

A G E N D A
ISLE OF WIGHT COUNTY PLANNING COMMISSION
January 28, 2025

1. CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

2. ROLL CALL/DETERMINATION OF A QUORUM

BOBBY BOWSER, CHAIRMAN

THOMAS J. DISTEFANO, VICE-CHAIRMAN

BRIAN CARROLL

CYNTHIA TAYLOR

JAMES FORD

JENNIFER S. BOYKIN

GEORGE RAWLS

RAYNARD GIBBS

MATTHEW SMITH

A. ELECTION OF CHAIRMAN FOR 2025

B. ELECTION OF VICE-CHAIRMAN FOR 2025

C. APPOINTMENT OF SECRETARY FOR 2024

**D. ADOPTION OF 2025 PLANNING COMMISSION MEETING
/INVOCATION SCHEDULE**

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

4. APPROVAL OF AGENDA

5. CONSENT AGENDA

A. October 22, 2024 Planning Commission Regular Meeting Minutes

B. November 12, 2024 Planning Commission Regular Meeting Minutes

C. November 18, 2024 Board of Supervisors Action List

D. December 12, 2024 Board of Supervisors Action List

6. CITIZENS' COMMENTS

7. PUBLIC HEARINGS

A. CSUP-24-2 Oak Level Acres Event Center

Application (CSUP-24-2) of Joshua Mathias, applicant, and Oak Level Acres, LLC, property owner, for a conditional use permit to establish an event center use on approximately seven acres located at 15107 Courthouse Hwy (Rte. 258) on tax parcel 30-01-045B in the Rural Agricultural Conservation zoning district

B. COMP-24-2 Tidewater Logistics Comprehensive Plan Amendment

Application (COMP-24-2) of the Industrial Development Authority of Isle of Wight and Hollowell Holdings LLC, property owners, and Meridian Property Purchaser, LLC, applicant, for a Comprehensive Plan Amendment for approximately 154.34 acres with tax map numbers 54-01-086J and 55-01-013 to amend the Comprehensive Plan designation from Mixed Use to Planned Industrial

C. REZN-24-10 Tidewater Logistics Center Conditional Rezoning

Application (REZN-24-10) of the Industrial Development Authority of Isle of Wight and Hollowell Holdings LLC, property owners, and Meridian Property Purchaser, LLC, applicant, for a change in zoning district from Rural Agricultural Conservation (RAC) to Conditional Rural Agricultural Conservation (C-RAC) and Conditional Limited Industrial (C-LI) for approximately 154.34 acres with tax map numbers 54-01-086B, 54-01-086J, and 55-01-013 in order to establish the uses of Custom Manufacturing, Industry Type 1, Warehousing and distribution, Industry Type 2 by conditional use permit, and Reconstructed Wetland along with a Community Park

8. OLD BUSINESS

A. EXC-24-2 Bolt and Boyes Chesapeake Bay Preservation Area Exception Request

Application EXC-24-2 of Jeffrey H. and Paula J. Bolt and Bryan W. and Amanda L. Boyes, property owners, for an after-the-fact exception under the Chesapeake Bay Preservation Area Ordinance for an unauthorized retaining wall with fill in the fifty-foot seaward Resource Protection Area (RPA) buffer at 15407 and 15437 Laurelwood Drive on tax map numbers 34A-01-F006 and 34A-01-F005 as well as a request to place a swimming pool within the fifty-foot seaward RPA buffer and a replacement shed within the fifty-foot landward RPA buffer on tax map 34A-01-F006

9. NEW BUSINESS

A. Resolution of Appreciation for Cynthia Taylor

A Resolution of Appreciation for Cynthia Taylor for her Service to the County as the Planning Commission Representative for District 2

B. Resolution of Appreciation for Rick Sienkiewicz

Resolution of Appreciation for Rick Sienkiewicz for his Service to the County as the Planning Commission Representative for District 4

C. COUNTY ATTORNEY'S REPORT

D. PLANNING DIRECTOR'S REPORT

1. Route 17 Third Lane Widening Projects

Information on the Proposed Carrollton Boulevard (Rte. 17) Widening Project

2. Town of Smithfield Promontory Project

Informational Item on the Proposed Promontory Project in the Town of Smithfield

3. Continued Industrial Setback Zoning Ordinance Change Discussion

Continued Discussion on Proposed Changes to Industrial Setback Requirements adjacent to Residential Uses in the Zoning Ordinance

10. CLOSED MEETING

11. ADJOURNMENT

PLANNING REPORT

APPLICATION:

A. ELECTION OF CHAIRMAN FOR 2025

PLANNING REPORT

APPLICATION:

B. ELECTION OF VICE-CHAIRMAN FOR 2025

PLANNING REPORT

APPLICATION:

C. APPOINTMENT OF SECRETARY FOR 2024

PLANNING REPORT

APPLICATION:

D. ADOPTION OF 2025 PLANNING COMMISSION MEETING /INVOCATION SCHEDULE

ATTACHMENTS:

Description	Type	Upload Date
2025 PLANNING COMMISSION MEETING /INVOCATION SCHEDULE	Cover Memo	1/24/2025

2025 PLANNING COMMISSION MEETING AND INVOCATION SCHEDULE

Date	Time	Meeting	Invocation	District
January 14 th	6:00pm	Work Session	Thomas Distefano	District 2
January 28 th	6:00pm	Regular Meeting	Cynthia Taylor	District 2
February 11 th	6:00pm	Work Session	Bobby Bowser	District 3
February 25 th	6:00pm	Regular Meeting	James Ford	District 3
March 11 th	6:00pm	Work Session	George Rawls	District 4
March 25 th	6:00pm	Regular Meeting	Brian Carroll	District 5
April 8 th	6:00pm	Work Session	Jennifer Boykin	District 5
April 22 nd	6:00pm	Regular Meeting	Raynard Gibbs	District 1
May 13 th	6:00pm	Work Session	Matthew Smith	District 1
May 27 th	6:00pm	Regular Meeting	Thomas Distefano	District 2
June 10 th	6:00pm	Work Session	Brian Carroll	District 5
June 24 th	6:00pm	Regular Meeting	Bobby Bowser	District 3
July 8 th	6:00pm	Work Session	James Ford	District 3
July 22 nd	6:00pm	Regular Meeting	George Rawls	District 4
August 12 th	6:00pm	Work Session	Matthew Smith	District 1
August 26 th	6:00pm	Regular Meeting	Brian Carroll	District 5
September 19 th	6:00pm	Work Session	Jennifer Boykin	District 5
September 23 rd	6:00pm	Regular Meeting	Raynard Gibbs	District 1
October 14 th	6:00pm	Work Session	Matthew Smith	District 1
October 28 th	6:00pm	Regular Meeting	Thomas Distefano	District 2
November 18 th	6:00pm	Regular Meeting	Bobby Bowser	District 3
December 9 th	6:00pm	Regular Meeting	James Ford	District 3
January 13 th , 2026	6:00pm	Work Session	George Rawls	District 4
January 27 th , 2026	6:00pm	Regular Meeting	Matthew Smith	District 1

****Work Sessions will be held on an as-needed basis****

PLANNING REPORT

ATTACHMENTS:

Description	Type	Upload Date
October 22, 2024 Planning Commission Regular Meeting Minutes	Minutes	12/31/2024

**MINUTES OF THE MEETING OF THE ISLE OF WIGHT COUNTY
PLANNING COMMISSION HELD ON THE TWENTY-SECOND DAY OF
OCTOBER IN THE YEAR TWO THOUSAND AND TWENTY-FOUR**

CALL TO ORDER

Bobby Bowser, Chairman, called the Isle of Wight County Planning Commission meeting to order at 6:00 PM on October 22, 2024, in the Board of Supervisors Room at the Isle of Wight County Courthouse, Isle of Wight, Virginia.

INVOCATION

Chairman Bowser delivered the invocation.

PLEDGE OF ALLEGIANCE

Chairman Bowser invited everyone present to join in the Pledge of Allegiance.

ROLL CALL/DETERMINATION OF A QUORUM

PRESENT

Bobby Bowser, Chairman
Thomas J. Distefano, Vice-Chairman
Brian Carroll
Cynthia Taylor
James Ford
Jennifer S. Boykin
George Rawls
Raynard Gibbs

ABSENT

Matthew Smith

A quorum was determined

ALSO IN ATTENDANCE

Amy Ring, Community Development Director
Bobby Jones, County Attorney
Shaunee Beussink, Environmental Planner
Sandy Robinson, Planner II
Trenton Blowe, Planner II
Amanda Landrus, Secretary

ACTION ON REQUESTS TO WITHDRAW OR TABLE PENDING AGENDA ITEMS

Chairman Bowser asked if there were any requests to table or withdrawal agenda items. Amy Ring stated there were no requests.

APPROVAL OF AGENDA

Chairman Bowser called for a vote to approve the agenda. Commissioner Taylor made the motion to approve the agenda. Commissioner Boykin seconded the motion. Chairman Bowser asked for all in favor to signify by saying aye. The motion passed unanimously.

CONSENT AGENDA

Chairman Bowser called for a vote to approve the consent agenda. Commissioner Boykin made the motion to approve the agenda. Commissioner Ford seconded the motion. Chairman Bowser asked for all in favor to signify by saying aye. The motion passed unanimously.

CITIZENS' COMMENTS

Chairman Bowser called for citizens' comments.

Lewis Edmonds, 24327 John Henry Street, Windsor, spoke in favor of the proposed industrial setbacks adjacent to residential neighborhoods. Mr. Edmonds is not in favor of the recommendation to change the setback from the property line to the structure. Mr. Edmonds stated that the EDA has a mixed track record, and stated that it is not the Planning Commission's job to protect the EDA.

Dawn Darden, 24406 Lovers Lane, Windsor, stated that she would like to echo what Mr. Edmonds stated and believes that that's how all the community feels.

With there being no further citizen comments, Chairman Bowser closed citizen comments.

PUBLIC HEARINGS

Chairman Bowser called for the first public hearing on the following item:

Application EXC-24-2 of Jeffrey H. and Paula J. Bolt and Bryan W. and Amanda L. Boyes, property owners, for an after-the-fact exception under the Chesapeake Bay Preservation Area Ordinance for an unauthorized retaining wall with fill in the fifty-foot seaward Resource Protection Area (RPA) buffer at 15407 and 15437 Laurelwood Drive on tax map numbers 34A-01-F006 and 34A-01-F005 as well as a request to place a

swimming pool within the fifty-foot seaward RPA buffer and a replacement shed within the fifty-foot landward RPA buffer on tax map 34A-01-F006

Shaunee Beussink, Environmental Planner, gave the following presentation.

Bolt and Boyes CBPA Exception Request

Application EXC-24-2

Planning Commission Regular Meeting

October 22, 2024

Shaunee Beussink, Environmental Planner

Details

Applicants: Jeffrey H. & Paula J. Bolt (34A-01-F006)
Bryan W. & Amanda L. Boyes (34A-01-F005)

Location: 15407 & 15437 Laurelwood Drive, Carrollton

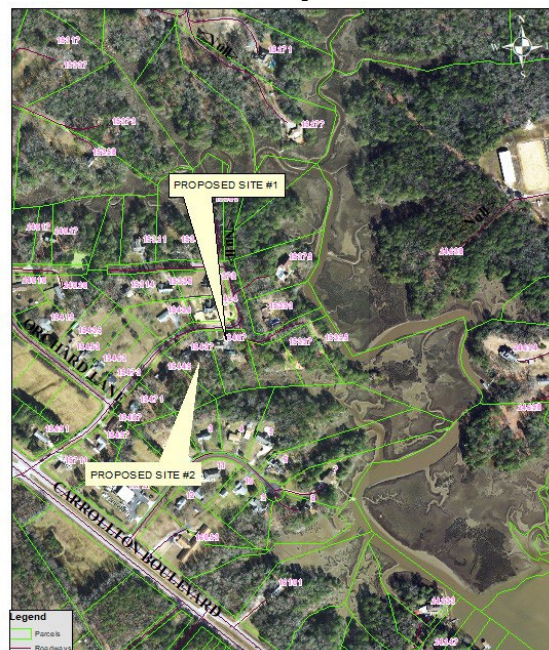
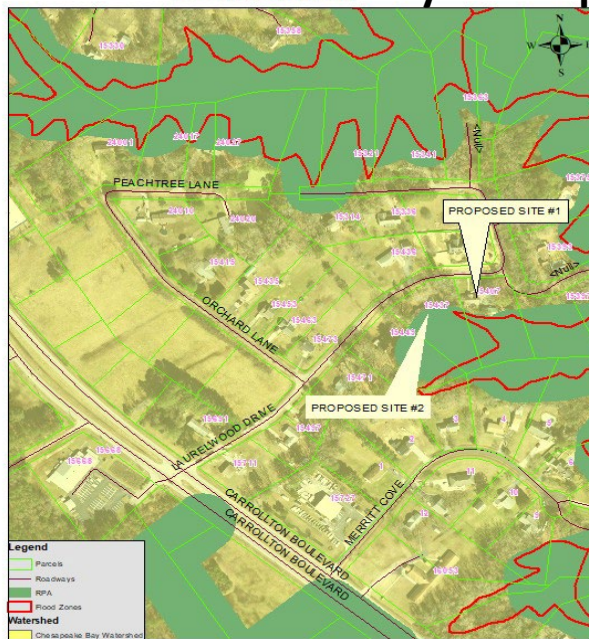
Tax Map #: 34A-01-F006 and 34A-01-F005

Request: Request is for an exception to allow a retaining wall with fill to remain in the seaward RPA as well as install a pool in the seaward 50-foot RPA and replace a shed in the landward portion of the RPA.

Background

- Homes built in 1967 and in 1980
- The Bolts had permission to install a septic system in the RPA
- Retaining wall built without permits that extended onto neighbor's property, the Boyes
- Seeking after-the-fact exception for the retaining wall & fill extending beyond limits of septic field area
- Total area of disturbance = 1,995 SF including 118-ft retaining wall with approximately 105 cubic yards of fill
- Request includes the addition of an above-ground pool in the 50-foot seaward and to replace an existing shed in the 50-foot landward RPA

Bolt & Boyes Exception Location Maps



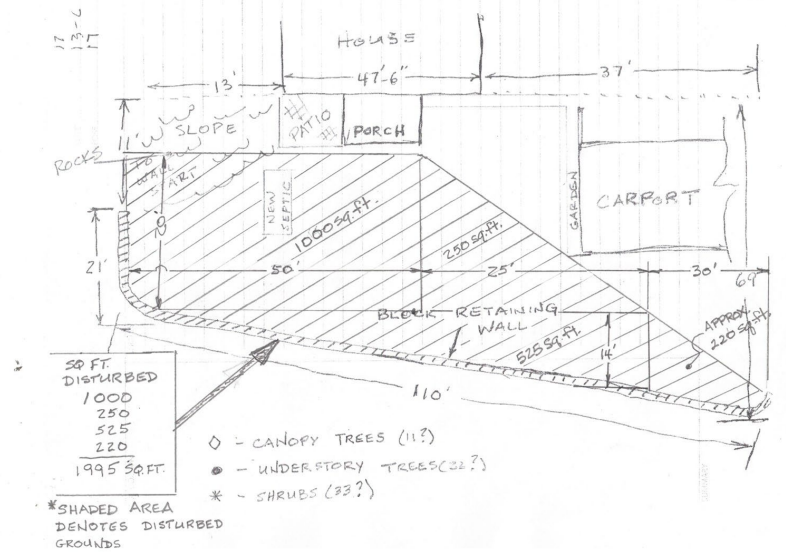
Close-up



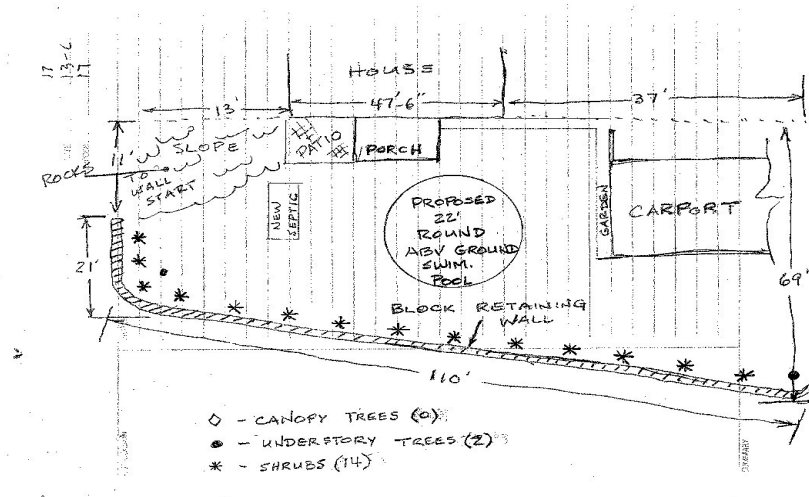




Proposed Mitigation in WQIA



Planting Mitigation Plan Proposed by Property owner



Planting Plan

Proposed Mitigation in WQIA

11 canopy trees
32 understory trees
33 shrubs

Mitigation Proposed by Homeowner

0 canopy trees
2 understory trees
14 shrubs

Required Mitigation

Five Planting Units = five canopy Trees
ten understory Trees
fifteen shrubs

Five criteria for granting an Exception: The Planning Commission shall not recommend in favor of the applicant unless it finds:

1. That the strict application of the ordinance would produce an undue hardship and will not confer upon the applicant any special privileges denied by this ordinance to other property owners in the CBPA areas;

- RPA encroachments are similarly restricted on all lots. Therefore, this would not constitute a unique hardship and would grant a special privilege to the applicants.
- A pool and a level backyard is not a hardship as they are not necessary for the principal residential use of the property.

2. The exception request is not based on conditions or circumstances that are self-created or self-imposed, nor does the request arise from conditions or circumstances either permitted or non-conforming that are related to adjacent parcels;

The applicant failed to contact the County prior to beginning construction and obtain necessary permits. This is a self-created hardship.

3. The exception request is the minimum necessary to afford relief;

Because the applicant began construction without proper review and permits, it is unknown if this was the minimum necessary to address the erosion.

4. The exception request will be in harmony with the purpose and intent of this ordinance, not injurious to the neighborhood or otherwise detrimental to the public welfare, and is not of substantial detriment to water quality;

- Expansion of the backyard and pool does not meet the purpose or intent of the ordinance to safeguard water quality through protection of existing buffers.
- Retaining wall with fill and the pool are within the fifty -foot seaward buffer and lie within flood hazard zone AE.

5. Reasonable and appropriate conditions are imposed which will prevent the exception request from causing a degradation of water quality.

If this exception is approved, staff recommends the following conditions:

1. the applicant be required to install the mitigation landscaping as proposed in the WQIA within the RPA,
2. the pool be denied due to flood hazard potential and in accordance with the CBPA Ordinance, and
3. no further exceptions be granted.

Staff Conclusions:

Strengths:

1. Proposed landscaping mitigation exceeds the requirements.

Weaknesses:

1. The applicants' request does not meet the five criteria needed for approval of exceptions.
2. Exceptions for structures are not permitted by Ordinance in the fifty-foot seaward RPA buffer.
3. Structures are proposed in the flood hazard area presenting potential flood damage liability.
4. The retaining wall and fill were done without permits or needed inspections to determine structural integrity. It is not known what, if any, erosion problems existed prior to the property being covered in fill.

Staff Recommendation

- Based on the above findings, staff recommends denial of the exception request.
- If this exception is approved, staff recommends the following conditions:
 1. the applicant be required to install the mitigation landscaping as proposed in the WQIA within the RPA,
 2. the pool be denied due to flood hazard potential and in accordance with the CBPA Ordinance, and
 3. no further exceptions be granted.

Chairman Bowser opened the public hearing and invited the applicant to speak.

Jeff Bolt, applicant at 15407 Laurelwood Drive, Carrollton, shared the following talking points and pictures.

How it all began-

1. A new septic tank and field had to be installed.

- The old system had just worn out.
- I was advised to put it in the front yard where it was more dry. (The backyard is lower and tends to hold water for a long time).
- This required a new septic tank that included a pump in order to pump fluid up to the new front yard drain field.
- All the proper permits were acquired, and protocols were followed to the best of my ability.
- Engineer Wendy Odom advised along the way.
- The installation of the new tank resulted in approximately ½ of the backyard being turned to a dirt field on a slope.

2. Decision to install a retaining wall:

- Rainwater was creating severe erosion, and I felt something had to be done sooner than later.
- Soil was steadily filling the ravine where the natural spring water ran.
- This situation was during the high point of COVID.
- I hired who I determined to be a qualified individual to install a retaining wall to address the problem.
- *[I want to note here that a conscientious effort was made to stay away from the trickle of water that flows down the ravine. This, so not to impede the water's progress. I also want to note that this ravine is sometimes dry.]*

3. The decision to hire Kelly Lippard:

- I was referred to Kelly Lippard who, I was told, had experience installing retaining walls.
- Kelly told me he was in the process of obtaining his contractor's license.
- Kelly gave me addresses where he had installed similar structures and I checked them out.
- He and I acquired the needed materials.
- I printed out the manufacturer's installation instructions and went over them with Kelly to be sure everything was done to specs. I supervised the effort.
- The wall was installed at 99% complete when I was told by county officials to cease and desist at which time, which I did.
- County inspectors, Mark Drumheller and Jeff Ward later inspected the wall and both said it was good to go.

4. No Permit???

- I was fairly certain a permit was necessary but chose not to pursue one. This, again, due to a sense of urgency and the COVID circumstances.
- However, I was not aware of any of the Wetland's rules and provisions. I had never heard them mentioned before. *[Why are homeowners not informed of these rules and provisions ahead of time, when one is wanting to purchase a property that is within the Wetlands boundaries?]*

5. Being partially on the neighbor's property:

- We were told, by the previous owner of the house, where the property line was. *[There is and has been a chicken wire fence at this location]*. The wall was built on this premise. This information proved later to be incorrect.
- There was not a new survey done when we bought the house. *[Why it wasn't required by the mortgage company, I don't know.]*
- The land plots for the neighborhood were from 1946. A more recent survey may have been destroyed in the records building fire some time ago.
- Existing website plots show the house close to the property line but how close could not be determined until a new survey was done. *[Why was the house allowed to be built so close to the property line???*
- The new survey shows two property lines, one from the older records and one determined by newer GPS methods. The surveyor could not decide as to the exactness, so he included both lines on the new survey. Either way, the wall is still on the neighbor's property.
- Realization of where the property line actually is only became apparent after the new survey was completed.
- Before the wall was erected, the backyard had been mowed and maintained by my wife and me ever since we bought the house in 2012. This fact has never been objected to by my neighbor, Mr. Boyes.
- Before the wall, the backyard was a grass (or grass and weed) landscape well before my wife and I bought the house.
- My neighbor, Mr. Boyes, has never had a problem with where the wall stands. His only concern has been potential liability issues if someone were to be hurt.

6. The hiring of Engineering firm C.A.E. Inc.

- It is no secret that C.A.E. was most instrumental in delaying this exception process and the over 4 years it took to complete.
- This firm was recommended to me by Environmental Scientist Keith Miller. *[where does a citizen go for information when such a situation arises?]*
- It became obvious to me that Mr. Ellis was inexperienced in the W.Q.I.A. process and quite possibly overloaded with work.
- He would not respond to inquiries for days and sometimes weeks.
- COVID also played a large role in slowing down the process as many of the major players were overtaxed or not at work.
- C.A.E. took over 25 months to satisfactory complete their work.

