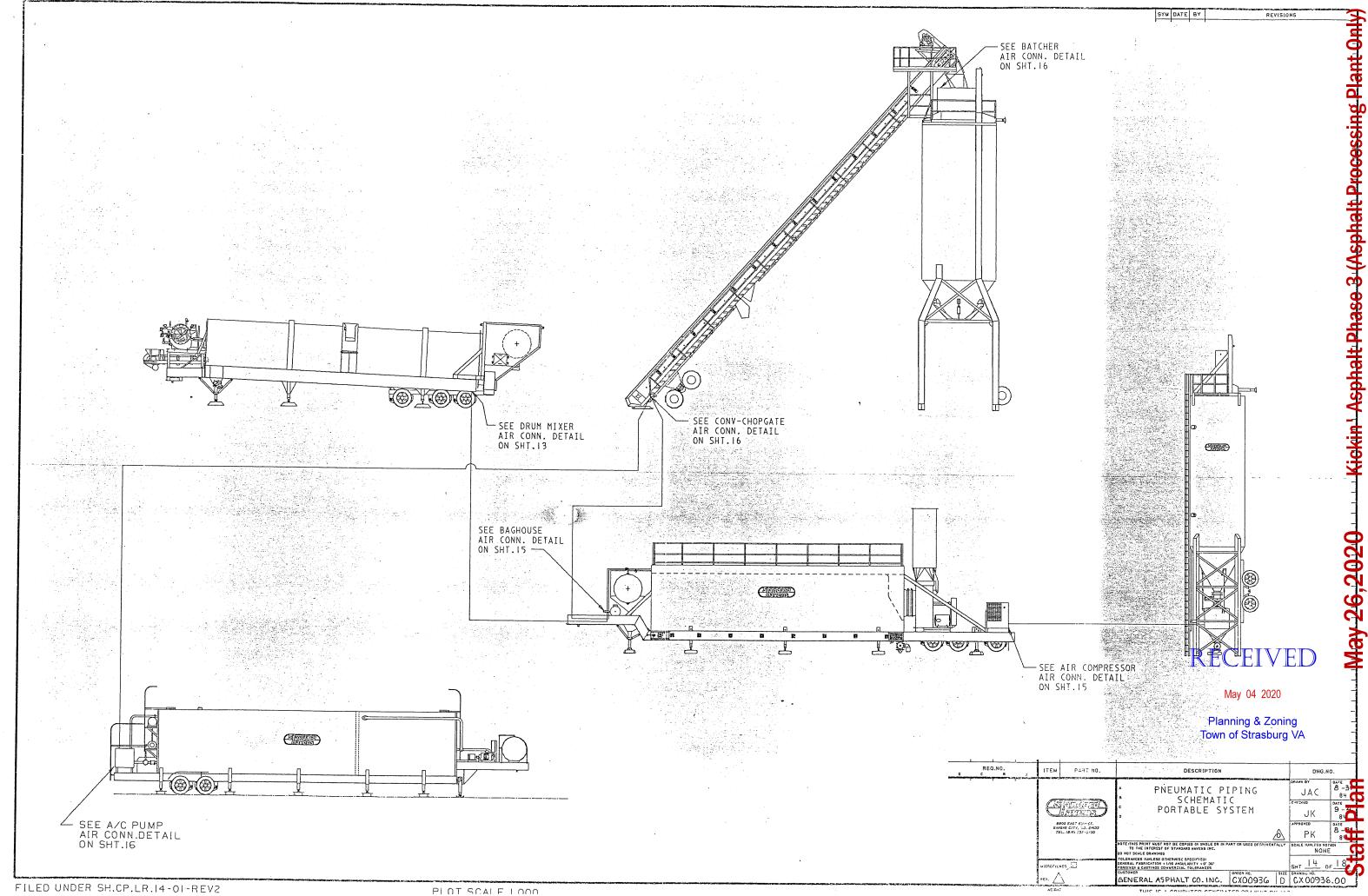
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