

A G E N D A
ISLE OF WIGHT COUNTY PLANNING COMMISSION
May 25, 2021

1. CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

2. ROLL CALL/DETERMINATION OF A QUORUM

BRIAN CARROLL, CHAIRMAN

BOBBY BOWSER, VICE-CHAIRMAN

CYNTHIA TAYLOR

JAMES FORD

THOMAS DUERIG

EDWARD HULICK

JENNIFER S. BOYKIN

GEORGE RAWLS

THOMAS J. DISTEFANO

3. ACTION ON REQUESTS TO WITHDRAW OR TABLE PENDING AGENDA ITEMS

4. APPROVAL OF AGENDA

5. CONSENT AGENDA

- A.** APRIL 27, 2021 PLANNING COMMISSION'S REGULAR MEETING MINUTES

6. CITIZENS' COMMENTS

7. PUBLIC HEARINGS

- A.** Coastal City Church Rezoning

Application of Sean Domer, applicant, on behalf of Coastal City Church, owner, for a change in zoning classification from Rural Residential (RR) to Village Center (VC) of approximately 1.75 acres of land located at 26585 River Run Trail on the property with tax map number 58-01-127C. The purpose of the application is to allow a satellite parking lot for an adjacent religious assembly use in the VC zoning district. The applicant and owner are also requesting an exception to Section 6-1008.A.2 and Section 6-1010.B.6 of the Highway Corridor Overlay (HCO) District regulations to allow a gravel parking lot and to allow the parking lot to encroach ten feet into the HCO front yard setback.

- B.** Hardy Elementary School and Water Storage Tank Conditional Use Permit Request

Application of Isle of Wight County Public Schools and Isle of Wight County Utility Services, applicants and owners, for a Conditional Use Permit on approximately 17.9 acres with tax parcels 13B-02-A003, 13B-02-A004, and

13B-03-025 in the Rural Agricultural Conservation zoning district located on Old Stage Highway (Rte. 10). The purpose of the application is to allow for a major utility service (water tower) and a primary educational facility. The owners are also requesting an exception to Section 6-1010.A.11 of the Highway Corridor Overlay (HCO) District regulations to allow a six foot tall chainlink fence around the stormwater management pond, mechanical service areas, playgrounds, and site perimeter within the HCO district.

8. OLD BUSINESS

9. NEW BUSINESS

A. COUNTY ATTORNEY'S REPORT

B. PLANNING DIRECTOR'S REPORT

1. Proposed Zoning Ordinance Amendment

Proposed Zoning Ordinance amendment to include child care centers as a conditional use in the Suburban Residential zoning district

10. CLOSED MEETING

11. ADJOURNMENT

PLANNING REPORT

ATTACHMENTS:

Description	Type	Upload Date
APRIL 27 2021 MINUTES	Cover Memo	5/18/2021

**MINUTES OF THE MEETING OF THE ISLE OF WIGHT COUNTY
PLANNING COMMISSION HELD ON THE TWENTY-SEVENTH DAY OF
APRIL IN THE YEAR TWO THOUSAND AND TWENTY-ONE**

CALL TO ORDER

Brian Carroll, Chairman, called the Isle of Wight County Planning Commission meeting to order at 6:00 PM on April 27, 2021, in the Smithfield Center located at 220 North Church Street, Smithfield, Virginia.

INVOCATION

Bobby Bowser, Vice-Chairman, delivered the Invocation.

PLEDGE OF ALLEGIANCE

Chairman Carroll invite everyone present to join in the Pledge of Allegiance.

ROLL CALL/DETERMINATION OF A QUORUM

PRESENT

Brian Carroll, Chairman
Bobby Bowser, Vice-Chairman
Cynthia Taylor
James Ford
Thomas Duerig
Jennifer Boykin
George Rawls
Thomas Distefano

ABSENT

Bobbie Varner

A quorum was determined.

ALSO IN ATTENDANCE

Bobby Jones, County Attorney
Amy Ring, Community Development Director
Claire Jones, Assistant Director of Community Development, Planning and Zoning Division
Trenton Blowe, Planner I
Amanda Landrus, Planning Services Coordinator, Serving as Secretary

ACTION ON REQUESTS TO WITHDRAW OR TABLE PENDING AGENDA ITEMS

Chairman Carroll asked if there were any requests to table or withdrawal an agenda item. Amy Ring, Community Development Director, stated there were no requests.

APPROVAL OF AGENDA

Chairman Carroll called for a vote to approve the agenda. Bobby Bowser made a motion to approve the agenda. James Ford seconded the motion. Chairman Carroll called for a vote on the motion. The motion passed unanimously.

APPROVAL OF CONSENT AGENDA

Chairman Carroll called for a vote to approve the consent agenda with the amendment to the March 23, 2021 minutes. Amy Ring stated the amendment on page 6 was to clarify that Thomas Distefano disagreed and felt that the email chain the applicant had sent them addressed his concerns from the February meeting. Thomas Duerig made the motion to approve the agenda, Thomas Distefano seconded the motion. Chairman Carroll asked for all in favor to signify by saying aye. The motion passed unanimously.

CITIZENS' COMMENTS

Chairman Carroll asked if there were any citizen comments. Chairman Carroll noted there were no citizen comments.

PUBLIC HEARINGS

Chairman Carroll called for the public hearing on the following application:

Application of Accelerated Properties, LLC, property owner, for an amendment to a conditional rezoning to change the permitted uses to allow for a garden center with no retail sales. The property is located at 39 Monette Parkway with tax parcel number 14- 02-037C and zoned Conditional Limited Industrial (C-LI)

Trenton Blowe, Planner, gave an overview of the application by giving the following PowerPoint presentation.

ACCELERATED PROPERTIES PROPOSED GARDEN CENTER

ZA-01-21

Amendment to Conditional Zoning

Trenton Blowe – Planner 1

Planning Commission April 27, 2021

DETAILS

Location: 39 Monette Parkway

Zoning: Conditional Limited
Industrial (C-LI)

Election

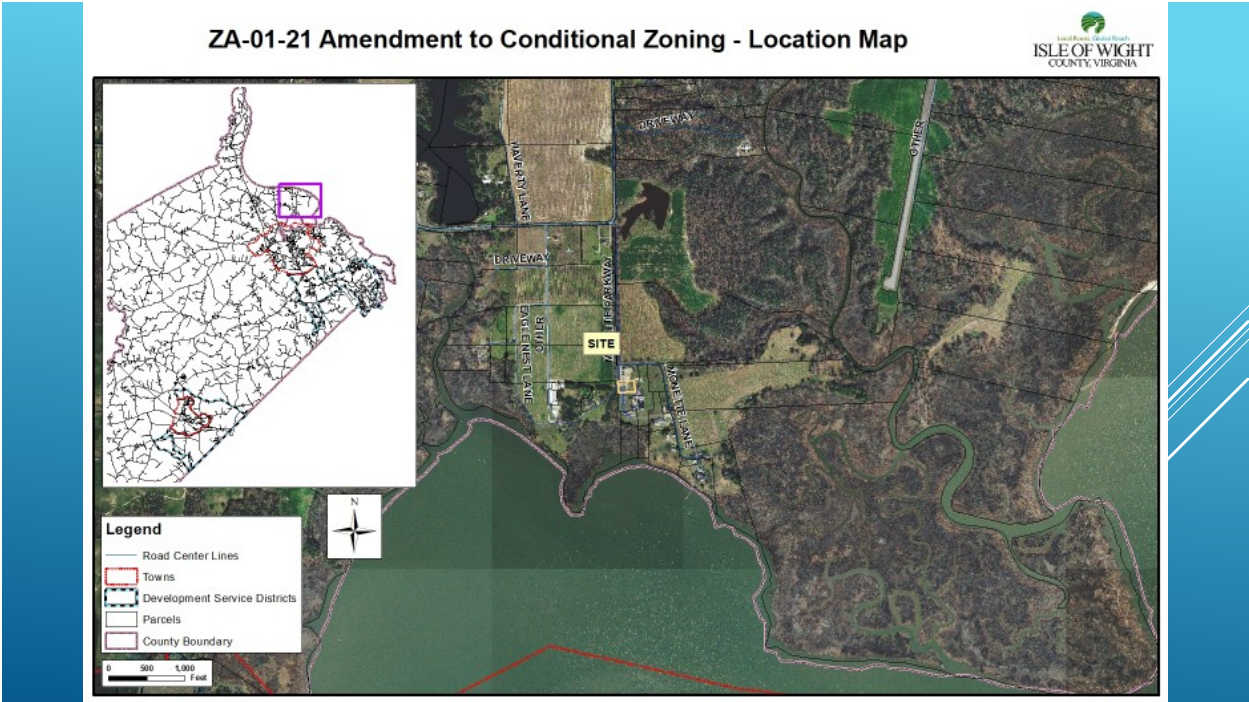
District: Smithfield

Purpose: To amend conditional
zoning to allow for a
garden center with no
retail sales

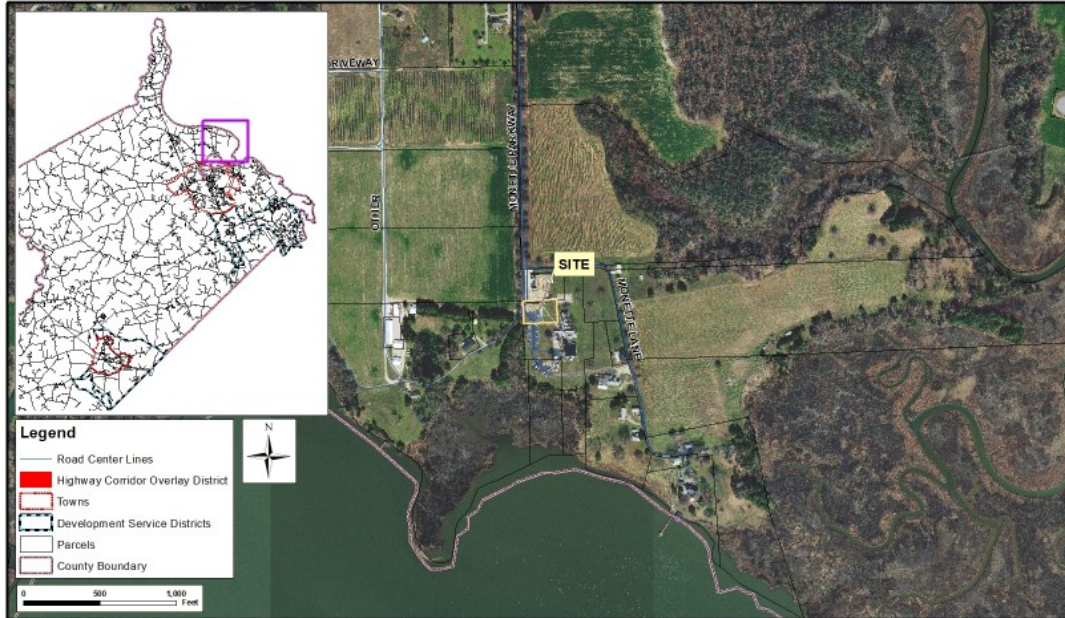
BACKGROUND

- ▶ Request change in Conditional Zoning to reuse of an existing building.
- ▶ Property zoned to C-LI in 1999 for a data processing and servicing of computer hardware center.

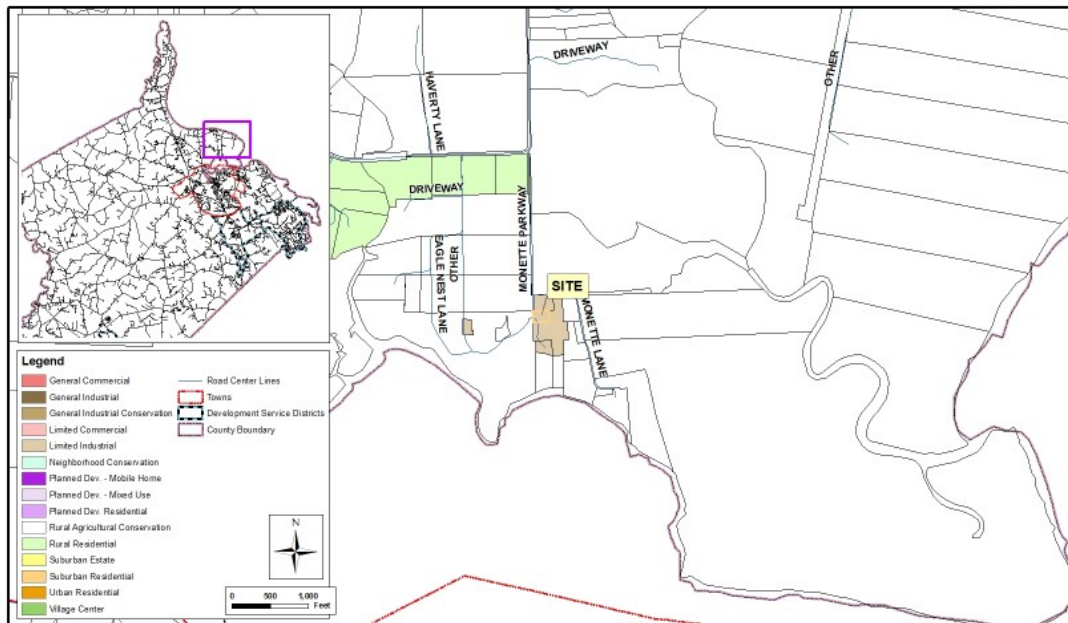
- # BACKGROUND
- ▶ Request change in Conditional Zoning to reuse of an existing building.
 - ▶ Property zoned to C-LI in 1999 for a data processing and servicing of computer hardware center.

[illegible]

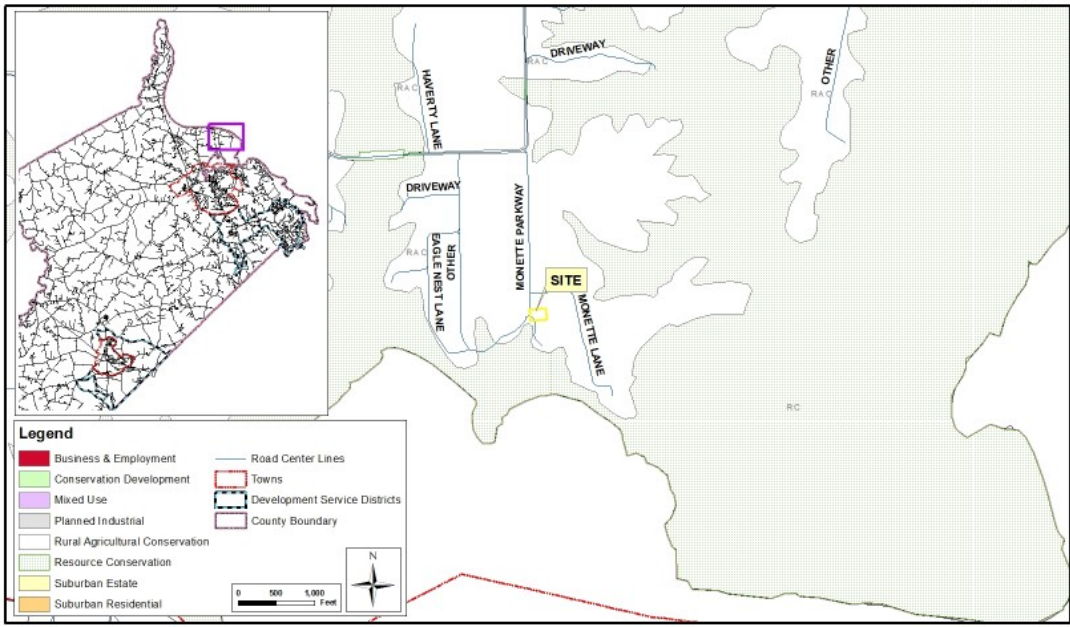
ZA-01-21 Amendment to Conditional Zoning - Location Closeup



ZA-01-21 Amendment to Conditional Zoning- Zoning Map



ZA-01-21 Amendment to Conditional Zoning - Land Use Map



ENTRANCE
TO
MONETTE
PARKWAY



**MONETTE
PKWY**



**EXISTING
BUILDING**





**LOOKING SOUTH ALONG
MONETTE PARKWAY**



**LOOKING
WEST
FROM
MONETTE
PARKWAY**

PROPOSED USE

- ▶ Applicant requesting to amend the approved GLI zoning for one parcel to add a commercial greenhouse as a permitted use. Commercial greenhouses are included in the "garden center" use type definition in the Zoning Ordinance.
- ▶ Proposed tenant will have 23 employees and no onsite sales proposed. The proposed tenant delivers directly to restaurants via vans driven by staff.

AGENCY REVIEW

- ▶ IOW Economic Development – No Concerns
- ▶ IOW General Services– No Concerns
- ▶ IOW County Attorney – No Concerns
- ▶ Health Department- Reviewed documentation from engineer. Engineer's evaluation indicates the system currently installed will accommodate the proposed change of use.
- ▶ VDOT - There does not appear to be any new or additional impacts to state maintained right of way with this amendment.

STRENGTHS AND WEAKNESSES

► Strengths:

1. Allows reuse of an existing building, bringing an additional business into the county.
2. The proposed use is consistent with permitted uses in the LI zoning district.

► Weaknesses:

1. None identified

RECOMMENDATION

Due to the low impact nature of the proposed use, staff recommends approval of the application with the proffered condition of no retail sales on site.

Following the presentation, Chairman Carroll opened the public hearing and invited the applicant to speak.

Josh Tawes, owner of Accelerated Properties, stated he had been approached by this group back in December looking for a location to grow microgreens and sprouts for high-end restaurants in

the Virginia Beach, Williamsburg and Richmond areas. They liked the proximity of the location to these areas.

Chairman Carroll asked if anyone would like to speak for or against the application.

There being no further public comments, Chairman Carroll closed the public hearing.

Thomas Duerig asked if all the growing occurs inside the building.

Josh Tawes responded yes, the bottom floor and top floor.

Bobby Jones, County Attorney, stated that if it were not for the conditional zoning from 1999, this would be a permitted use in the existing zoning.

Jennifer Boykin stated that Mr. Richard Gillerlain asked her to submit his written comments for the public record.

Bobby Jones stated typically he would not read something into the public record.

Bobby Jones read letter.

Please read this letter into the record.

Planning Commission:

Subject: Application for Garden Center

Excuse me for not being present for this information, but current medical concerns prevent me from being there. However, many people in the neighborhood find a strict construction of this matter extremely important. The zoning is very broad, but if that's the only option available, then we'll work within it. As I understand, the owners want to have a microgreens farm. That's a great idea for that location. The title given is "garden center." By definition, this would be like a McDonald's Nursery. This is not what they want to construct. So, we need to construct better terminology under our conditions to properly define the project. This would protect the neighborhood and the applicant and make a more properly defined document. As most of you remember, the previous application by this company was very contentious between the neighborhood and the applicant. My intent is to facilitate this project and help it proceed more easily.

Sincerely,

Richard Gillerlain

Newport District

Chairman Carroll asked for any questions.

Bobby Bowser stated copies of the written comments are usually provided.

Amy Ring stated staff did not receive the email and were not aware written comments had been received by Planning Commission.

Bobby Bowser asked the if there has been any consideration for water runoff.