7. Other Delays

- Initially, Keith Miller, who I was acquiring information from on how to proceed, was slow to respond to my inquiries.
- The Army Corps of Engineers took 4 ½ months to complete their tasks.
- Emails and phone calls were often not responded to in a timely fashion.
- I am not a corporation and have no previous experience insofar as Wetlands-related rules and provisions are concerned. There is no instruction book as to what steps to take or who to talk to and many inquiries were not promptly answered.

8. Please Consider:

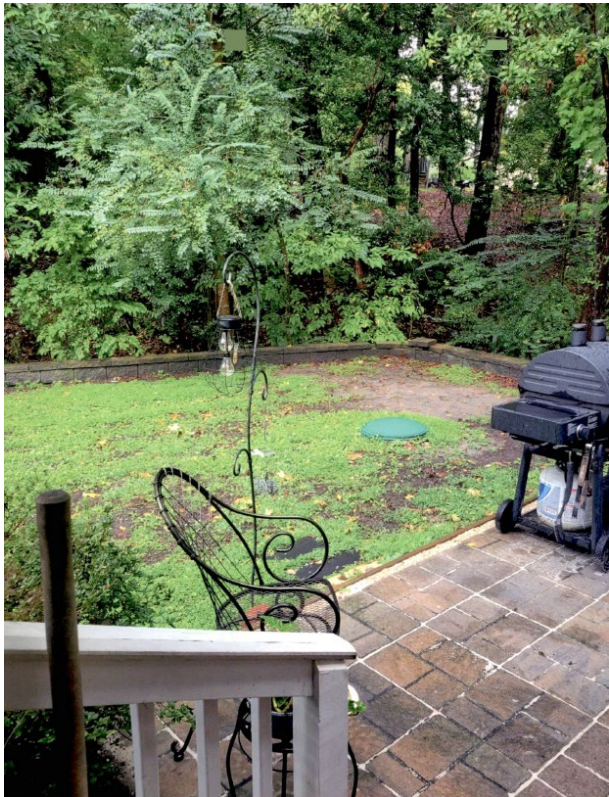
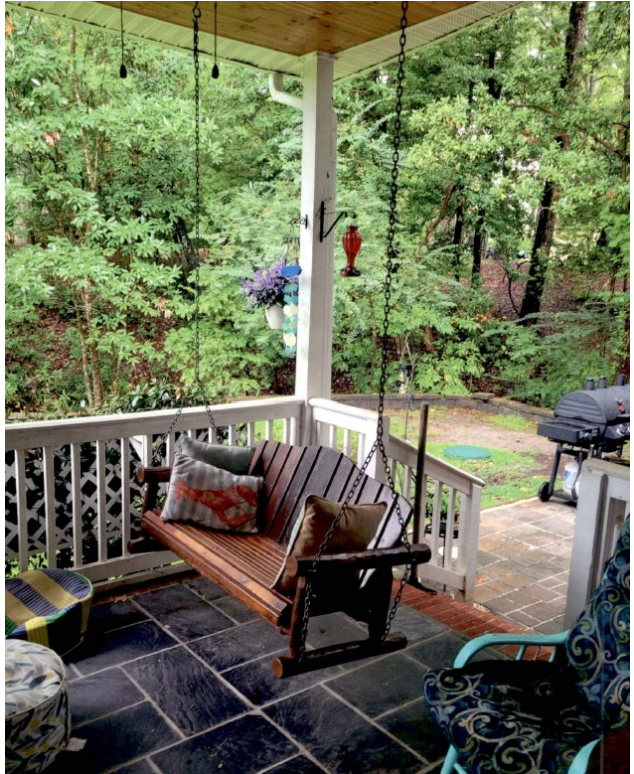
- This process has taken over 4 years to complete and has been emotionally draining.
- My wife and I have been courteous and respectful to all county representatives.
- The retaining wall is sturdy and doing what it was designed to do. It has presently been at 99% complete and securely in place for four years.
- County inspectors, Ms. Beussink and Mr. Ellis from C.A.E. have all viewed the wall and provided good feedback.
- My intentions all along were to preserve the environment, not harm it.
- I feel that I have pursued this effort in an expeditious manner. Other entities I have been made to depend on have not necessarily done the same.
- Again, C.A.E. took entirely too long to complete their part of the process.

9. Additionally,

- If I said I was sorry for installing a retaining wall without proper authorization I would still be subject to scrutiny. If I said I was sorry, many would think I am only sorry I got caught. If I say I am not sorry, many will frown upon my irrelevance to following procedures. I will say this; I am sorry this process took four years to complete, and I am sorry more residents are not informed, when they buy a property, that they are in the wetland's buffer area and do not have total control over their own property.









There being no further comments, Chairman Bowser closed the public hearing and called for discussion from the commissioners.

Commissioner Distefano asked for clarity on the shed that is being requested.

Shaunee Beussink stated there is an existing shed on a concrete pad in the landward portion of the RPA that is in disrepair that the applicant is asking to replace.

Commissioner Boykin stated that during her site visit she noticed the shed was in disrepair. Ms. Boykin also stated that she wished to see pictures of the entire property, because the side yard has a steep slope from the front to the backyard and understands the need for the retaining wall and believes the retaining wall is beneficial to the RPA.

Commissioner Taylor stated that if this application was to be denied, removing the retaining wall would have more of a negative impact on the RPA. Ms. Taylor stated that she agreed with staff to recommend denial of the pool.

Commissioner Distefano agreed that removing the wall would be more injurious to the environment and with not approving the pool request. Mr. Distefano stated the shed should be allowed to be replaced.

Commissioner Boykin stated she believes the trees required are excessive and doesn't know where he would plant them due to the size of the lot.

Commissioner Distefano asked if the minimum requirements would be able to be achieved on site.

Commissioner Boykin stated that he would have no grass in his yard if he were to plant.

Amy Ring stated that according to the Buffer Mitigation Manual, 400 square feet is considered a landscape unit. For every 400 square feet, there should be one large canopy tree, two small canopy trees, and three shrubs. Mrs. Ring stated you can make substitutions among these planting requirements. Ms. Ring stated almost the applicants' entire backyard is RPA which is supposed to stay forested.

Commissioner Boykin asked where the landscaping had to be planted.

Ms. Beussink stated they could be planted anywhere in the one-hundred-foot buffer.

Commissioner Distefano asked why there was a difference in the proposed mitigation plantings compared to what the WQIA recommended and why the lesser amount was selected.

Mr. Bolt stated that the reason for planting canopy trees, understory trees and shrubs is to retain the soil, which is what a retaining wall does and doesn't feel like he needs vegetation to do that. Mr. Bolt added that the roots from these trees could potentially damage the wall.

Commissioner Gibbs asked the applicant if he is willing to make some allowances on his mitigation proposal.

Mr. Bolt stated he was willing.

Commissioner Distefano stated that if he was to recommend approval of this application, he would ask the applicant to make more of an effort to meet the minimum planting requirements, before going to the Board of Supervisors.

Ms. Ring offered the option to have this application continued to allow time for staff to work with the applicant to come up with a solution that would then be presented back to the Planning Commission to give the appropriate recommendation to the Board of Supervisors.

Commissioner Gibbs made the motion to table this application to allow time for staff and the applicant to agree on a mitigation plan. Commissioner Distefano seconded the motion. The motion was adopted with Commissioners Boykin, Distefano, Ford, Rawls, Taylor, Gibbs, Carroll and Bowser voting in favor, no Commissioners voting against (8-0).

OLD BUSINESS

Amy Ring confirmed there are no old business items.

NEW BUSINESS

Chairman Bowser called for the following new business item.

Application EXC-24-1 of Charles Davis, Jr. and Kimberly Davis, owners, for a waiver to Section 3.2.4.A.4 and Section 5.9.1.C of the Subdivision Ordinance to allow a family member subdivision from tax map parcel 31-01-019A on a private thirty-foot ingress/egress easement not built to public standards which serves more than two lots.

Sandy Robinson, Planner II, gave the following presentation.

APPLICATION EXC-24-1 KIMBERLY & CHARLES DAVIS, JR. WAIVERS TO SECTION 3.2.4.A.4 AND SECTION 5.9.1.C OF THE SUBDIVISION ORDINANCE

Planning Commission Meeting
October 22, 2024

Details

- Tax Map ID#: 31-01-019A
- Location: Carroll Bridge Road
- Current Zoning: RAC
- Election District: D4
- Purpose: Create lot for family member on a private easement that serves more than two lots.

Background

- Parent parcel was created in the 1990's and is accessed by a private ingress/egress easement to Carroll Bridge Road (Rt. 654)
- Surrounding land uses are commercial, single-family residential, agricultural,

Background

- Proposed lot is approximately 1,000 feet down the private ingress/egress which presently serves access to four existing lots.
- There is a recorded road maintenance agreement, and the proposed lot will also be subject to that

Background

- Family member standard allows no more than one lot resulting from a single tract to be accessed from a single easement unless approved by the Board of Supervisors upon recommendation from the Planning Commission
- Subdivision Ordinance also stipulates that all roads which provide access to

Comprehensive Land Use Plan Review

- Property is designated RAC on the Future Recommended Land Use Map.
- Designation is intended to maintain and conserve rural character and farmlands and to provide for a full range of agricultural and farming activities and related uses along with scattered, low density residential

Ordinance Review

- Section 3.2.4.A.4 addresses family member subdivisions - no more than one family member subdivision lot may be created from a single tract of land which is accessed from a single easement of right-of-way, unless approved by the Board of Supervisors upon recommendation from the Planning Commission.
- Section 5.9.1.C - all new streets must be public and improved to comply with the VDOT road and bridge standards.
- Section 3.2.10.E - lists criteria in order to approve a request for a waiver, the Board of Supervisors shall make an affirmative finding that all of the following criteria are met:

Ordinance Review

1. Granting the waiver will not have an adverse impact on land use compatibility.

Finding: Staff finds the proposed use is consistent with the residential and rural uses of surrounding properties.

2. Strict adherence to the general regulations would result in substantial injustice or hardship.

Finding: Staff finds no hardship, because the lot is currently being used for its intended single family residential use.

3. The waiver has not been opposed in writing by the county, VDOT engineer, or health official.

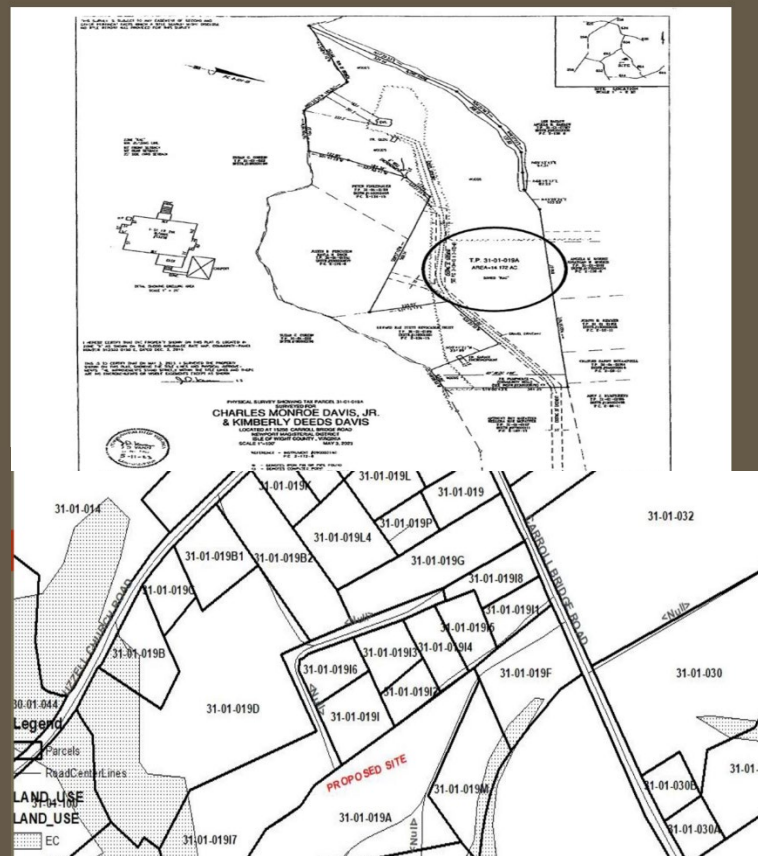
Finding: VDOT does not oppose the application. The Health Department will require a permit for the installation of a well land septic system.

4. Granting the administrative waiver shall be consistent with the purposes and intent of this ordinance.

Finding: Staff finds that the purpose and intent of the Ordinance is to promote the orderly development of the County and to protect the public health, safety and welfare by ensuring access by emergency service vehicles.

Agency Review

- VDOT has reviewed the request and states that there are no impacts to the state-maintained right-of-way with the proposal
- The land has been evaluated by an Onsite Soil Evaluator (OSE) for installation of a septic system which includes a primary and reserve drain field as required for approval
- No concerns have been identified by County Departments





Staff Conclusions

Strength:

Existing Road Maintenance Agreement

Weakness:

The request does not meet requirements of the Subdivision Ordinance without the waiver.

Staff

Staff recommends denial

Chairman Bowser called for discussion from the commissioners.

Commissioner Carroll stated that that the private road is a wide and clear road with good ingress and egress.

Commissioner Taylor asked how this new lot would be added into the road maintenance agreement.

Bobby Jones stated that the road maintenance agreement is for the master parcel and includes successors and assigns to the property which makes them subject to this agreement.

Commissioner Taylor made the motion to send this application to the Board of Supervisors with the recommendation of approval. Commissioner Gibbs seconded the motion. The motion was adopted with Commissioners Boykin, Distefano, Ford, Rawls, Taylor, Gibbs, Carroll and Bowser voting in favor, no Commissioners voting against (8-0).

The motion passed unanimously, and the item will go to the November 21, 2024, Board of Supervisors Meeting.

Chairman Bowser called for the next new business item.

Application of Hall Family Partnership LLC, applicant and owner, for an Exception to Section 6-2010.A.3.a of the Newport Development Service Overlay (NDSO) District Regulations in the Zoning Ordinance for the property located at 20168 Regal Circle with Tax Map Number 42-06-004 for an Exception to the NDSO Design Standards for building façades

Trenton Blowe, Planner III, gave the following presentation.

Newport Development Overlay District Exception Request EXC-4-24 Hall Electric



Planning Commission Regular Meeting
October 22, 2024

Request: Exception to Sections 6-2010.A.3.a of the Zoning Ordinance which prohibits metal walls

Tax Map Number: 42-06-004

Location: 20168 Regal Circle

Comp Plan Land Use

Designation: Newport Development Service District (DSD)

Zoning District: Conditional – Limited Industrial (C-LI)

Election District: D4

APPLICATION DESCRIPTION



BACKGROUND

- The property is currently vacant but has been cleared as a part of an approved site plan.
- The site is a part of the original Isle of Wight Industrial Park which received zoning approval in 1988.
- The proposal is to add 6,200 square feet of indoor storage space and 4,800 square feet of office space. There is also a storage yard to the rear of the property.



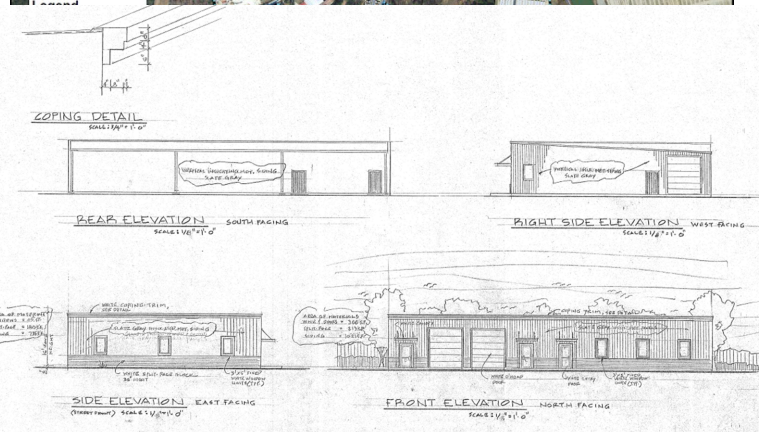
PROJECT DESCRIPTION

- Exception needed to the NDSO design standards to allow the applicant to construct a building using metal siding which prohibited in the NDSO
- Applicant states that the cost and maintenance required with the materials found in the ordinance are the primary reasons for the exception request.



PROJECT DESCRIPTION

- The exception request is to section 6-2010.A.3.a.
- Section states that building exteriors, to include accessory buildings, shall utilize one or more of the following materials:
 - i. Brick
 - ii. Decorative Block
 - iii. Stone
 - iv. Stucco
 - v. Natural Wood Siding



Per Section 6-2011.B., when granting an exception, the Board of Supervisors must consider the following criteria:

- Such exception shall be no less beneficial to the residents or occupants of the development, as well as the neighboring property, that would be obtained under the applicable regulation.
- That the exception is reasonable because of the high level of design and construction that will be incorporated into the development; and,
- That the exception will result in design and construction that is in accordance with accepted engineering and building standards.



CRITERIA FOR NDSO EXCEPTION CONSIDERATION

Staff findings:

1. The proposed use and building are consistent and similar in nature with neighboring properties inside the industrial park.
2. Beyond the metal siding, the building design includes such higher-level design elements such as awnings over the entrances, and parking located in the interior of the site.



STAFF ANALYSIS

Strengths:

1. The building design and use will be similar to those of existing buildings within the industrial park
2. The proposed use of the property would increase employment and revenues in the County.

Weaknesses:

1. The new building will not meet the NDSO design requirements.



STAFF RECOMMENDATION

Based on the listed strengths, staff recommends approval with the condition that the building materials will be the same as those proposed in the concept elevation.



Commissioner Boykin asked what side of the building would be facing Benns Church Boulevard.

Mr. Blowe stated the side of the building will be facing Benns Church Boulevard, and the side would have the split face brick veneer along with the vertical elements of the metal siding.

Commissioner Taylor made the motion to send this application to the Board of Supervisors with the recommendation of approval. Commissioner Taylor seconded the motion. The motion was adopted with Commissioners Boykin, Distefano, Ford, Rawls, Taylor, Gibbs, Carroll and Bowser voting in favor, no Commissioners voting against (8-0).

The motion passed unanimously, and the item will go to the November 21, 2024, Board of Supervisors Meeting.

COUNTY ATTORNEY’S REPORT

Bobby Jones confirmed there were no items for the county attorney’s report.

PLANNING DIRECTOR’S REPORT

Amy Ring stated staff is requesting input for the Comprehensive Plan update and shared the following QR code for the survey. The purpose of the survey is to gather public input on the current status of the community’s priorities for future growth as part of the five-year review of the Comprehensive Plan.



We need your input!

Please take five minutes to give your input on how the County will develop in the future. The County’s comprehensive plan was adopted in 2020, and it’s now time to make sure the plan still reflects the community’s priorities for the future.

Please use the QR code to go to the survey – it’s only nine questions! Thank you for your time!



Ms. Ring, Community Development Director, gave the following presentation on the proposed Zoning Ordinance Revision Discussion.

Proposed Zoning Ordinance Revision Discussion

Planning Commission Regular Meeting
October 22, 2024



Background

Planning Commission continued its discussion of proposed changes to the industrial use setback requirements at their September 24, 2024, regular meeting.



Industrial District Setbacks

For parcels directly adjacent to a residential use or district whose principal use is residential, the minimum setback shall be 300 feet. Within the required setback, there shall be no development, clearing, grading, or construction activity with the following exceptions:

- Roadway or driveway access to the portion of the site not in the minimum residential setback is permitted provided that it is approximately perpendicular to the arterial public right-of-way;
- Water, sanitary sewer, storm drainage, electrical, telephone, natural cable, and utility service lines may be installed below the surface of the ground at right angles, provided that the natural vegetation is preserved and protected to the greatest extent practicable, and landscaping requirements are met;
- Sidewalks, pedestrian pathways and bicycle paths designed to provide continuous connection along the road corridor may be permitted, provided that they can be constructed without materially reducing the screening and visual softening capacity of the required landscaping;



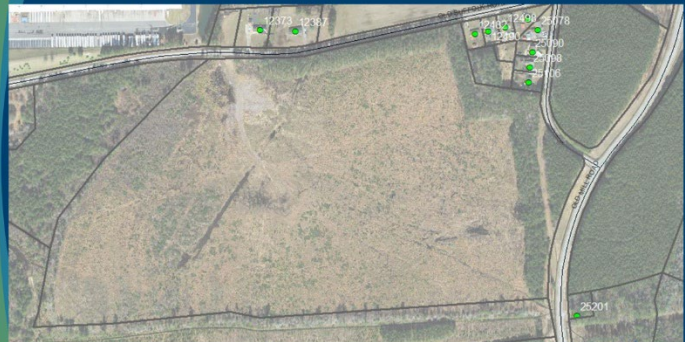
Industrial District Setbacks

- Signs are permitted in accordance with article IX;
- Clearing for sight distances is permitted at the entrances and exits to any development as needed to provide for reasonable traffic safety, in accordance with accepted traffic engineering practices recommended or required by the Virginia Department of Transportation;
- The trimming of existing limbs or branches of preserved trees is permitted when approved by the zoning administrator;
- When, in the opinion of the zoning administrator, the addition of plantings and earthen berms or masonry walls would better achieve the purposes of this district in lieu of the landscaping requirements of the perimeter zone.
- There shall be an earthen berm with a minimum height of ten (10) feet installed in the required set back between the residential use and the industrial use.
- A sound study shall be required with the submittal of the application for the industrial use.



Staff proposes the following additional items for discussion:

- The term "residential lot" should be clarified as a property whose principal use is or is proposed for residential use. This term shall not include agricultural properties where the principal use is agricultural or silvicultural, and a residence is considered accessory to this use.
- Consider changing the setback to 300 feet from the residential structure as opposed to the property line. This would allow some additional flexibility for properties where the residential structure is setback further from the proposed industrial use.



The Planning Commission briefly discussed the proposed ordinance changes and agreed that additional information on the impacts on industrial property was needed from Economic Development before advertising the proposed changes for public hearing.

There being no further information to discuss, Chairman Bowser adjourned the meeting at 7:36 PM.

Adopted this _____ day of _____, 2024

Bobby Bowser, Chairman, Isle of Wight County Planning Commission

Attest: _____
Amanda Landrus, Secretary

PLANNING REPORT

ATTACHMENTS:

Description	Type	Upload Date
November 12, 2024 Planning Commission Regular Meeting Minutes	Minutes	12/31/2024

**MINUTES OF THE MEETING OF THE ISLE OF WIGHT COUNTY
PLANNING COMMISSION HELD ON THE TWELVETH DAY OF
NOVEMBER IN THE YEAR TWO THOUSAND AND TWENTY-FOUR**

CALL TO ORDER

Bobby Bowser, Chairman, called the Isle of Wight County Planning Commission meeting to order at 6:00 PM on November 12, 2024, in the Board of Supervisors Room at the Isle of Wight County Courthouse, Isle of Wight, Virginia.

INVOCATION

Bobby Bowser delivered the invocation.

PLEDGE OF ALLEGIANCE

Chairman Bowser invited everyone present to join in the Pledge of Allegiance.