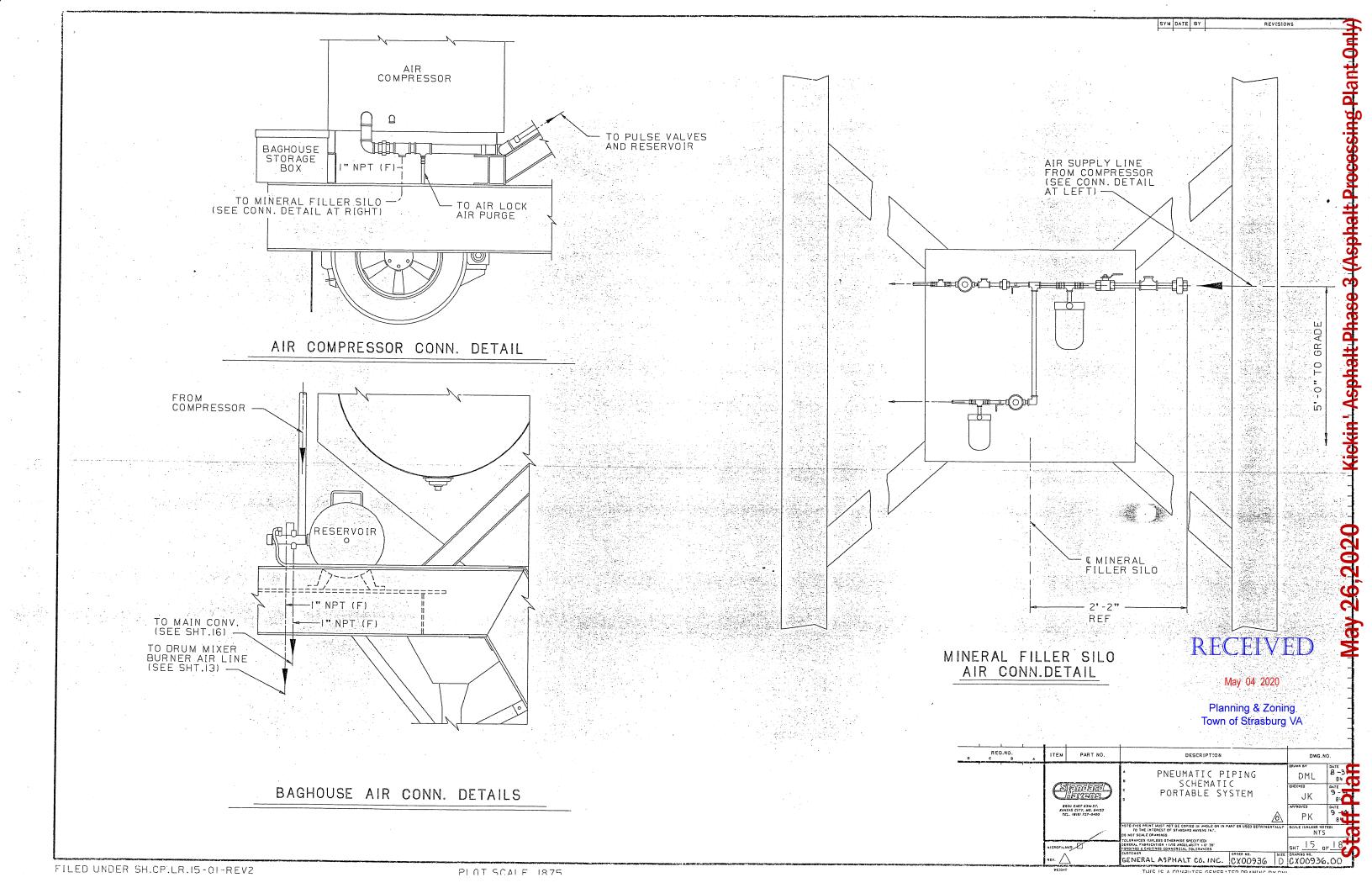
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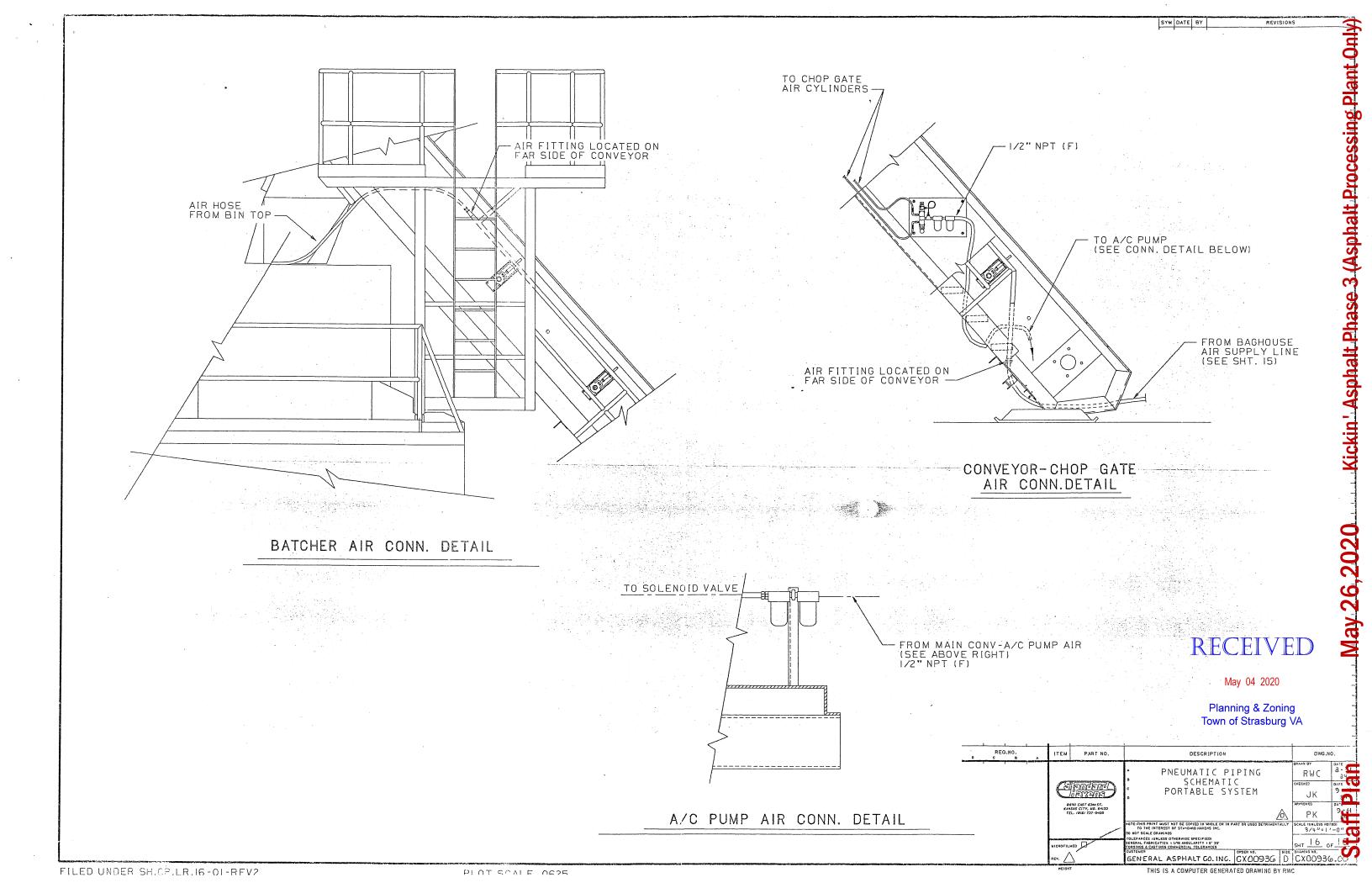