Trenton Blowe stated the applicant is using a misting system, and it recycles all water that is used. The health department had no concerns with water unless the water used increased to 100,000 gallons per day.

Bobby Jones stated that 67 gallons of water per day is what will be used.

Josh Tawes added they will be using an organic system with no water runoff.

Bobby Bowser moved to recommend approval to the Board of Supervisors. Cynthia Taylor seconded the motion, which was adopted with Commissioners Carroll, Bowser, Taylor, Ford, Duerig, Hulick, Boykin, Rawls and Distefano voting in favor of the motion, and no Commissioners voting against the motion (9-0).

OLD BUSINESS

Amy Ring confirmed there were no old business items.

NEW BUSINESS

Chairman Carroll confirmed there were no items for new business.

COUNTY ATTORNEY'S REPORT

Mr. Jones confirmed there was no county attorney's report.

PLANNING DIRECTOR'S REPORT

Amy Ring announced Melinda Goodwyn is retiring effective June 1, 2021 after 35 years with the County. Amy Ring also stated Amanda Landrus will be filling in as acting secretary for Planning Commission.

Amy Ring delivered the Study on Aging Public Participation Survey results. She stated a summary report with the full survey results was available in the agenda package that the Planning Commission received prior to the meeting.

Amy Ring stated these results were also presented to the Commission on Aging. The Commission on Aging has developed a sub-group of people that will work with staff to develop some policy

recommendations to address some of the concerns in the County for the senior population in the amendment to the Comprehensive Plan. These planning recommendations will then get brought back to the full Commission on Aging who will collectively make policy recommendations for the community, Planning Commission and the Board to consider as part of the Comprehensive Plan.

Edward Hulick asked what is the estimated senior population.

Amy Ring answered between six and seven thousand, about 29 percent.

Edward Hulick asked about the prioritization of some of these requests for other County priority's.

Amy Ring stated that the survey did not ask them to weigh options between services.

Edward Hulick asked if the if consideration was given into how these services would be funded and whether senior citizens be willing for taxes to be raised to pay for these services.

Amy Ring said that question was not asked.

Cynthia Taylor brought up the concern of over-development that some senior citizens had and the wish to keep the County rural.

Edward Hulick stated there was a conflict between some of the service requests. The community is requesting better mass transit and retail which is large development.

James Ford said this could be an opportunity to educate the senior population on the correlation between the desires and the reality. He also stated he was speaking with citizens about the reasons the County does not have the variety of restaurants and entertainment.

Chairman Carroll asked for any more questions about the survey results.

Chairman Carroll stated the CIP did not come to the Planning Commission last year because of Covid. He also stated it did not come to them this year as well. He stated that it may not be up to the Planning Commission to approve the CIP, it is very important that the Planning Commission knows what is going on in the County. Chairman Carroll also stated he disagrees with the concept of government managing government. He disagrees with the current process established by the Board of appointing several department heads to review and submit CIP projects. The Chairman stated at a minimum the CIP should be shared with the Planning Commission.

Jennifer Boykin stated the CIP committee is made up of five to six people.

Chairman Carrol stated the Planning and Zoning Director is not on that committee.

Jennifer Boykin agreed with the idea of the CIP coming before the Planning Commission and likes the idea of it being made more public.

Cynthia Taylor stated it is the Planning Commission's responsibility to make sure the CIP coincides with the Comprehensive Plan.

James Ford asked for explanation from the Assistant County Administrator why the process has changed.

Don Robertson, Assistant County Administrator, stated that a couple years ago the Board wanted to educate themselves on the process better. At that time, they designated the CIP committee, consisting of the Board Chairman, Vice Chairman, Budget and Finance Director, himself, and also brought in other agencies like schools and public safety officials to get their input. He stated Covid streamlined the process. Don also stated he is going to work with Amy Ring to make the Board aware of the concern. Don offered to make a presentation to the Planning Commission on the current CIP. Don also stated Code allows the Board to bring the CIP to the Planning Commission if they wish, but it is not a requirement.

Thomas Duerig stated he would like to hear the CIP presentation and to know what projects are planned for the County.

Thomas Distefano asked if there could be criteria established for solar farms.

Amy Ring commented that the Board of Supervisors directed staff to put together a report of what sort of areas were most attractive for solar facilities and a map showing different criteria solar facilities are looking for with probable areas for these facilities. She stated that what that will look like at build out, is this something that the County wants to encourage, discourage, are they happy with the way it looks at build out, should there be solar type districts that should be created where these things should be targeted. Ms. Ring stated that they are working with the IT department to put together this map to show the corridors of where the highest probability will occur. The first map that was created is a map of power lines that are readily available. The four solar facilities that the County has approved are along the power lines. She stated the map would be a good guide. Ms. Ring stated she will share these maps with the Planning Commission when they are complete.

Don Robertson added there has been brief discussion whether the County should develop some limitations as to a given number of acres dedicated to these uses or location restrictions for these uses.

Thomas Duerig emphasized having that map would be very helpful to see potential areas.

Bobby Bowser stated that solar farms are so prevalent and proposed the idea of looking at our surrounding areas to see potential growth.

Thomas Duerig added that while the powerlines of the right size play an important role so is knowing where those powerlines are to know where the potential is.

James Ford said we would benefit from knowing what our adjacent counties are doing. He stated his concern was the timeline of the next technological advancements.

Thomas Duerig added that we currently have an ordinance for solar farms, and we are now working on a map to handle these in a professional manner. He added that we should compare ours to other localities to make sure we are not missing anything. He added that updated technology is currently occurring, and we need to make sure we are not doing too much or too fast in being able to dictate if it's going to happen and where. He stated the map will be a key in deciding this.

James Ford added that we do not want to restrict this development. These innovations could benefit us as a County.

Thomas Duerig stated that knowing the potential acreage for solar development is helpful as well knowing how many acres of farmland is included in that and the percentage of the farmland at risk.

Bobby Bowser stated that this information should get out to the farmers. This could be impacting the money in their pocket.

James Ford requested that staff consider organizing another field trip to view some of these solar facilities.

Chairman Carroll added that transmission lines do not affect the project as much as it did five years ago. He stated SPower has a potential site eleven miles out from their current site and is willing to run the power lines that far.

Amy Ring added that technology improvements should be taken into consideration when referring to the map for guidance.

Thomas Distefano stated that establishing criteria that correctly communicates to the public of possible solar facility sites. He also stated he was wanting some recommendations for long range planning when it comes to quantity.

Amy Ring confirmed that was going to be something they are going to be looking at. Once the analysis is complete then they can decide on a threshold of how many acres is desirable.

Chairman Carroll stated there should be some minimums as well. There have been site sizes from half acre sites to 200 acres.

Thomas Duerig agreed asking are a few large facilities may be more desirable than 85 small facilities.

Amy Ring added there was a recent application for a three megawatt solar garden site. The applicant stated these are gaining popularity, because they are easier to site and do not require a large amount of land.

Thomas Duerig stated the need to look at the most respected solar companies from other localities.

George Rawls brought up the legalization of marijuana in Virginia in July. He asked Bobby Jones what the state legislation is regarding the use and sell of marijuana.

Bobby Jones commented that personal use in private will be allowed beginning July 1. Sales will not be allowed until 2024, and dispensaries will be licensed through the state. It will be allowed statewide. If individual counties or towns wish to opt out, they must hold a referendum. There is very little County oversight in the sale of marijuana.

CLOSED MEETING

Chairman Carroll confirmed there were not items to discuss in closed meeting.

ADJOURNMENT

There being no further information to discuss, Chairman Carroll adjourned the meeting at 6:56 PM.

Adopted this _____ day of _____, 2021.

Chairman, Isle of Wight County Planning Commission

Attest: _____
Secretary

PLANNING REPORT

APPLICATION:

Application of Sean Domer, applicant, on behalf of Coastal City Church, owner, for a change in zoning classification from Rural Residential (RR) to Village Center (VC) of approximately 1.75 acres of land located at 26585 River Run Trail on the property with tax map number 58-01-127C. The purpose of the application is to allow a satellite parking lot for an adjacent religious assembly use in the VC zoning district. The applicant and owner are also requesting an exception to Section 6-1008.A.2 and Section 6-1010.B.6 of the Highway Corridor Overlay (HCO) District regulations to allow a gravel parking lot and to allow the parking lot to encroach ten feet into the HCO front yard setback.

ELECTION DISTRICT:

Carrsville

LOCATION:

The property is located on the northwest corner of the intersection of Walters Highway (Rte. 258) and River Run Trail (Rte. 614).

BACKGROUND:

The property proposed to be rezoned is an existing 1.75 acre parcel. The current land use on the parcel include cultivated fields and single family detached residence with an outbuilding. The property owner has added gravel to the property in addition to the existing driveway to serve as additional parking for the church directly across River Run Trail. The current property owner acquired the property in 2017.

DESCRIPTION:

As presented in the application, the property owners propose to use the property as a satellite parking lot for the adjacent religious assembly use, an existing church. In addition to the satellite parking lot, the owner requests an exception from the Board of Supervisors from two requirements of the HCO District in order to keep the gravel surface of the parking lot and the ability to encroach ten feet into the required thirty (30) foot front yard setback in the new, proposed VC

zoning district along River Run Trail.

COMPREHENSIVE LAND USE PLAN:

The subject property is designated "Village Center" (VC) on the Future Recommended Land Use Map in the Comprehensive Plan. The VC designation is meant to preserve and enhance historic rural villages located outside of the Development Service Districts (DSDs). The VC land use is often located at an intersection or road segment of significance and typically has good transportation access. Expected development in VC areas includes single family residences, social, religious, and institutional uses such as churches or a post office. The proposed use is consistent with the VC recommended future land use designation.

ORDINANCE REVIEW:

The property proposed for a satellite parking lot for an adjacent religious assembly use, a existing church, is currently zoned Rural Residential (RR). Section 10-1008 of the Zoning Ordinance requires satellite parking areas shall only be in the same zoning district as the use it is intended to serve. The adjacent church is zoned VC, therefore the property with the satellite parking area must also be zoned VC. The property owners filed an application for a change in zoning from RR to VC with no conditions.

The property also lies within the Highway Corridor Overlay (HCO) District. Section 6-1008.A.3 of the Ordinance states that no parking areas are permitted within the front yard setbacks in the HCO district. The parking lot encroaches approximately ten feet into the new, proposed thirty foot VC front yard setback along River Run Trail. In order to keep the parking lot in its current location, an exception request to Section 6-1008.A.3 is required from the Board of Supervisors. In addition, in order to keep the parking lot surfaced with gravel, an exception is also required to Section 6-1010.B.6 which requires parking lots of five spaces or more to be paved with concrete, asphalt or similar type material.

The proposed lot is not located within the Chesapeake Bay Preservation Area. The proposed lot also does not contain a special flood hazard zone.

AGENCY REVIEW:

Staff distributed the application to the following departments and agencies for review and comment:

- Virginia Department of Transportation
- Isle of Wight County Museum (Historic Resources)
- County Attorney
- Utility Services
- Health Department

No reviewing agencies expressed concerns with the application as submitted. The Health Department will conduct a review at the time site plan approval.

STAFF CONCLUSIONS:

Strengths:

1. The proposal is consistent with County plans and ordinances and is compatible with the existing land uses in the vicinity; and
2. The proposal is within the guidelines of the Future Recommended Land Use Plan.

Weaknesses:

1. The property owner requests an exception to Section 6-1008.A.3 of the Ordinance states that no parking areas are permitted within the front yard setbacks in the HCO district.
2. The property owner requests an exception to Section 6-1010.B.6 which requires parking lots of five spaces or more to be paved with concrete, asphalt or similar type material.

STAFF RECOMMENDATION:

Based on the strengths of the application, staff recommends approval of the rezoning application but recommends denial of the exception requests.

ATTACHMENTS:

Description	Type	Upload Date
ZA-02-21 Coastal City Church Application	Backup Material	5/19/2021
Coastal City Church HCO Exception Application	Backup Material	5/19/2021
Satellite Parking Lot Concept Plan	Backup Material	5/19/2021
Property Map Exhibit	Exhibit	5/19/2021
Zoning Map	Backup Material	5/19/2021
Parking Lot View River Run Trail	Exhibit	5/19/2021
Parking Lot Side View	Exhibit	5/19/2021

View of Church from Parking Lot	Exhibit	5/19/2021
Parking Lot Rear View	Exhibit	5/19/2021
Parking Lot View from Rte 258	Exhibit	5/19/2021
ZA-02-21 Coastal City Church PC Resolution 052521	Resolution Letter	5/19/2021



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ISLE OF WIGHT COUNTY, VIRGINIA

DEPARTMENT OF PLANNING AND ZONING

SUBMITTAL CHECKLIST FOR REZONING/CONDITIONAL ZONING AMENDMENT APPLICATIONS

In conjunction with Section 1-1015, *Amendments*, of the Isle of Wight County Zoning Ordinance, as amended, the following information shall be submitted for a Rezoning/Conditional Zoning Amendment Application. Please note that it is the applicant's responsibility to ensure that the application is in compliance with all Federal, State and County regulations.

No application for a rezoning shall be certified as complete unless the following information is provided; unless the required number of copies has been reduced by the Zoning Administrator.

-  1. Fifteen (15) copies of the original, executed application and one (1) original executed application. Both the applicant(s) and the property owner(s) must have their signature(s) notarized on page No. 2 of the application.
-  2. The appropriate fees have been submitted with the application. Checks should be made payable to: Treasurer, Isle of Wight County.
-  3. Fifteen (15) copies of a statement of the reasons for seeking such amendment, and if applicable, a statement of proffered conditions.

 Any applicant proposing a conditional rezoning under the provisions of Section 1-1016, *Conditional Zoning*, of the Isle of Wight County Zoning Ordinance shall submit fifteen (15) copies of the signed proffer statement and one (1) original signed proffer statement. Proffered conditions shall be signed by the owner(s) of the property.

-  4. Fifteen (15) copies) of a narrative description of the property which shall include the Tax Parcel Identification Number.

-  5. One (1) copy of the most recent deed of the property to be rezoned.

-  6. For residential subdivisions of five (5) or more lots, planned development, commercial, industrial, or miscellaneous rezoning/conditional zoning amendment applications, a concept plan of the property to be rezoned shall be submitted by the applicant. Such document shall be drawn to scale and shall include the following information:
 -  ☐ A vicinity map at a scale of no less than one (1) inch equals two thousand (2,000) feet
 - ☐ Title of drawing
 - ☐ Date of drawing
 - ☐ Existing wood line
 - ☐ North arrow
 - ☐ Scale bar
 - ☐ Current zoning of parcel(s) to be rezoned, including tax map number(s) and owner(s)
 - ☐ Current zoning of adjacent parcel(s), including tax map number(s) and owner(s)
 - ☐ Street names including route number and width(s) of the right-of-way(s)
 - ☐ Fifteen (15) full size copies, with one (1) reduced 11-inch X 17 inch copy shall be submitted
 - ☐ Please note that additional information on the site layout may be requested by the Zoning Administrator during the review process in order to more effectively review the application and prepare the staff reports for the Planning Commission and Board of Supervisors.

- ☐ 7. Fifteen (15) copies of such supplemental material as may be necessitated by the proposal itself or the district in which located or proposed to be located, and in accordance with Section 5-5000, *Supplementary Use Regulations*, of the Isle of Wight County Zoning Ordinance.

- ☒ 8. For residential subdivisions of five (5) or more lots, planned development, commercial, industrial, or miscellaneous rezoning/conditional zoning amendment applications, a Community Impact Statement is required in accordance with Section 1-1015.F, *Community Impact Statement*, of the Isle of Wight County Zoning Ordinance as amended on January 6, 2011. Please refer to Section 1-1015.F for detailed requirements of the Community Impact Statement. Fifteen (15) copies of the Community Impact Statement are required and shall include the following:

- ☒ Adequacy of Existing Public Facilities and Services
- ☒ Additional On-site and Off-site Public Facilities and Services
- ☒ Traffic Impact Analysis for projects exceeding 200 ADT, or when requested by the Zoning Administrator
- ☒ Fiscal Impact Analysis, if the project includes residential dwellings (optional for projects without a residential component)

- ☒ 9. Fifteen (15) copies of a Water Quality Impact Assessment shall be required for any rezoning in the Chesapeake Bay Preservation Area which:

- ☐ will disturb any portion of the 100-foot buffer area of a Resource Protection Area (RPA), or any component identified in Section 3000.B.1 of the Chesapeake Bay Preservation Area Ordinance;
- ☐ contains ten (10) acres or more for any use, other than a development of single family detached residential lots;
- ☐ contains twenty-five (25) acres or more for the development of single family detached residential lots; or,
- ☐ any other development that may warrant such assessment due to the unique characteristics of the site or intensity of the proposed use or development, as may be required by the Zoning Administrator.

- ☐ 10. For Planned Development, fifteen (15) copies of the required supplemental information shall be submitted in accordance with Section 4-14005, *Submission Requirements*, of the Isle of Wight County Zoning Ordinance. Please refer to Section 4-14005 for a detailed list of the submission requirements.

- ☒ 11. All real estate taxes must be paid and current at the time of submittal; otherwise, the submittal will be refused at the counter. Proof of the most recent tax payment to the County must accompany the application.

- ☐ 12. Voluntary Proffer Statement

- ☐ 13. Estoppel Certifications

I, the undersigned, certify that this application is complete, accurate and contains all required and requested information, documents and other submittals, and that all statements made herein are, to the best of my knowledge, true and correct. I further certify that I have exercised due diligence to obtain the most recent, complete and correct information available. I understand that any section not completed in its entirety may delay processing of this application and the date of the Planning Commission public hearing and that the submittal of a complete application does not guarantee the application will be placed on the next available Planning Commission agenda.


Signature

2-24-2021

Date



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ISLE OF WIGHT COUNTY, VIRGINIA

DEPARTMENT OF PLANNING AND ZONING

APPLICATION FOR REZONING/CONDITIONAL ZONING AMENDMENT

This application should be used to petition for a change to the Official Zoning Map or for an amendment of zoning conditions. The following application requirements are consistent with the procedures set forth in Section 1-1015, *Amendments*, of the Isle of Wight County Zoning Ordinance, as amended.

A. APPLICATION FOR (CHECK ALL THAT APPLY):

☒ Rezoning

☐ Conditional Rezoning (Are voluntary proffered conditions attached?): ☐ Yes ☐ No

Request to change the subject property(s) from the _____ to the _____ zoning district.