ROLL CALL/DETERMINATION OF A QUORUM

PRESENT

Bobby Bowser, Chairman
Thomas J. Distefano, Vice-Chairman
Brian Carroll (late)
Cynthia Taylor
James Ford
Jennifer S. Boykin
George Rawls

ABSENT

Matthew Smith
Raynard Gibbs

A quorum was determined

ALSO IN ATTENDANCE

Amy Ring, Community Development Director
Bobby Jones, County Attorney
Sandy Robinson, Planner II
Amanda Landrus, Secretary
Kristi Sutphin, Economic Development Director

ACTION ON REQUESTS TO WITHDRAW OR TABLE PENDING AGENDA ITEMS

Chairman Bowser asked if there were any requests to table or withdrawal agenda items. Amy Ring stated there were no requests.

APPROVAL OF AGENDA

Chairman Bowser called for a vote to approve the agenda. Commissioner Taylor made the motion to approve the agenda. Commissioner Ford seconded the motion. Chairman Bowser asked for all in favor to signify by saying aye. The motion passed unanimously.

CONSENT AGENDA

Chairman Bowser called for a vote to approve the consent agenda. Commissioner Taylor made the motion to approve the agenda. Commissioner Ford seconded the motion. Chairman Bowser asked for all in favor to signify by saying aye. The motion passed unanimously.

CITIZENS' COMMENTS

Chairman Bowser called for citizen comment.

Glen Willis, 24291 Lovers Lane, Windsor, shared the following setbacks document with the Planning Commission.

		Setbacks and Impact Factors					
Zone/Use		Impacting factor					
Zone/Use	Setback	Noise	Odor	Light	Visual	Health	Other
Warehouse (LI)	20ft	Trucks	Diesel	Yes	Yes	Diesel fumes	Traffic
Child Care	60 ft	Children	No	No	No	No	
Golf Course	100 ft	People	No	No	No	No	
Auto Repair storage	100 ft	Auto	Potential	No	Potential	Minimal	Traffic
Public pool	125 ft	People	No	No	Minimal	No	
Solar	125+50 ft (residential) 250 ft (cemetery)	Equipment	No	No	Yes	RF	
Kennel	200 ft	Dogs	Dogs	No	Potential	No	
Crematorium	200 ft	No	Smoke	No	No	Potential	
Landfill	200 ft	Trucks	Garbage	Potential	Yes	Potential	
Commercial pool	200 ft	People	No	No	Minimal	No	
Campground	300 ft	People	No	Potential	Potential	No	Traffic
Adult Entertainment	2500 ft	Auto	No	No	Yes	No	Clientele
Livestock processing	2500 ft	Trucks/animals	Animals	Potential	Potential	Minimal	

Mr. Willis stated that he does not agree with the setbacks to be measured from a residence instead of the property line. Mr. Willis asked for adequate setbacks for incompatible uses adjacent to residential.

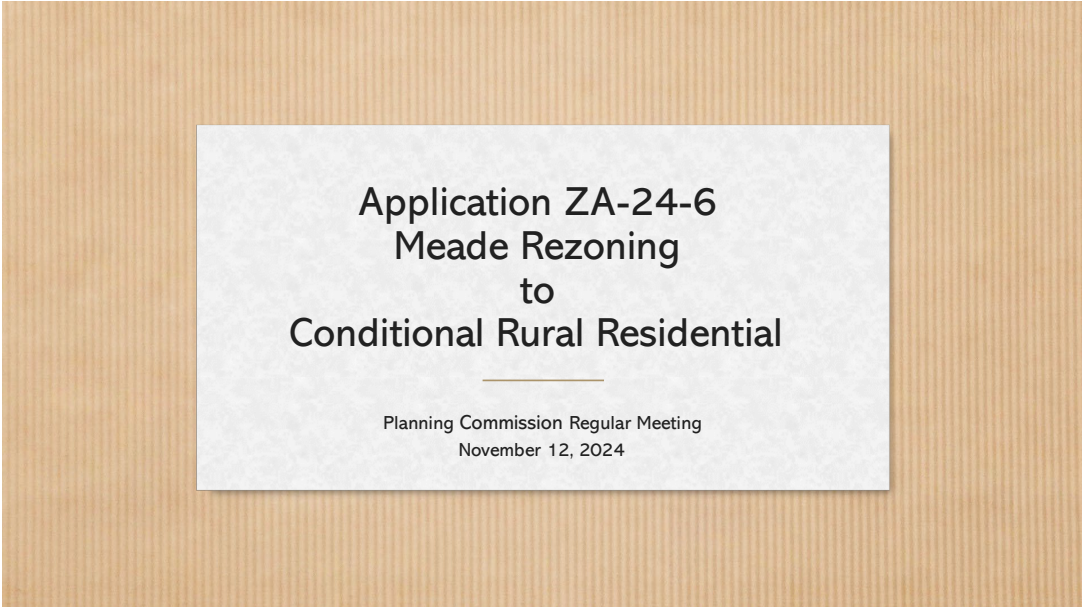
With there being no further citizen comments, Chairman Bowser closed citizen comments.

PUBLIC HEARINGS

Chairman Bowser called for the first public hearing on the following item:

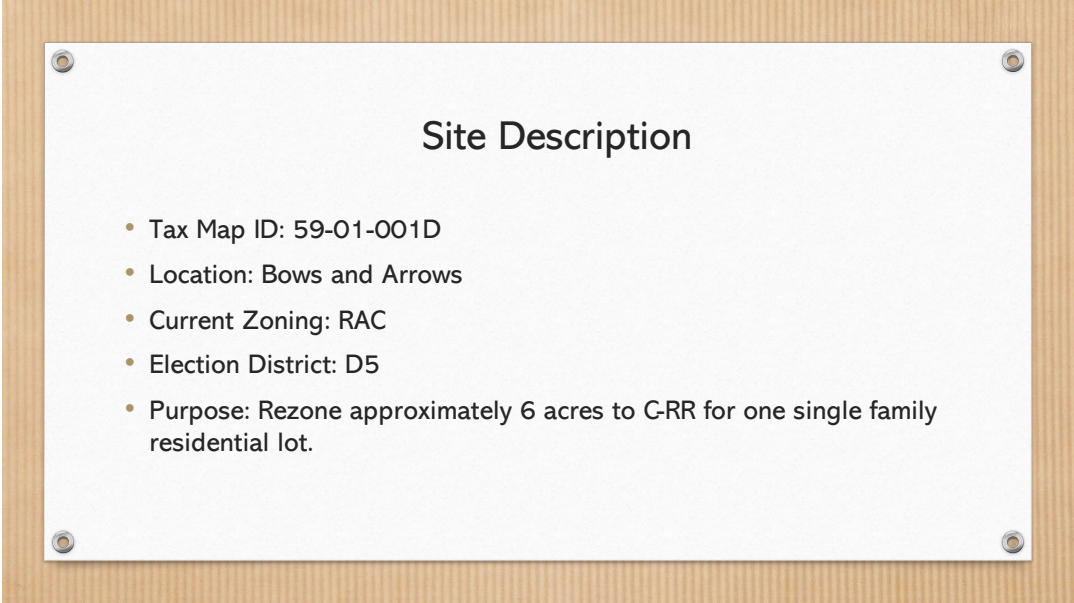
Application (REZN-24-6) of Karen Marie and Robert B. Meade, owners, for a change in zoning classification from Rural Agricultural Conservation (RAC) to Conditional-Rural Residential (C-RR) of approximately six acres which includes a proffer for no further subdivision of the new lot.

Sandy Robinson, Planner II, gave the following presentation.



Application ZA-24-6 Meade Rezoning to Conditional Rural Residential

Planning Commission Regular Meeting
November 12, 2024



Site Description

- Tax Map ID: 59-01-001D
- Location: Bows and Arrows
- Current Zoning: RAC
- Election District: D5
- Purpose: Rezone approximately 6 acres to C-RR for one single family residential lot.

Background

- Property, created in 1968, is vacant and wooded, contains approximately thirty acres
- Rural Residential Zoning District provides for one new single family residential lot based on the acreage of the tract
- If rezoning is approved this property has no more rezoning options
- Proffer excludes new lot from any family member transfers
- The Capital Impacts Model results show there is existing capacity for public facilities in the southern service area.

Background

- Proposed zoning to C-RR is consistent with the future Recommended Land Use Map.
- Request meets the minimum requirements of the RR zoning district.
- Proposed new lot does not contain a special flood zone designation.
- Property is not in Chesapeake Bay Preservation Area Overlay District





The following departments have no concerns with the rezoning application as presented:

- General Services
- Fire and Rescue
- Environmental Planner
- Virginia Department of Transportation
- AOSE (Adams Septic Evaluation and Design)
- County Attorney

Strengths:

- The proposed use is compatible with the existing land uses in the vicinity.
- The proposed use is within the guidelines of the future Recommended Land Use Plan Designation.

Weakness:

- None determined at this time.

Staff Analysis

Based on the strengths of the application, staff recommends approval of the rezoning application as conditioned.

Recommendation

Chairman Bowser opened the public hearing and invited the applicant to speak.

Karen Meade, 56062 Duck Town Road, stated that they would like to sell this property to a distant family member, so they may utilize it to its full potential.

Chairman Bowser closed the public hearing and called for discussion from the commissioners.

Commissioner Distefano stated that he didn't have any concerns with the application and made the motion to send this application to the Board of Supervisors with the recommendation of approval. Commissioner Boykin seconded the motion. The motion was adopted with Commissioners Boykin, Distefano, Ford, Rawls, Taylor, Carroll and Bowser voting in favor, no Commissioners voting against (7-0).

The motion passed unanimously, and the item will go to the Board of Supervisors on December 12, 2024.

Chairman Bowser called for the following public hearing item:

Application (REZN-24-7) of Anthony Porter, owner, for a change in zoning classification from Rural Agricultural Conservation (RAC) to Rural Residential (RR) of 1.68 acres. The application includes a waiver to Section 4-3004 of the Zoning Ordinance to allow a private driveway on a primary state highway.

Sandy Robinson, Planner II, gave the following presentation.

**Application ZA-24-7
Porter Rezoning Request
to
Rural Residential**

Planning Commission Regular Meeting
November 12, 2024

Site Description

- Tax Map Number: 13-01-0048
- Location: Old Stage Hwy.
- Current Zoning: RAC
- Election District: D3
- Purpose: Rezone 1.68 acres to RR for a single family residential lot.

Background

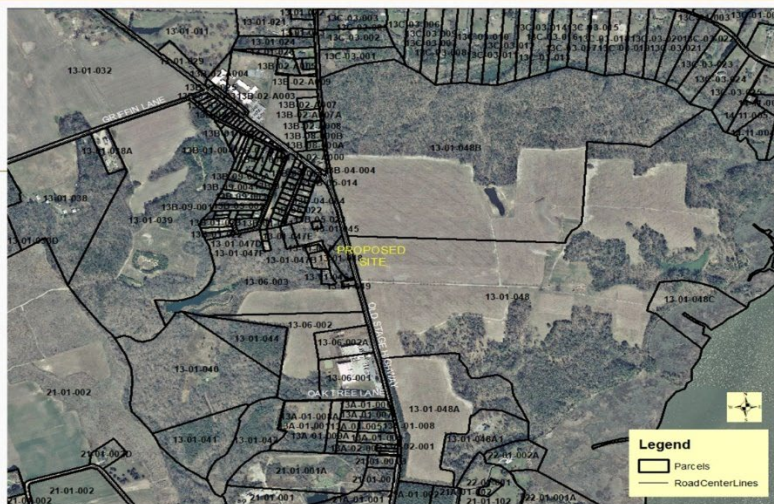
- Part of parcel 13-01-048 on the west side of Old State Hwy. (Rte. 10)
- In 2017, a plat which included this portion of the property was approved and recorded as an agricultural, horticultural, or silvicultural parcel
- Section 3.2.3.B.1.a. of the Subdivision Ordinance allows the division of land into parcels greater than 10 acres for bona fide agricultural, horticultural, or silvicultural purposes where no street right-of-way dedication is involved and where there is no change in the intensity of use, provided such divisions shall have the following notation prominently set forth on the recorded plat: "Residential development on any lots shown will require Residential Zoning pursuant to Section 3.2.3.C of the Subdivision Ordinance of Isle of Wight County, Virginia, as amended."

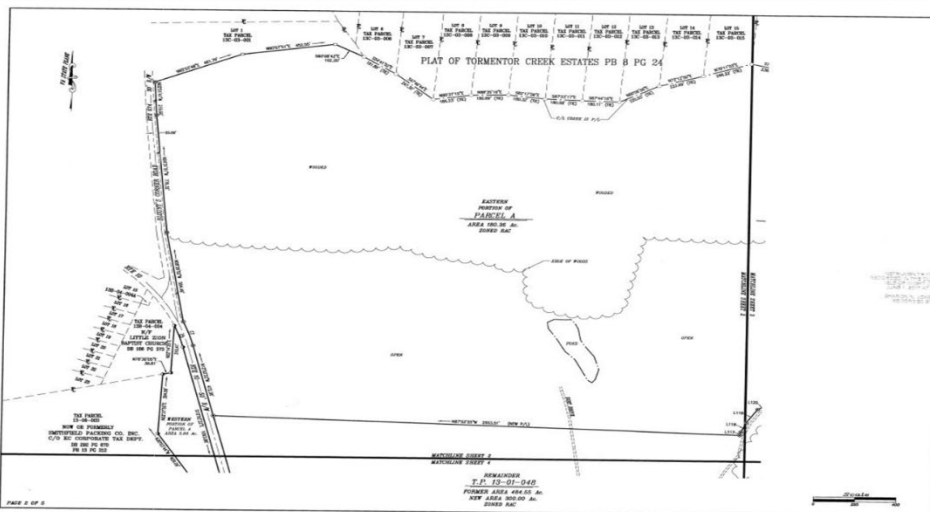
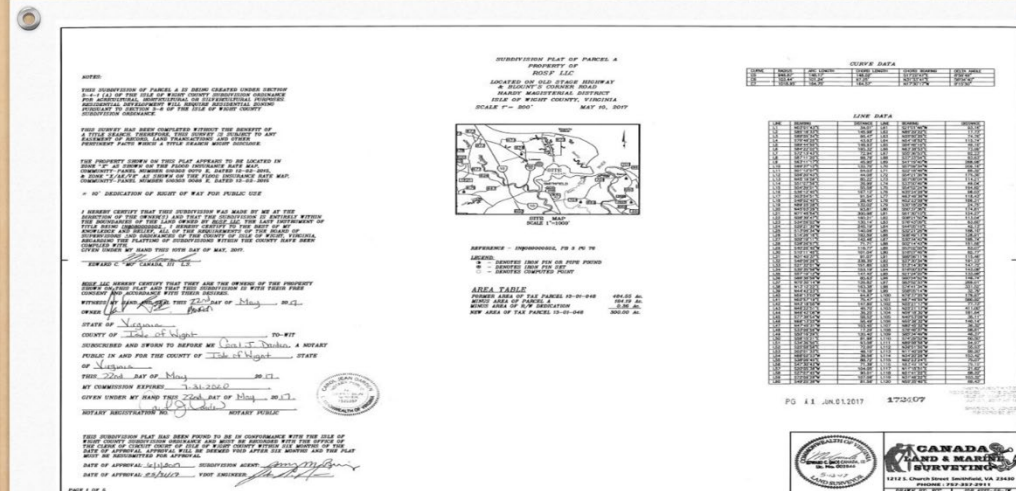
Background

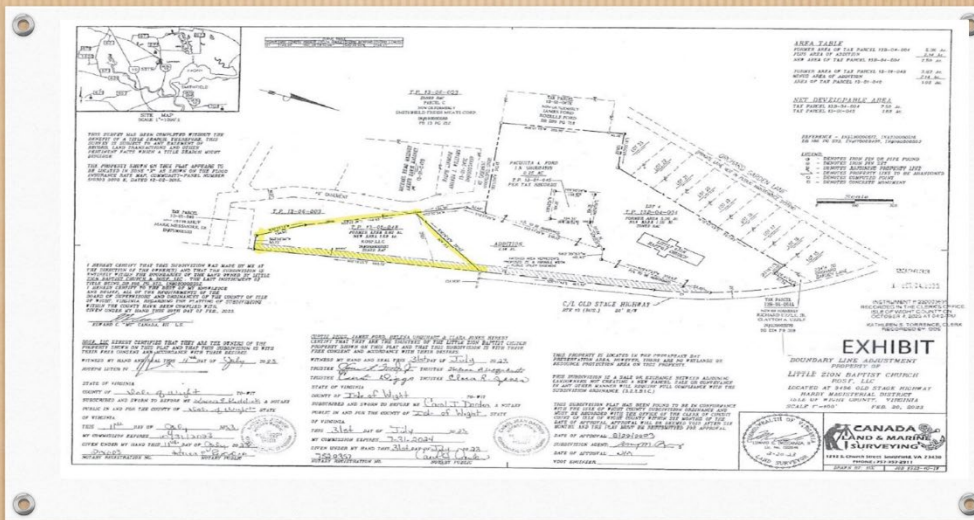
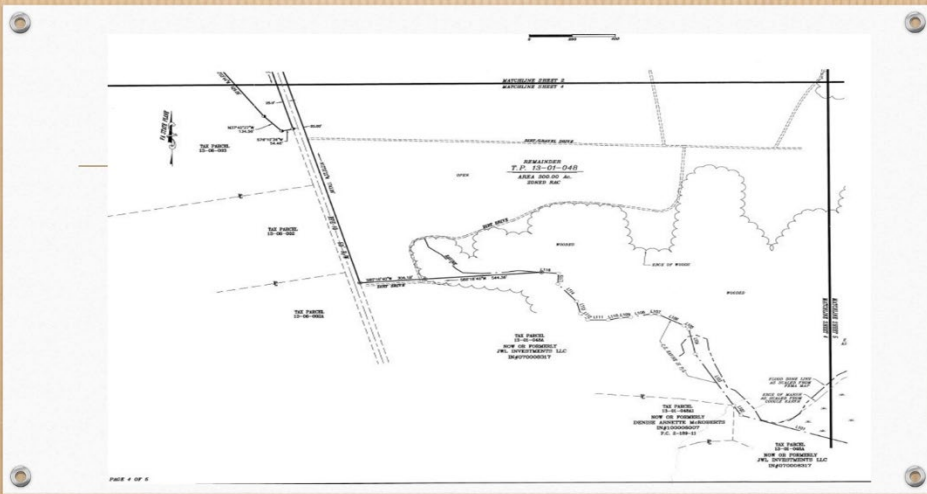
- Owner wishes to rezone this lot and has asked for a waiver for public road frontage as required by the RR zoning classification.
- Capital Impacts Model results show additional capacity is needed at the middle school for the projected one additional student, because existing enrollment at the school has reached 95% capacity. The school policy states that capacity expansion planning and implementation begins at the 95% school capacity level.
- Model also shows an existing deficit for neighborhood park, event center and community center space in the northern service area which is exacerbated with any new development in this area. However, there are no capacity expansion projects included in the County's Capital Improvement Plan for these types of parks and recreation facilities. The model shows sufficient capacity for fire and

Background

- Proposed zoning to C-RR is consistent with the future Recommended Land Use Map.
- Request meets the minimum requirements of the RR zoning district.
- Proposed new lot does not contain a special flood zone designation.
- Property is in Chesapeake Bay Preservation Area Overlay District, however there is no RPA or RPA Buffer.









The following departments have no concerns with the rezoning application as presented:

- General Services
- Fire and Rescue
- Environmental Planner
- Virginia Department of Transportation
- Health Department
- County Attorney

Strengths:

- Proposed use is compatible with the existing land uses in the vicinity and within the guidelines of the Future Recommended Land Use Plan Designation.
- Subdivision already permitted, because it is already separated from the parent tract by a state road.

Weakness:

- None determined at this time.

Staff Analysis

Based on the strengths of the application, staff recommends approval of the rezoning and waiver request.

Recommendation

Bobby Jones clarified that the only reason this application had to come before the Planning Commission is that when the large parcel on the opposite side of the street was subdivided this parcel was included in the language.

The applicant's legal representative, William Riddick, was unable to attend the meeting and provided the following letter.



RIDDICK & POPE, PC
ATTORNEYS AND COUNSELORS AT LAW

William H. Riddick, III
wriddick@rplawva.com

Ashby Leigh Pope
apope@rplawva.com

November 12, 2024

Planning Commission
Isle of Wight County
Monument Circle
Isle of Wight, VA 23397

RE: Application for rezoning – property of Anthony Porter

Dear Member of the Planning Commission:

I represent Anthony Porter, the owner of a 1.68 acre parcel on Old Stage Highway. I filed this application on his behalf and fully intended to appear before you to present his application. At the time of filing, I was not aware that the matter was to come before you at your November meeting which was rescheduled to tonight from its regular date on the fourth Tuesday of the month.

I am the Town Attorney for Smithfield and the town's planning commission has its regular monthly meeting tonight. There are matters on the agenda that require me to be present so I cannot appear before you tonight.

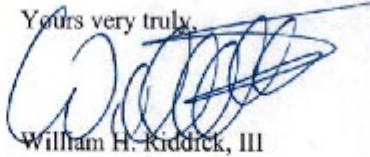
As always, Mrs. Robinson has prepared a very thorough Planning Report. There is not much that I could add other than some background. This property was previously owned by ROSF, LLC, a company solely owned by Joseph W. Luter, IV. The parcel was divided as shown on the subdivision plat attached to your staff report. The "Addition" parcel was donated by Mr. Luter to Little Zion Baptist Church as an addition to the existing church property. The remainder parcel containing 1.68 acre was a gift by Mr. Luter to Anthony Porter, a long-time employee of his and his family.

The original parcel shown on the subdivision plat is separated from a much larger tract across the highway that was created by an agricultural subdivision. There is a note on the plat which requires that any use other than agricultural use requires a rezoning. This was not intended to apply to this smaller parcel, but it does and therefore requires this application for a change in zoning.

Mr. Porter intends to build a single-family residence on the property. The parcel has a site suitable for a septic system. On behalf of Mr. Porter, I respectfully request that you follow the recommendation of your staff and recommend approval of the change in zoning classification to the Board of Supervisors.

Again, I apologize for my absence but it cannot be helped due to the circumstances.

Yours very truly,

A handwritten signature in blue ink, appearing to read "W. Kiddick, III", written over the typed name.

William H. Kiddick, III

Chairman Bowser opened the public hearing.

There being no comment, Chairman Bowser closed the public hearing and called for discussion from the Planning Commission.

Commissioner Taylor asked if there was a private drive at the back of the property that was able to be connected to, to gain access to the site.

Bobby Jones stated that it was not an option as it does not have deeded access.

Commissioner Ford made the motion to send this application to the Board of Supervisors with the recommendation of approval. Commissioner Taylor seconded the motion. The motion was adopted with Commissioners Boykin, Distefano, Ford, Rawls, Taylor, Carroll and Bowser voting in favor, no Commissioners voting against (7-0).

The motion passed unanimously, and the item will go to the Board of Supervisors on December 12, 2024.

Chairman Bowser called for the next public hearing item.

REZN-24-1 Schneider Conditional Residential Rezoning Request

Application (REZN-24-1) of Jennifer and Donald Schneider II, owners, to change the zoning district from Rural Agricultural Conservation (RAC) to Conditional-Rural Residential of approximately 49 acres located off of Murphy Mill Road (Rt. 605) and Lake Point Drive (private) on tax map number 49-01-007 for the purpose of creating two residential lots with a proffered condition to prohibit further subdivisions. A waiver to Section 4-3004 of the Zoning Ordinance is also requested to create two lots larger than ten acres.

Sandy Robinson, project manager, gave the following presentation.