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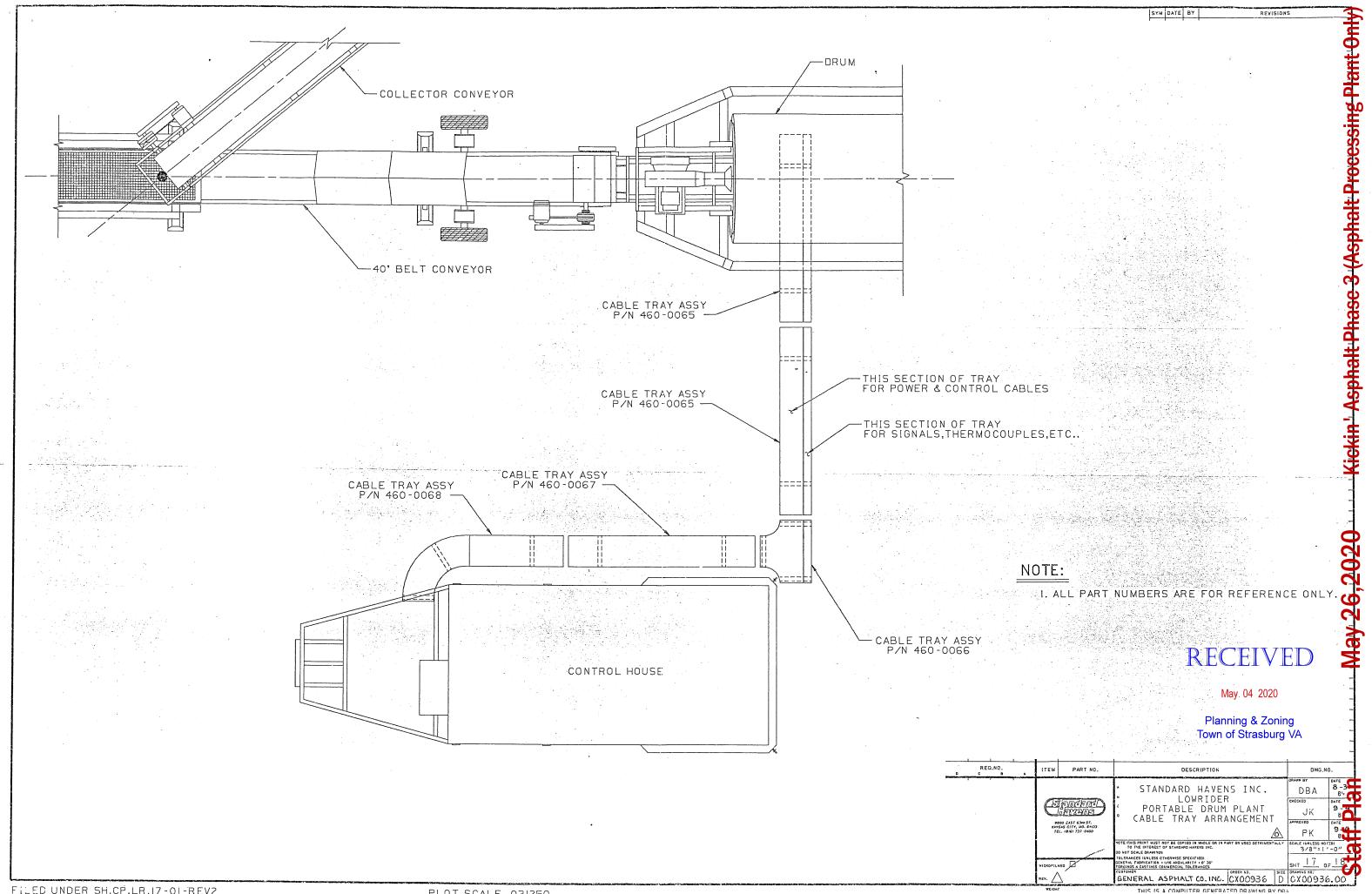