Proposed Use or Activity: Use as a satellite parking area to serve the congregation of Rivers United Church

☐ Amendment to Conditional Zoning

Request to change conditional zoning as follows (Attach current and proposed conditions): _____

B. PROJECT DESCRIPTION:

Project Name: Rivers United Properties United

Property Address (if any): 26585 River Run Trail, Carrsville, VA 23315

Election District: Carrsville

Comprehensive Plan Designation: _____

The rezoning will apply to 1.75 acres out of 1.75 total acres

Tax Parcel Identification # 58-01-127C Number of Acres to be Rezoned: 1.75

Requesting Zoning District Change from: RR to VC

Tax Parcel Identification # _____ Number of Acres to be Rezoned: _____

Requesting Zoning District Change from: _____ to _____

Tax Parcel Identification # _____ Number of Acres to be Rezoned: _____

Requesting Zoning District Change from: _____ to _____

Proposed Utilities (check all that apply): Public Water ☐ Private Well ☐

Public Sewer ☐ Private Septic ☐

C. **APPLICATION INFORMATION:**

Applicant(s) Name(s): Rivers United Church, Rep. Sean Damer
Address: 27650 Walters Hwy
City, State, Zip Code: Walters, VA 23315
Phone No.: (724) 840-5156 Email: sdamer16@gmail.com Fax No.: _____
Property Owner(s) Name(s): Rivers United Church
Address: 27650 Walters Hwy
City, State, Zip Code: Walters, VA 23315
Phone No.: (157) 986-0808 Email: connect@riversunitedchurch Fax No.: _____

Applicants/Owners Affidavit (including compliance with all deed restrictions and covenants)

This application must be signed by the owner(s) of the subject property or must have attached written evidence of the owner's consent, which may be in the form of a binding contract of sale with the owner's signature or a letter signed by the owner(s), containing written authorization to act with full authority on the owner(s) behalf in filing this rezoning application. Signing this application shall certify the owner's compliance with all deed restrictions and covenants, and shall constitute the granting of authority of the County to enter onto the property for the purpose of conducting site analyses and compliance with Federal, State and County regulations.

Applicant: Rivers United Church, Rep. Sean Damer
Printed or Typed Name

Applicant: [Signature] Date: 2-18-2021
Signature

County of Isle of Wight, Commonwealth of Virginia

Subscribed and sworn to before me _____
A Notary Public in and for the County of Isle of Wight,
Commonwealth of Virginia, this ____ day of _____, 20____

Notary Public

My Commission Expires _____

Owner: Rivers United Church, Rep. Sean Damer
Printed or Typed Name

Owner: [Signature] Date: 2-18-2021
Signature

County of Isle of Wight, Commonwealth of Virginia

Subscribed and sworn to before me Sean Damer
A Notary Public in and for the County of Isle of Wight,
Commonwealth of Virginia, this 18 day of February, 2021

[Signature] #7609577
Notary Public

My Commission Expires 8/31/2024

Owner: _____
Printed or Typed Name

Owner: _____ Date: _____
Signature

County of Isle of Wight, Commonwealth of Virginia

Subscribed and sworn to before me _____
A Notary Public in and for the County of Isle of Wight,
Commonwealth of Virginia, this ____ day of _____, 20____

Notary Public

My Commission Expires _____

Owner: _____
Printed or Typed Name

Owner: _____ Date: _____
Signature

County of Isle of Wight, Commonwealth of Virginia

Subscribed and sworn to before me _____
A Notary Public in and for the County of Isle of Wight,
Commonwealth of Virginia, this ____ day of _____, 20____

Notary Public

My Commission Expires _____

NOTICE: THE ATTACHED CHECKLIST MUST BE COMPLETED, CERTIFIED, AND SUBMITTED OR THE APPLICATION WILL BE CONSIDERED INCOMPLETE.

Remit Application to: Isle of Wight County Central Permitting, 17140 Monument Circle, Suite 100
P. O. Box 80, Isle of Wight, Virginia 23397

FOR OFFICE USE ONLY:

Complete Application Received On: _____ Fees Paid: _____
Tax Query: [] Current [] Delinquent Distribution Date: _____
Posted/Date to Post: _____

AGENCIES REFERRALS:

- | | |
|---|--------------------------|
| _____ Department of Conservation & Recreation | _____ Inspections |
| _____ Economic Development | _____ Sheriff's Office |
| _____ Emergency Services | _____ Town of Smithfield |
| _____ General Services | _____ Town of Windsor |
| _____ Environmental Planner | _____ VDOT |
| _____ Health Department | _____ Schools |
| _____ Transportation Manager | _____ Budget & Finance |
| _____ Commission of Revenue | _____ County Attorney |
| _____ Other _____ | |

Verified By: _____ Date: _____

SIGNATURE PAGE

Applicant: Rivers United Church, Rep. Sean Damer
Applicant: [Signature] Printed or Typed Name Date: 2-18-2021
Signature

Commonwealth of Virginia
County of Isle of Wight

Subscribed and sworn to before me Sean Damer,
A Notary Public in and for the County of Isle of Wight, Commonwealth
of Virginia, this 18th day of February, 20 21.

Jennifer B Goodman
Notary Public
My Commission Expires 8/31/2024



Owner: Rivers United Church
Owner: [Signature] Printed or Typed Name Date: 2-18-2021
Signature

Commonwealth of Virginia
County of Isle of Wight

Subscribed and sworn to before me Sean Damer,
A Notary Public in and for the County of Isle of Wight, Commonwealth
of Virginia, this 18th day of February, 20 21.

Jennifer B Goodman
Notary Public
My Commission Expires 8/31/2024



Owner: _____
Printed or Typed Name
Owner: _____ Date: _____
Signature

Commonwealth of Virginia
County of Isle of Wight

Subscribed and sworn to before me _____,
A Notary Public in and for the County of Isle of Wight, Commonwealth
of Virginia, this _____ day of _____, 20 ____.

Notary Public
My Commission Expires _____

Statement of Reason for Zoning Application

Applicant: Rivers United Church, Representative Sean Domer

Owner's Name: Rivers United Church

Project Name: Rivers United Properties United

Date: February 18, 2021

Parcel-Tax Map Numbers: 58-01-127C

These proffers are made as of February 18, 2021 by Rivers United Church, hereinafter Owner, regarding properties located at 26585 River Run Trail, Carrsville, VA 23315 (Tax Map # 58-01-127C) containing 1.75 acres of land. This property will be referred to herein as "Property". Owner has filed a rezoning application with the Isle of Wight County Planning and Zoning Department requesting a change in the zoning of the Property from zoning district RR to district VC. Owner voluntarily proffers that the development of the Property proposed for rezoning under this application shall be in strict accordance with the conditions set forth below.

These proffered conditions are the only conditions offered on this rezoning, and any prior proffered conditions on the Property are hereby superseded by these proffers and any and all previous proffers on the Property are hereby void and of no further force and effect.

1. The Property subject to the rezoning application is adjacent to the primary parcel owned by Owner upon which the Church is located. The Parcel-Tax Map Number of the primary parcel is 58-01-014 and the assigned zoning district is VC.
2. As it currently stands, the Property and the primary parcel are in different zoning districts.
3. The Church requires the use of the Property in order to meet the necessity of accommodating parking for its congregation.
4. Isle of Wight County Zoning Ordinance Section 10-1001 requires that all off-street parking required to serve buildings shall be located on the same zoning lot as the building being served except as may be permitted under Section 10-1008.
5. Isle of Wight County Zoning Ordinance Section 10-1008, which covers Satellite Parking Areas, requires that if the satellite parking is to be approved, the property in which the parking area is located must be in the same zoning district as the building it is intended to serve.
6. Without the rezoning of the Property, the Church will be unable to comply with the requirements of the Isle of Wight County Zoning Ordinances while also meeting the needs of its congregation.

Narrative Description of Property Included in Rezoning Application

Tax Parcel ID # 58-01-127C

Property is located on the northeastern corner of the intersection of Walters Hwy and River Run Trail. Property extends north along the east side of River Run Trail approximately 260 feet from the intersection and extends east approximately 300 feet along the north side of Walters Hwy. The property contains two structures; a previously condemned house and a storage building. Also, currently located on the property is a gravel parking lot, which surrounds the storage building.



172323

PG 1 MAY 26 2017

Prepared by:
J. David Faulders
12090 West broad St.
Richmond, VA 23233

After Recording Return to:
Coastal City Church
27650 Walters Highway
Walters, VA 23315

Tax Id. Nos.: 58-01-014, 58-01-018 and 58-01-127C

**NOTICE TO CLERK: THIS DEED IS EXEMPT FROM RECORDATION TAXES
PURSUANT TO SECTION 58.1-811(2).**

THIS DEED, made and entered into this 24th day of May, 2017, by and between KRISTY E. DEJARNETTE, JOHN PAUL CREASON AND ERIC DINGLER, TRUSTEES OF MOUNT CARMEL CHRISTIAN CHURCH, sometimes incorrectly referred to as Mount Carmel Congregational Christian Church ("Grantor"), whose address is 27650 Walters Highway, Walters, VA 23315, and COASTAL CITY CHURCH ("Grantee"), whose address is 27650 Walters Highway, Walters, VA 23315.

WITNESSETH:

WHEREAS, the congregation of Mount Carmel Christian Church (the "Church") has incorporated Grantee with the intent that the Church thereafter operate under the corporate auspices of Grantee and, in connection therewith, the Church has authorized the transfer its real and personal properties to Grantee.

WHEREAS, pursuant to Section 57-15.B. of the Virginia Code, 1950, as amended, trustees of a church or religious body that incorporate may transfer the title to the real and personal property of the church or religious body held by them to the incorporated church or religious body may transfer such property without obtaining court permission if the transfer is authorized in accordance with the church's or religious body's polity;

Whereas, having obtained the required authorization, Grantor hereby desires to transfer of the properties of Mount Carmel Christian Church to Grantee.

NOW, THEREFORE, in consideration of the premises and the sum of Ten Dollars (\$10.00) cash in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged by the Grantor, the Grantor does hereby grant, bargain, sell, and convey with GENERAL WARRANTY and ENGLISH COVENANTS OF TITLE to the Grantee the following described parcels of real estate, with improvements thereon and appurtenances thereunto pertaining, to-wit:

PARCEL 1:

All that certain lot, piece or parcel of land lying, being and situate in Windsor Magisterial District, Isle of Wight County, Virginia, known and designated as T.P. 58-01-014, containing 1.25 acres, more or less, together with all and singular the appurtenances belonging to the same.

IT BEING the same property conveyed to Trustees of Mount Carmel Christian Church of Walters by Deed from Richard G. Edwards and Mary L. Edwards, his wife, dated January 27, 1871, recorded July 24, 1874, in Deed Book 43, at page 268, in the Clerk's Office of the Circuit Court of the County of Isle of Wight, Virginia, and shown on a plat attached to Boundary Line Agreement dated March 26, 2010, between Trustees of Mount Carmel Christian Church and Otto H. Wegman, Trustee of the Otto H. Wegman Trust Under Agreement dated February 24, 2003, recorded March 30, 2010 in the aforementioned Clerk's Office as Instrument No. 100001329.

PARCEL 2:

All that certain lot, piece or parcel of land lying, being and situate in Windsor Magisterial District, Isle of Wight County, Virginia, known and designated as T.P. 58-01-018, containing 0.386 acre, as shown on that certain plat of survey entitled, "Plat Showing Property of Trustees of Mount Carmel Christian Church of Walters, located at 27802 Walters Highway in the Village of Walters, Windsor Magisterial District, Isle of Wight County, Virginia, Scale: 1" = 30', dated Feb. 12, 2001," made by Williams & Vann – Land Surveying, Franklin, Virginia, said plat recorded in the Clerk's Office of the Circuit Court of Isle of Wight County, Virginia, in Plat Cabinet 2, Slide 81, Page 16, reference to said plat being made for a more particular description of the property hereby conveyed.

IT BEING the same property conveyed to E. W. Beale, R. T. Bowden And Otis V. Joyner, Trustees of Mount Carmel Christian Church of Walters, Trustees of Mount Carmel Christian Church of Walters by Deed from C.H. Joyner and Blanche M. Joyner dated August 26, 1952, and recorded September 18, 1952, in the Clerk's Office of the Circuit Court of the County of Isle of Wight, Virginia, in Deed Book 138, at page 429.

PARCEL 3:

All that certain lot, piece or parcel of real estate situate, lying and being in Windsor Magisterial District, Isle of Wight County, Virginia, as shown on that certain plat recorded as Plat Cabinet 2, Slide 59, Page 9 entitled, "Plat Showing a Portion of the Z.T. Holland Estate Located at 26585 River Run Trail, Windsor Magisterial District, Isle of Wight County, Virginia, Scale: 1" = 40', June 10, 1998," made by Williams & Vann – Land Surveyors, the said lot herein conveyed, according to said plat, containing 1.750 acres (76,230 sq. ft.) and is

bounded on the north and east by other real estate of Z.T. Holland estate, on the south by highway 258 (Walters Highway) and on the west by Route 614 (River Run Trail). Reference is hereby made to said plat for more particulars as to the description of the real estate herein conveyed, said plat being made a part of this deed and incorporated into this deed by this reference.

IT BEING the same property conveyed to being the same real estate conveyed to Johnie Beale, F. Lloyd Britt, Franklin L. Britt, Jr., John David Creason And William McConnell, Trustees of Mount Carmel Congregational Christian Church of Walters from Edd Allen Curnutte and Theresa L Curnutte, husband and wife, by Deed dated June 18, 2012, and recorded June 21, 2012, in the Clerk's Office of the Circuit Court of the County of Isle of Wight, Virginia, as Instrument No. 120002926.

WITNESS the following signatures and seals:

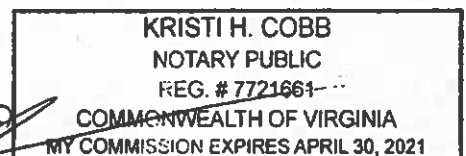
Kristy E. DeJarnette (Seal)
Kristy E. DeJarnette, Trustee

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF Isle of Wight to-wit:

The foregoing instrument was acknowledged before me this 24th day of May, 2017, by Kristy E. DeJarnette, as Trustee of Mount Carmel Christian Church.

Kristi H. Cobb
Notary Public

My commission expires: April 30, 2021
My notary registration number: 7721661



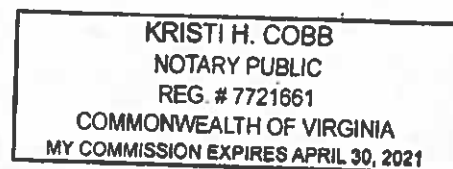
John Paul Creason (Seal)
John Paul Creason, Trustee

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF Isle of Wight to-wit:

The foregoing instrument was acknowledged before me this 24th day of May, 2017, by John Paul Creason, as Trustee of Mount Carmel Christian Church.

Kristi H. Cobb
Notary Public

My commission expires: April 30, 2021
My notary registration number: 7721661



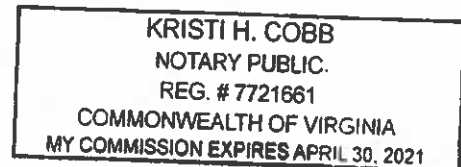
Eric Dingler 5.24.17 (Seal)
Eric Dingler, Trustee

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF Isle of Wight, to-wit:

The foregoing instrument was acknowledged before me this 24th day of May, 2017, by
Eric Dingler, as Trustee of Mount Carmel Christian Church.

Kristi Cobb
Notary Public

My commission expires: April 30th, 2021
My notary registration number: 7721661



P. Randall Page Jr

INSTRUMENT # 170002323
RECORDED IN THE CLERK'S OFFICE OF
ISLE OF WIGHT COUNTY ON
MAY 25, 2017 AT 10:00AM

SHARON N. JONES, CLERK
RECORDED BY: DDS

ACKNOWLEDGEMENT OF RESIDENTIAL REZONING PROFFERS

APPLICATION NUMBER: _____

PROPOSED PROJECT: Rivers United Properties United, Parking Lot

APPLICANT: Rivers United Church, Rep. Sean Dimer

OWNER (if different from applicant): _____

PROJECT NAME: Rivers United Properties United

LOCATION: 26585 River Run Trail

TAX MAP NUMBER(S): 58-01-127C

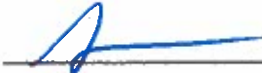
ELECTION DISTRICT: Carrsville

As of the date set forth below, the undersigned party or parties hereby acknowledge and understand as follows with respect to the proposed project identified above:

1. The undersigned is either the current Owner of the property which is the subject of the abovenamed proposed project and/or the Applicant for the proposed project.
2. The proposed project is for a new residentially zoned property, and/or includes a residential component of a mixed-use development, that results in either one or more additional residential dwelling units or, otherwise, fewer residential dwelling units, beyond what may be permitted by right under the current Isle of Wight County Zoning Ordinance for the property and such proposed project requires a rezoning which includes the application of voluntary of proffered conditions or an amendment thereto.
3. The undersigned hereby acknowledges and understands the contents of Section 15.2-2303.4 of the Code of Virginia (1950, as amended) which is applicable to the above referenced proposed project.

In Witness Whereof, the undersigned has caused this Acknowledgement to be executed and delivered as of the 18th day of February, 20 21.

APPLICANT(S):


Signature

Sean Dimer
Printed Name

OWNER(S):


Signature

Sean Dimer Rep. Rivers United Church
Printed Name



WAIVER AND RELEASE OF CLAIMS

I, Rivers United Church, Rep. Sean Damer, owner, developer or duly authorized representative for owner or developer, of Tax Map Parcel # 58-01-127c, on behalf of myself, my descendants, ancestors, dependents, heirs, executors, administrators, assigns, and successors, hereby covenant not to sue and fully release, acquit, and discharge Isle of Wight County, as well as its officers, employees, agents, servants, representatives, assigns, and successors (collectively referred to as "County Releasees") with respect to and from any and all claims, wages, rights, agreements, contracts, covenants, actions, suits, causes of action, obligations, debts, expenses, attorney fees, damages, judgments, orders, and liabilities of whatever kind or nature in law, equity, or otherwise, whether known or unknown, and suspected or unsuspected, which I, or any party for whom I am acting as authorized representative, may have against County Releasees arising out of, or in any way connected with, my payment of a/the voluntary cash proffer amount for said parcel/lot, in the amount of _____ Dollars (\$ _____), as memorialized in that Deed of Trust, recorded in the Isle of Wight County Circuit Court Clerk's Office as Instrument Number _____, notwithstanding the provisions of Section 15.2-2303.1:1 of the Code of Virginia (1950, as amended).

I acknowledge that I have read the foregoing, understand its contents, and accept and agree to the provisions it contains and hereby execute it voluntarily and knowingly and with full understanding of its consequences.

PLEASE READ CAREFULLY. THIS AGREEMENT INCLUDES A RELEASE OF KNOWN AND UNKNOWN CLAIMS.

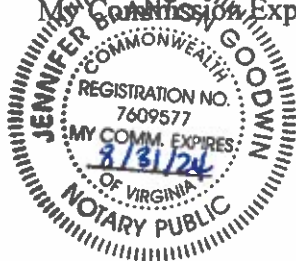
Rivers United Church, Rep. Sean Damer
Printed Name

2-18-2021
Date

STATE OF Virginia
CITY/COUNTY OF Isle of Wight, TO-WIT:

I, Jennifer B. Goodwin, a Notary Public for the State of Virginia at Large, do hereby certify that Sean Damer, whose name appears on the writing above bearing the date of the 18th day of February, 2021, has acknowledged the same before me in my City/County and State aforesaid.

Given under my hand this 18th day of February, 2021.
My Commission Expires: 8/31/2024



Jennifer B. Goodwin
Notary Public

COUNTY OF ISLE OF WIGHT
DISCLOSURE OF REAL ESTATE HOLDINGS

Applicant Rivers United Church, Rep. Sean Damer
Address 27650 Walters Hwy
Walters VA 23315
City State Zip

REAL ESTATE HOLDINGS TO BE AFFECTED

Location or Address	Description
26585 River Run Trail	Adjacent lot with parking lot for church

OTHER OWNERS OF AFFECTED REAL ESTATE

(Not Required for Corporation whose stock is traded on a national or local stock exchange or having more than 500 shareholders.)