Application ZA-24-1
Schneider Rezoning
to
Conditional Rural Residential

Planning Commission Regular Meeting
November 12, 2024

Site Description

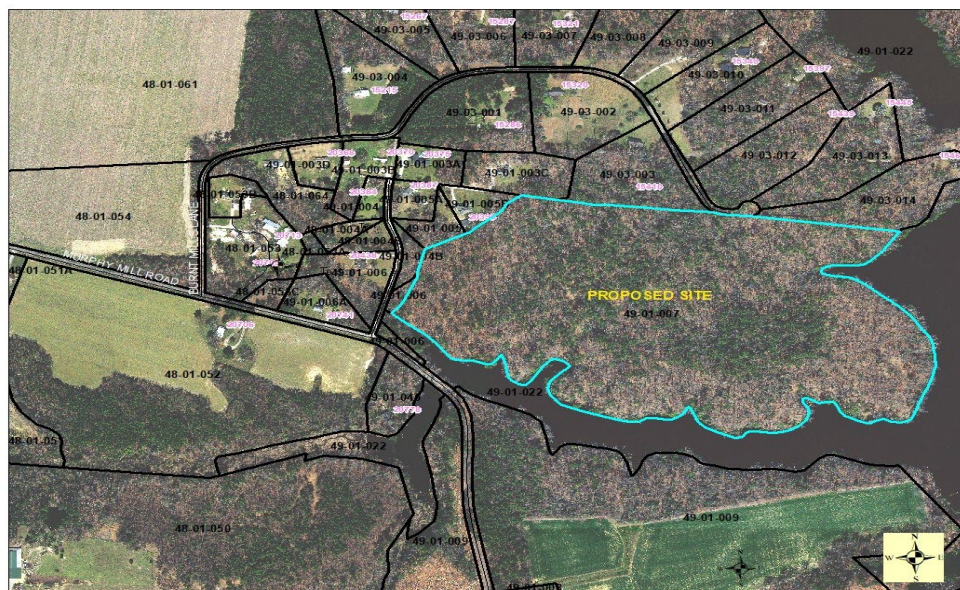
- Tax Map ID: 49-01-007
- Location: Murphy Mill Road
- Current Zoning: RAC
- Election District: D4
- Purpose: Rezone 49 acres to C-RR for single-family residential use

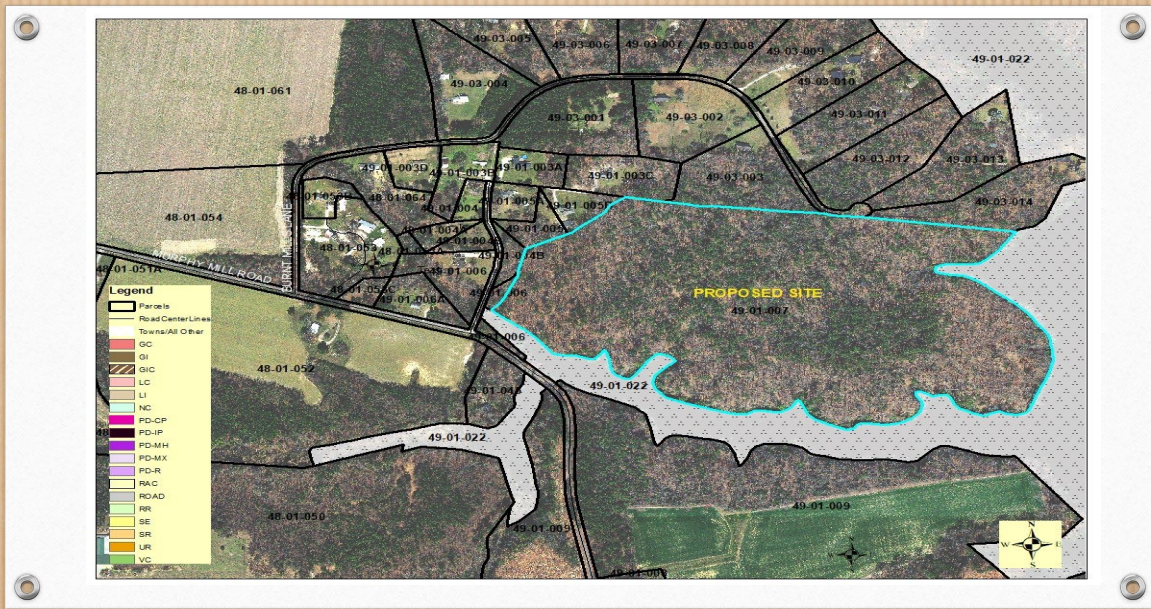
Background

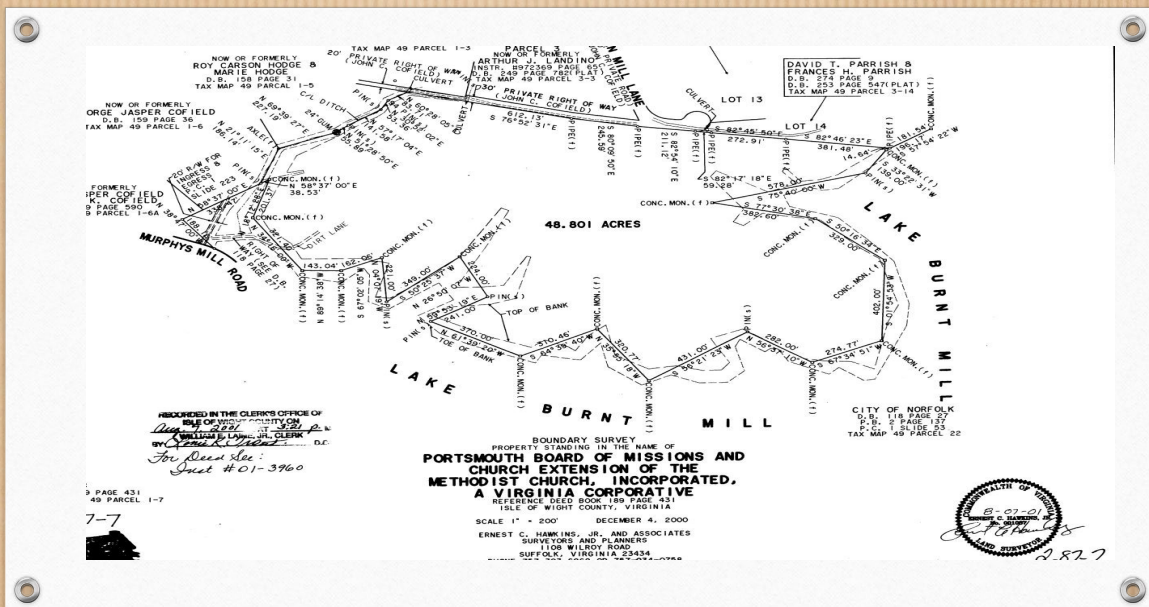
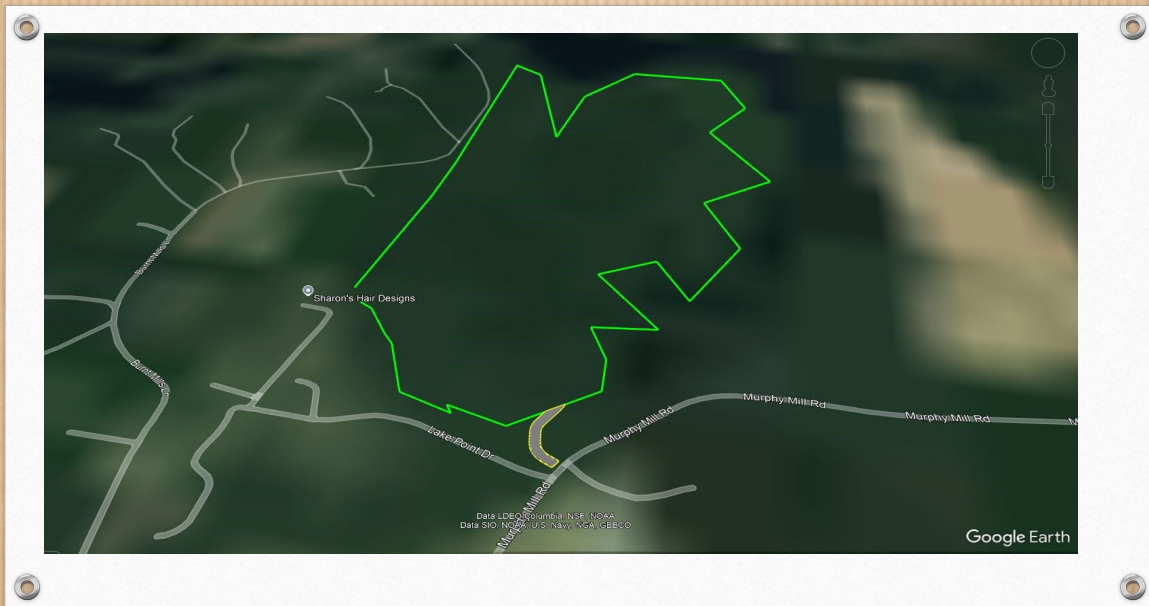
- Property, created in the 1900's, is wooded and vacant. It adjoins Lake Burnt Mill on two sides.
- Property accessed by a private thirty-foot ingress/egress easement providing direct access to Murphy Mill Road.
- Easement was created by the City of Norfolk in 2007 in order for this parcel to have exclusive access to Murphy Mill Road, and the original access easement to Lake Point Drive was vacated.
- Under the sliding scale option in the RR zoning district, one new lot is allowed. If this rezoning is approved, there will be no more rezoning options for this property.
- Owner has proffered no further subdivision of the property including family member transfers.

Background

- Owner has requested waiver to allow the two parcels to be larger than ten acres, so it can be divided half.
- Capital Impacts Model results show there is existing capacity for public facilities in the southern service area.
- There is no Special Flood zone designation.
- Property is in the Chesapeake Bay Preservation Area Overlay district and does contain a 100' RPA Buffer.







A wide-angle photograph of a paved road leading into a wooded area. On the left, a dark car is parked near a white structure. The road is flanked by green grass and trees. A small white arrow points forward on the road surface.



The following departments have no concerns with the rezoning application as presented:

- General Services
- Fire and Rescue
- Environmental Planner
- Virginia Department of Transportation
- AOSE Soil Scientist
- County Attorney

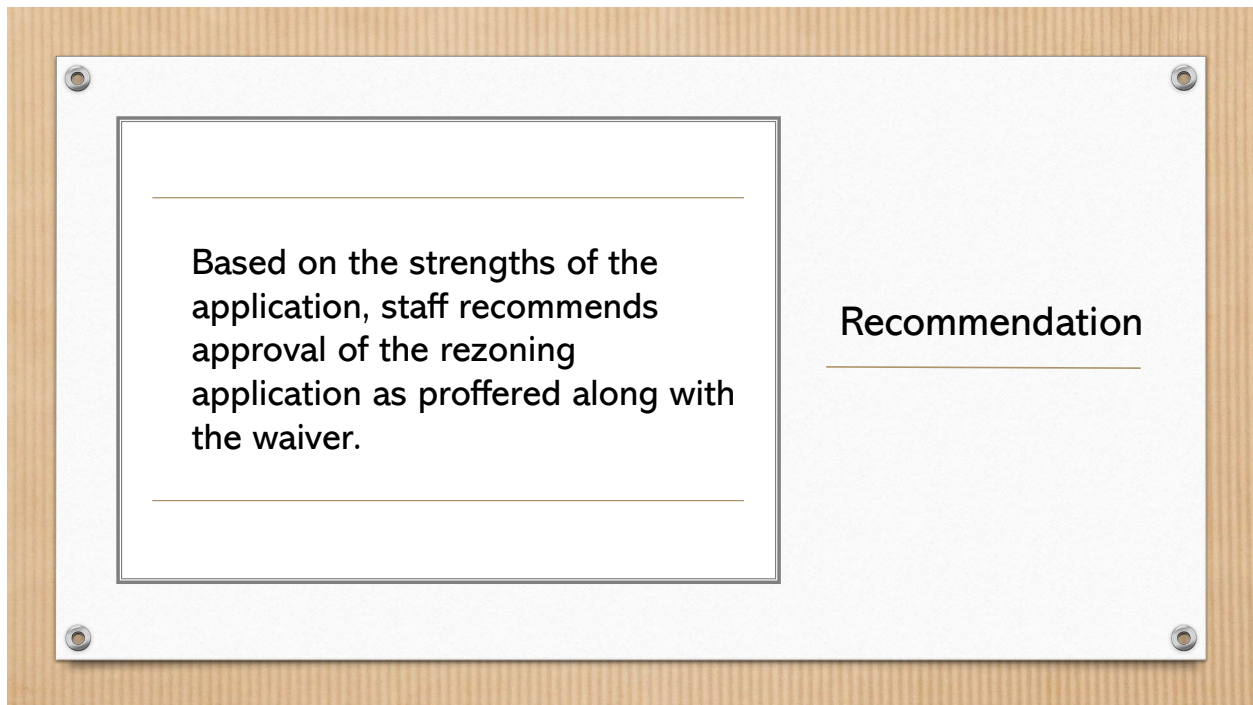
Strengths

- The application is compatible with the existing land uses in the vicinity.
- The proposal is on a private ingress/egress easement as required by the RR zoning designation.
- The proposal is within the guidelines of the Future Recommended Land Use Plan Designation.

Weakness:

- The sliding scale option limits a maximum lot are of ten acres with BOS approval.

Staff Analysis



Chairman Bowser opened the public hearing and invited the applicant to speak.

Tim Fallon, Land Surveyor, 11059 Windsor Way, Windsor, stated that Sandy covered all the basics of the application, and he is available for questions if needed.

There being no public comment, Chairman Bowser closed the public hearing and called for discussion from the commissioners.

Commissioner Boykin made the motion to send this application to the Board of Supervisors with the recommendation of approval for the rezoning application and the waiver as requested.

Commissioner Ford seconded the motion. The motion was adopted with Commissioners Boykin, Distefano, Ford, Rawls, Taylor, Carroll and Bowser voting in favor, no Commissioners voting against (7-0).

The motion passed unanimously, and the item will go to the Board of Supervisors on December 12, 2024.

OLD BUSINESS

Amy Ring confirmed there are no old business items.

NEW BUSINESS

Amy Ring confirmed the Planning Commission need to adopt a resolution to make the appointments for the Energy Subcommittee.

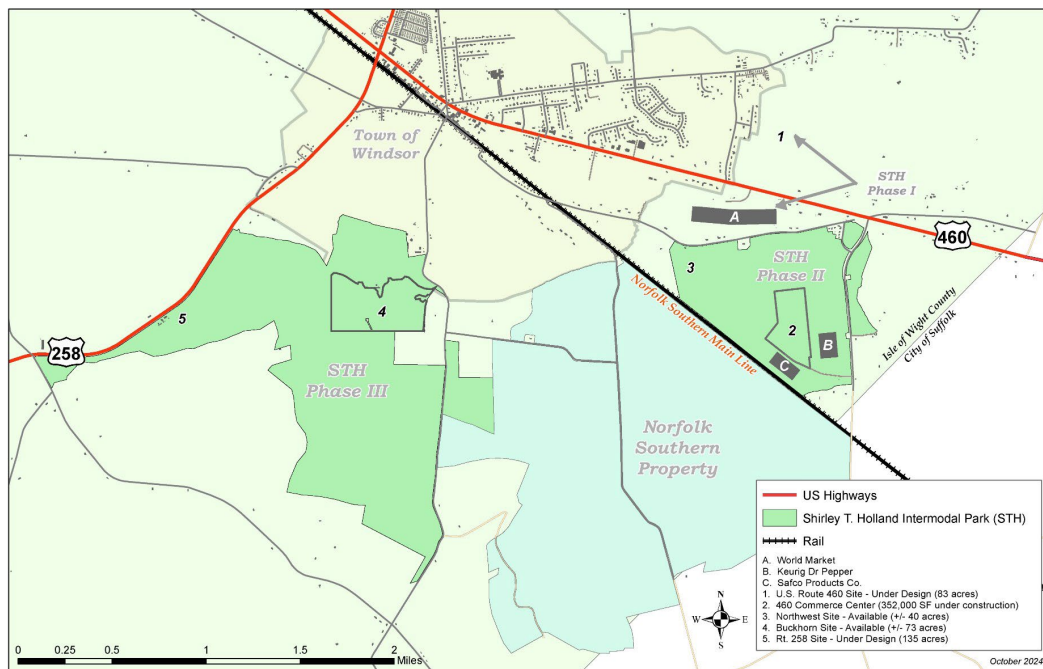
Commissioner Distefano made the motion to establish the Energy Subcommittee as part of the Planning Commission and recommended himself and Commissioner Smith as the members of the subcommittee. Commissioner Carroll seconded the motion. Chairman Bowser asked for all in favor to signify by saying aye. The motion passed unanimously.

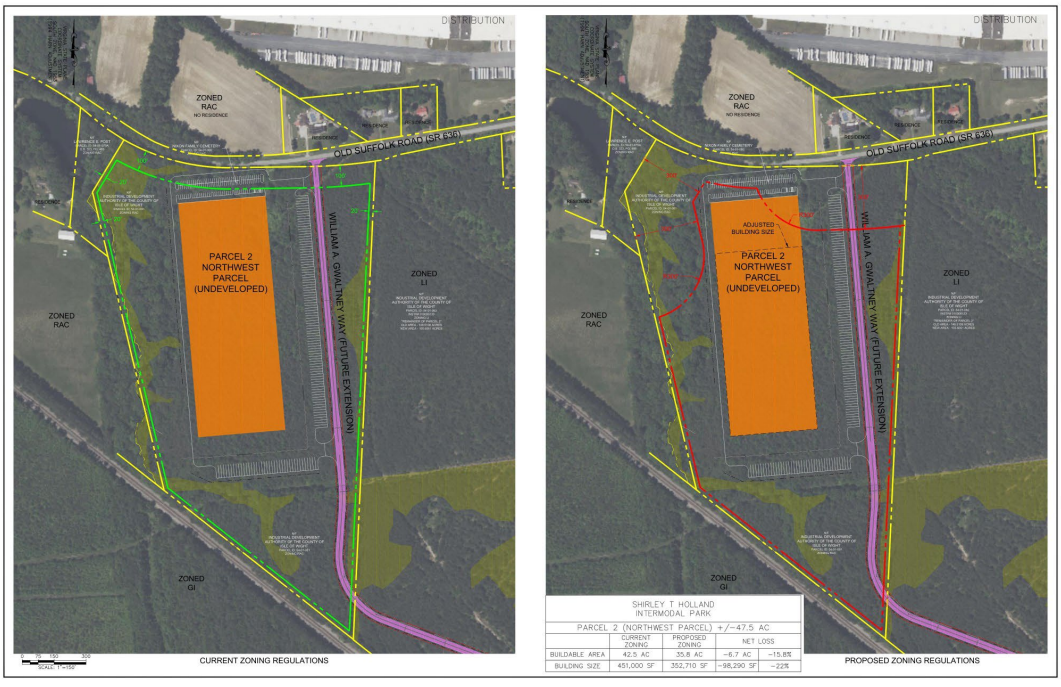
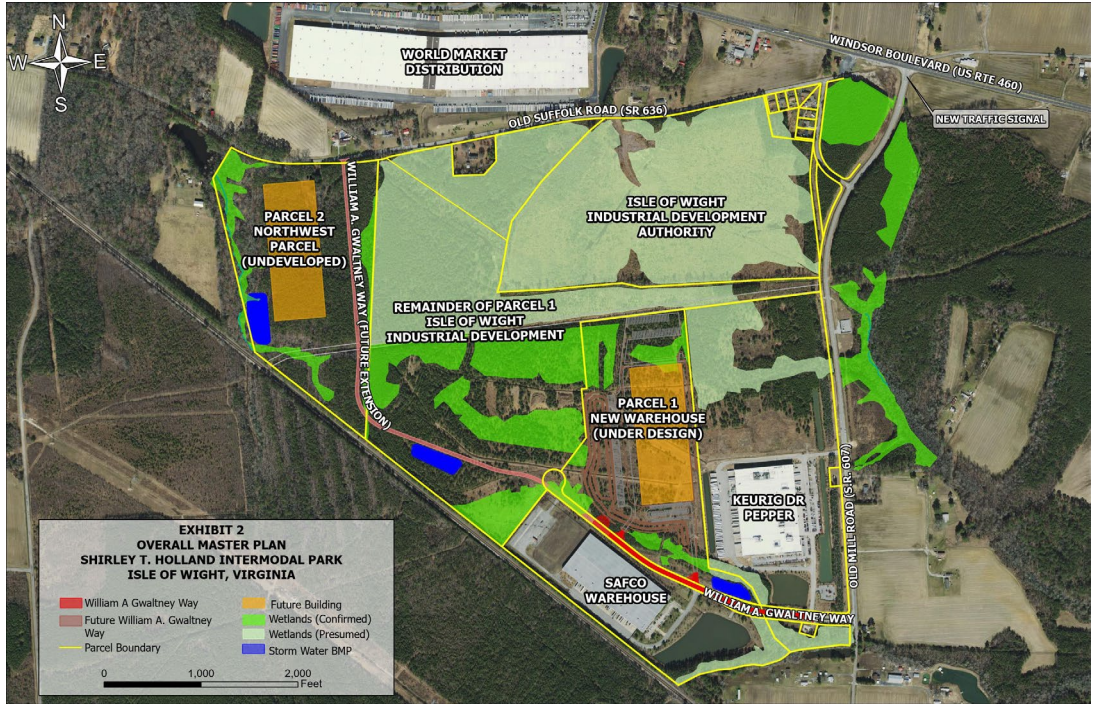
COUNTY ATTORNEY'S REPORT

Bobby Jones confirmed there were no items for the county attorney's report.

PLANNING DIRECTOR'S REPORT

Kristi Sutphin, Economic Development Director, shared her findings from the analysis that was conducted for the potential impacts of the proposed setbacks for industrial uses adjacent to residential by giving the following presentation.