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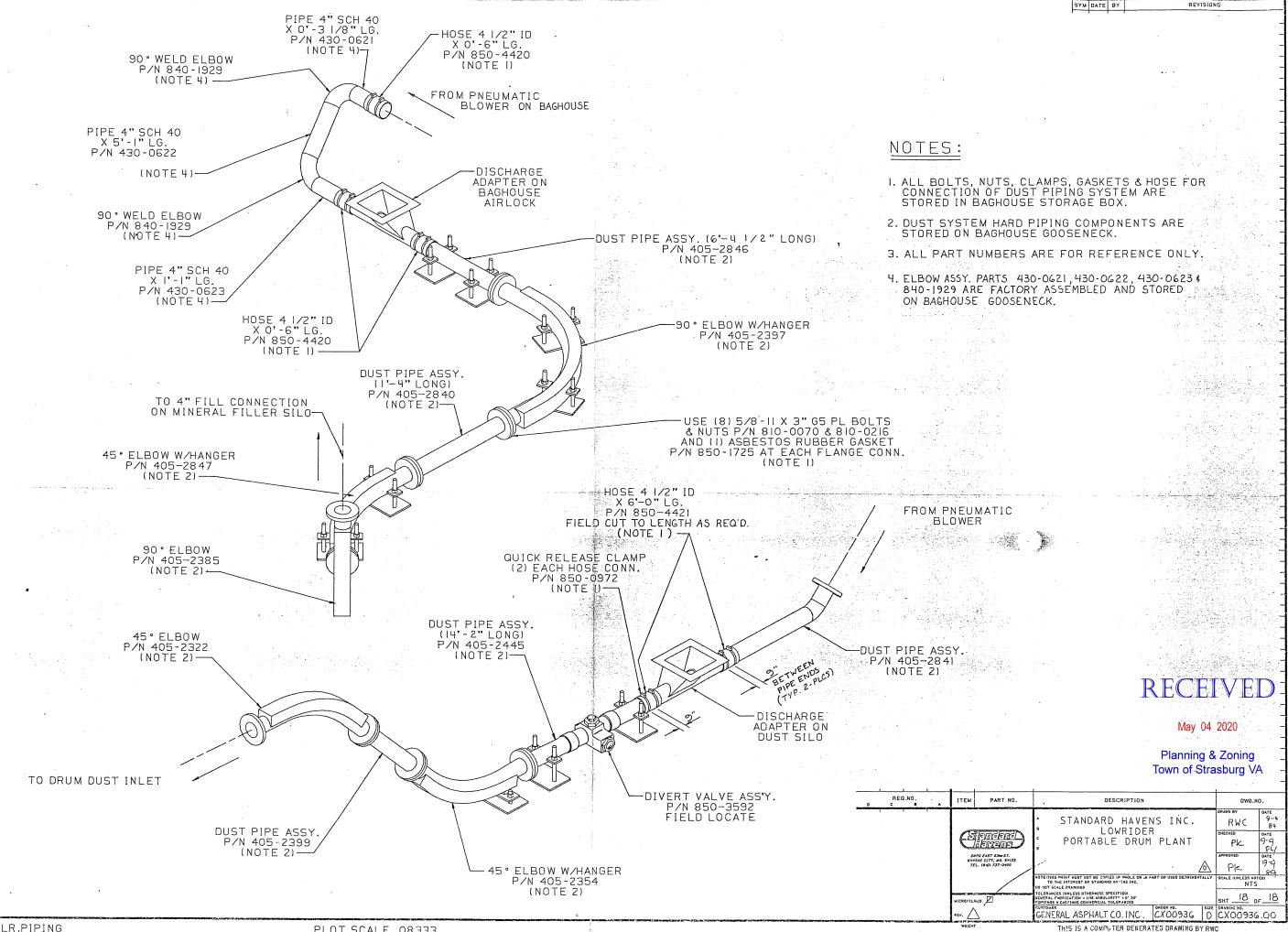