Name of Individuals Corporation/Partnership Business Association	Address

Does any member of the Isle of Wight County Planning Commission or governing body have any interest in such property, either individually, by ownership of stock in a corporation owning such land, partnership, as the beneficiary of a trust, or the settlor of a revocable trust, or whether a member of the immediate household of any member of the Planning Commission or governing body has any such interest? Yes No

If yes, names of members:

I do solemnly swear that the foregoing statement(s) and attachments(s), if any, are complete, correct and true.

Applicant: Rivers United Church, Rep. Sean Damer Applicant: [Signature] Date: 2-18-2021
Printed or Typed Name Signature

Commonwealth of Virginia
County of Isle of Wight

Subscribed and sworn to before me by Sean Damer
A Notary Public in and for the County of Isle of Wight, Commonwealth
of Virginia, this 18th day of February, 20 21.

[Signature]
Notary Public

My Commission Expires 8/31/2024

Community Impact Statement for Rivers United Re-Zoning Application

1. Adequacy of existing public facilities:
 - a. Existing public facilities are adequate to meet the needs of the proposed development of the church parking lot. Drainage ditches are currently in place along the road side boundary of the proposed parking lot and the material being used is gravel which will allow for normal absorption and displacement of rainwater. The proposed parking lot will have no effect on schools or any other locally financed facilities. The property is located within the district served by Carrsville Fire and EMS services.
2. Additional on-site and off-site public facilities required as a result of development:
 - a. The proposed parking lot would not create or require the need for any additional public facilities than those that currently exist.
3. Traffic impact analysis:
 - a. The proposed parking lot will not create a situation which generates 200 or more average daily trips. It is anticipated that the greatest usage will occur only on Sunday mornings during regular church gatherings. At peak attendance the Church anticipates 100 vehicles or less.
4. Capital Impact Analysis:
 - a. The proposed parking lot will have no impact on the Isle of Wight County budget or fiscal plan.



COUNTY OF ISLE OF WIGHT
JUDITH C WELLS - TREASURER
PO Box 79
ISLE OF WIGHT, VA 23397-0079

ADDRESS SERVICE REQUESTED

2020 / 2021 REAL ESTATE TAX / STORMWATER FEE

Customer ID #	Map / Parcel #
000103461	58-01-127C

DUE DATE - December 07, 2020

004019/3--S 13--B 1

COASTAL CITY CHURCH
27650 WALTERS HWY
WALTERS VA 23315-4300

The Treasurer only collects taxes, does not assess property, fix valuations, set rates or grant exemptions and has no authority to make changes to the tax bill. For payment information or arrangements, contact Treasurer's Office at 757-365-6228.

For assessment and address changes, contact the Commissioner of Revenue's Office at 757-365-6219.

PENALTY EXPLAINED

If paid after due date, add penalty of:

Assessed tax \$10.00 or under - no more than tax

Assessed tax \$10.00 - \$100.00 - \$10.00 minimum

Assessed tax over \$100.00 - 10% of tax

See the back of this notice for payment options and additional information.

Code of Virginia 58.1-3913 Delinquent tax MUST be paid first.

If check is not honored by bank, receipt is void.

Description		Identification	Rate per \$100	Mortgage		
PT Z T HOLLAND EST		Map / Parcel No.	0.85			
ACREAGE 1.750		58-01-127C				
Land Value	Property Value	Total Value	Assessment Period	Current Tax Due	Stormwater Fee	TOTAL DUE *
35,300	70,000	105,300	July 1 December 31	447.53	27.00	474.53
TOTAL DUE THROUGH December 07, 2020						474.53

* Total Due includes credits, transfers, abatements, etc.

*** Accounts past due after 90 days from the June 5th due date will incur a \$30 administration fee ***

RIVERS UNITED CHURCH
GENERAL ACCOUNT
27650 WALTERS HWY
WALTERS, VA 23316

5772

68-567/514

01

11/12/20

Date

CHECK MARK

Pay to the
Order of

C. of Isle of Wight

\$1129.96

One thousand one hundred twenty nine and 96/100

Dollars



Photo
Safe
Deposit
Details on back



FARMERS BANK
P.O. Box 285
Windsor, Virginia 23457

For ~~Acct # Attached~~

Cathy H. Richards

0514056701

0112181911 5772

OTTO H. WEGMAN TRUSTEE
T.P. 58-01-27
MSTR. 030007059

P.C. 2-59-9

N 56° 09' 29" E
308.89'

AREA = 76,230 SQ. FT. - 1.750 AC.

T.P. 58-01-27C

ZONE RR

CLEAR

GRAVEL PARKING

WELL
FR. BARN
& SHELTER

GRAVEL

R = 1160.98'
L = 161.25'

VAR. R/W

RIVER RUN TRAIL TO RTE. 648
N 33° 50' 31" W
39.71'

ROUTE 614

1 - ST. FRAME
DWELLING

N 52° 14' 03" W
59.51'

75.28'

S 69° 43' 01" W
50.67'

S 65° 09' 11" W

44.00'

S 71° 36' 07" W

50.00'

S 72° 01' 00" W

ROUTE 258

VAR. R/W

WALTERS HIGHWAY

PROJ. NO. 0258-046-109, M-501

TO WALTERS

TO RTE. 641

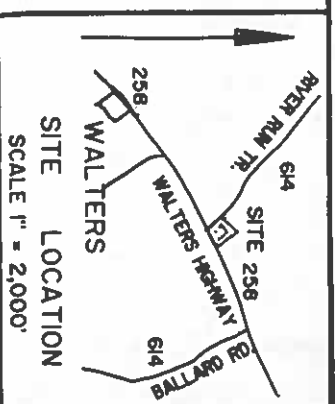
S 17° 59' 00" E
320.08'



REZONING EXHIBIT
FOR TAX PARCEL 58-01-27C, PROPERTY OF
COASTAL CITY CHURCH

LOCATED AT 26585 RIVER RUN TRAIL
WINDSOR MAGISTERIAL DISTRICT
ISLE OF WIGHT COUNTY, VIRGINIA
SCALE 1" = 40' DEC. 10, 2020

J. D. VANN - LAND SURVEYING
25085 NEW MARKET ROAD
COURTLAND, VIRGINIA 23637
TEL. NO. 757-562-4923



REFERENCE - INSTR. 170002323
P.C. 2-59-9

○ - DENOTES IRON PIN
● - DENOTES VDOT MON.

2020-275-1W

#21667
MISC - 2 - 21**APPLICATION FOR EXCEPTIONS**

This application should be used to petition for an exception for certain uses which, because of their unique characteristics, but which may, under the right set of circumstances and conditions be acceptable.

A. APPLICATION FOR (CHECK ALL THAT APPLY):

☐ Chesapeake Bay Preservation Area Ordinance Exception

☐ Major ☐ Minor

☐ Newport Development Service Overlay District Exception

☒ Highway Corridor Overlay District Exception

☐ Signage Exception

☐ Subdivision Ordinance Waiver

☐ Other (please list) _____

The proposal is a request to Section (s) 6-1008.4.5; 6-1010.8.6 of the Chesapeake Bay Preservation Area Ordinance, the Isle of Wight County Zoning Ordinance, or the Isle of Wight County Subdivision Ordinance.

Proposed Use or Activity: Satellite Parking area

B. PROJECT DESCRIPTION:

Project Name: Rivers United Properties United

Property Address (if any): 26585 River Run Trail, Crossville, VA 23315

Comprehensive Plan Designation: _____

The exception will apply to 1.75 acres out of 1.75 total acres

Tax Parcel Identification # 58-01-127C Number of acres to be effected: 1.75

Proposed Utilities (check all that apply): Public Water _____ Private Well _____

Public Sewer _____ Private Septic _____

C. **APPLICATION INFORMATION:**

Applicant(s) Name(s): Rivers United Church, Rep. Sean Damer

Address: 27650 Walters Hwy

City, State, Zip Code: Walters, VA 23315

Phone No.: 757-617-1006 Email: sdamer16@gmail.com Fax No.: _____

Property Owner(s) Name(s): Rivers United Church

Address: 27650 Walters Hwy

City, State, Zip Code: Walters, VA 23315

Phone No.: 757 617 1006 Email: connect@riversunitedchurch.com Fax No.: _____

Applicants/Owners Affidavit (including compliance with all deed restrictions and covenants)

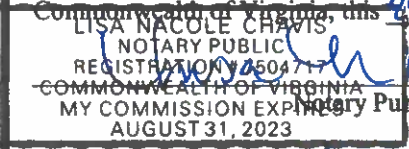
This application must be signed by the owner(s) of the subject property or must have attached written evidence of the owner's consent, which may be in the form of a binding contract of sale with the owner's signature or a letter signed by the owner(s), containing written authorization to act with full authority on the owner(s) behalf in filing this exception application. Signing this application shall certify the owner's compliance with all deed restrictions and covenants, and shall constitute the granting of authority of the County to enter onto the property for the purpose of conducting site analyses and compliance with Federal, State and County regulations.

Applicant: Rivers United Church, Rep. Sean Damer
Printed or Typed Name

Applicant: [Signature] Date: 4-27-2021
Signature

County of Isle of Wight, Commonwealth of Virginia

Subscribed and sworn to before me Lisa N. Chavis
A Notary Public in and for the County of Isle of Wight,
Commonwealth of Virginia, this 29 day of April, 2021


NOTARY PUBLIC
REGISTRATION #504717
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES
AUGUST 31, 2023

My Commission Expires August 31, 2023

Owner: _____
Printed or Typed Name

Owner: _____ Date: _____
Signature

County of Isle of Wight, Commonwealth of Virginia

Subscribed and sworn to before me _____
A Notary Public in and for the County of Isle of Wight,
Commonwealth of Virginia, this ____ day of _____, 20__

Notary Public

My Commission Expires _____

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Commonwealth of Virginia, this ____ day of _____, 20__

Notary Public

My Commission Expires _____

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County of Isle of Wight, Commonwealth of Virginia

Subscribed and sworn to before me _____
A Notary Public in and for the County of Isle of Wight,
Commonwealth of Virginia, this ____ day of _____, 20__

Notary Public

My Commission Expires _____



Local Roots, Global Reach

ISLE OF WIGHT COUNTY, VIRGINIA

DEPARTMENT OF PLANNING AND ZONING

SUBMITTAL CHECKLIST FOR EXCEPTION APPLICATIONS

In accordance with Section 5002, *Exceptions*, of the Chesapeake Bay Preservation Area Ordinance, and in accordance with Section 6-1015, *Exceptions*, Section 6-2011, *Exceptions*, and Section 9-1013, *Exceptions*, of the Isle of Wight County Zoning Ordinance, the following information shall be submitted for an exception application. Please note that it is the applicant's responsibility to ensure that the application is in compliance with all Federal, State and County regulations.

No application for an exception shall be certified as complete unless the following information and minimum number of copies are provided, unless the number of required copies is reduced by the Zoning Administrator:

- ☒ 1. Ten (10) copies of the original, executed application and one (1) original executed application. Both the applicant(s) and the property owner(s) must have their signature(s) notarized on page 2 of the application.
- ☒ 2. The appropriate fees have been submitted with the application. Checks should be made payable to: Treasurer, Isle of Wight County.
- ☒ 3. Ten (10) copies of a statement of the reasons for seeking such exception.
- ☒ 4. Ten (10) copies of a narrative description of the property which shall include the Tax Parcel Identification Number.
- ☒ 5. One (1) copy of the most recent deed(s) for the property(s) associated with the application.
- ☒ 6. A concept plan of the site to show all existing and proposed physical improvements and such other information as is necessary to clearly indicate to the reviewing body that adequate provisions have been made for compliance with all standards for that particular use, the extent of the property to be so used on a given parcel or parcels, and information defining the requested exceptions. The plan shall be prepared by the appropriate authorized design professional licensed to practice in Virginia. No person shall prepare or certify design elements of site plans which are outside the limits of their professional expertise and license. Such document shall be drawn to scale and shall include the following information:
 - A vicinity map at a scale of no less than one (1) inch equals two thousand (2,000) feet
 - Title of drawing
 - Date of drawing
 - Existing wood line
 - North arrow
 - Scale bar
 - Current zoning of parcel(s), including tax map number(s) and owner(s)
 - Current zoning of adjacent parcel(s), including tax map number(s) and owner(s)
 - Street names including route number and width(s) of the right-of-way(s)
 - Ten (10) full size copies, with one (1) reduced 11-inch X 17 inch copy shall be submitted
 - Please note that additional information on the site layout may be requested by the Zoning Administrator during the review process in order to more effectively review the application and prepare the staff reports for the appropriate reviewing body.

- ☒ 7. For CBPA Exception applications, a major or minor water quality impact assessment as required by the application type which meets the criteria in Section 4003 of the Chesapeake Bay Preservation Area Ordinance must be submitted at the time of application.
- ☒ 8. Such other information as may be necessary to demonstrate compliance with all other applicable federal, state and County standards and regulations.
- ☒ 9. All real estate taxes must be paid and current at the time of submittal; otherwise, the submittal will be refused at the counter. Proof of the most recent tax payment to the County must accompany the application.

I, the undersigned, certify that this application is complete, accurate and contains all required and requested information, documents and other submittals, and that all statements made herein are, to the best of my knowledge, true and correct. I further certify that I have exercised due diligence to obtain the most recent, complete and correct information available. I understand that any section not completed in its entirety may delay processing of this application.

Sean Doner
Printed or Typed Name

[Signature]
Signature

4-27-2021
Date

COUNTY OF ISLE OF WIGHT

DISCLOSURE OF REAL ESTATE HOLDINGS

Applicant Rivers United Church, Rep. Sean Damer
 Address 27650 Walters Hwy
Walters VA 23315
 City State Zip

REAL ESTATE HOLDINGS TO BE AFFECTED

Location or Address	Description
<u>26585 River Run Trail</u>	<u>Adjacent lot with parking lot for church</u>

OTHER OWNERS OF AFFECTED REAL ESTATE

(Not Required for Corporation whose stock is traded on a national or local stock exchange or having more than 500 shareholders.)

Name of Individuals Corporation/Partnership Business Association	Address

Does any member of the Isle of Wight County Planning Commission or governing body have any interest in such property, either individually, by ownership of stock in a corporation owning such land, partnership, as the beneficiary of a trust, or the settlor of a revocable trust, or whether a member of the immediate household of any member of the Planning Commission or governing body has any such interest? Yes No

If yes, names of members:

I do solemnly swear that the foregoing statement(s) and attachments(s), if any, are complete, correct and true.

Applicant: Rivers United Church, Rep. Sean Damer Applicant: [Signature] Date: 4-27-2021
 Printed or Typed Name Signature

Commonwealth of Virginia
 County of Isle of Wight

Subscribed and sworn to before me Lisa N. Chavis
 A Notary Public in and for the County of Isle of Wight, Commonwealth
 of Virginia, this 29th day of April, 2021.

[Signature]
 Notary Public

My Commission Expires August 31, 2023

LISA NACOLE CHAVIS
 NOTARY PUBLIC
 REGISTRATION # 7504717
 COMMONWEALTH OF VIRGINIA
 MY COMMISSION EXPIRES
 AUGUST 31, 2023

NOTICE: THE ATTACHED CHECKLIST MUST BE COMPLETED, CERTIFIED, AND SUBMITTED OR THE APPLICATION WILL BE CONSIDERED INCOMPLETE.

Remit Application to: Isle of Wight County Central Permitting, 17140 Monument Circle, Suite 100
P. O. Box 80, Isle of Wight, Virginia 23397

FOR OFFICE USE ONLY:

Complete Application Received On: 4/28/21 Fees Paid: _____
Tax Query: ☐ Current ☐ Delinquent Distribution Date: _____
Posted/Date to Post: _____

AGENCIES REFERRALS:

N/A
____ Department of Conservation & Recreation
____ Economic Development
____ Emergency Services
____ General Services
____ Environmental Planner
____ Health Department
____ Transportation Manager
____ Commission of Revenue
____ Other _____

N/A
____ Inspections
____ Sheriff's Office
____ Town of Smithfield
____ Town of Windsor
____ VDOT
____ Schools
____ Budget & Finance
____ County Attorney

Verified By: Angela B. [Signature] Date: 4/28/21

Statement of Reason for Exemption Request

Applicant: Rivers United Church, Representative Sean Domer

Owner's Name: Rivers United Church

Project Name: Rivers United Properties United

Date: April 27, 2021

Parcel-Tax Map Numbers: 58-01-127C

Section 6-1008.A.3. states that no parking areas are permitted within the front yard setbacks in the HCO district. Because the property at 26585 River Run Trail is located on a corner lot, this setback requirement also applies to the frontage along River Run Trail, and not just along Rt. 258. The parking area that has been created encroaches within this setback area along River Run Trail by approximately 10 feet. Between the actual street and the parking area exists a drainage ditch that runs parallel to both the road and the parking area. In the middle of the parking area is a storage structure. If we were to move the parking area 10 feet back from the roadway on River Run Trail then our ability to navigate around the storage structure would be inhibited.

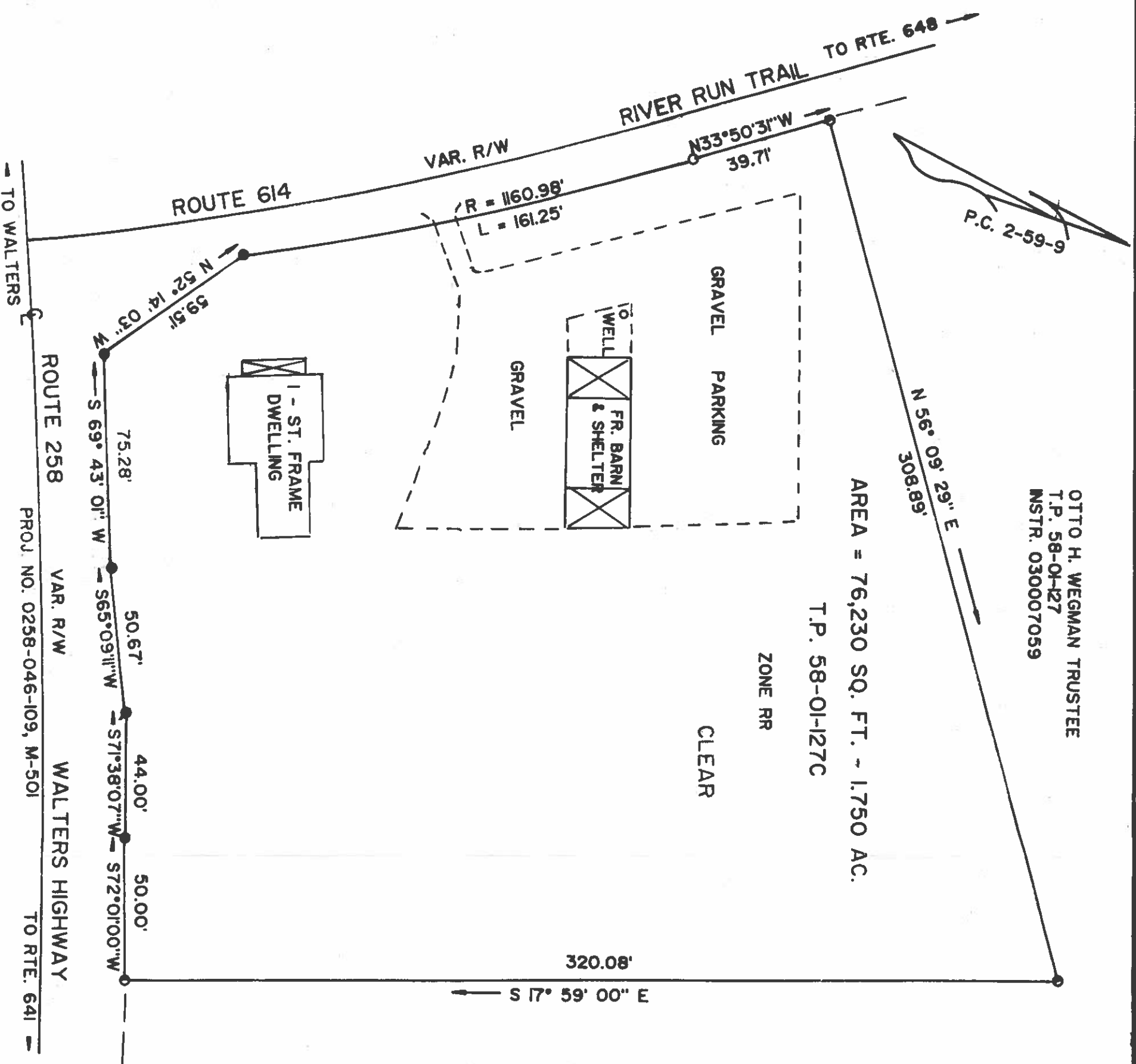
If the presence of the parking area were ever to become a problem, our desire to keep the parking surface as gravel, rather than paving the area, would allow us to more quickly and easily remedy the issue.