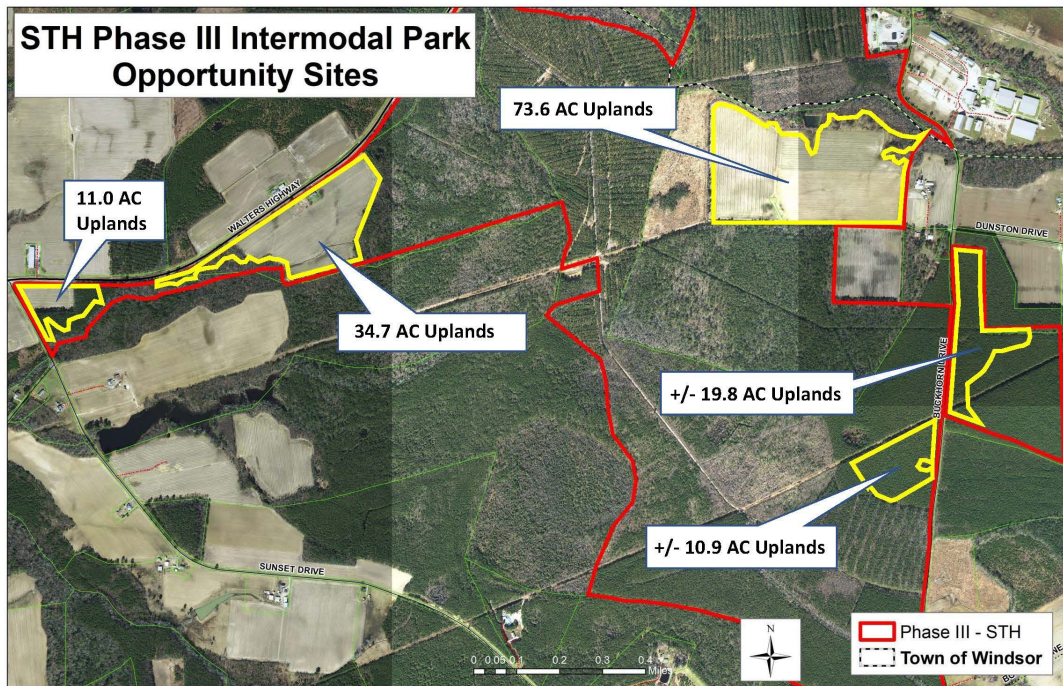


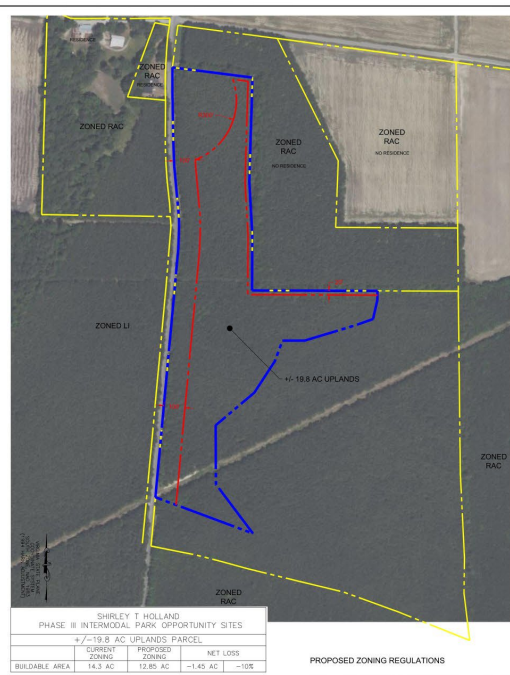
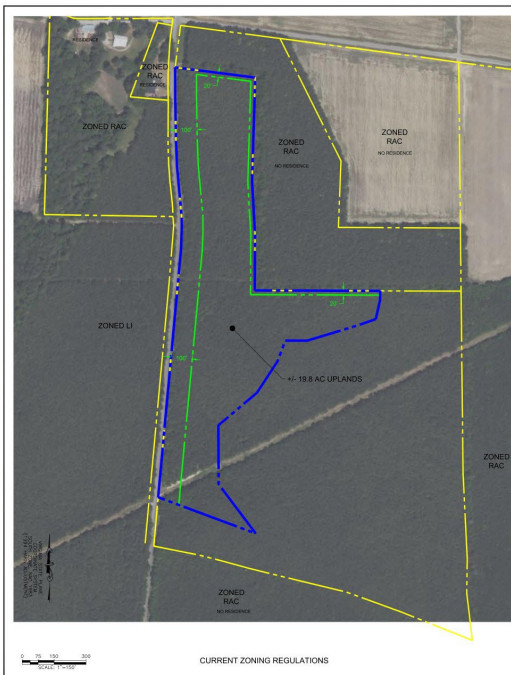
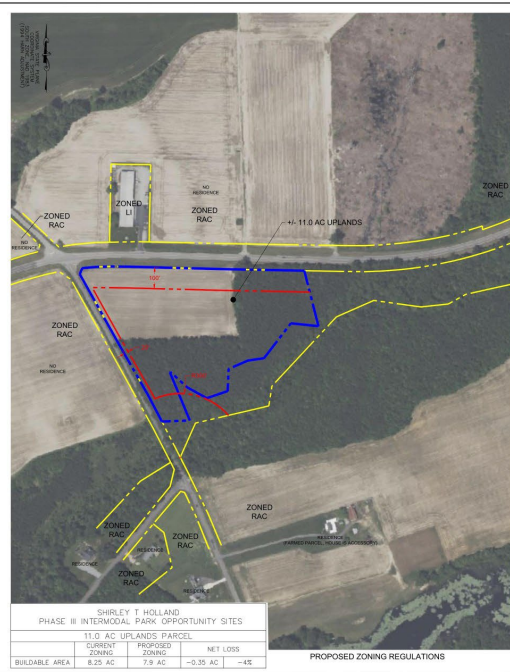
CURRENT ZONING REGULATIONS

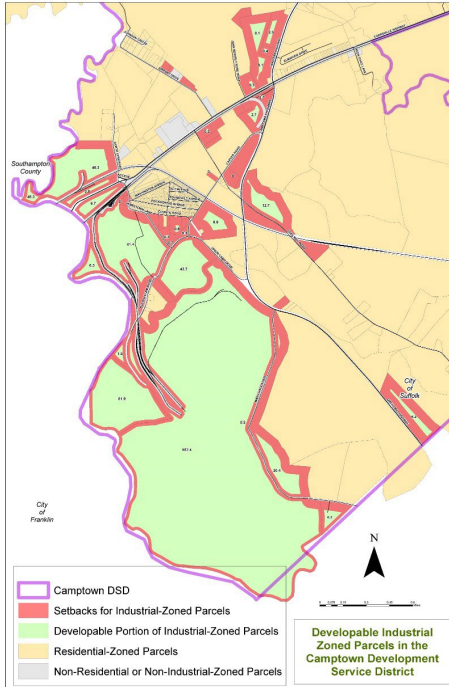


PROPOSED ZONING REGULATIONS

SHIRLEY T. HOLLAND INTERMODAL PARK				
PHASE 2 +/- 82.3 AC				
	CURRENT ZONING	PROPOSED ZONING	NET LOSS	
BUILDABLE AREA	72.2 AC	64.4 AC	-7.8 AC	-11%
BUILDING SIZE	1,143,950 SF	886,850 SF	-257,100 SF	-23%

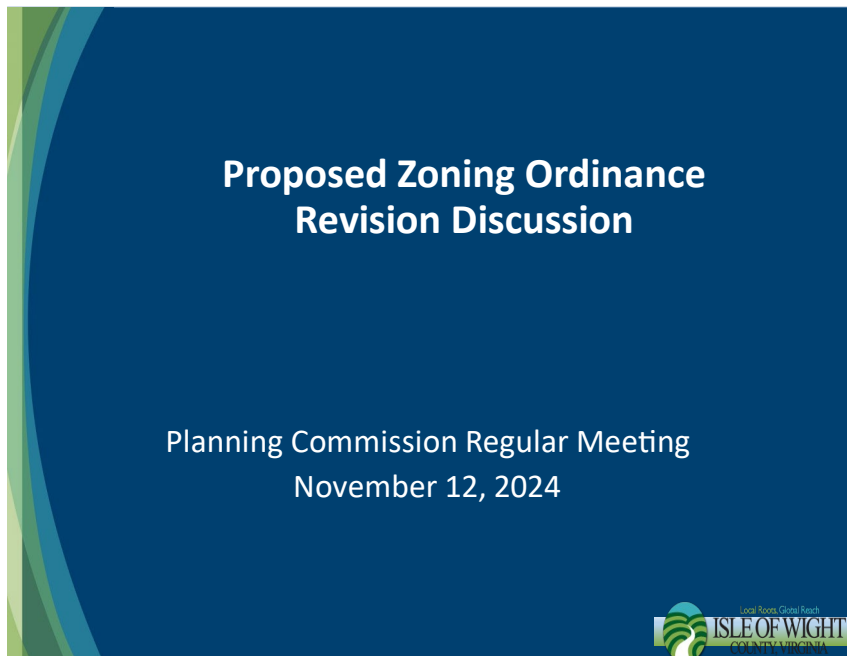






A brief discussion was had on the potential impacts of the proposed ordinance changes on some of the Economic Development Authority properties.

Ms. Ring gave the following presentation on the changes made to the proposed setbacks from the October meeting.



Background

Planning Commission continued its discussion of proposed changes to the industrial use setback requirements at their October 22, 2024, regular meeting.



Industrial District Setbacks

For parcels directly adjacent to a residential use or district whose principal use is residential, the minimum setback shall be **300 feet from the property line**. Within the required setback, there shall be no development, clearing, grading, or construction activity with the following exceptions:

- a. Roadway or driveway access to the portion of the site not in the minimum residential setback is permitted provided that it is approximately perpendicular to the arterial public right-of-way;
- b. Water, sanitary sewer, storm drainage, including stormwater management ponds, electrical, telephone, natural cable, and utility service lines may be installed below the surface of the ground at right angles, provided that the natural vegetation is preserved and protected to the greatest extent practicable, and landscaping requirements are met;
- c. Sidewalks, pedestrian pathways and bicycle paths designed to provide continuous connection along the road corridor may be permitted, provided that they can be constructed without materially reducing the screening and visual softening capacity of the required landscaping.



Industrial District Setbacks

- d. Signs are permitted in accordance with article IX;
- e. Clearing for sight distances is permitted at the entrances and exits to any development as needed to provide for reasonable traffic safety, in accordance with accepted traffic engineering practices recommended or required by the Virginia Department of Transportation;
- f. The trimming of existing limbs or branches of preserved trees is permitted when approved by the zoning administrator;
- g. When, in the opinion of the zoning administrator, the addition of plantings and earthen berms or masonry walls would better achieve the purposes of this district in lieu of the landscaping requirements of the perimeter zone.
- h. There shall be an earthen berm with a minimum height of ten (10) feet installed in the required set back between the residential use and the industrial use.**
- i. A sound study shall be required with the submittal of the application for the industrial use.**



A brief discussion was had on the proposed ordinance changes and agreed that additional information is needed, to include a comparison with other localities' setback requirements and the financial impact to the EDA properties, before going to public hearing.

There being no further information to discuss, Chairman Bowser adjourned the meeting at 7:01 PM.

Adopted this _____ day of _____, 2024

Bobby Bowser, Chairman, Isle of Wight County Planning Commission

Attest: _____
Amanda Landrus, Secretary

PLANNING REPORT

ATTACHMENTS:

Description	Type	Upload Date
November 18, 2024 Board of Supervisors Action List	Cover Memo	12/31/2024

ACTION LIST
BOARD OF SUPERVISORS
November 21, 2024

1. Approval of Agenda: Supervisor McCarty moved that the agenda be approved. The motion was adopted unanimously (5-0) with Supervisors Acree, Rosie, Jefferson, Rountree and McCarty voting in favor of the motion and no Supervisor voting against the motion.

2. Closed Meeting

No action was taken following the closed meeting.

3. Citizens' Comments

- A. Ed Schweigor, of 15981 Breezy Hill Lane, gave an overview of why he thought the potential plans for a new indoor Farmers Market would be a great investment. It would help with parking, restrooms, electricity, and weather issues.
- B. Bob Hayes, with the Western Tidewater Free Clinic, thanked the Board and the citizens of Isle of Wight for their ongoing support.
- C. Mary Harkins, of the Newport District, stated she would like the County to consider having a Sheriff Citizen's review committee pursuant to Virginia Code Section 9.1-600.
- D. Judy Eure of Suffolk, vendor of the Farmers Market, expressed her thoughts as to why an indoor the Farmer Market would be such an asset to Isle of Wight. It would help with parking issues and more restrooms.
- E. Jane Schweiger, of 15981 Breezy Hill Lane, spoke in favor of the potential new Farmers Market.
- F. Herb DeGroff, with the Fifth District of Isle of Wight County, asked the Board to consider using Economic Development money to build an Aldi in the County.
- G. Carrie Robertson, of Suffolk, vendor of the Farmers Market, is an advocate for the indoor Farmers Market. It would help with the weather issues.
- H. Sabrina Dooley, Smithfield Markert Manager, gave an overview of why she thought the indoor Farmers Market would be beneficial not just for the vendors, customers, community and local economy.

- I. Eunize Goaiz, of 4443 Betty's Lane Smithfield, owner of Aurora's Bakery, spoke in favor of the indoor Farmers Market.
- J. Yuriko Leverich, of Suffolk, owner of Whimsical Treasures, supported the potential indoor Farmers Market.

4. Consent Agenda

Following an overview by County Administrator Keaton, Supervisor McCarty made the motion to accept the Consent Agenda, and it was adopted unanimously (5-0) with Supervisors Acree, Rosie, Jefferson, Rountree and McCarty voting in favor of the motion and no Supervisor voting against the motion:

- A. Budget Amendment- Insurance Proceeds
Resolution to Budget and Appropriate Insurance Proceeds from VaCorp Insurance for Repair and Replacement of County Vehicles (\$2,475)

Assignment: Wells

- B. Budget Amendment - Schools' Unexpended Funds Reappropriation
Resolution to Amend the Budget and Appropriate Unexpended FY2023-2024 Funding (\$819,407)

Assignment: Wells

- C. Parks & Recreation Master Plan
Resolution to Adopt the Parks and Recreation Comprehensive Master Plan

Assignment: Frickanisce

- D. Smithfield Sidewalk Project
Agreement for the Smithfield Sidewalk Project

Assignment: Oliver

- E. Minutes
- November 21, 2024, Regular Meeting Minutes

Assignment: Denney

5. Regional and Inter-Governmental Reports

- A. Hampton Roads Transportation Planning Organization/Hampton Roads Transportation: Supervisor McCarty gave an update stating that the region adopted primary and secondary road funds. This will allow the County to be able to address other transportation issues that our localities need as well as throughout the entire region.
- B. Supervisor Rountree gave an overview of the Retreat that took place on October 25, 2024.

6. Appointments

- A. Camp Community College Board: Supervisor Rountree reappointed Roderick Hallum. The motion was adopted unanimously (5-0).
- B. Fire Rescue Advisory Board: Supervisor Jefferson appointed Chuck Mullins to replace Scott Brower. The motion was adopted unanimously (5-0).
- C. Virginia Alcohol Safety Program: Supervisor Jefferson appointed Corporal Chad Beale to replace Kimberly Davenport. The motion was adopted unanimously (5-0).
- D. Children's Services Act-Policy & Management Team: Supervisor Rosie appointed Jennifer Honeycutt to replace Dahlis Atkins. The motion was adopted unanimously (5-0).
- E. Senior Services of Southeastern Virginia: Supervisor Rosie reappointed Pam Baron. The motion was adopted unanimously (5-0).
- F. County Fair Committee: Supervisor McCarty appointed Chairman: Robie Claud, First Vice Chair: Michelle Billups, Second Vice Chair: Theresa Woodall, Secretary: Kim Garrett, Treasurer: Lauren Bradshaw. The motion was adopted unanimously (5-0).

7. Special Presentations / Appearances

- A. Commissioner of the Revenue Recognition Resolution to Recognize Gerald Gwaltney as the Longest Serving Elected Commissioner of the Revenue in Isle of Wight County
- B. County Fair Update County Fair Committee Report on the 2024 County Fair: Jenilee Hallman, Fair Coordinator, and Chairman Robie Claud gave a summary of the 2024 County Fair. They also gave an update for the upcoming Spring and Fall Fair.

8. County Attorney's Report:

A. By-Laws and Rules of Procedure Review of Isle of Wight County Board of Supervisors' Bylaw's and Rules of Procedure- Mr. Jones stated he would like the Board to review the bylaws by next December Regular meeting. By Virginia code nothing was passed this year that would affect what is in the County's current bylaws for statutory requirements. It would be an amendment to the Boards procedures if the Board chooses to change bylaws.

Assignment: Jones

9. Public Hearings

A. Proposed Accessory Dwelling Unit, Recreational Vehicle and Wayside Stand Zoning Ordinance Changes Ordinance to Amend the Following Sections of Appendix B. Zoning: Article V (Supplementary Use Regulations), Section 5-5002.L, "Recreational Vehicles (RVs) and Watercraft," to Allow the Use of RVs for Temporary Residential Use Under Certain Conditions, Section 5-5001.K, "Wayside Stands," to Reduce the Front Yard Setback Requirements Subject to Height and Sight Triangle Requirements, and Section 5- 5002.A, "Accessory Apartments," to Allow Stand-Alone Accessory Dwelling Units Subject to Size and Height Requirements. Supervisor McCarty motioned that it be adopted as the language was presented (5-0) with Supervisors Acree, Rosie, Jefferson, Rountree and McCarty voting in favor of the no Supervisor voting against the motion.

Assignment: Ring

A. Personal Property Tax Exemption Ordinance to Amend the Personal Property Tax Exemption for Disabled Veterans The motion was made by Supervisor McCarty to approve the amendment as presented. It was adopted (5-0) with Supervisors Acree, Rosie, Jefferson, Rountree and McCarty voting in favor of the motion and no Supervisor voting against the motion.

Assignment: Gwaltney

B. Business License Fees Ordinance to Amend the Threshold for Business License Fees

The motion was made by Supervisor McCarty to amend the threshold as presented and was adopted (5-0) with Supervisors Acree, Rosie, Jefferson, Rountree and McCarty voting in favor of the motion and no Supervisor voting against the motion.

Assignment: Gwaltney

Following the break Supervisor Rountree asked Chairman Acree to amend the proposed Agenda to move New Business to be discussed next. The motion was adopted (5-0) with Supervisors Acree, Rosie, Jefferson, Rountree and McCarty voting in favor of the motion and no Supervisor voting against the motion.

10. New Business

A. EXC-4-24 Hall NDSO Exception Request Application of Hall Family Partnership LLC, Applicant and Owner, for an Exception to Section 6-2010.A.3.a of the Newport Development Service Overlay (NDSO) District Regulations in the Zoning Ordinance for the Property Located at 20168 Regal Circle for an Exception to the NDSO Design Standards for Building Façades: Chairman Acree moved to approved as presented. The motion was adopted (5-0) with Supervisors Acree, Rosie, Jefferson, Rountree and McCarty voting in favor.

Assignment: Blowe

B. EXC-24-1 Davis Subdivision Ordinance Waiver Request Application EXC-24-1 of Charles Davis, Jr. and Kimberly Davis, Owners, for a Waiver to Section 3.2.4.A.4 and Section 5.9.1.C of the Subdivision Ordinance to Allow a Family Member Subdivision from Tax Map Parcel 31-01-019A on a Private Thirty-foot Ingress/Egress Easement Not Built to Public Standards Which Serves More Than Two Lots. Chairman Acree moved to approved as presented. The motion was adopted (5-0) with Supervisors Acree, Rosie, Jefferson, Rountree and McCarty voting in favor.

Assignment: Robinson

11. County Administrator's Report

- A. Transportation Update: Jamie Oliver gave an update on the Nike Park extended projects, Bartlett Intersection, Benns Grant Blvd/Brewers Neck water issue, and light issues on 258.
- B. Matters for the Board's Information: County Administrator Keaton gave an update on the sales tax report.

11. Unfinished / Old Business

- A. Farmers Market Consideration of Transferring Funding to the Economic Development Authority for the Proposed Farmers Market. Supervisor Rountree made the motion to accept the resolution to budget an appropriate fund balance in the amount of \$1.4M for the Proposed Farmers Market. The agreement was adopted (5-0) with Supervisors Acree, Rosie, Jefferson, Rountree and McCarty voting in favor of the motion and no Supervisor voting against the motion.

Assignment: Winslow

- B. Bennis Church Blvd/Turner Dr Intersection Improvements Update Re: Potential Bennis Church Blvd/Turner Dr Intersection Improvements as Outlined in the Bennis Church Master TIA. Supervisor McCarty made the motion to authorize the execution of the state aid project administration agreement construction of Bennis Church Blvd/Turner Dr Intersection. The motion was adopted (5-0) with Supervisors Acree, Rosie, Jefferson, Rountree and McCarty voting in favor

Assignment: Oliver

Supervisor McCarty motioned to cancel the December 12th, 2024, work session meeting. The motion was adopted 5-0) with Supervisors Acree, Rosie, Jefferson, Rountree and McCarty voting in favor.

PLANNING REPORT

ATTACHMENTS:

Description	Type	Upload Date
December 12, 2024 Board of Supervisors Action List	Cover Memo	12/31/2024

ACTION LIST
BOARD OF SUPERVISORS
December 12, 2024

1. Approval of Agenda: Supervisor McCarty moved that the agenda be approved. The motion was adopted unanimously (4-0) with Supervisors Acree, Rosie, Jefferson, and McCarty voting in favor of the motion and no Supervisor voting against the motion.

2. Closed Meeting

No action was taken following the closed meeting.

3. Citizens' Comments

No Comments

4. Consent Agenda

Following an overview by County Administrator Keaton, Supervisor McCarty made the motion to accept the Consent Agenda, and it was adopted unanimously (4-0) with Supervisors Acree, Rosie, Jefferson and McCarty voting in favor of the motion and no Supervisor voting against the motion:

A. Budget Amendment- EMS Equipment Resolution to Amend the Budget and Appropriate Funding to Outfit Apparatus for EMS (\$88,000)

Assignment: Wells

5. Regional and Inter-Governmental Reports

- A. Supervisor Rosie met with the Hampton Roads Military Federal Facilities Alliance. There was a discussion that in the upcoming year about possibly partnering with them to bring new job opportunities to our local area.
- B. Randy Keaton, County Administrator gave an overview of the SPSA landfill issues. Mr. Keaton suggested a joint meeting with the elected officials of the Western communities within the next three months. There are two new different processes that can be done. The county has a year to evaluate the new processes.

6. Appointments

- A. Supervisor McCarty made the motion to appoint Rhonda Steer for the Adults with Disabilities committee.

The motion was adopted unanimously (4-0) with Supervisors Acree, Rosie, Jefferson, and McCarty voting in favor of the motion and no Supervisor voting against the motion.

7. Special Presentations / Appearances

- A. Annual Financial Report Presentation of the County's Annual Comprehensive Financial Report

Aaron Hawkins, representative of Robinson, Farmer, Cox Associates, gave a brief overview of the Annual Financial Report.

- B. Quarterly Financial Report Staff Presentation re: Quarterly Financial Report for FY2024-25

Stephanie Wells, Director of Finance, gave a brief overview of the Quarterly Financial Report for FY2024- 25.

- C. Holiday Schedule Discussion of Holiday Schedule Conflicts

Laura Smith, Clerk of Court, spoke about the holiday conflicts with the County's holiday schedule. The County Administrator will bring a recommendation to the board for consideration at its meeting in January.

8. County Attorney's Report:

- A. By-Laws and Rules of Procedure Review of Isle of Wight County Board of Supervisors

- B. William Piland at 108 Water Point Moon Lane in Smithfield would like a no-wake zone to be considered off the Pagan River. There is no official process, and the suggestion would be for Mr. Piland to attend a Board meeting and during make a request citizens comments.

Assignment: Jones

9. Public Hearings

A. REZN-24-1 Schneider Conditional Residential Rezoning Request Application (REZN-24-1) of Jennifer and Donald Schneider II, Owners, to Change the Zoning District from Rural Agricultural Conservation (RAC) to Conditional-Rural Residential of Approximately 49 Acres Located off of Murphy Mill Road (Rt. 605) and Lake Point Drive (Private) for the Purpose of Creating Two Residential Lots with a Proffered Condition to Prohibit Further Subdivisions and Request a Waiver to Section 4-3004 of the Zoning Ordinance to Create Two Lots Larger Than Ten Acres

Chairman Acree motioned that the application be approved with the zoning ordinance waiver. The action was adopted unanimously waiver (4-0) with Supervisors Acree, Rosie, Jefferson, and McCarty voting in favor of the no Supervisor voting against the motion.