Memorandum

To: Planning Commission

From: Wyatt Pearson, Town Manager

Date: May 19th, 2020

Re: FY20/21 Capital Improvement Plan (CIP)

In accordance with Code of Virginia § 15.2-2239 the Planning Commission may be directed by the governing body to prepare and revise annually a capital improvement program (CIP)based on the comprehensive plan of the locality for a period not to exceed the ensuing five years. Over the past few years, staff has been working to get the CIP in front of the Planning Commission for review and recommendation to Town Council.

The full form CIP is included as an attachment as part of this staff report, and the associated projects are detailed below.

<u>Phase I Business Park:</u> As detailed in the Northern Shenandoah Business Park Plan (Camoin Plan), Phase I capital investments include the extension of Borden Mowery Drive, the installation of water main line, and the installation of a sewer main line; all with the intent of building out business park infrastructure to make the existing sites more attractive to potential employers.

Right now, staff is proposing the acquisition of a bridge loan in next fiscal year to finish Right of Way acquisition and begin construction, and to wrap those expenses into a municipal bond at the tail end of next fiscal year.

<u>Way Finding Signage:</u> This program is for the installation of way finding signage in strategic places throughout Town. Staff has been working with the Community Advisory Team on the development of a plan and sign design for this program. Frazier Associates was contracted to assist with obtaining the associated VDOT approvals to implement this program, and this is still underway.

Due to concerns regarding COVID-19 impacting revenues, staff has suggested pushing this program out into FY21/22 and potential funding it via the same municipal bond as the Phase I Business Park improvements.

<u>Gateway Trail Project:</u> This project has recently been completed and will drop off the list next year.

<u>Downtown Streetscape Phase 3:</u> This project has recently been completed and will drop of the list next year.

<u>Downtown Streetscape Phase 4:</u> The final phase of the Strasburg Streetscape Improvements includes the area between the intersection of Holliday and Massanutten Street, and the railroad tracks crossing to the east. As was completed in previous streetscape phases, this project will



include repairs to existing underground utilities, minor stormwater improvements, new sidewalks, street trees, new historic style streetlights, and entrance improvements along the area previously mentioned.

This project is funded by a VDOT Transportation Alternatives Project grant program which is normally split 80-20 between the State and the Town. Since the entire project (all 4 phases) was allocated as one lump sum, the Town is anticipating that there will not be a complete 80-20 split as there may not be enough grant money left. Therefore, staff is recommending allocating \$400,000 for the Town's local share.