Section 6-1010B.6. states that any parking lot of five spaces or more is to be paved with concrete, asphalt, or a similar material. The parking area that is the subject of this application has, in reality, been present for many years. Our recent expansion of the area, by adding additional gravel in order to meet the needs of our growing congregation, is what led to the rezoning application to get us in compliance with County Zoning Ordinances. At this time the parking lot expansion with gravel has already been completed and to resurface the entire area would not only be financially burdensome on our non-profit organization, but also create the need to remove the work already completed.

OTTO H. WEGMAN TRUSTEE
T.P. 58-01-27
INSTR. 030007059

AREA = 76,230 SQ. FT. ~ 1.750 AC.

T.P. 58-01-127C



REZONING EXHIBIT FOR TAX PARCEL 58-01-127C, PROPERTY OF COASTAL CITY CHURCH

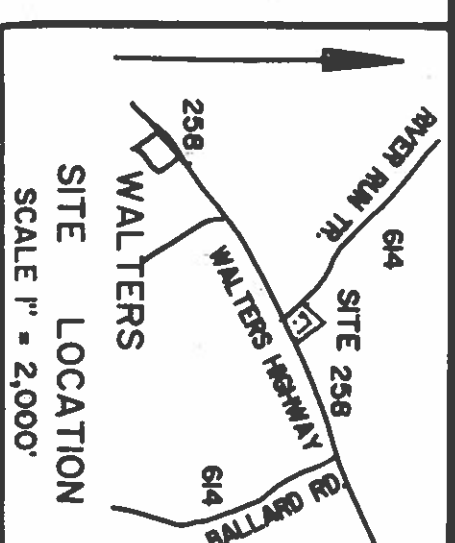
LOCATED AT 26585 RIVER RUN TRAIL

WINDSOR MAGISTERIAL DISTRICT

ISLE OF WIGHT COUNTY, VIRGINIA

SCALE 1" = 40' DEC. 10, 2020

J. D. VANN - LAND SURVEYING
25085 NEW MARKET ROAD
COURTLAND, VIRGINIA 23837
TEL. NO. 757-562-4923



SCALE 1" = 40'
0' 40' 80'

REFERENCE - INSTR. 170002323

P.C. 2-59-9

- - DENOTES IRON PIN
- - DENOTES VDOT MON.

2020-275-1W

**Coastal City Church Zoning Amendment
Application Number ZA-02-21
26585 River Run Trail**

**PROPERTY MAP
Scale 1" = 800'**

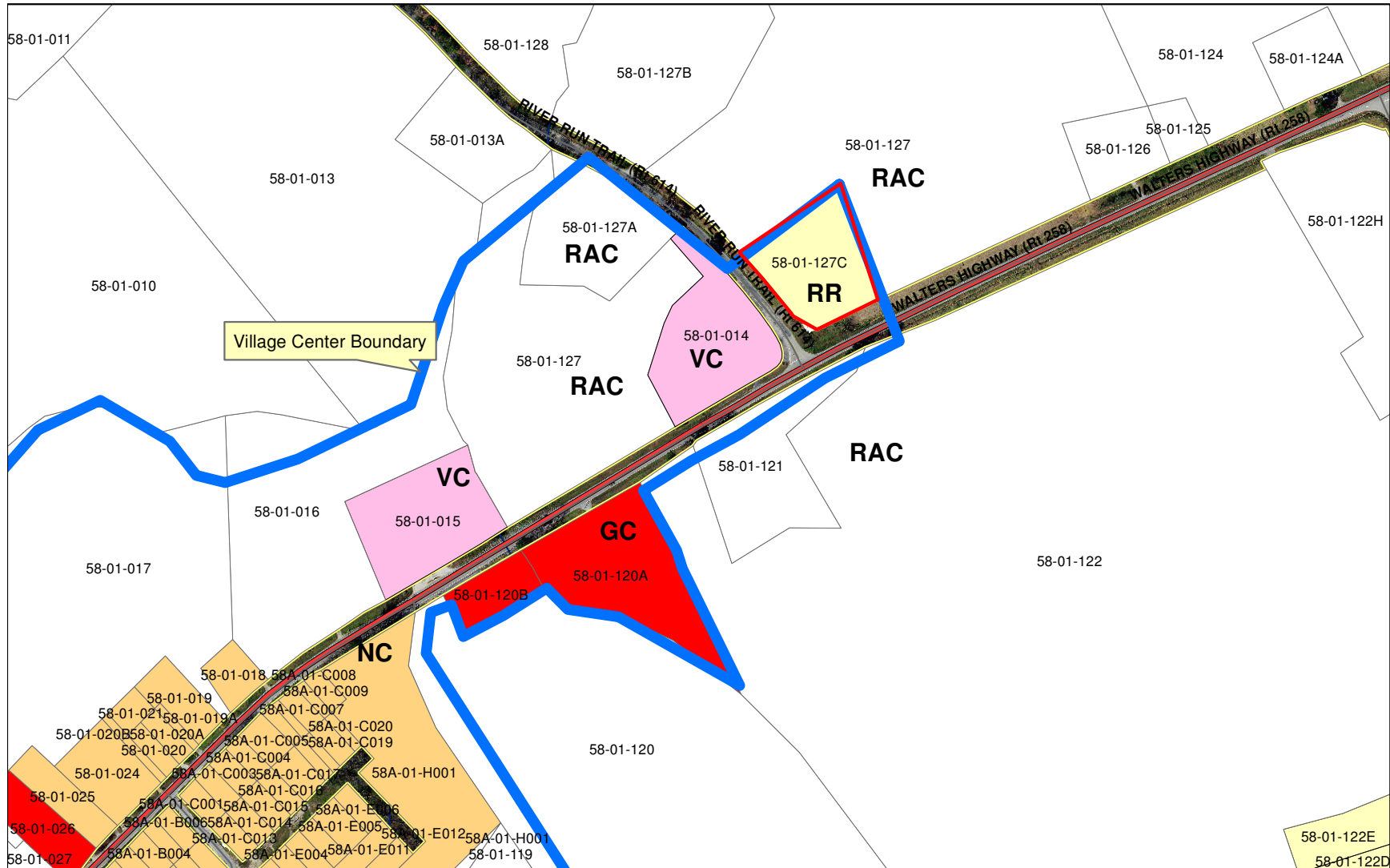


SOURCE: Isle of Wight County 2017 Aerial Photography and Parcel Data May 20, 2021



Coastal City Church Zoning Amendment
Application Number ZA-02-21
26585 River Run Trail

ZONING EXHIBIT
GIS Scale 1" = 800'



SOURCE: Isle of Wight County 2017 Aerial Photography and Zoning Data May 20, 2021













RESOLUTION NUMBER PC-21-03

**ISLE OF WIGHT COUNTY PLANNING COMMISSION
A RESOLUTION TO PRESENT A REPORT AND RECOMMENDATION
TO THE BOARD OF SUPERVISORS FOR THE CHANGE IN ZONING CLASSIFICATION
REQUEST ZA-02-21 TO AMEND THE ZONING OF 1.75 ACRES OF PROPERTY WITH
TAX MAP PARCEL 58-01-127C**

WHEREAS, Sean Domer, applicant, and Coastal City Church, owner, have requested a change in zoning classification from the Rural Residential (RR) zoning district to the Village Center (VC) zoning district, in order to allow for a satellite parking lot to serve the adjacent religious assembly use among other permitted uses on the property with tax map number 58-01-127C; and

WHEREAS the procedural requirements for the consideration of this request by the Planning Commission have been met.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of Isle of Wight County, that:

Section 1. Findings.

- _____ A. The Isle of Wight County Planning Commission finds that the proposed amendment to conditional zoning is reasonable and warranted due to a change in circumstances affecting the property and has considered the following factors and finds that the proposed rezoning does not conflict with:
1. the existing use and character of property within the County;
 2. the Comprehensive Plan;
 3. the suitability of the property for various uses;
 4. the trends of growth or change;
 5. the current or future requirements of the community as to land for various purposes as determined by population and economic studies and other studies;
 6. the transportation requirements of the community;
 7. the requirements for airports, housing, schools, parks, playgrounds, recreation areas and other public services;
 8. the conservation of natural resources;
 9. the preservation of floodplains;
 10. the preservation of agricultural and forestal land;
 11. the conservation of properties and their values; and

12. the encouragement of the most appropriate use of land throughout the County.

_____ B. The Isle of Wight County Planning Commission does not find that the proposed zoning map amendment is reasonable based on the consideration of the factors listed herein.

Section 2. Recommendation to Board of Supervisors.

The Planning Commission recommends to the Board of Supervisors that the request, ZA-02-21, be:

- ___ a. Granted as submitted, and that the Board of Supervisors adopt the proposed Ordinance without modification.
- ___ b. Denied, and that Board of Supervisors not adopt the proposed Ordinance.
- ___ c. Granted with the modifications set forth on the attached listing of specific recommendations, and that the Board of Supervisors adopt the proposed Ordinance with such modifications.

DATE: _____

READ AND PASSED: _____
Chairman, Isle of Wight County Planning Commission

TESTE: _____
Secretary, Isle of Wight County Planning Commission

Approved as to Form:

Robert W. Jones, Jr., County Attorney

PLANNING REPORT

APPLICATION:

Application of Isle of Wight County Public Schools and Isle of Wight County Utility Services, applicants and owners, for a Conditional Use Permit on approximately 17.9 acres with tax parcels 13B-02-A003, 13B-02-A004, and 13B-03-025 in the Rural Agricultural Conservation zoning district located on Old Stage Highway (Rte. 10). The purpose of the application is to allow for a major utility service (water tower) and a primary educational facility. The owners are also requesting an exception to Section 6-1010.A.11 of the Highway Corridor Overlay (HCO) District regulations to allow a six foot tall chainlink fence around the stormwater management pond, mechanical service areas, playgrounds, and site perimeter within the HCO district.

ELECTION DISTRICT:

Hardy

LOCATION:

The proposed new Hardy Elementary School and water storage tank will be located on the site of the existing Hardy Elementary School located at 9311 Hardy Circle on the east side of Old Stage Highway (Rte. 10) in addition to new property recently acquired by the County. The site is bordered along the north, east and south by residential, agricultural and civic uses. Residential uses also lie directly across Old Stage Highway to the west from the proposed school and water storage tank. The site is bounded to the west by Old Stage Highway and has a small portion of road frontage along Blount's Corner Road (Rte. 674) to the east.

BACKGROUND:

The existing Hardy Elementary School lies on three parcels with a total of 12.10 acres on the eastern side of Old Stage Highway (Rte.10) with the address of 9311 Hardy Circle. According to County real estate records, the existing school was constructed in 1961 prior to the adoption of the current Zoning Ordinance. Both a primary education facility and majority utility service facility, such as the proposed elevated water storage tank, will require a conditional use permit in the Rural Agricultural Conservation (RAC) zoning district. The existing school is 62,250 square feet and can serve up to 657 students. The school is currently served by an

on-site well and a septic system.

DESCRIPTION:

The conditional use permit application with number CUP-01-21 is for a new 107,000 square foot, two-story elementary school and a new, 160 foot tall elevated 500,000 gallon water storage tank to be located on approximately 17.9 acres which includes the same site as the existing school in addition to new property recently acquired by the County. The new school will have three entrances along Old Stage Highway and a utility maintenance access driveway from Blount's Corner Road. The existing school will remain in operation while construction is underway for the new school. A 17,251 square foot portion of the old school will remain to serve as the new school administration services building.

The new school will have the increased capacity to serve 800 students and 125 staff members. The new school will also be served with public water service and fire protection by the new water storage tank as well as with improved wastewater service by the new sewer force main currently under construction by the Hampton Roads Sanitation District.

In conjunction with the CUP application, the applicants have submitted an exception request to Section 6-1010.A.11 of the Highway Corridor Overlay district regulations which prohibit chainlink fencing in the district. The applicant proposes to use black vinyl coated chainlink fencing around the stormwater management pond, mechanical service yards, playgrounds, and site perimeter. Due to the extensive proposed use of chainlink fence within the HCO, staff proposed using a simulated wrought-iron municipal grade aluminum fence similar to what was recently approved for the Young-Laine Courts building. However, the applicant feels there is a significant cost difference between the two styles of fence and wishes to pursue the exception request.

COMPREHENSIVE LAND USE PLAN:

The future land use designation for these properties is Rural Agricultural Conservation (RAC) and Civic (CI) on the Future Recommended Land Use map in the adopted Comprehensive Plan. Appropriate uses for the RAC land use designation include agriculture, horticulture, forest lands, scattered low-density residential. Non-farm uses such as agricultural and forest product processing and distribution, resource extraction, and uses reliant on large areas of land such as solar farms and agritourism activities may also be appropriate when sited correctly. Due to the historic use of the site as a school with its need for more land can be

considered compatible with the surrounding agricultural, residential and civic uses in the RAC areas.

The recommended land uses for the CI areas include a wide variety of government and institutional facilities. The CI land use consists of government facilities such as offices and schools but also things like parks, museums, and County refuse centers. Because of the nature of civic and institutional uses they may be located inside Development Service Districts (DSDs) or outside DSDs in rural areas. The CI land use is best located on major transportation routes or major intersections or with easy access to those facilities. CI should also have access to public water and sewer infrastructure whenever possible. The proposed uses included in the CUP application can be considered compatible with the CI land use designation.

ORDINANCE REVIEW:

The properties included in this application are in the Rural Agricultural Conservation District (RAC). Both the proposed primary educational facility and the elevated water storage tank as a major utility service require a conditional use permit in the RAC zoning district. The proposed administrative services facility is a permitted use in the RAC.

Section 1-1017.H of the Zoning Ordinance outlines standards of review for a conditional use permit application. The planning commission and board of supervisors shall consider the following criteria before the granting of a conditional use permit:

1. That the establishment, maintenance, and operation of the conditional use will not be detrimental to or endanger the public health, safety, and general welfare;
2. That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially impair the use of other property within the immediate proximity;
3. That adequate utilities, water, sewer or septic system, access roads, storm drainage and/or other necessary public facilities and improvements have been or will be provided;
4. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion on the public streets;
5. That the proposed conditional use is not contrary to the goals and objectives of the Isle of Wight County Comprehensive Plan;
6. That the conditional use shall, in all other respects, conform to the applicable regulations of the zoning district classification in which it is located and to the

special requirements established for the specific use; and

7. That the use(s) at the location proposed will not result in a multiplicity or saturation of similar uses in the same general neighborhood of the proposed use.

In addition to the standards and other guidelines described in the Zoning Ordinance, the Board may impose conditions or limitations on any approval, including the posting of performance guarantees. Such conditions may include, but are not necessarily limited to:

1. The number of persons living or working in the immediate area and the proposed hours of operation, as may applicable;
2. Traffic conditions, including facilities for pedestrians, such as sidewalks and parking facilities; the access of vehicles to roads; peak periods of traffic; and proposed roads, but only if construction of such roads will commence within the reasonably foreseeable future;
3. The orderly growth of the neighborhood and community and the fiscal impact on the County;
4. The effect of odors, dust, gas, smoke, fumes, vibration, glare, and noise upon the use of surrounding properties;
5. Facilities for police, fire protection, sewerage, water, trash and garbage collection and disposal, and the ability of the County or persons to supply such services;
6. The degree to which the development is consistent with generally accepted engineering and planning principles and practices;
7. The structures in the vicinity such as schools, houses of worship, theaters, hospitals, and similar places of public use;
8. The purposes set forth in this ordinance, the County's Comprehensive Plan, and related studies for land use, roads, parks, schools, sewers, water, population, recreation, and the like;
9. The environmental impact, the effect on sensitive natural features, and opportunities for recreation and open space; and
10. The preservation of cultural and historic resource landmarks.

The site also lies within the Highway Corridor and Chesapeake Bay Preservation Area Overlay Districts. Although there are no Resource Protection Areas on the site, any exception requests to the development standards required in the HCO district must be reviewed and approved by the Board of Supervisors with a recommendation from the Planning Commission. The exception request does not require a public hearing.

Should the Board approve the request, the applicant would then be required to submit a preliminary and final site plan application along with any necessary building plans for review and approval prior to issuance of a zoning permit to begin construction.

AGENCY REVIEW:

The applications were distributed to the following departments and agencies for review and comment:

- County Utility Services Department
- Virginia Department of Transportation (VDOT)
- Isle of Wight County Public Schools
- Town of Smithfield
- Isle of Wight County Museum (Historic Resources)

Both VDOT and the Town of Smithfield submitted comments which are addressed by the applicant in the attached response letter and conceptual plan.

Historic Resources recommended that a Phase I Cultural Resources Survey be performed on the newly acquired property to further identify early settlements in the area and to supplement other nearby research currently underway with the help of a grant from Dominion Energy. Because of the relative proximity of the site to Bennett's Welcome and Basse's Choice and the probability of objects from First Residents, a Phase I survey is recommended.

STAFF CONCLUSIONS:

Strengths:

1. The proposed uses are compatible with the future land use recommendations in the RAC and CI areas.
2. The new school utilizes a redevelopment opportunity to provide modernized facilities with additional capacity, fire protection, and public water and sewer on an existing site.

Weaknesses:

1. The exception request to use chainlink fencing for new development which is

prohibited in the HCO district is not consistent with the goal of the district to assure respect for and to reduce incompatible and adverse impacts on the visual experience from the highway, especially when there are compatible options available.

2. No Phase I cultural resource survey has been performed for the property to date which lies in a High Probability area for archeological resources according to the County's 2005 Archeological Study.