Assignment: Robinson

B. REZN-24-6 Meade Conditional Residential Rezoning Request Application (REZN-24-6) of Karen Marie and Robert B. Meade, Owners, for a Change in Zoning Classification from Rural Agricultural Conservation (RAC) to Conditional-Rural Residential (C-RR) of Approximately Six Acres Which Includes a Proffer for No Further Subdivision of the New Lot

Supervisor Rosie motioned that the application be approved as presented. The motion was adopted unanimously (4-0) with Supervisors Acree, Rosie, Jefferson, and McCarty voting in favor of the no Supervisor voting against the motion.

Assignment: Robinson

C. REZN-24-7 Porter Residential Rezoning Request Application (REZN-24-7) of Anthony Porter, Owner, for a Change in Zoning Classification from Rural Agricultural Conservation (RAC) to Rural Residential (RR) of 1.68 Acres and a Waiver to Section 4-3004 of the Zoning Ordinance to Allow a Private Driveway on a Primary State Highway

Supervisor Jefferson motioned the application be approved as presented. The motion was adopted unanimously (4-0) with Supervisors Acree, Rosie, Jefferson and McCarty voting in favor of the no Supervisor voting against the motion.

Assignment: Robinson

10. County Administrator's Report

A. James River Bridge Maintenance- Staff report on upcoming James River Bridge maintenance

Jamie Oliver, Transportation Manager spoke about the upcoming emergency repairs to the Northbound panels on the draw bridge and the tentative plan is to close the James River Bridge Northbound Lane February 21st through February 24th, 2025. The detour will be the Monitor Merrimac Bridge Tunnel.

B. Board of Supervisors' Meeting Schedule Consideration of the Board of Supervisors' Meeting Schedule for Calendar Year 2025

Supervisor McCarty motioned that the Organizational meeting be moved from 11am to 6pm. The motion was adopted (4-0) with Supervisors Acree, Rosie, Jefferson, and McCarty voting in favor of the motion and no Supervisor voting against the motion.

C. Matters for the Board's Information

11. Unfinished / Old Business

None

12. New Business

None

13. Closed Meeting

No Action

14. Adjournment

PLANNING REPORT

APPLICATION:

Application (CSUP-24-2) of Joshua Mathias, applicant, and Oak Level Acres, LLC, property owner, for a conditional use permit to establish an event center use on approximately seven acres located at 15107 Courthouse Hwy (Rte. 258) on tax parcel 30-01-045B in the Rural Agricultural Conservation zoning district

ELECTION DISTRICT:

D4

LOCATION:

The proposed project is located at 15107 Courthouse Hwy. (Rte. 258). The access to the site is located directly on Courthouse Hwy. The property is surrounded on the north and south sides by farm fields. To the west of the site is a vacant field. To the east, there is forested land. The County complex is further to the south on Courthouse Hwy. There is additional scattered residential development to the north and south along Courthouse Hwy. A property location map is attached to this staff report.

BACKGROUND:

The seven acre project is situated on a parcel consisting of approximately 10.5 acres and zoned RAC. The property currently has an historical single family dwelling built in approximately 1798 with associated outbuildings. The 10.5-acre parcel was created from the large farm parcel in 1995. The applicant applied for a conditional use permit for the event center and short-term rental in May 2024.

DESCRIPTION:

The applicant has proposed to use the property for weddings, banquets or similar events. The applicant has also applied to use the existing home as a short-term rental. Customers using the property will have access to the home either to prepare events or to use as a short-term rental. Event size can range from 20 to 200 people. No additional development is proposed with this application. The site layout will include one acre of parking and the remaining six acres will be used as part of the event center use. Attached to this report is a proposed rental agreement outlining the proposed tiered packages for any events. The applicant has stated that all events must be concluded by 10 PM. A concept plan is attached to this

staff report.

COMPREHENSIVE LAND USE PLAN:

The future recommended land use designation for these properties is Rural Agricultural Conservation (RAC) on the future recommended land use map in the County Comprehensive Plan.

Appropriate uses for the RAC land use designation include agriculture, horticulture, forest lands, and scattered low-density residential uses. Other uses such as resource extraction and utility-scale solar facilities are also permitted when appropriately sited with a Conditional Use Permit.

A small portion of the property's future land use designation is Environmental Conservation (EC). Appropriate uses for the EC land use designation include wetlands, farms, forest uses, open space, and limited park facilities. The area designated as EC should be preserved due to environmental constraints unless site-specific analysis demonstrates there are no environmental concerns in a specific area.

The proposed use can be considered generally consistent with the future recommended land use designation, as the applicant is not proposing any additional development and the use is permitted with a conditional use in the zoning district. The proposed use preserves the historical buildings on the property and the rural viewshed from Route 258.

ORDINANCE REVIEW:

The zoning district classification for the subject parcels is RAC. The RAC zoning district is intended to preserve and protect areas of the County that are predominantly in agricultural and forestal uses and to maintain the existing land base to support those activities.

The applicant proposes an event center. These facilities are permitted as conditional uses in the RAC zoning district and may be considered compatible with appropriate conditions to mitigate any potential negative impacts on the surrounding community.

Section 1-1017 of the Zoning Ordinance provides standards for review of a

conditional use application that the Planning Commission and Board of Supervisors shall consider before granting a conditional use permit. They are as follows:

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, no 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 of 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 be applicable;
2. Traffic conditions, including facilities for pedestrians, such as sidewalks and parking facilities; the access of vehicles to roads, peak period 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 resources or landmarks.

Should the CUP be approved, the applicant will be required to submit a site plan for review and approval in accordance with Zoning Ordinance requirements and conditions of approval.

AGENCY REVIEW:

The application was forwarded to the following departments for their review, and staff received the following comments:

- Fire Rescue: Requests that traffic control measures be added as a condition of approval. Traffic control should be in place during the beginning and ending of events.
- Sheriff's Department: No concerns with the application as submitted, however security measures should be considered for events of 100 guest or more.
- Health Department: In order for the kitchen to be used for the events, the applicant would have to apply to be in the health department food program. The kitchen would have to be approved essentially as a commercial kitchen. Any water used in conjunction with the use shall be included in the analysis of the wastewater characterization study.
- Economic Development: Concerns addressed.
- IOW Musuem: After reviewing the application for the conditional use permit for the above referenced property, the Isle of Wight County Museum/Isle of Wight County Department of Historic Resources has found no objections or concerns with the application as there are no plans to construct any additional structures on the property. The nearest cultural, archaeological and/or historic resources to the site do not appear to be adversely impacted by the proposed usage, and the proposed activities will not impact the interpretation or

discovery of Isle of Wight County history.

- VDOT: The existing entrance should be widened to accommodate two-way traffic. The design should be in accordance with VDOT Road Design Manual Appendix F, moderate volume commercial entrance with a 30-foot width. A land use permit is also required for any work performed in the VDOT right-of-way.

STAFF CONCLUSIONS:

Strengths:

1. The application creates a service for the community and supports the County through its economic impact.
2. The proposed use will have minimal impact on community facilities and resources.
3. The nearest residence is approximately 1000 feet away

Weaknesses:

1. The access to the site is off a main highway. Events on the site create an influx of traffic on several county roads on event days.

STAFF RECOMMENDATION:

Based on the identified strengths and weaknesses, staff recommends approval of the conditional use permit with the following conditions: 1. Traffic control measures must be in place at the beginning and end of each event. 2. Events larger than 100 guests shall include security of some kind 3. A commercial entrance must be installed. 4. No more than 200 guests per event.

ATTACHMENTS:

Description	Type	Upload Date
Application	Backup Material	1/17/2025
Concept Plan	Backup Material	1/17/2025
Statment of Reason	Backup Material	1/17/2025
Draft Rental Agreement	Backup Material	1/17/2025
Location Map	Backup Material	1/17/2025
Closeup Map	Backup Material	1/17/2025
Zoning Map	Backup Material	1/17/2025
Land Use Map	Backup Material	1/17/2025

C. APPLICATION INFORMATION:

Applicant(s) Name(s): Joshua H. Mathias

Address: 4576 Greenlaw Dr.

City, State, Zip Code: Virginia Beach, VA 23464

Phone No.: 757-402-9807 Email: info@oaklevelacres.com Fax No.: N/A

Property Owner(s) Name(s): Oak Level Acres, LLC

Address: 15107 Courthouse Hwy

City, State, Zip Code: Smithfield, VA 23430

Phone No.: 757-402-9807 Email: info@oaklevelacres.com Fax No.: _____

Joshua H. Mathias

03 / 19 / 2024

Applicant Signature

Date

Owner Signature if different

Date

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
____ 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: ASB

Date: Aug. 2024

**COUNTY OF ISLE OF WIGHT
DISCLOSURE OF REAL ESTATE HOLDINGS**

Applicant Joshua H. Mathias

Address 4576 Greenlaw Dr.

Virginia Beach
City

Street
VA
State

23464
Zip

REAL ESTATE HOLDINGS TO BE AFFECTED

Location or Address	Description
15107 Courthouse Hwy., Smithfield, VA	Proposed venue; please see Exhibit A

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
Oak Level Acres, LLC	15107 Courthouse Hwy., Smithfield, VA

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[x]
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: Joshua H. Mathias
Printed or Typed Name

Applicant: *Josh Mathias*
Signature

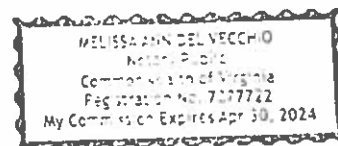
Date: 3/22/2024

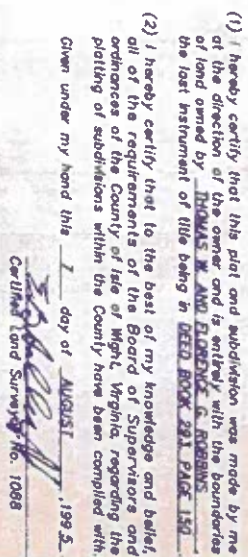
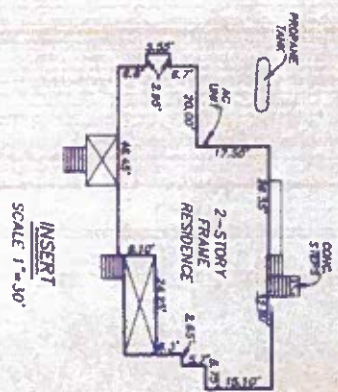
Commonwealth of Virginia
County of ~~Isle of Wight~~ ^{me} City of Virginia Beach

Subscribed and sworn to before me Melissa Ann Del Vecchio
A Notary Public in and for the ~~County of Isle of Wight~~ ^{me} City of Virginia Beach
of Virginia, this 22nd day of March, 2024.

Melissa Ann Del Vecchio
Notary Public

My Commission Expires 04/30/2024





Owner _____

State 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, State of Virginia, this _____ day of _____, 199 _____

This subdivision is approved by the undersigned in accordance with existing subdivision regulations and may be committed to record.

<u>Date</u>	<u>Highway Engineer</u>
<u>Date</u>	<u>Agent or Representative of Governing Body</u>

Where septic tanks are to be installed on individual lots, there will be an approval of the primary drainfield and 100% reserves drainfield for a septic tank permit. Both drainfields shall be located entirely outside of the Resource Protection Area. Approval of this plot by the planning authority does not indicate that the individual lot is suitable for approval of a primary and 100% reserves drainfield.

NOTE: THIS RESIDENCE LIES IN ZONE X WHICH IS NOT CONSIDERED A FLOOD HAZARD ZONE. COMMUNITY FLOOD PANEL NUMBER 310303 0050 B EFFECTIVE DATE: AUGUST 19, 1991

15107 COURTHOUSE HIGHWAY

PLAT OF PARCEL A

EMIN B. HOLLEY, JR.
CERTIFIED LAND SURVEYOR
SMITHFIELD VIRGINIA

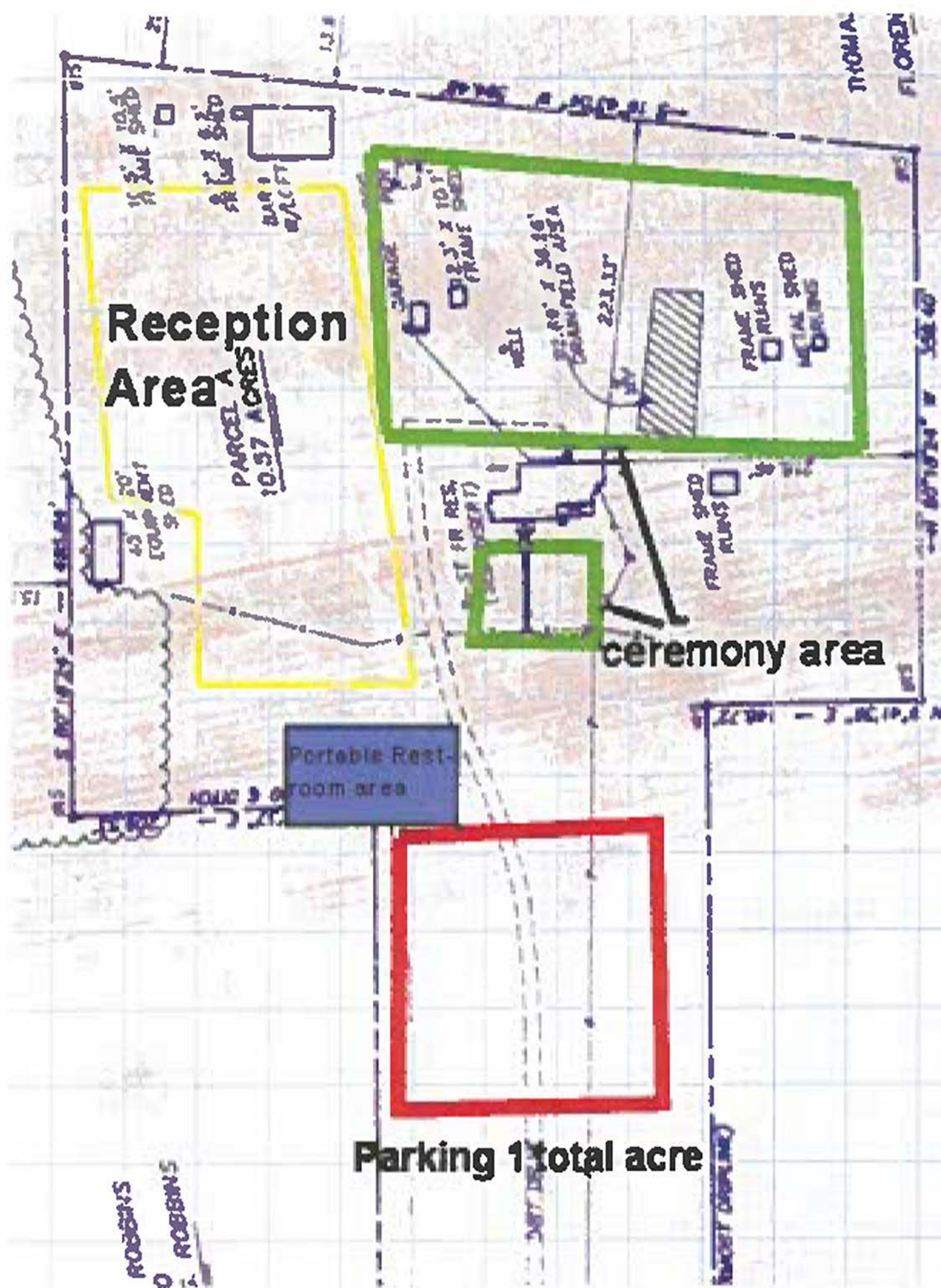
BEING PART OF THE PROPERTY OF
THOMAS W. ROBBINS AND FLORENCE G. ROBBINS.

SCALE: 1"=100'

LOCATED IN NEWPORT MAGISTERIAL DISTRICT,

ISLE OF
WIGHT COUNTY VIRGINIA
6367780000

AUGUST 7, 1995
72280477





Oak Level Acres: Request for Conditional Use Permit

OLA would like to obtain a conditional use permit to host weddings and events such as company parties, banquets, or celebrations. OLA does not intend to construct or build anything on the property at this point in time. OLA would like to host events ranging in occupancy of 20-150 people.

At 15107 courthouse hwy, Smithfield, Virginia 23430 OLA plans to use its 10.5 acres to host events, mainly weddings. Of the 10.5 acres, an estimated 7 acres will be used to host said events. As of now the house is looking to be used for very small intimate weddings and allowing the wedding parties to prepare for the wedding. Potentially company lunches or dinners as well. Structures to be used, will all be temporary tents, arbors, etc. Portable restrooms will be required for all events. OLA plans for the majority of events to take place outside. And parking will be on the property itself along the lanes. For the onboarding process of clients please see the "OLA rental agreement."

Oak Level Acres:
Venue Rental Agreement

Contact Information:

Couple's Names:

1: _____ Phone: _____ Email: _____

2: _____ Phone: _____ Email: _____

Billing Address: _____ City/State/Zip: _____

How did you hear about us? _____

Wedding Coordinator Name (Professional or Day Of, **Required**): _____

Phone: _____ Email: _____

Ceremony Information:

Date of Wedding/Reception (mm/dd/yyyy): ____ / ____ / ____

Ceremony Time: _____ to _____. Reception Time: _____ to _____. (Event must end by 10PM)

We would like to use Oak Level for (circle one): Ceremony Reception Ceremony & Reception

How many guests will be in attendance? _____ (150 max)

How many people will be in the wedding party? (Bridesmaids, Groomsmen, etc.) _____

Do you need an Officiate or are you bringing your own? _____

****Officiant & Coordinator MUST be at your Rehearsal: (_____) Initial Please***

House Rental Information:

The house can be rented from 3PM one day until 10AM the next in addition to the day of your event.

Our nightly prices vary depending on the day of the week & the event being hosted. Please circle which nights before or after your event you'd like to rent the house:

Mon Tues Wed Thurs Fri Sat Sun Mon Tues

Number of Rental Nights: _____

Number of People Staying: _____

Nightly Price: \$_____

Total(# x \$): _____



Oak Level Acres: Venue Rental Agreement

Rental Packages:

We offer several packages to choose from that can be adjusted accordingly to match your needs:

- ☐ **Entry Package:** Ceremony only. Customize the property to fit your needs with tents, chairs, & decor rentals. With full access to the home, get ready with your bridal party in one of 4 spacious rooms & stock plenty of drinks & snacks in the kitchen.
- ☐ **Gold Package:** Ceremony & Reception. Why travel to a different location? Have the reception onsite to enjoy more time with your friends & family. Everything from the Entry Package is included.
- ☐ **Diamond Package:** Ceremony, Reception & 2 nights at Oak Level. Everything included in the previous packages in addition to two nights room & board. Couples use this for their families, bridal parties, or themselves! Either way, it's guaranteed to take some stress away.

Package Price	\$_____
Officiant (pending availability. \$300)	\$_____
Refundable Security Deposit	\$_____ 250 _____.
<i>(returned within 2 weeks of event if no additional damages/costs incurred)</i>	
Event Total	\$_____
Total Due Today (Booking Fee)	\$_____ 500 _____.
<i>(Booking Fee is not an additional charge but a deposit to secure your date)</i>	
Remaining Balance Due (60 Days Before Event) ____ / ____ / ____ \$_____	



Oak Level Acres: Venue Rental Agreement

TERMS AND CONDITIONS:

This agreement between Oak Level Acres ("OLA") and the Client(s) signing below is for venue space rentals provided by Oak Level Acres.

Waiver:

Client shall indemnify, defend and hold OLA, its employees, contractors, officers, directors, shareholders, agents, vendors, retainees, and subcontractors harmless from and against any and all claims, losses, damages, causes of action, suits, and liabilities of every kind, including all expenses of litigation, court costs, and attorney's fees, due to the claimed injury to or death of any person, or for damage to or loss of any property, caused, directly or indirectly, solely or jointly, by the negligence and/or intentional acts of one or more of the following: client, his, her or its employees, contractors, agents, guest invitees, attendees, or any other person or entity involved in any way with or attending the event. Client(s) shall hold harmless OLA in the event of illness, injury, act of God, or any situation beyond the control of OLA that prevents OLA from performing its duties. It is understood and agreed that OLA shall in no way be held liable for any breach of this contract by the Client(s), Vendor(s), or any agreements between Client and Vendor(s). The Client must notify OLA of ANY changes in a timely manner, preferably in writing. Any changes made to the original agreement must be made in writing and signed by all parties.

Ministers:

At least one pre-marriage meeting is required with the assigned OLA Minister IF they officiate the Client's wedding (to be arranged with the minister).

**Couple MUST Provide Marriage License to OLA Officiant (if used) at the Wedding Rehearsal.*

Catering:

Outside caterers must provide OLA with a copy of business license and certificate of liability insurance in the amount of \$1,000,000 naming OLA as additional insured, no less than four (4) weeks prior to the wedding date. Couples will have access to the inside kitchen. Outside caterers will have no access to OLA kitchen, including but not limited to refrigeration, stoves, ovens, sinks, or ice machines. Outside Caterers will have access to a fridge in the garage, water and electric hook ups. Caterers must set up and clean up within the same day of the scheduled event; any time overages will be charged at a rate of \$500 per day. Any dispute of time overage charges incurred between the Client and the Caterer will not involve OLA. OLA assumes no responsibility for loss or damage to equipment or rentals. Caterers will sign a Vendor Rules form, to be provided by OLA, to return no less than two weeks prior to the event. Client and/or outside Caterer will be responsible for renting any reception rentals and food-service staffing.

Bathrooms:

The couple is required to rent portable restrooms for the event. If renting the house, only the wedding party & those sleeping on site are allowed to use the house bathrooms & store belongings.

INITIAL_____



Oak Level Acres: Venue Rental Agreement

Alcohol Policy:

OLA does allow you to bring your own alcohol. You must have an ABC Banquet License and you must hire a licensed/insured company to serve.

Security:

For events over 100 people, OLA recommends hiring an off-duty police officer to be present when guests arrive until they depart.

Vendors/Decorations:

OLA may recommend vendors to the Client but are in no way liable for the conduct of the vendor. Some vendors will be required to submit liability insurance for \$1,000,000 with OLA listed as additional insured. Vendors must set up and clean up within the same day of event; any time overages will be charged at a rate of \$500 per day. Exceptions can be made upon request to be approved of by OLA. Any dispute of time overage charges incurred between the Client and the vendors will not involve OLA. OLA assumes no responsibility for loss or damage to equipment or rentals. Real flower petals may be used outside without having to pick up. Fake flower petals, confetti, & glitter are not permitted outside. We want to preserve the natural surroundings. Any decorations inside the house must use painters tape. No nails or any other adhesives are allowed that would potentially leave a permanent mark unless approved by OLA. Candles are not permitted inside the house, flames outside must be enclosed in glass globes for safety and fire issues with OLA Approval. Fireworks, close proximity pyrotechnics, and cold spark machines are also prohibited. OLA will do its best to aid in receiving tents, chairs, tables, etc for the event. Clients must communicate at least 1 month ahead of time the expected delivery of these rented resources. OLA is not responsible for the security of, or the set-up & tear down of rented resources.

Additional Fees:

Additional charges may also include clean up from catering, decorations left behind, or damages to OLA property. Any extra charges the Client owes will be notified by OLA within one (1) month after the event and taken out of the Security Deposit.