<u>Phase II Business Park:</u> In the Camoin Plan, the next step in capital infrastructure investment to get the Business Park "site ready", included the installation of additional water and sewer infrastructure. Ownership circumstances and utility situation have changed since this recommendation and this is currently slated for further discussion with the Town Council be taking action.

Currently it is listed for potential funding is FY22/23, and that may be modified by Town Council.

<u>Capital Projects at the Town Park:</u> \$10,000 is set aside each year for potential capital improvements at the Town Park. In certain years, those monies have been expended on new equipment and/or additions to the pool area. If they go unspent, they continue to accrue with the intention of a potential leveraging those funds towards a big renovation project or other investment in recreation.

This practice is recommended to continue next year and in outyears. The Strasburg Master Park Plan also suggests considering allocating additional monies to this if possible.

<u>Vehicle/s:</u> The Strasburg Police Department currently replaces vehicles on a schedule that matches the associated mileage that they put on their vehicle. Under normal circumstances, that would have warranted replacing two vehicles this year. However, due to anticipated revenue shortfalls from COVID-19, that regimen has been postponed for one year (FY21/22). The Public Works Department handles their vehicle replacements different since they employ a mechanic in the continued maintenance of their vehicles and are not under similar performance stressors as the police is (criminal pursuits, e.g.). Public Work's requested for replacements have also been postponed until next year for further consideration.

<u>AMI/AMR:</u> Advanced Metering Infrastructure (AMI) and Automatic Meter Reading (AMR) refer to an ongoing consideration by Town Staff and Council to implement a meter change out program. Currently, staff has multiple different type of meters in the system (manual read, touch read, drive by, etc.) and a meter change out program would replace all the meters in the system to be of an identical type. AMI meters would communicate readings by broadcasting data to collectors on the water tower and other highpoints in Town, and AMR would include switching all meters over to a drive by type, where the signal is collected by a public works truck with a data collection device driving by. There are anticipated efficiency benefits as well as the ability to capture revenue that is currently not being billed due to slow and/or outdated meters in the system.



Due to COVID-19 revenue impacts, staff is recommending pushing this project to a future fiscal year (FY21/22) and potentially financing it as part of the larger municipal bond package.

<u>Water Tower:</u> Discussion regarding the addition of a new water storage tank to resolve existing pressure issues in certain areas of Town, and to save on continued operation costs of the Sandy Hook Reservoir has been ongoing for many years. Staff will complete and update water model in the current fiscal year that could then be utilized to inform Council on the decision-making process for locating, constructing, and financing a new water storage tank.

Staff recommends pushing this project out until FY21/22 and to take FY 20/21 to review the updated water model findings with staff and to participate in a process with staff to select a location for the new water tower.

TOWN OF STRASBURG Capital Improvement Plan									
General Fund									
<u>Administration</u>									
Phase I Business Park-Loan Total \$2,006,000			2,500,000						
Phase I Business Park - Bridge Loan		1,500,000							
Phase I Business Park VDOT Road Share			1,150,000						
Way Finding Signage			300,000						
Gateway Trail Project-Town Share	630,000								
Gateway Trail Project-VDOT Share	520,000								
Downtown Streetscape-Town Share Phase 3	260,000								
Downtown Streetscape-Grant Amount VDOT	1,040,000	400.000							
Downtown Streetscape-Town Share Phase 4	270,000	400,000							
Downtown Streetscape-Grant Amount VDOT	1,080,000	1,080,000		750,750					
Phase II Business Park Loan Total \$750,750	10.000	10.000	10,000	·	10.000	10.000			
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Total GF After Reimbursement	1,170,000	1,910,000	3,960,000	760,750	10,000	10,000			
Planning /Zoning	1,170,000	1,910,000	3,900,000	700,730	10,000	10,000			
Total Planning/Zoning	0	0	0	0	0	(
Public Safety Vehicle/s	33,000		66,000	33,000	66,000	33,000			
Total Public Safety GF	33,000	0	66,000	33,000	66,000	33,000			
·									
<u>Public Works</u> Vehicle/s	0		41,310		40,800	(
Total Public Works GF	0	0	41,310	0	40,800	(
TOTAL ALL GENERAL FUND	3,843,000	2,990,000	4,067,310	793,750	116,800	43,000			
TOTAL ALL GENERAL FOND	3,643,000	2,990,000	4,007,310	793,730	110,000	43,000			
Water Fund Public Works Vehicle/s	0		40,095		21,780	??			
AMI/AMR			950,000						
Total Public Works-Water	0	0	990,095	0	21,780				
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