STAFF RECOMMENDATION:

Staff recommends approval of the conditional use permit application for the proposed primary educational facility and major utility service, specifically a 500,000 gallon elevated water storage tank, with the condition that a Phase I cultural resource survey be performed and submitted prior to start of construction. Staff recommends denial of the HCO exception request in favor of a fencing style more compatible with the enhanced design standards found elsewhere in the district.

ATTACHMENTS:

Description	Type	Upload Date
CUP-1-21 HES & Water Tank Application	Backup Material	5/19/2021
CUP-1-21 Narrative	Backup Material	5/19/2021
CUP-1-21 HES CUP Statement of Reasons	Backup Material	5/19/2021
CUP-1-21 HES Concept Plan	Backup Material	5/19/2021
CUP-1-21 School Elevation	Backup Material	5/19/2021
CUP-1-21 Elevated Storage Tank Elevation	Backup Material	5/19/2021
Water Storage Tank Color Options	Backup Material	5/19/2021
MISC-2-21 HES HCO Exception Request	Backup Material	5/19/2021
MISC-2-21 HES HCO Exception Reasons	Backup Material	5/19/2021
Applicant Review Comment Response Ltr	Exhibit	5/19/2021
Vicinity Map	Exhibit	5/19/2021
Property Map Exhibit	Exhibit	5/19/2021
Zoning Map Exhibit	Exhibit	5/19/2021
Future Recommended Land Use Map	Exhibit	5/19/2021
CUP-1-21 HES & Tank PC Resolution 052521	Exhibit	5/19/2021



Local Roots, Global Reach

ISLE OF WIGHT COUNTY, VIRGINIA

DEPARTMENT OF PLANNING AND ZONING

SUBMITTAL CHECKLIST FOR CONDITIONAL / SPECIAL USE PERMIT APPLICATIONS

In conjunction with Section 1-1017, *Conditional Uses*, and Section 1-1018, *Special Uses Permits for Uses Not Provided For*, of the Isle of Wight County Zoning Ordinance, as amended, the following information shall be submitted for a Conditional / Special Use Permit Application. Please note that it is the applicant's responsibility to ensure that the application is in compliance with all Federal, State and County regulations.

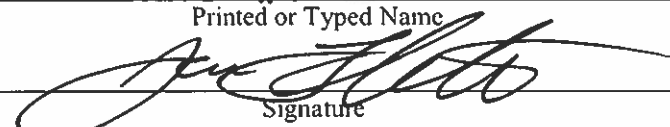
No application for a Conditional / Special Use shall be certified as complete unless the following information is provided, unless the Zoning Administrator reduces the number of required copies.

- X 1. Fifteen (15) copies of the original, executed application and one (1) original executed application. Both the applicant(s) and the property owner(s) must have their signature(s) notarized on page No. 2 of the application.
- N/A ☐ 2. The appropriate fees have been submitted with the application. Checks should be made payable to: Treasurer, Isle of Wight County.
- X 3. Fifteen (15) copies of a statement of the reasons for seeking such permit, and if applicable, a statement of conditions.
- X 4. Fifteen (15) copies of a narrative description of the property which shall include the Tax Parcel Identification Number.
- X 5. One (1) copy of the most recent deed(s) for the property(s) associated with the application.
- X 6. A concept plan of the property showing all existing and proposed physical improvements and such other information as is necessary to clearly indicate to the Planning Commission and Board of Supervisors that adequate provisions shall be made for compliance with all standards for that particular use and the extent of the property to be so used on a given parcel or parcels. Such document shall be drawn to scale and shall include the following information:
 - A vicinity map at a scale of no less than one (1) inch equals two thousand (2,000) feet
 - Title of drawing
 - Date of drawing
 - Existing wood line
 - North arrow
 - Scale bar
 - Current zoning of parcel(s) to be rezoned, including tax map number(s) and owner(s)
 - Current zoning of adjacent parcel(s), including tax map number(s) and owner(s)
 - Street names including route number and width(s) of the right-of-way(s)
 - Fifteen (15) full size copies, with one (1) reduced 11 inch X 17 inch copy shall be submitted
 - Please note that additional information on the site layout may be requested by the Zoning Administrator during the review process in order to more effectively review the application and prepare the staff reports for the Planning Commission and Board of Supervisors.

- X 7. Fifteen (15) copies of such supplemental material as may be necessitated by the proposal itself or the district in which located or proposed to be located, and in accordance with Section 5-5000, *Supplementary Use Regulations*, of the Isle of Wight County Zoning Ordinance.
- N/A ☐ 8. All real estate taxes must be paid and current at the time of submittal; otherwise, the submittal will be refused at the counter. Proof of the most recent tax payment to the County must accompany the application.

I, the undersigned, certify that this application is complete, accurate and contains all required and requested information, documents and other submittals, and that all statements made herein are, to the best of my knowledge, true and correct. I further certify that I have exercised due diligence to obtain the most recent, complete and correct information available. I understand that any section not completed in its entirety may delay processing of this application and the date of the Planning Commission public hearing and that the submittal of a complete application does not guarantee the application will be placed on the next available Planning Commission agenda.

James Thornton
Printed or Typed Name


Signature

11/10/2020
Date



APPLICATION FOR CONDITIONAL / SPECIAL USE PERMIT

This application should be used to petition for a permit for certain uses which, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right, but which may, under the right set of circumstances and conditions be acceptable in certain specific locations. The following application requirements are consistent with the procedures set forth in Section 1-1017, *Conditional Uses*, and Section 1-1018, *Special Use Permits for Uses Not Provided For*, of the Isle of Wight County Zoning Ordinance, as amended.

A. APPLICATION FOR (CHECK ALL THAT APPLY):

☒ Conditional Use Permit (Are applicant proposed conditions attached?): ☒ Yes ☐ No

The proposed use or activity is listed as a conditional use in the RAC zoning district as per Section 4-2003(C) in Article IV of the Isle of Wight County Zoning Ordinance.

☐ Special Use Permit (Are applicant proposed conditions attached?): ☐ Yes ☐ No

Proposed Use or Activity: Public Elementary School - Isle of Wight County Schools

Elevated water storage tower - Isle of Wight County Public Utilities

B. PROJECT DESCRIPTION:

Project Name: New Hardy Elementary School

Property Address (if any): 9311 Hardy Circle

Election District: Hardy District

Comprehensive Plan Designation: Civic

The use permit will apply to 20.011 acres out of 21.511 total acres

Tax Parcel Identification # 13B-02-A009 Number of acres to be effected: 9.409

13B-02-A003 Number of acres to be effected: 9.948

Tax Parcel Identification # 13B-02-A004 Number of acres to be effected: 1.666

Tax Parcel Identification # 13B-03-025 Number of acres to be effected: 0.488

Proposed Utilities (check all that apply): Public Water ☒ Private Well ☐

Public Sewer ☒ Private Septic ☐

C. **APPLICATION INFORMATION:**

Applicant(s) Name(s): James Thornton
Address: 820 West Main Street
City, State, Zip Code: Smithfield VA 23430
Phone No.: (757) 357-8841 Email: _____ Fax No.: _____
Property Owner(s) Name(s): Isle of Wight County School Board
Address: 820 W. Main Street
City, State, Zip Code: Smithfield, VA 23430
Phone No.: _____ Email: _____ Fax No.: _____

Applicants/Owners Affidavit (including compliance with all deed restrictions and covenants)

This application must be signed by the owner(s) of the subject property or must have attached written evidence of the owner's consent, which may be in the form of a binding contract of sale with the owner's signature or a letter signed by the owner(s), containing written authorization to act with full authority on the owner(s) behalf in filing this use permit application. Signing this application shall certify the owner's compliance with all deed restrictions and covenants, and shall constitute the granting of authority of the County to enter onto the property for the purpose of conducting site analyses and compliance with Federal, State and County regulations.

Applicant: James Thornton
Printed or Typed Name

Applicant: [Signature] Date: 11/10/2020
Signature

County of Isle of Wight, Commonwealth of Virginia

Subscribed and sworn to before me Tracy Renth
A Notary Public in and for the County of Isle of Wight,
Commonwealth of Virginia, this 10 day of November, 2020
Tracy Renth #7260368
Notary Public

My Commission Expires 3/31/2021

Owner: _____
Printed or Typed Name

Owner: _____ Date: _____
Signature

County of Isle of Wight, Commonwealth of Virginia

Subscribed and sworn to before me _____
A Notary Public in and for the County of Isle of Wight,
Commonwealth of Virginia, this ____ day of _____, 20____

Notary Public

My Commission Expires _____

Owner: _____
Printed or Typed Name

Owner: _____ Date: _____
Signature

County of Isle of Wight, Commonwealth of Virginia

Subscribed and sworn to before me _____
A Notary Public in and for the County of Isle of Wight,
Commonwealth of Virginia, this ____ day of _____, 20____

Notary Public

My Commission Expires _____

Owner: _____
Printed or Typed Name

Owner: _____ Date: _____
Signature

County of Isle of Wight, Commonwealth of Virginia

Subscribed and sworn to before me _____
A Notary Public in and for the County of Isle of Wight,
Commonwealth of Virginia, this ____ day of _____, 20____

Notary Public

My Commission Expires _____

NOTICE: THE ATTACHED CHECKLIST MUST BE COMPLETED, CERTIFIED, AND SUBMITTED OR THE APPLICATION WILL BE CONSIDERED INCOMPLETE.

Remit Application to: Isle of Wight County Central Permitting, 17140 Monument Circle, Suite 100
P. O. Box 80, Isle of Wight, Virginia 23397

FOR OFFICE USE ONLY:

Complete Application Received On: _____ Fees Paid: _____
Tax Query: ☐ Current ☐ Delinquent Distribution Date: _____
Posted/Date to Post: _____

AGENCIES REFERRALS:

☐ Department of Conservation & Recreation	☐ Inspections
☐ Economic Development	☐ Sheriff's Office
☐ Emergency Services	☐ Town of Smithfield
☐ General Services	☐ Town of Windsor
☐ Environmental Planner	☐ VDOT
☐ Health Department	☐ Schools
☐ Transportation Manager	☐ Budget & Finance
☐ Commission of Revenue	☐ County Attorney
☐ Other _____	

Verified By: _____ Date: _____

COUNTY OF ISLE OF WIGHT

DISCLOSURE OF REAL ESTATE HOLDINGS

Applicant Isle of Wight County School Board

Address 820 W. Main Street

Smithfield, VA 23430 Street

City State Zip

REAL ESTATE HOLDINGS TO BE AFFECTED

Location or Address	Description
9311 Hardy Circle - TP #13B-02-A003	9.948 Ac - County School Board of IWC
TP #13B-02-A004	1.666 Ac - County School Board of IWC
TP #13B-03-025	0.488 Ac - County School Board of IWC
TP #13B-02-A009	9.409 Ac - Isle of Wight County

OTHER OWNERS OF AFFECTED REAL ESTATE

(Not Required for Corporation whose stock is traded on a national or local stock exchange or having more than 500 shareholders.)

Name of Individuals Corporation/Partnership Business Association	Address

Does any member of the Isle of Wight County Planning Commission or governing body have any interest in such property, either individually, by ownership of stock in a corporation owning such land, partnership, as the beneficiary of a trust, or the settlor of a revocable trust, or whether a member of the immediate household of any member of the Planning Commission or governing body has any such interest? Yes No

If yes, names of members:

I do solemnly swear that the foregoing statement(s) and attachments(s), if any, are complete, correct and true.

Applicant: Chris Coleman Applicant: [Signature] Date: 11-10-2020

Printed or Typed Name Signature

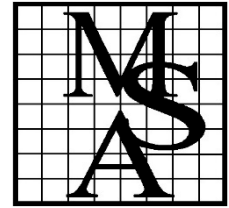
Commonwealth of Virginia
County of Isle of Wight

Subscribed and sworn to before me Tracy Reutt

A Notary Public in and for the County of Isle of Wight, Commonwealth of Virginia, this 10 day of November, 2020.

Tracy Reutt #7260368
Notary Public

My Commission Expires 3/31/2021



Narrative Description of Properties New Hardy Elementary School

Isle of Wight, VA
MSA Project #19321
March 19, 2021

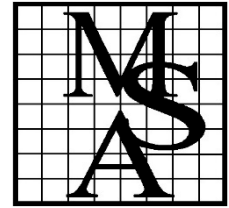
The existing Hardy Elementary School is located on 12.10 acres at 9311 Hardy Circle off Route 10 (Old Stage Highway) and is made up of three parcels within the Rural Agricultural Conservation (RAC) Zoning District and the Highway Corridor Overlay (HCO) District. These parcels include TPINs 13B-02-A0003, 13B-02-A004, and 13B-03-025 all of which are owned by the Isle of Wight County School Board. The existing school was constructed in 1960 and has a capacity of 657 students. Current Enrollment is 547 students. The existing school building is approximately 62,250 square feet. Water service is currently provided by an on-site well which is nearing its lifespan. There is no fire protection available to the school. Sanitary sewer disposal is located on-site through a septic system and two drainfields. The existing school will remain in operation while the new school is constructed on the adjacent land to the south.

The proposed new Hardy Elementary School will be developed on the original site and will include an additional 7.91 acre parcel to the south currently owned by Isle of Wight County (TPIN: 13B-02-A009) that will be transferred to the Isle of Wight School Board. A Conditional Use Permit is required to develop the new school building on this parcel. A final plat will be prepared that will vacate all internal lot lines to create one overall parcel for the new Hardy Elementary School with a total area of 20.01 acres. The new school building will be approximately 107,000 square feet with a capacity of 800 students and 125 staff.

In conjunction with this project Isle of Wight County Public Utilities will construct a new elevated water storage tower in the northeast corner of the school property with an access road from Blounts Corner Road. The water tower will be a pedisphere type containing approximately 400,000 – 500,000 gallons of storage approximately 160-feet high and will provide public water service and fire protection to the school and surrounding communities of Thomas Park, Tormentor Creek, and Days Point.

A single Conditional Use Permit (CUP) application will be submitted for both the school and water tower. The water tower will also be included on the site plan application for the school and will be constructed concurrently with the school under the County's Construction Manager at Risk (CM@R) contract with M.B. Kahn Construction and Heartland Construction.

Sanitary sewer service will be provided via gravity sewer to a new HRSD pump station currently being constructed at the northeast corner of the property along Blounts Corner Road.



Statement of Reasons for Seeking Conditional Use Permit New Hardy Elementary School

Isle of Wight, VA
MSA Project #19321
March 19, 2021

The existing Hardy Elementary School lies on three parcels within the Rural Agricultural Conservation (RAC) Zoning District and the Highway Corridor Overlay (HCO) District. These parcels include TPINs 13B-02-A0003, 13B-02-A004, and 13B-03-025. The original Hardy Elementary School was devolved prior to the requirement of a conditional use permit for Educational facilities within the RAC zoning district.

The proposed new Hardy Elementary School will be developed on the original site and an additional parcel currently owned by Isle of Wight County (TPIN: 13B-02-A009) that will be transferred to the Isle of Wight School Board. A Conditional Use Permit will be needed to develop the new school on this parcel.

In addition, Isle of Wight County Public Utilities will extend a public water main from the Town of Smithfield to the site and will construct an elevated water storage tower on the school property which will provide public water service and fire protection for the new school and surrounding communities of Thomas Park, Tormentor Creek, and Days Point. A Conditional Use Permit is required for the construction of the water tower on the school property.

*** EXHIBIT FOR CONDITIONAL USE PERMIT AND HCOD EXCEPTION ***

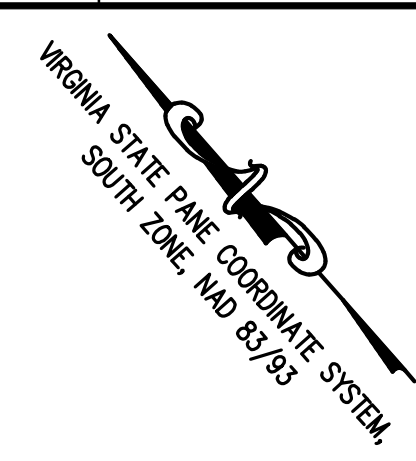
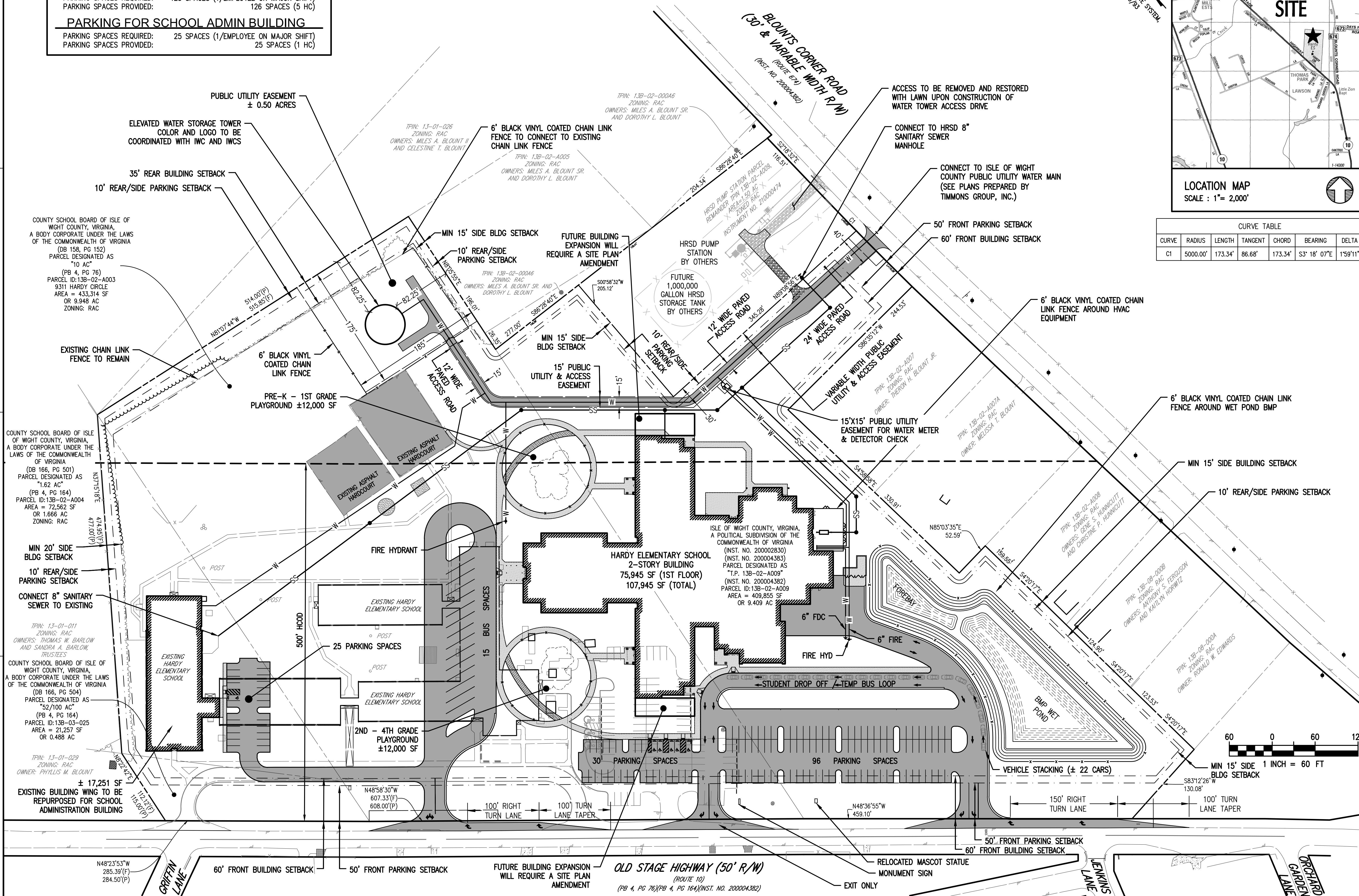
PARKING FOR NEW HARDY ES

PARKING SPACES REQUIRED: 125 SPACES (1/EMPLOYEE ON MAJOR SHIFT)
PARKING SPACES PROVIDED: 126 SPACES (5 HC)

PARKING FOR SCHOOL ADMIN BUILDING

PARKING SPACES REQUIRED: 25 SPACES (1/EMPLOYEE ON MAJOR SHIFT)
PARKING SPACES PROVIDED: 25 SPACES (1 HC)

FILE NAME: I:\Projects\19321\Engineering\Drawings & Exhibits\DWG\19321 Site Plan.dwg LAYOUT NAME: CSP PLOTTED: Thursday, April 29, 2021 - 9:38am



CURVE TABLE						
CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	5000.00'	173.34'	86.68'	173.34'	S3° 18' 07"E	1°59'11"

description

by

date

mark

revisions

DATE

PROJECT

DESIGNED

DRAWN

CHECKED

27 APRIL 2021

19321-00

GBH

LDJ

DMW

RRMM

ARCHITECTS, P.C.