Payment:

- A \$500 non-refundable booking fee per event is due upon signing this agreement.
- OLA accepts checks, cashier's checks, money orders, CashApp, and Zelle
- Please make all checks payable to "Oak Level Acres." Returned checks will incur a \$50 fee
- OLA accepts credit cards & Venmo but Clients will be charged a 3.5% Processing Fee.
- OLA will not hold a Client's wedding date without a signed agreement & a booking fee.
- The Client's final payment is due two (2) months prior to the event.
- Unpaid balances due to OLA shall accrue interest at 3% per month from the date due until paid in full.

INITIAL_____



Oak Level Acres: Venue Rental Agreement

Cancellations/Postponements:

This agreement may be canceled by either party in writing (email, text, letter) for any reason. If the Client decides to cancel the event, the security deposit will be refunded (the booking fee is non-refundable). If the Client decides to cancel the event greater than 180 days prior to the event date, the Client will forfeit the initial booking fee and be released from the remaining balance. If the Client cancels the event within 120 days of the event, the client is expected to pay 50% of the total balance. If the Client cancels the event within 60 days of the event, the client will forfeit 100% of the total fees. If the client needs to reschedule the event, all monies paid will apply to the rescheduled date if availability exists. Client is responsible for informing all contracted vendors about the cancellation or postponement and abide by vendors' own postponement policy.

General Terms:

This agreement constitutes the entire agreement between the parties pertaining to the wedding and supersedes all prior or contemporaneous agreements, representations or understandings of the parties. No representations or warranties are made by any party except as specifically set forth in this agreement. No supplement, modification, or amendment of this agreement shall be binding on the parties unless executed in writing by all the parties. In the event of litigation regarding this agreement, the prevailing party shall be entitled to reasonable attorney's fees and related expenses. This agreement will be exclusively construed in accordance with, and governed by, the laws of the State of Virginia.

Model Release:

OLA reserves the right to use photographic likeness in all forms of media, advertising, trade, and any other lawful purpose with Clients Permission.

I have read and understand the listed terms and conditions of this agreement as well as the complete Wedding Policies of Oak Level Acres. I understand that these policies are non-negotiable and that failure to comply may result in the cancellation of our wedding.

Client Signature: _____ Print _____ Date: _____

Client Signature: _____ Print _____ Date: _____

OLA Rep Signature: _____ Print _____ Date: _____

Please Mail Payment Balances To Our Office:

Oak Level Acres

4016 Elbow Road, VA Beach, VA 23456

TOTAL BALANCE DUE \$ _____

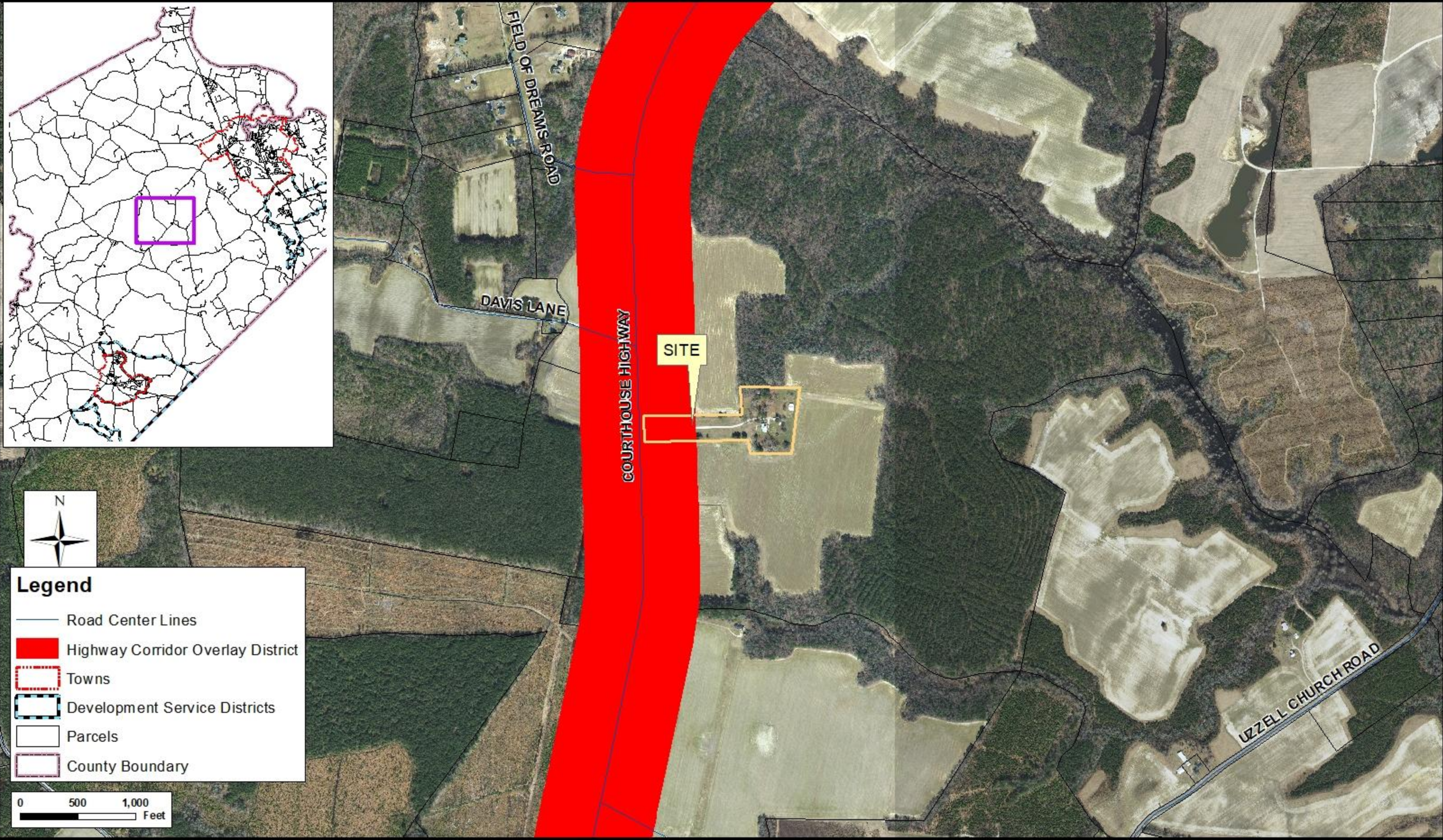
(60 days prior to event)

Amount Due Today: \$500

(Booking Fee/Deposit)



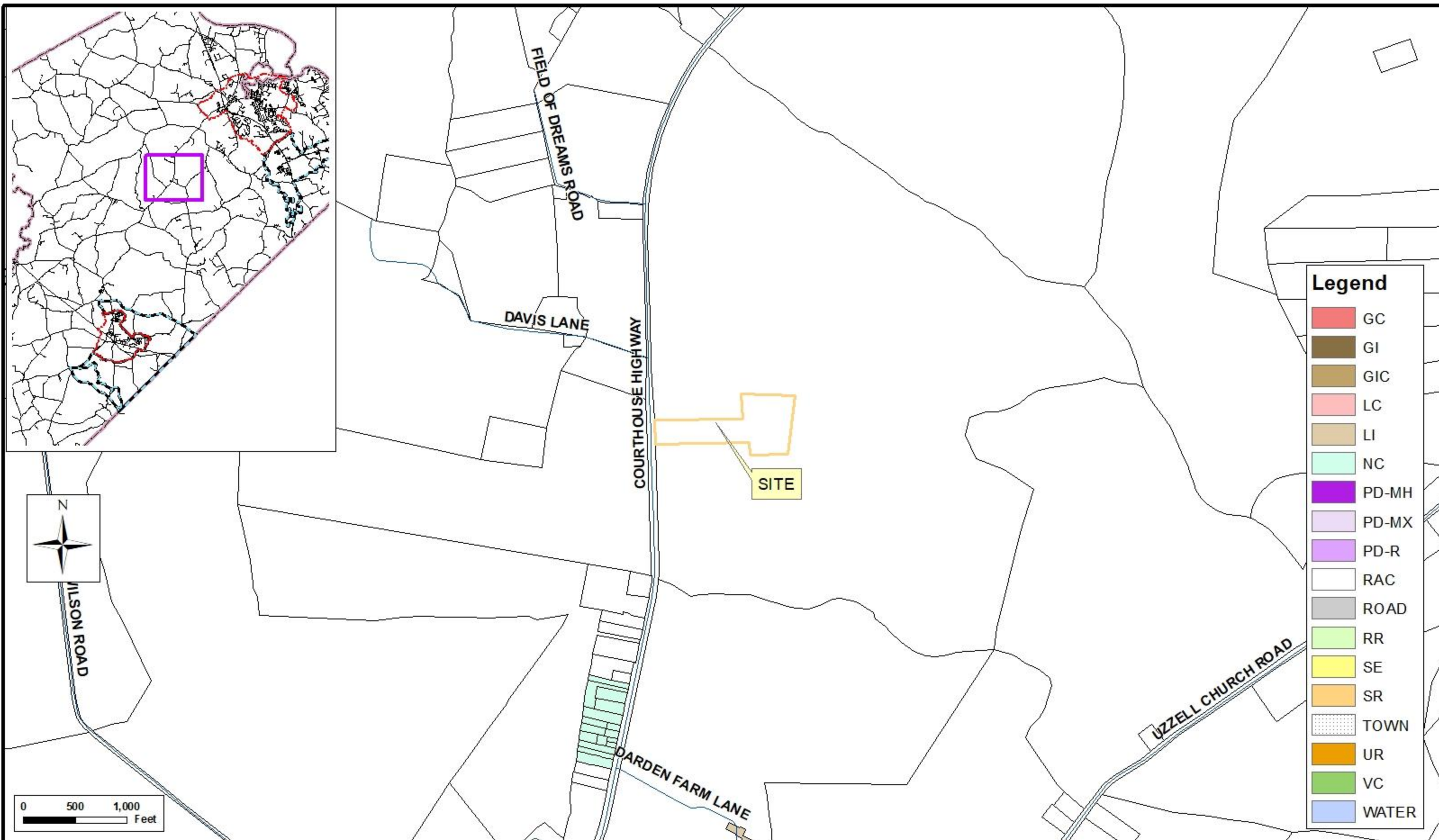
CSUP-24-2 Oak Level Acres - Location Map



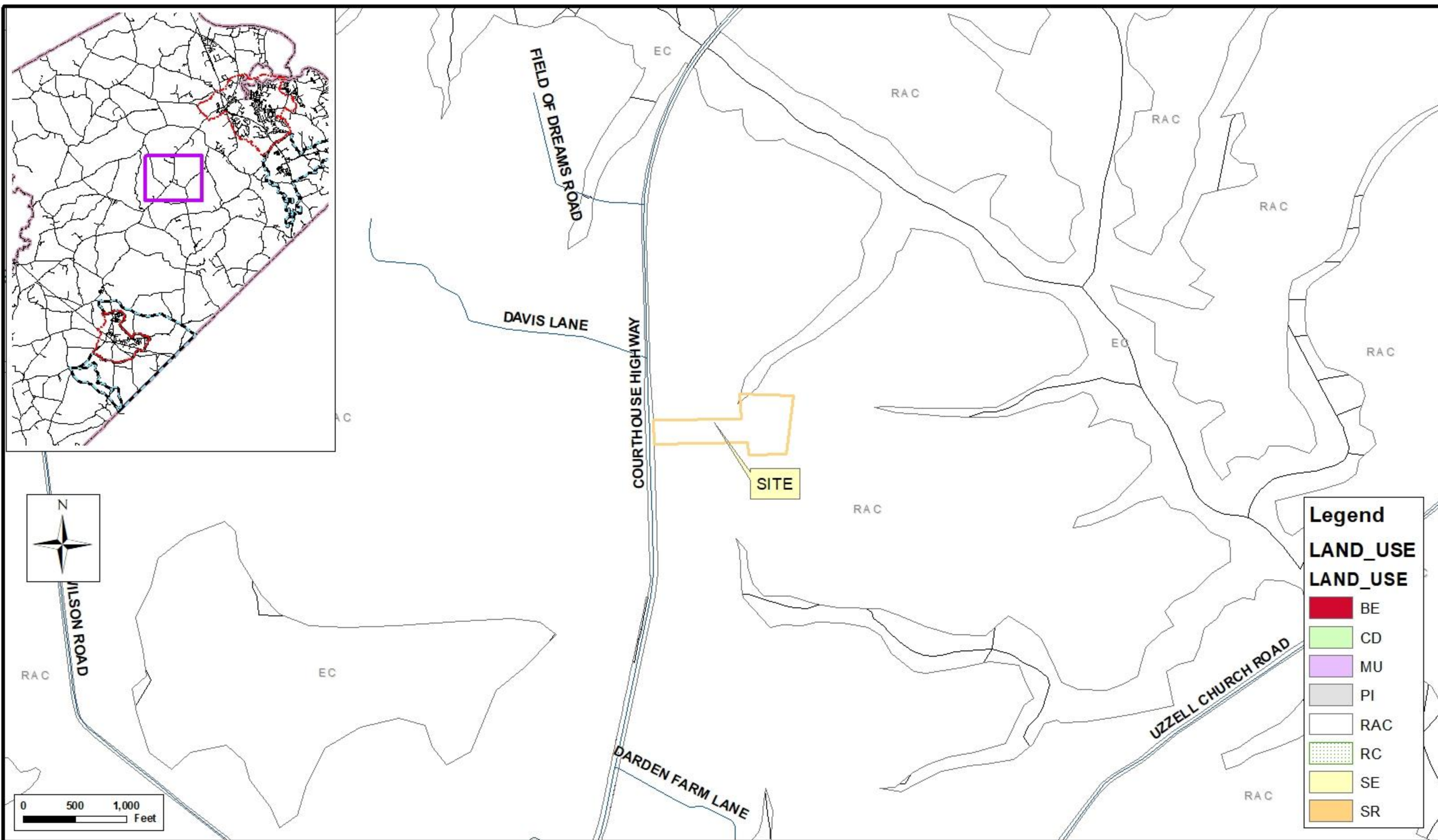
CSUP-24-2 Oak Level Acres - Closeup Map



CSUP-24-2 OakLevel Acres - Zoning Map



CSUP-24-2 OakLevel Acres - Land Use Map



PLANNING REPORT

APPLICATION:

Application (COMP-24-2) of the Industrial Development Authority of Isle of Wight and Hollowell Holdings LLC, property owners, and Meridian Property Purchaser, LLC, applicant, for a Comprehensive Plan Amendment for approximately 154.34 acres with tax map numbers 54-01-086J and 55-01-013 to amend the Comprehensive Plan designation from Mixed Use to Planned Industrial

ELECTION DISTRICT:

District 4

LOCATION:

The subject property is located on the north side of Windsor Boulevard (Rte. 460). The proposed project consists of three separate parcels consisting of approximately 154.34 acres. The parcels are in the Rural Agricultural Conservation (RAC) zoning district. The property is also located in the Windsor Development Service Overlay District, the Highway Corridor Overlay District, and the Chesapeake Bay Preservation Area Overlay District. To the South across Windsor Blvd. is the World Market warehousing and distribution center, part of the Shirley T. Holland Industrial Park. A forested area containing Ennis Pond, a part of the City of Norfolk reservoir system, is located to the north of the project site as well as agricultural land. The Town of Windsor boundary line and residential development along Lovers Lane and Keaton Avenue are located to the west of the property. Additional agricultural land is located to the east of the project site.

BACKGROUND:

The subject properties contain approximately 154 acres located on the north side of US Route 460 and currently consist of agricultural fields and timberland. The property is currently zoned RAC. County GIS images indicate that both parcels 54-01-086J and 55-01-013 have historically been used for agriculture. Parcel 54-01-086J is currently owned by the Economic Development Authority (formerly the Industrial Development Authority) of Isle of Wight County. The County originally purchased the property in 2008 to expand the Shirley T. Holland Industrial Park and later dedicated it to the Industrial Development Authority.

The current future recommended land use designation for the properties is Mixed Use as shown on the Future Recommended Land Use Map in the Comprehensive Plan adopted in January 2020.

Both parcels 54-01-086J and 55-01-013 were found to have historic cemeteries on them. The cemetery on parcel 54-01086J is located within the project area, while the cemetery on 55-01-013 is located along the outer boundary of the parcel to the northeast. Parcel 55-01-013 is the current location for the historic home known as the Henry Saunders House which is listed on the National Register of Historic Places. The attached concept plan shows proposed buildings roughly 162 feet from the Henry Saunders House at its closest point.

The concept plan shows the closest building to existing residences along Lovers Lane, Hazelwood Drive, and Keaton Avenue to be approximately 280 feet.

The applicant previously submitted applications for rezoning and comprehensive plan amendment in 2023. The application was rejected by the Board of Supervisors at their June 2024 meeting. The applicant has revised their application and resubmitted it as of November 2024. The board of supervisors may, at any time, consider a new application affecting the same property as an application previously denied. A new application is one that differs in some substantial way from the one previously considered, as determined by the zoning administrator.

The applicant has made several revisions to the project. They have reduced the number of buildings from five to four and relocated them to avoid environmentally sensitive areas on the site. Additionally, the proffers have been updated to include a 14.92-acre park parcel. The proposed height of the berm has been increased to 9 feet at its peak, with a width of 60 feet. The total building size has been decreased from 1.23 million square feet to approximately 726,000 square feet, with the largest building now measuring 234,460 square feet. Furthermore, the distance from the nearest residence along the western property line has increased from 235 feet to 280 feet. These and other changes made result in substantial changes to the application as determined by the zoning administrator.

DESCRIPTION:

In order to support the associated application for a change in zoning from RAC to Conditional-Limited Industrial, the applicant has submitted this comprehensive plan amendment application. The applicant is requesting these changes in response to significant and growing demand for warehousing and distribution centers in the

Hampton Roads region.

In order to justify their comprehensive plan amendment request, the applicant asserts that establishing the future land use designation for the subject property to be consistent with the industrial designation south of 460 creates a much more consistent and compatible land use scenario and allows for a larger, well-planned industrial node.

COMPREHENSIVE LAND USE PLAN:

The comprehensive plan future recommended land use designation for the property is currently a combination of Mixed Use (MU) and Environmental Conservation (EC). The application seeks to change the designation from MU to Planned Industrial (PI) to support the associated application to change the zoning district of the properties to Conditional-Limited Industrial (C-LI) to accommodate warehousing and distribution, custom manufacturing, industry type I and industry type II uses.

The Comprehensive Plan describes MU as areas of housing mixed with office, commercial, and other uses. Types of housing in these areas may consist of one or multiple detached or attached single family homes, multi-plex and apartment style housing options, along with office or commercial uses. The Plan recommends MU areas be located on major transportation routes and at major intersections. MU areas should consist of large tracts of land capable of being master planned for a diversity and integration of multiple uses. MU should also have access to public water and sewer infrastructure with capacity for more intense development. Examples of MU development in the County include Eagle Harbor and Bennis Grant. The Plan does indicate, however, that select light industrial uses may also be appropriate when sited correctly.

The PI land use designation is given to areas where manufacturing, warehousing and distribution are envisioned to occur. Typical land uses in PI consist of light industrial as well as heavy industrial and manufacturing uses which may negatively impact surrounding development. Preservation of environmental features still occurs, and PI development is connected to residential uses with vehicular and pedestrian access. The Plan notes that PI should be buffered from adjacent uses. Examples of PI include the Shirley T. Holland Intermodal Park and International Paper.

Similar to MU areas, PI land use is best located in places with easy access to major highway corridors or rail transportation. PI should also have access to public

water and sewer infrastructure with capacity to support industrial development. Large tracts of land which allow for master planning of PI uses is preferable.

The Plan recommends that PI areas be developed in a way to provide good access for materials and workers while buffering residential land uses. Expected development in PI might include light and heavy manufacturing, warehousing, distribution, rail dependent uses, and other uses which may impact surrounding development due to noise, smell, dust or similar features. Supporting office, commercial uses, and other land uses with similar siting considerations such as enhanced buffering may also be appropriate. Residential uses and community facilities should be considered elsewhere first, and separated or buffered adequately if in close proximity. Parks, trails, and open space may be appropriate in areas preserved due to natural features.

The properties are also located within the Windsor Development Service District (DSD). The Plan describes the DSDs as specific areas identified for development to occur. Outside of the DSD boundaries all land is intended to stay in rural and agricultural uses and environmental protection. Within the boundaries of the DSD, the County has installed or has plans for water and sewer infrastructure, road improvements and other public facilities necessary to support growth. Following the DSD approach has allowed the County to protect roughly 85% of the County land area for rural and agricultural uses.

The EC land use designation is identified for the protection of a variety of sensitive environmental features, such as wetlands and streams, and serves to create natural connections for wildlife, protect commercial and recreational fisheries, and to provide buffers for adjacent developments. Specific locations of Environmental Conservation areas are determined with site specific delineations during the plan of development review process. Both MU and PI designations recommend the preservation of environmentally sensitive features within these areas.

ORDINANCE REVIEW:

Section 15.2-2229 of the Code of Virginia stipulates that any amendments to a community's Comprehensive Plan be recommended by resolution to the governing body by the local planning commission.

AGENCY REVIEW:

The Comprehensive Plan amendment application does not require outside agency

policy review. Staff did distribute the associated rezoning application for outside department and agency review. Comments are included in the associated staff report.

STAFF CONCLUSIONS:

Staff reviewed the application for the change in the future recommended land use designation from MU to PI and found the proposed designation to be generally consistent with the Plan's recommended location criteria but noted a concern with the proximity of existing adjacent residential uses. Staff's findings are summarized as follows:

Strengths:

- The proposed land use location recommendation is consistent with the location criteria as recommended in the County's Comprehensive Plan.
- The proposed PI designation is located within the Windsor DSD.
- The proposed PI designation would encourage job creation and additional nonresidential tax revenue for the County to support future public service needs.
- The applicant has suggested mitigation to address the concerns raised in the previous application.

Weaknesses:

- Potential development in PI might include light and heavy manufacturing, warehousing, distribution, and other uses which may impact surrounding development due to noise, smell, dust or similar conditions. The applicant, however, has proffered increased setbacks, sound mitigation, and screening with berms and landscaping to mitigate potential land use conflicts with development adjacent to existing residences in the associated rezoning application.

STAFF RECOMMENDATION:

Staff recommends approval of the application dependent on the implementation of mitigation measures proffered in the associated rezoning to protect adjacent residential uses from noise, smell, dust, intrusive lighting, or other detrimental impacts.

ATTACHMENTS:

Description	Type	Upload
-------------	------	--------

		Date
Application	Backup Material	1/21/2025
Concept Plan	Backup Material	1/21/2025
Statment of Reason	Backup Material	1/21/2025
Location Map	Backup Material	1/21/2025
Location Closeup Map	Backup Material	1/21/2025
Land Use Map	Backup Material	1/21/2025



APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT

This application should be used to petition for a change to the Comprehensive Plan Development Service District boundary or for an amendment to the Land Use District designation.

A. APPLICATION FOR (CHECK ALL THAT APPLY):

☐ Amendment to the Development Service District Boundary

☐ Newport ☐ Windsor ☐ Camptown

☒ Amendment to the Land Use District Designation

☐ Newport ☒ Windsor ☐ Camptown

Request to change the subject property from the Mixed Use & Environmental Conservation to the Planned Industrial land use district.