1317 Executive Blvd, Suite 200

Chesapeake, Virginia 23320

(757)622-2828

MSA, P.C.

Environmental Sciences

Civil & Environmental

Engineering

9311 Hardy Circle

Smithfield, Virginia

23062-5764

757-499-5244 | www.msainc.com

NEW HARDY ELEMENTARY SCHOOL

ISLE OF WIGHT COUNTY PUBLIC SCHOOLS

9311 HARDY CIRCLE

SMITHFIELD, VIRGINIA

CONCEPTUAL SITE PLAN

PROJECT

DRAWING

SHEET

CSP

MSA PROJ# 19321

New Hardy Elementary Schools Preliminary Exterior Materials List

- Field Brick Color - **Light Brown (With light grout)**
Preliminary Palmetto .75 Greystone



- Accent Brick Color - **Dark Brown (With dark grout)**
Preliminary Palmetto 2.0 Greystone



- Main Entry Composite Accent Panels - **Blue**



- Corrugated Metal Wall Panel,
Standing Seam Metal Roof and
Soffits

- **Anodized Aluminum /**
Silver / Gray





**NEW HARDY ELEMENTARY SCHOOL
MAIN ENTRY - (PRELIMINARY)**

Isle of Wight County Public Schools





**NEW HARDY ELEMENTARY SCHOOL
PLAY AREA - (PRELIMINARY)**

Isle of Wight County Public Schools





SOUTH ELEVATION
SCALE: 1/16" = 1'-0"



8'-0" HIGH GALVANIZED PVC COATED FENCE WITH PVC SLATS TO MATCH LIGHTER BRICK.

NORTH ELEVATION
SCALE: 1/16" = 1'-0"



EAST ELEVATION
SCALE: 1/16" = 1'-0"



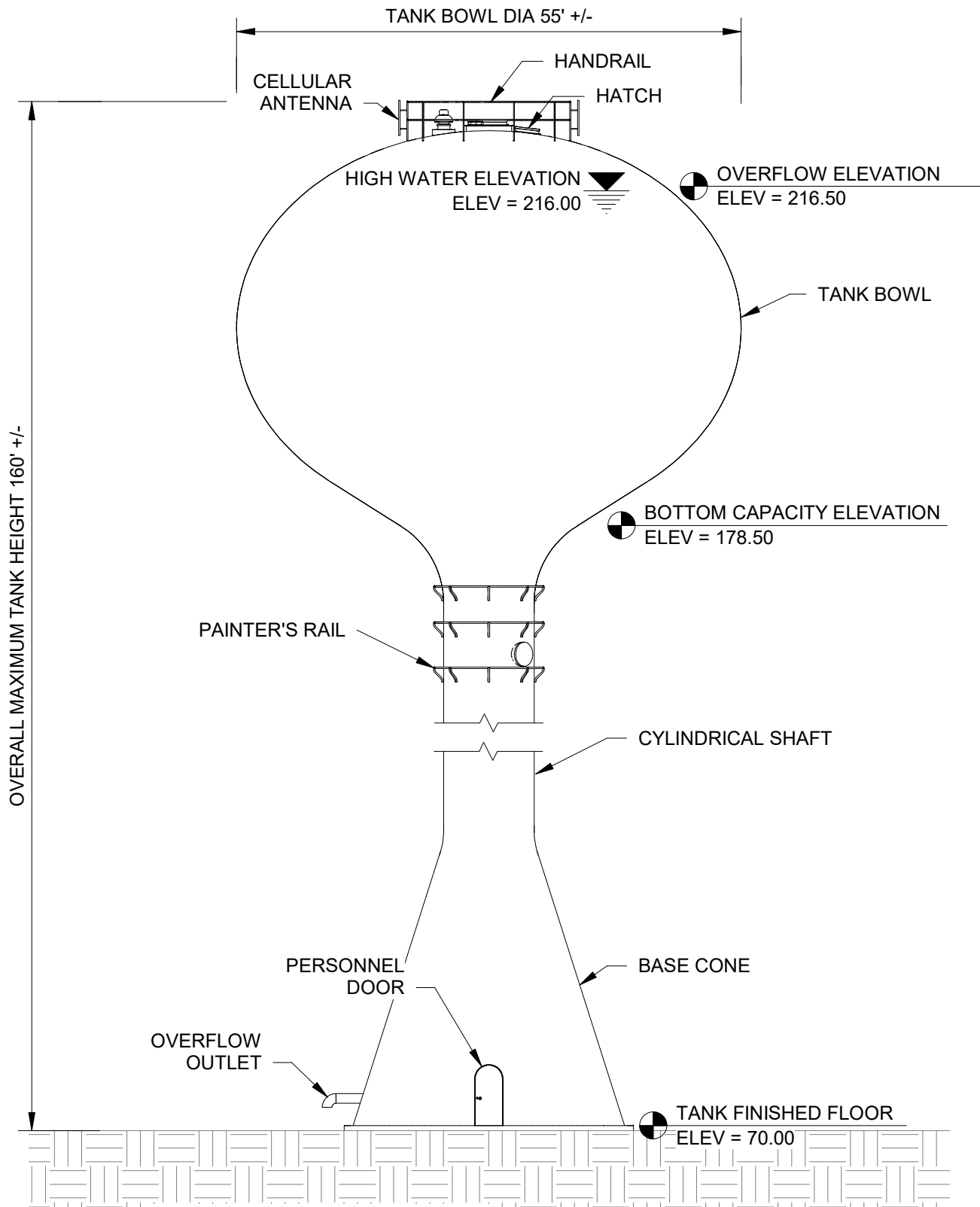
8'-0" HIGH GALVANIZED PVC COATED FENCE WITH PVC SLATS TO MATCH LIGHTER BRICK.

WEST ELEVATION
SCALE: 1/16" = 1'-0"

NEW HARDY ELEMENTARY SCHOOL OVERALL ELEVATIONS - (PRELIMINARY)

Isle of Wight County Public Schools





500,000 GALLON ELEVATED
WATER STORAGE TANK

1

TIMMONS GROUP

YOUR VISION ACHIEVED THROUGH OURS.

THIS DRAWING PREPARED AT THE **CORPORATE OFFICE**
1001 Boulders Parkway, Suite 300 | Richmond, VA 23225
TEL 804.200.6500 FAX 804.560.1016 www.timmons.com

EXHIBIT	SHEET NO.	JOB NO.	TANK ELEVATION	SCALE	NOT TO SCALE	DESIGNED BY	CHECKED BY	DATE	DATE	REVISION DESCRIPTION
	99999		HARDY ELEMENTARY SCHOOL ELEVATED TANK ISLE OF WIGHT COUNTY - VIRGINIA			L. KIM	W. HARRIS	03/17/21		

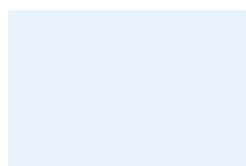


COLOR CARD

WHITES, BLUES, GRAYS AND ACCENTS



00WH Tnemec White



15BL Tank White



37BL Teardrop



39BL Delft Blue



25BL Fountainbleu



26BL Clear Sky



61BL Blue Ribbon



14BL Cadet Blue



31GR Slate Gray



32GR Light Gray
ANSI No. 70



33GR Gray
ANSI No. 61



34GR Deep Space



35GR Black



02SF Lemon Yellow/
Safety Yellow



04SF Tangerine Orange/
Safety Orange



05SF International
Orange



06SF Candy Apple Red/
Safety Red



09SF Spearmint Green/
Safety Green



11SF True Blue/
Safety Blue



14SF Purple Rain/
Safety Purple

NOTE: Colors represented are digital reproductions of actual standards and will vary in appearance due to differences in monitor and video card output. These digital representations should not be used to finalize color selection(s). Please contact your local Tnemec Coatings Consultant for color-accurate samples or for assistance with suitable primer and finish coat selections and color matching.

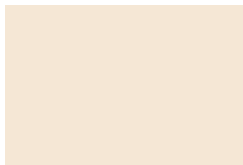


COLOR CARD

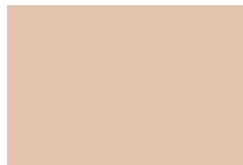
BROWNS, YELLOWS, GREENS AND REDS



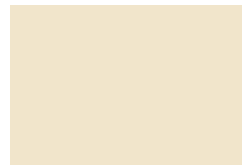
57BR Cloud



15BR Pale



44BR Beige



01BR Warm Sun



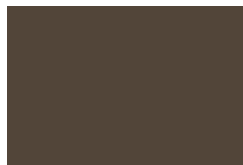
04BR Desert Sands



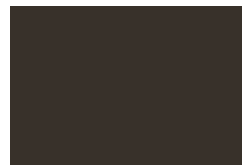
68BR Twine



06BR Amber Canyon



84BR Weathered Bark



85BR Medium Bronze



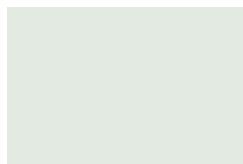
86BR Dark Bronze



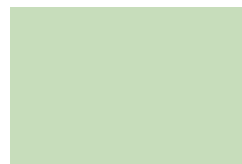
22YW Barbados



11YW Daffodil



78GN Cumulus



37GN Irish Spring



10GN Aqua Sky



110GN Clover



21GN Fairway



91GN Balsam

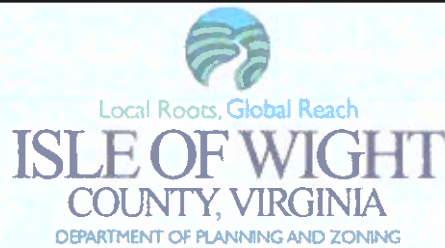


07RD Terra Cotta



28RD Monterrey Tile

NOTE: Colors represented are digital reproductions of actual standards and will vary in appearance due to differences in monitor and video card output. These digital representations should not be used to finalize color selection(s). Please contact your local Tnemec Coatings Consultant for color-accurate samples or for assistance with suitable primer and finish coat selections and color matching.



APPLICATION FOR EXCEPTIONS

This application should be used to petition for an exception for certain uses which, because of their unique characteristics, but which may, under the right set of circumstances and conditions be acceptable.

A. APPLICATION FOR (CHECK ALL THAT APPLY):

☐ Chesapeake Bay Preservation Area Ordinance Exception

☐ Major ☐ Minor

☐ Newport Development Service Overlay District Exception

☒ Highway Corridor Overlay District Exception

☐ Signage Exception

☐ Subdivision Ordinance Waiver

☐ Other (please list) _____

The proposal is a request to Section (s) _____ of the Chesapeake Bay Preservation Area Ordinance, the Isle of Wight County Zoning Ordinance, or the Isle of Wight County Subdivision Ordinance.

Proposed Use or Activity: Public Elementary School - Isle of Wight County Schools. Applying for an exception to HCOD to allow for 6' high chain link fence around wet pond BMP and HVAC equipment area. and around water tower. Existing school currently has chain link fencing throughout site, playgrounds

B. PROJECT DESCRIPTION: and perimeter.

Project Name: New Hardy Elementary School

Property Address (if any): 9311 Hardy Circle

Comprehensive Plan Designation: Civic

The exception will apply to 9.409 acres out of 21.511 total acres

Tax Parcel Identification # 13B-02-A009 Number of acres to be effected: 9.409

Proposed Utilities (check all that apply): Public Water X Private Well _____

Public Sewer X Private Septic _____

C. **APPLICATION INFORMATION:**

Applicant(s) Name(s): James Thornton

Address: 820 West Main Street

City, State, Zip Code: Smithfield VA 23430

Phone No.: (757) 357-8841 Email: _____ Fax No.: _____

Property Owner(s) Name(s): Isle of Wight County School Board

Address: 820 W. Main Street

City, State, Zip Code: Smithfield, VA 23430

Phone No.: _____ Email: _____ Fax No.: _____

Applicants/Owners Affidavit (including compliance with all deed restrictions and covenants)

This application must be signed by the owner(s) of the subject property or must have attached written evidence of the owner's consent, which may be in the form of a binding contract of sale with the owner's signature or a letter signed by the owner(s), containing written authorization to act with full authority on the owner(s) behalf in filing this exception application. Signing this application shall certify the owner's compliance with all deed restrictions and covenants, and shall constitute the granting of authority of the County to enter onto the property for the purpose of conducting site analyses and compliance with Federal, State and County regulations.

Applicant: James Thornton
Printed or Typed Name

Applicant: [Signature] Date: 11/10/2020
Signature

County of Isle of Wight, Commonwealth of Virginia

Subscribed and sworn to before me Tracey Renth
A Notary Public in and for the County of Isle of Wight,
Commonwealth of Virginia, this 10 day of November, 2020
Tracey Renth #7260368
Notary Public

My Commission Expires 3/31/2021

Owner: _____
Printed or Typed Name

Owner: _____ Date: _____
Signature

County of Isle of Wight, Commonwealth of Virginia

Subscribed and sworn to before me _____,
A Notary Public in and for the County of Isle of Wight,
Commonwealth of Virginia, this ____ day of _____, 20__

Notary Public

My Commission Expires _____

Owner: _____
Printed or Typed Name

Owner: _____ Date: _____
Signature

County of Isle of Wight, Commonwealth of Virginia

Subscribed and sworn to before me _____,
A Notary Public in and for the County of Isle of Wight,
Commonwealth of Virginia, this ____ day of _____, 20__

Notary Public

My Commission Expires _____

Owner: _____
Printed or Typed Name

Owner: _____ Date: _____
Signature

County of Isle of Wight, Commonwealth of Virginia

Subscribed and sworn to before me _____,
A Notary Public in and for the County of Isle of Wight,
Commonwealth of Virginia, this ____ day of _____, 20__

Notary Public

My Commission Expires _____

NOTICE: THE ATTACHED CHECKLIST MUST BE COMPLETED, CERTIFIED, AND SUBMITTED OR THE APPLICATION WILL BE CONSIDERED INCOMPLETE.

Remit Application to: Isle of Wight County Central Permitting, 17140 Monument Circle, Suite 100
P. O. Box 80, Isle of Wight, Virginia 23397

FOR OFFICE USE ONLY:

Complete Application Received On: _____ Fees Paid: _____
Tax Query: [] Current [] Delinquent Distribution Date: _____
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AGENCIES REFERRALS:

_____ Department of Conservation & Recreation
_____ Economic Development
_____ Emergency Services
_____ General Services
_____ Environmental Planner
_____ Health Department
_____ Transportation Manager
_____ Commission of Revenue
_____ Other _____

_____ Inspections
_____ Sheriff's Office
_____ Town of Smithfield
_____ Town of Windsor
_____ VDOT
_____ Schools
_____ Budget & Finance
_____ County Attorney

Verified By: _____ Date: _____

COUNTY OF ISLE OF WIGHT

DISCLOSURE OF REAL ESTATE HOLDINGS

Applicant Isle of Wight County School BoardAddress 820 W. Main Street

Smithfield, VA 23430 Street

City State Zip

REAL ESTATE HOLDINGS TO BE AFFECTED

Location or Address	Description
9311 Hardy Circle - TP #13B-02-A0009	9.409 Ac - Isle of Wight County

OTHER OWNERS OF AFFECTED REAL ESTATE

(Not Required for Corporation whose stock is traded on a national or local stock exchange or having more than 500 shareholders.)

Name of Individuals Corporation/Partnership Business Association	Address

Does any member of the Isle of Wight County Planning Commission or governing body have any interest in such property, either individually, by ownership of stock in a corporation owning such land, partnership, as the beneficiary of a trust, or the settlor of a revocable trust, or whether a member of the immediate household of any member of the Planning Commission or governing body has any such interest? Yes No

If yes, names of members:

I do solemnly swear that the foregoing statement(s) and attachments(s), if any, are complete, correct and true.

Applicant: Chris Coleman
Printed or Typed Name

Applicant: [Signature]
Signature

Date: 11/10/2020

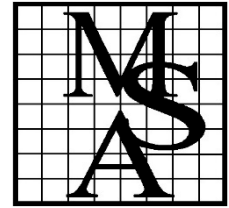
Commonwealth of Virginia
County of Isle of Wight

Subscribed and sworn to before me Tracey Reuttt

A Notary Public in and for the County of Isle of Wight, Commonwealth of Virginia, this 10 day of November, 2020.

Tracey Reuttt
Notary Public

My Commission Expires 3/31/2021



**Statement of Reasons for
Seeking HCOD Exception
New Hardy Elementary School**

Isle of Wight, VA
MSA Project #19321
April 30, 2021

The proposed Hardy Elementary School will replace the existing school on Old Stage Highway (State Route 10) which is located in the Highway Corridor Overlay District (HCOD). The Isle of Wight County School Board is requesting the use of black vinyl coated chain link fencing around the proposed stormwater wet pond BMP, mechanical/service yards, playgrounds, and site perimeter. There is existing chain link fence surrounding the existing school and service yards which was developed prior to the HCOD requirements. Some of this fencing will also remain as part of this development.



MSA, P.C.
5032 Rouse Drive, Suite 100
Virginia Beach, VA 23462-3764
757-490-9264 | www.msaonline.com

Environmental Sciences • Surveying • Civil & Environmental Engineering

April 30, 2021

Amy Ring, AICP, Director
Isle of Wight County Community Development
17140 Monument Circle, Suite 100
Isle of Wight County, Virginia 23397

RE: 2nd Submittal - Conditional Use Permit and HCOD Exception Applications for New Hardy Elementary School, 9311 Hardy Circle; MSA #19321

Dear: Ms. Ring,

Please find enclosed the following items for the 2nd Submittal of the CUP and HCOD Exception applications for the New Hardy Elementary School and Elevated Water Storage Tank to be constructed on the school property:

- Ten (10) copies of the Statement of Reasons for seeking the HCOD Exception
- Ten (10) copies of the REVISED Conceptual Site Plan
- Ten (10) copies of Water Tank Color Options (TBD by IWC)
- Ten (10) copies of the response letter

Please note the Conceptual Site Plan has been revised to show the west wing of the existing school building to remain and be repurposed for Isle of Wight County Schools Administration Office. Responses to each of the County's review comments dated April 16, 2021 are as follows:

IWC Planning and Zoning Comments – Amy Ring

1. Please note that the tax map number 13B-02-A009 has been assigned to the newly created HRSD regional pump station parcel. I have removed this tax map number from the applications.

RESPONSE: Acknowledged.

2. Has a phase I cultural assessment been performed for the additional property to be used for the school site? The HRSD Force Main and Pump Station studies did not include this property in the study. Please provide a copy of the study.

RESPONSE: Per our discussion the County is looking into the requirements for the cultural assessment.

3. The written explanation for seeking an exception is missing from the exception application.

RESPONSE: A written explanation for the exception is included with this submittal.



4. What paint color will be used on the water storage tank?

RESPONSE: The water tank color will be determined by the County and School Board. A color card indicating available options is included with this submittal.

5. The elevations indicate a “metal wall panel.” Where metal walls are prohibited in the Highway Corridor Overlay District, I believe this may be referring to accent trim rather than a “wall.” Please clarify.

RESPONSE: The elevation drawings are referring to accent trim. No metal walls are proposed.

6. Have you all considered using a simulated “wrought-iron” municipal grade aluminum fence similar to what was recently approved for the Courthouse parking lot rather than a vinyl coated chain link? Tony Wilson in the Public Works division has more information with regard to this product. He may be reached at 365-1657. There is not much of a cost difference for these two products and an exception would not be needed. Please provide the color of the proposed vinyl coated chain link fence.

RESPONSE: We have reviewed the cost for “wrought-iron” type fence and there is a significant cost difference. We respectfully request an Exception for the use of black vinyl coated chain link fence to be considered. A portion of the site is not located within the HCOD. We propose to use the black vinyl coated CLF in these locations and would like to be consistent throughout the site. There is also existing chain link fence on-site that is intended to remain in-place.

7. Please show a vehicle access drive to the regional pump station site. If you need me to send you a copy of their latest site plan so the two drives align correctly, let me know.

RESPONSE: The access drive to the HRSD pump station has been shown and the existing access on Blounts Corner Road has been indicated to be removed when the water tower access road is constructed.

8. Please relabel the plan as a “conceptual plan.” Following approval of the conditional use permit, a preliminary and final site plan will be required demonstrating compliance with County ordinances.

RESPONSE: The plan has been relabeled “Conceptual Site Plan”.

9. Please include the parking space calculation table. There appear to be 126 spaces in the front parking lot rather than 125.



RESPONSE: The parking calculation table has been shown on the plan.

10. Please note for the future site plan submittal, at least one landscaping median will be required for parking plots of 100 spaces or more per Section 8-1005.F.3.

RESPONSE: The parking has been reconfigured to be less than 100 spaces per lot to comply.

11. Please note for the future site plan submittal, the bus parking lot will also require landscaping.

RESPONSE: Landscape islands are shown at each end of the bus loop and is consistent with typical school bus loop layouts.

12. Please include a note that the future “optional expansion area” will require a site plan amendment.

RESPONSE: A note has been added as requested.

13. Please define the dashed line shown around the new building.

RESPONSE: The dashed line has been deleted.

VDOT Comments – Joshua Norris

1. We have reviewed the submitted TIA and are in agreement generally with the methodology.

RESPONSE: Acknowledged.

2. The proposed entrances are not in accordance with VDOT access management spacing guidelines and will require an access management exception to be requested and approved. We instead recommend that the middle entrance be restricted to exit only, with separate left and right turn egress movements. This restriction will satisfy access management requirements, while maintaining the functionality of the drop off loop.

RESPONSE: The middle entrance has been revised to be EXIT ONLY.

3. We require that right turn lanes be installed at the bus loop entrance and student drop off entrance. A 200'x 200' turn lane and taper should be provided at the student drop off entrance, and a 100'x 100' turn lane and taper at the bus loop entrance. While not required by the submitted turn lane warrants based on traffic volume, the following conditions exist which necessitate the safety improvements at the entrances; the school will generate a high volume of slow turning buses and is located on a high speed roadway in which turns may not be expected by through drivers.



RESPONSE: A 150' x 100' RTL has been shown at the student drop-off entrance per our coordination with Josh Norris. A 100' x 100' RTL has been shown at the bus loop entrance.

4. Proposed entrances and improvements must be designed in accordance with the VDOT Road Design Manual. Sufficient site distance shall be provided and shown as part of a site plan or permit application. Drainage and design details will be reviewed as part of the site plan review process.

RESPONSE: Acknowledged, will comply.

A Land Use Permit must be obtained from VDOT before any disturbance, including the entrance installation, occurs within State maintained right of way limits or easements. Additional information about Land Use Permitting, as well as the required forms can be found at: <http://www.virginiadot.org/business/bu-landUsePermits.asp>

RESPONSE: Acknowledged, will comply.

Town of Smithfield – John Settle

1. It should be more clear in the narrative that the “final plat” will actually be a lot consolidation, boundary line adjustment, right-of-way (ROW) vacation, and public utility/access easement plat.
2. It should be more clear in the narrative whether or not the Hampton Roads Sanitation District (HRSD) will acquire the property on which its improvements will be located, or if it will lease the property from another owner.
3. It should be stated somewhere in the narrative that the ROW vacation will necessitate an address change for the school, as Hardy Cir will no longer exist, and that the existing address point (9170 Blounts Corner Rd) on TPIN 13B-02-A009 will be (presumably) assigned to the property to be utilized by HRSD.
4. Some of the adjacent property owner information is missing or incorrect.
5. The conceptual plan provided does not appear to have been signed and sealed by a Virginia- licensed DPOR professional.
6. The water infrastructure improvements noted in the last paragraph on page twelve (12) of the attached submittal will trigger the [major site plan](#) process with the Town, pursuant to [Smithfield Zoning Ordinance Section 11.D.8](#). This requires review and decision by the Smithfield Planning Commission, as well as [ROW/easement](#) and [zoning permits](#).

Additionally, at its Tuesday, April 13th, 2021 meeting the Planning Commission was given the opportunity to review and provide comments on the submittal. Their review resulted in the following comments:



MSA, P.C.
5032 Rouse Drive, Suite 100
Virginia Beach, VA 23462-3764
757-490-9264 | www.msaonline.com

Environmental Sciences • Surveying • Civil & Environmental Engineering

7. The proposed central entrance onto Old Stage Hwy should be reconfigured in such a manner that it serves solely as a site exit, with dedicated left-and-right-turn exit lanes only.
8. The bus parking area should be reconfigured in such a manner that the parking spaces are perpendicularly-oriented, with two-way, oversized travel lanes no less than fourteen feet (14') wide circumscribing the parking area.
9. To avoid interrupting through-traffic on Old Stage Hwy, the applicants should consider coordinating with the Virginia Department of Transportation on the creation of a two-way left- turn lane in the center of the ROW to accommodate left turns from southbound traffic into the site, as well as left turns from southbound traffic exiting the site.

RESPONSE: The Town of Smithfield comments are for cursory review and have been addressed as applicable for the CUP Exhibit.

We look forward to working with Isle of Wight County until the approval and completion of this project. Should you have any questions or need additional information, please contact me at (757) 490-9264 or email me at greg.hayes@msaonline.com.

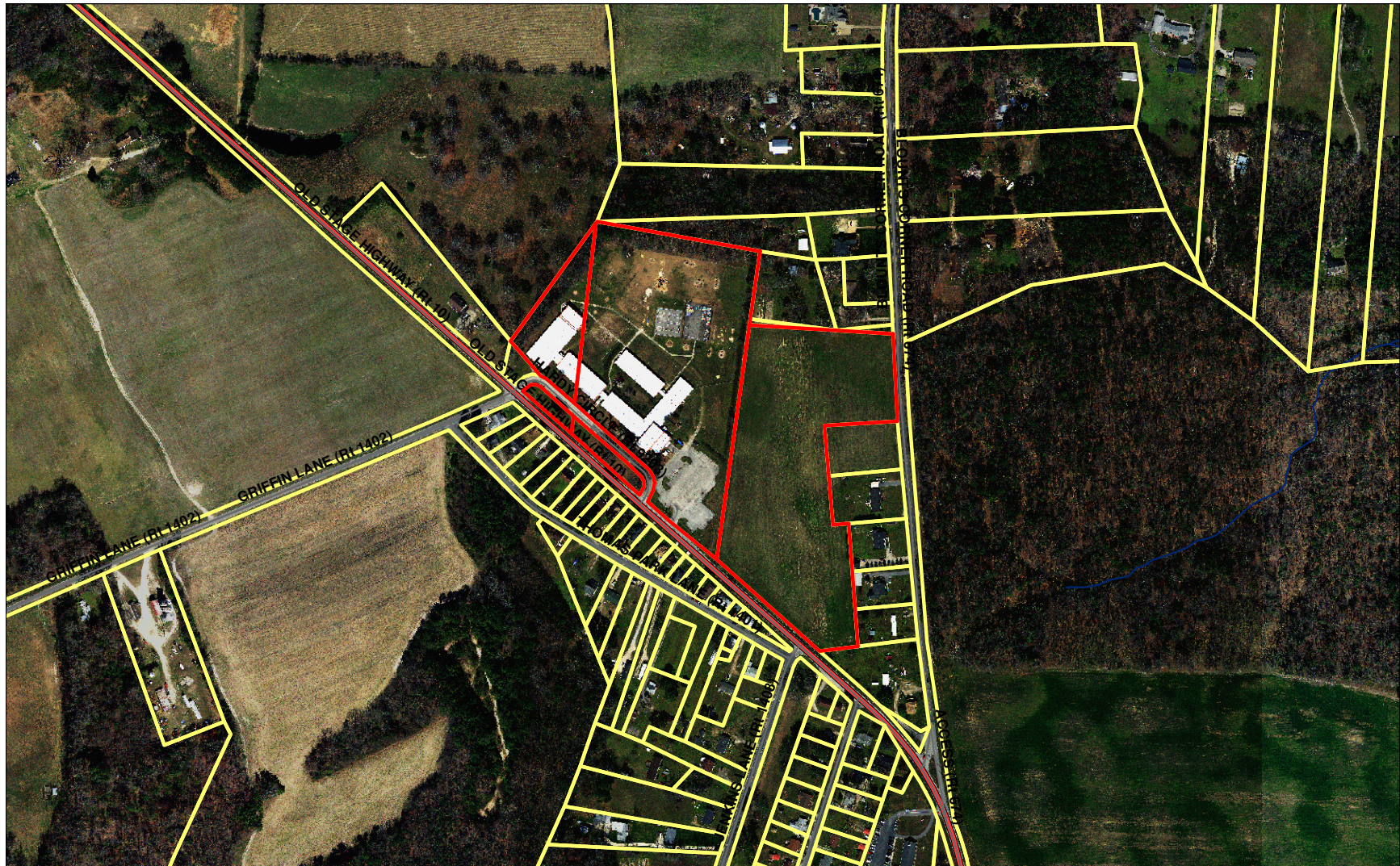
Sincerely,

Gregory B. Hayes, P.E., LEED AP
Partner, Sr. Project Manager
Enclosures

c: Jeff Harris, AIA – RRMM Architects
Chris Coleman, IWC Schools
Don Jennings, PE, IWC Utility Services

Hardy Elementary School & Regional Water Storage Tank
Application Numbers CUP-01-21 & MISC-02-21
9311 Hardy Circle – Tax Map Numbers 13B-02-A003, 13B-02-A004 & 13B-03-025

VICINITY MAP
GIS Scale 1" = 5,000'



SOURCE: Isle of Wight County 2017 Aerial Photography and Parcel Data May 19, 2021



Hardy Elementary School & Water Storage Tank

Application Numbers CUP-01-21 & Misc-02-21

9311 Hardy Circle – Tax Map Numbers 13B-02-A003, 13B-02-A004 & 13B-03-025

Property Exhibit

GIS Scale 1" = 3,000'



SOURCE: Isle of Wight County 2017 Aerial Photography and Parcel Data May 19, 2021

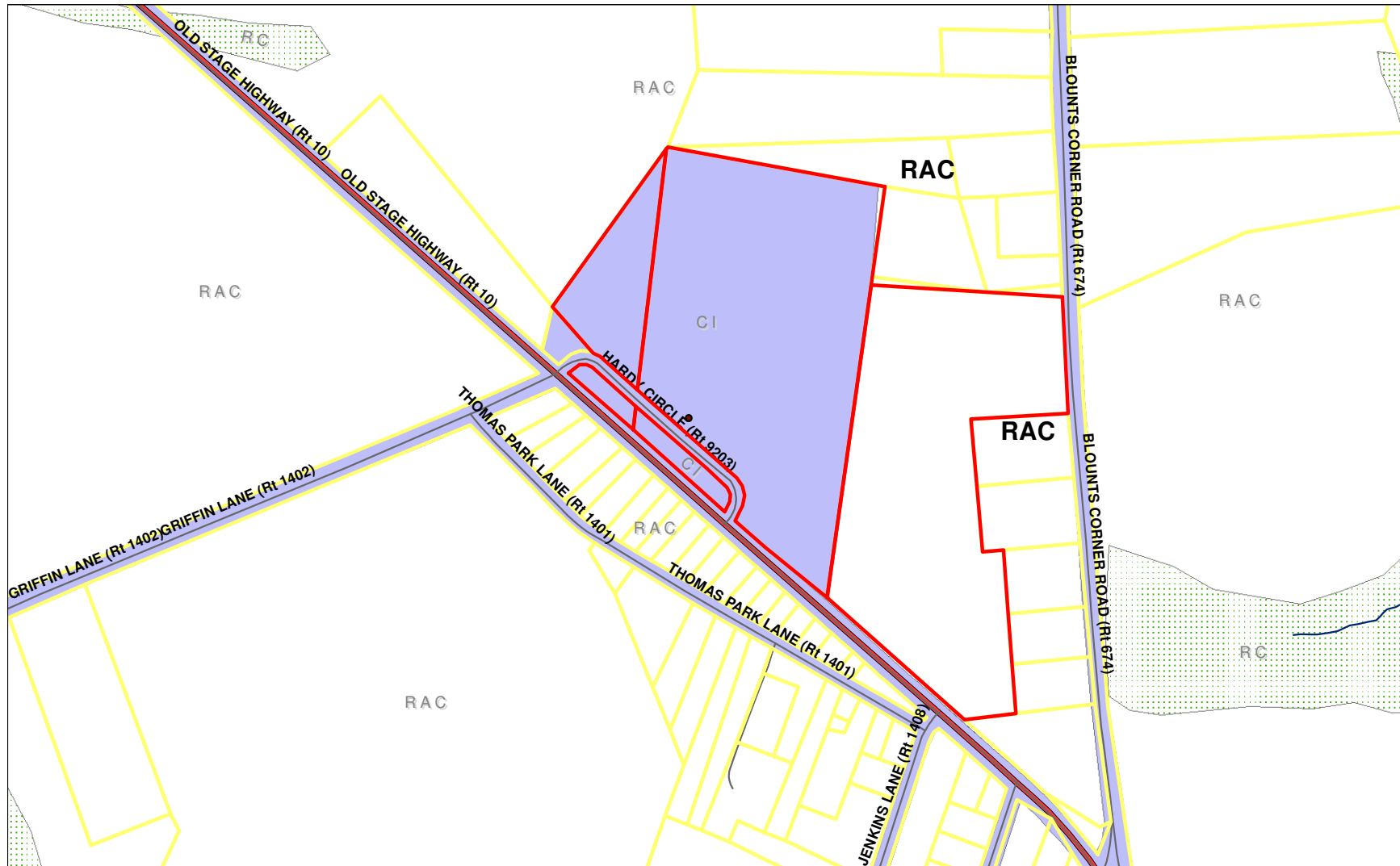
9311 Hardy Circle – Tax Map Numbers 13B-02-A003, 13B-02-A004 & 13B-03-025

GIS Scale 1" = 3,000'



Hardy Elementary School & Water Storage Tank
Application Numbers CUP-01-21 & MISC-02-21
9311 Hardy Circle – Tax Map Numbers 13B-02-A003, 13B-02-A004 & 13B-03-025

FUTURE LAND USE
GIS Scale 1" = 3,000'



SOURCE: Isle of Wight County 2017 Aerial Photography and Land Use Data

May 19, 2021

RESOLUTION NUMBER PC-21-04

**ISLE OF WIGHT COUNTY PLANNING COMMISSION
A RESOLUTION TO PRESENT A REPORT AND RECOMMENDATION
TO THE BOARD OF SUPERVISORS RELATING TO CONDITIONAL USE PERMIT
REQUEST CUP-01-21 FOR A PRIMARY EDUCATIONAL FACILITY AND REGIONAL
WATER STORAGE TANK ON PROPERTIES WITH
TAX MAP NUMBERS 13B-02-A003, 13B-02-A004, and 13B-03-025**

WHEREAS, Isle of Wight County Public Schools and Isle of Wight County, applicants and property owners, have requested a conditional use permit to allow a primary educational facility and major utility service, specifically a regional water storage tank, on the property with tax map numbers 13B-02-A003, 13B-02-A004, and 13B-03-025; and

WHEREAS the procedural requirements for the consideration of this request by the Planning Commission have been met.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of Isle of Wight County, that:

Section 1. Findings.

- _____ A. The Isle of Wight County Planning Commission finds that the proposed amendment to conditional zoning is reasonable and warranted due to a change in circumstances affecting the property and has considered the following factors and finds that the proposed rezoning does not conflict with:
1. the existing use and character of property within the County;
 2. the Comprehensive Plan;
 3. the suitability of the property for various uses;
 4. the trends of growth or change;
 5. the current or future requirements of the community as to land for various purposes as determined by population and economic studies and other studies;
 6. the transportation requirements of the community;
 7. the requirements for airports, housing, schools, parks, playgrounds, recreation areas and other public services;
 8. the conservation of natural resources;
 9. the preservation of floodplains;
 10. the preservation of agricultural and forestal land;

11. the conservation of properties and their values; and

12. the encouragement of the most appropriate use of land throughout the County.

_____ B. The Isle of Wight County Planning Commission does not find that the proposed zoning map amendment is reasonable based on the consideration of the factors listed herein.

Section 2. Recommendation to Board of Supervisors.

The Planning Commission recommends to the Board of Supervisors that the request with application number CUP-01-21 be:

___ a. Granted as submitted, and that the Board of Supervisors adopt the proposed Ordinance without modification.

___ b. Denied, and that Board of Supervisors not adopt the proposed Ordinance.

___ c. Granted with the modifications set forth on the attached listing of specific recommendations, and that the Board of Supervisors adopt the proposed Ordinance with such modifications.

DATE: _____

READ AND PASSED: _____
Chairman, Isle of Wight County Planning Commission

TESTE: _____
Secretary, Isle of Wight County Planning Commission

Approved as to Form:

Robert W. Jones, Jr., County Attorney

PLANNING REPORT

APPLICATION:

Proposed Zoning Ordinance amendment to include child care centers as a conditional use in the Suburban Residential zoning district