Proposed Use or Activity: _____

Industry, Type 1, Custom Manufacturing, and Warehouse Distribution

B. PROJECT DESCRIPTION:

Project Name: Tidewater Logistics Center

Property Address (if any): Windsor Blvd., Windsor and 13009 Windsor Blvd., Windsor

Total Acreage of Parent Tract: 154.34 Total number of acres to be effected: 154.34

1. Tax Parcel Identification # 54-01-086J Number of acres to be effected: 90.885

Requesting Land Use District Change from: Mixed Use & Environmental Conservation to Planned Industrial

2. Tax Parcel Identification # 55-01-013 Number of acres to be effected: 63.457

Requesting Land Use District Change from: Mixed Use & Environmental Conservation to Planned Industrial

3. Tax Parcel Identification # _____ Number of acres to be effected: _____

Requesting Land Use District Change from: _____ to _____

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

Public Sewer X Private Septic _____

C. APPLICATION INFORMATION:

Applicant(s) Name(s): Meridian Property Purchaser, L.L.C.

Address: 3 Bethesda Metro Center, Suite 1400

City, State, Zip Code: Bethesda, MD 20814

Phone No.: 240-507-1174 Email: tomboyland@tmgdc.com Fax No.: _____

Property Owner(s) Name(s): Industrial Development Authority of Isle of Wight and Hollowell Holdings, LLC

Address: IDA: 17146 Monument Circle, Suite A, Isle of Wight, VA 23397

Hollowell: 409 Patrick Street, Portsmouth, VA 23397

City, State, Zip Code: _____

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

Applicant Signature

Date



11/15/2024

Owner Signature if different

Date

C. APPLICATION INFORMATION:

Applicant(s) Name(s): Meridian Property Purchaser, L.L.C.

Address: 3 Bethesda Metro Center, Suite 1400

City, State, Zip Code: Bethesda, MD 20814

Phone No.: 240-507-1174 Email: tomboylan@tmgdc.com Fax No.: _____

Property Owner(s) Name(s): Industrial Development Authority of Isle of Wight and Hollowell Holdings, LLC

Address: IDA: 17146 Monument Circle, Suite A, Isle of Wight, VA 23397

Hollowell: 409 Patrick Street, Portsmouth, VA 23397

City, State, Zip Code: _____

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

AA

11/13/24

Applicant Signature

Date

Owner Signature if different

Date

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

____ 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

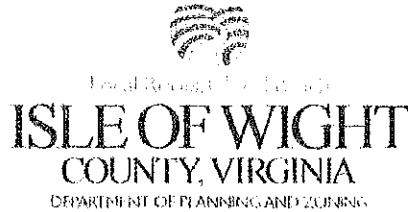
____ VDOT

____ Schools

____ Budget & Finance

____ County Attorney

Verified By: _____ Date: _____



SUBMITTAL CHECKLIST FOR COMPREHENSIVE PLAN AMENDMENT APPLICATIONS

****Both checklist and application required upon submission to central permitting or application will not be accepted****

The following information shall be submitted for a Comprehensive Plan 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 an amendment shall be certified as complete unless the following information is provided. **The required number of copies may be increased or reduced with permission of the Zoning Administrator, depending on the review needs.** Applicant(s) must have their signature(s) notarized on the disclosure of real estate holdings.

- ☐ **Ten (10) copies of the following**
 - ☐ original, executed application
 - ☐ a statement of the reasons for seeking an amendment
 - ☐ narrative description of the property which shall include the tax parcel identification number
 - ☐ A site layout of the property indicating the location of the tract(s) and the requested change. 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
 - North arrow
 - Scale bar
 - Current land use designations of parcel(s) associated with the application, including tax map number(s) and owner(s)
 - Current land use designation 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)
- ☐ **One (1) original executed application**
- ☐ **One (1) digital copy of ALL application documents**
- ☐ **One (1) reduced 11"x17" copy of site layout**

- ☐ **Application fee submitted with the application. Checks should be made payable to treasurer, Isle of Wight, County**
- ☐ **A Community Impact Statement, which shall include the following:**
 - A description of the proposed use or activity, including the type, location and nature of the land uses proposed.
 - Impact analysis of changes in land use on the surrounding property.
 - A public facilities report, to include an analysis of existing and proposed water and sewer facilities, impact to emergency services, schools, and recreational facilities.
 - An analysis of the existing road network and required roadway improvements.
- ☐ **One (1) copy of the most recent deed(s) of the property or properties.**
- ☐ 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.

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.

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 the processing of this application.

James Hukaby

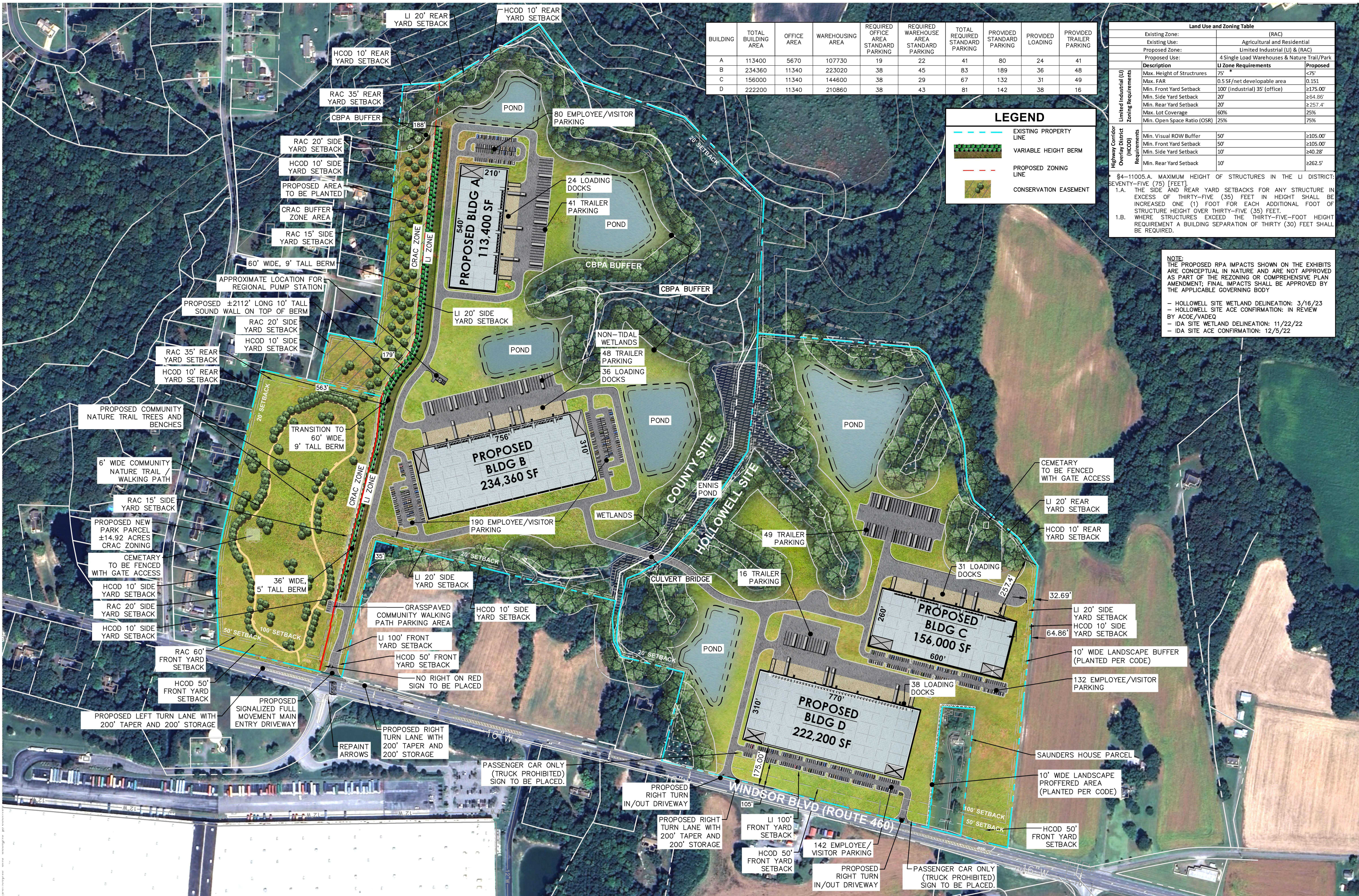
Printed or Typed Name

JH

Signature

11/13/24

Date



BUILDING	TOTAL BUILDING AREA	OFFICE AREA	WAREHOUSING AREA	REQUIRED OFFICE AREA STANDARD PARKING	REQUIRED WAREHOUSE AREA STANDARD PARKING	TOTAL REQUIRED STANDARD PARKING	PROVIDED STANDARD PARKING	PROVIDED LOADING	PROVIDED TRAILER PARKING
A	113400	5670	107730	19	22	41	80	24	41
B	234360	11340	223020	38	45	83	189	36	48
C	156000	11340	144600	38	29	67	132	31	49
D	222200	11340	210860	38	43	81	142	38	16

Land Use and Zoning Table		
Existing Zone:	(RAC)	
Existing Use:	Agricultural and Residential	
Proposed Zone:	Limited Industrial (LI) & (RAC)	
Proposed Use:	4 Single Load Warehouses & Nature Trail/Park	
Description	LI Zone Requirements	Proposed
Max. Height of Structures	75' *	<75'
Max. FAR	0.5 SF/net developable area	0.151
Min. Front Yard Setback	100' (industrial) 35' (office)	≥175.00'
Min. Side Yard Setback	20'	≥64.86'
Min. Rear Yard Setback	20'	≥257.4'
Max. Lot Coverage	60%	25%
Min. Open Space Ratio (OSR)	25%	75%
Min. Visual ROW Buffer	50'	≥105.00'
Min. Front Yard Setback	50'	≥105.00'
Min. Side Yard Setback	10'	≥40.28'
Min. Rear Yard Setback	10'	≥262.5'

LEGEND

- EXISTING PROPERTY LINE
- VARIABLE HEIGHT BERM
- PROPOSED ZONING LINE
- CONSERVATION EASEMENT

§4-11005.A. MAXIMUM HEIGHT OF STRUCTURES IN THE LI DISTRICT: SEVENTY-FIVE (75) FEET.

1.A. THE SIDE AND REAR YARD SETBACKS FOR ANY STRUCTURE IN EXCESS OF THIRTY-FIVE (35) FEET IN HEIGHT SHALL BE INCREASED ONE (1) FOOT FOR EACH ADDITIONAL FOOT OF STRUCTURE HEIGHT OVER THIRTY-FIVE (35) FEET.

1.B. WHERE STRUCTURES EXCEED THE THIRTY-FIVE-FOOT HEIGHT REQUIREMENT A BUILDING SEPARATION OF THIRTY (30) FEET SHALL BE REQUIRED.

NOTE:
THE PROPOSED RPA IMPACTS SHOWN ON THE EXHIBITS ARE CONCEPTUAL IN NATURE AND ARE NOT APPROVED AS PART OF THE REZONING OR COMPREHENSIVE PLAN AMENDMENT; FINAL IMPACTS SHALL BE APPROVED BY THE APPLICABLE GOVERNING BODY

- HOLLOWELL SITE WETLAND DELINEATION: 3/16/23
- HOLLOWELL SITE ACE CONFIRMATION: IN REVIEW BY ACOE/VADEQ
- IDA SITE WETLAND DELINEATION: 11/22/22
- IDA SITE ACE CONFIRMATION: 12/5/22

This conceptual design and dimensional information is based upon a preliminary review of entitlement requirements and on unverified and possibly incomplete site and/or building information. It is intended merely to assist in exploring how the project might be developed.



**TIDEWATER LOGISTICS CENTER
CONCEPTUAL PLAN**

ISLE OF WIGHT COUNTY, VA
01/10/2025



COMPREHENSIVE PLAN AMENDMENT
STATEMENT OF REASONS & NARRATIVE DESCRIPTION

Tax Parcel ID# 54-01-086J: Windsor Blvd., Windsor
Tax Parcel ID# 55-01-013: 13009 Windsor Blvd., Windsor

January 10, 2025

Applicant/Project Background

<https://tmgdc.com/about>

The Applicant, Meridian Property Purchaser, L.L.C., is an affiliate of The Meridian Group. The Meridian Group was founded in 1993, and is based in Bethesda, Maryland. Over the past 30 years, TMG has evolved into a full service real estate firm with a present focus on the development and management of light industrial centers. TMG is passionate about place making and envisions a dynamic and modern warehousing and distribution center for the subject property. TMG is excited about the opportunity to work with the County in developing this vision and in expanding an emerging economic center within the County.

Narrative Description

The property upon which the project is envisioned is located at 13009 Windsor Boulevard (Tax Parcels ID # 54-01-086J and # 55-01-013) in the Windsor Development Service District, just outside the limits of the Town of Windsor. The site contains approximately 154 acres located on US Route 460 and consists of agricultural fields and timberland. The property is currently zoned RAC – Rural Agricultural Conservation and designated Mixed Use on the County's Comprehensive Plan Future Land Use Map.

Parcel ID # 54-01-086J is owned by the Industrial Development Authority of Isle of Wight, and Parcels ID # 55-01-013 is owned by Hollowell Holdings, LLC. The legal descriptions and surveys for the property are attached hereto as Exhibit A. Meridian Property Purchaser, L.L.C. is the contract purchaser of the property.

Statement of Reasons

The applicant seeks to change the Comprehensive Plan Future Land Use Designation for the property from Mixed Use and Environmental Conservation to Planned Industrial.

The Port of Virginia is a major driver of warehousing and distribution activity in the region. The capacity and logistics of the Port's operations and its investment in its future operations make it a leading center of global commerce and a vital import and export location for many US and foreign businesses. Accordingly, there is significant and growing demand for warehousing and distribution centers in the Hampton Roads region.

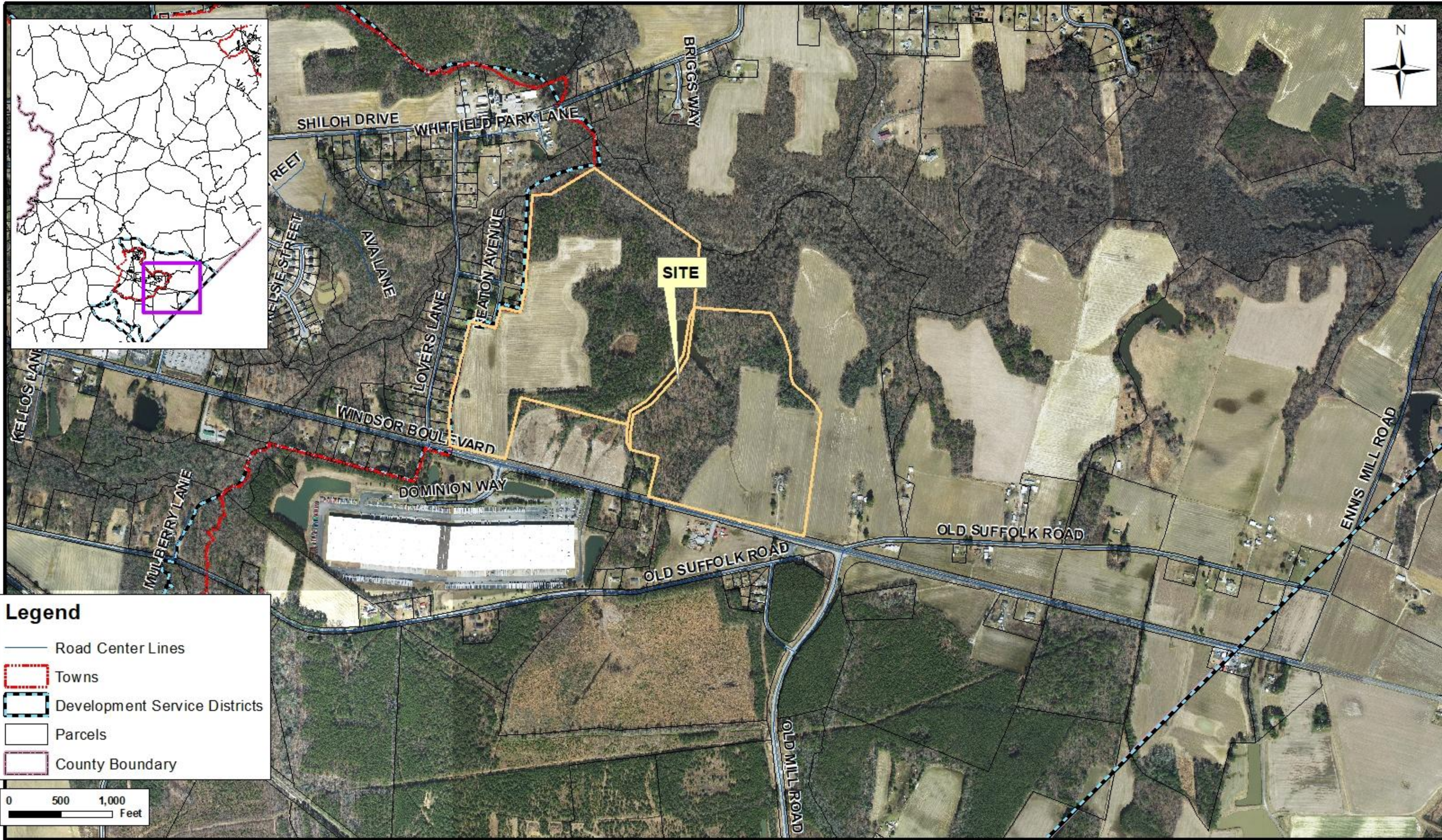
The County is well positioned, generally, to be a beneficiary of this economic activity given its proximity to the Port, US Route 460, and the Norfolk Southern Rail Line. The County's quality of life, work force, and stable local economy, as well as its supply of suitable property along the 460 corridor make it a desirable location for warehousing and distribution centers. The subject

property is of particular interest because of the availability of the relatively large area of contiguous, relatively flat land with direct access to US Route 460, as well as its location within the Virginia Enterprise Zone and the Foreign Trade Zone.

The current Mixed Use designation is inconsistent with the character of the area established by the Shirley T. Holland Intermodal Park and the existing World Market, Safco, and other industrial facilities. Mixed Use development of the property as envisioned by the current Comprehensive Plan land use designation containing retail and commercial uses would detract from and potentially displace the historic commercial corridor within the Town of Windsor. Additionally, such mixed use development would generate school impacts and much more extensive traffic during peak commuting hours. Mixed use development would be better suited within the Town of Windsor as a growth and/or redevelopment strategy in order to create more compatible land use patterns and minimize impacts.

Establishing the future land use designation for the subject property to be consistent with the industrial designation south of 460 creates a much more consistent and compatible land use scenario, and allows for a larger, well-planned industrial node. According to County officials, the original purpose of purchasing the property was to develop industrial/commercial, which was seen as the highest and best use at that time. Shortly after that, the County began contemplating workforce housing opportunities for the expected influx of workers associated with the intermodal park. For some years, a mixed-use development with some commercial retail was the idea which the comprehensive plan reflected and still reflects currently. We believe that such a Mixed Use concept has merit, but not in the current location. As stated above, such a concept is better suited to the established development patterns within the Town of Windsor. Accordingly, the Applicant seeks to revert the property's land use designation back to the previously intended industrial use and to maintain land use consistency with the adjacent Shirley T. Holland Intermodal Park.

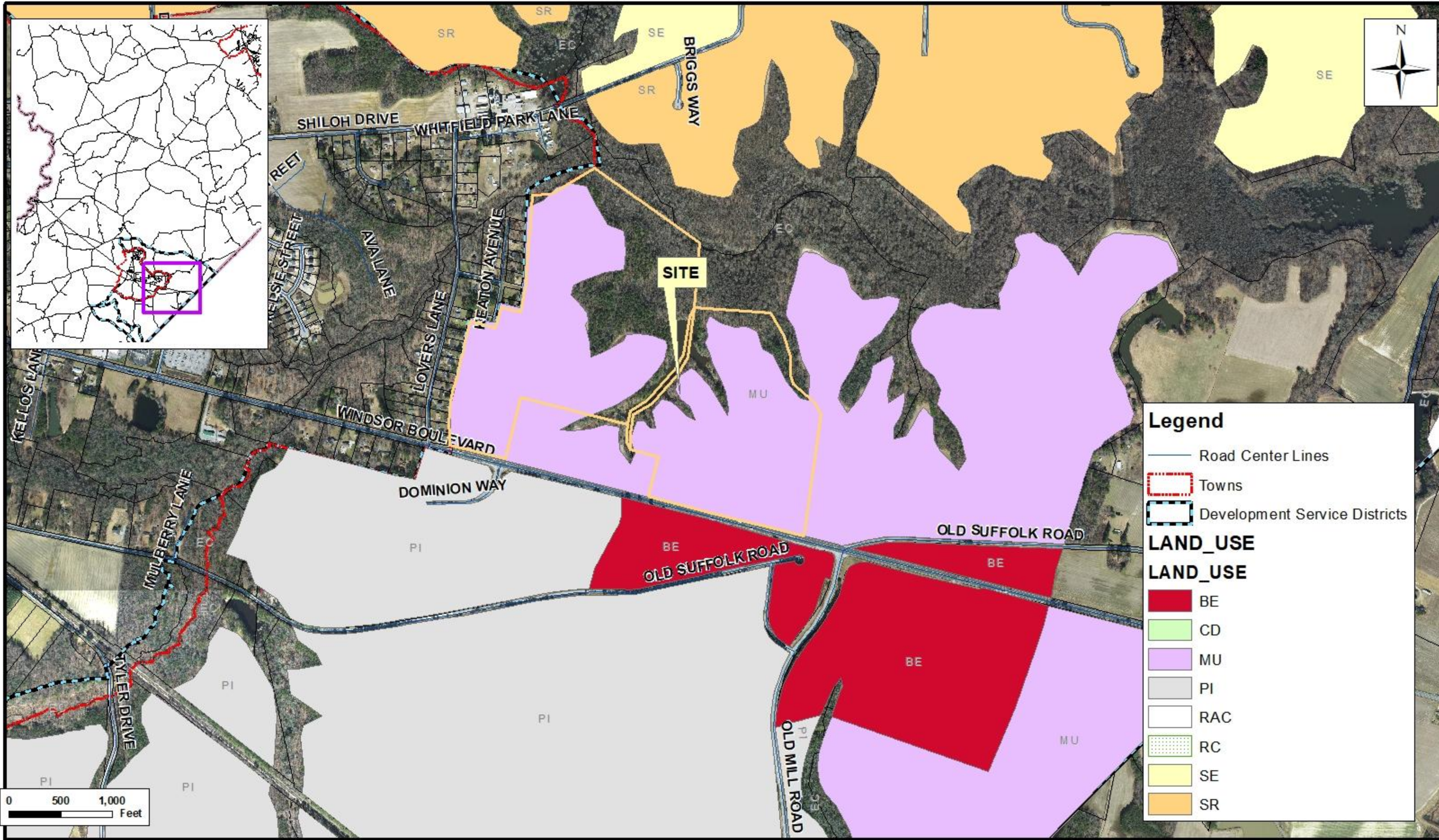
COMP-24-2 - Tidewater Logistics Comp Plan Amendment - Location Map



COMP-24-2 - Tidewater Logistics Comp Plan Amendment - Closeup Map



COMP-24-2 - Tidewater Logistics Comp Plan Amendment - Land Use Map



PLANNING REPORT

APPLICATION:

Application (REZN-24-10) of the Industrial Development Authority of Isle of Wight and Hollowell Holdings LLC, property owners, and Meridian Property Purchaser, LLC, applicant, for a change in zoning district from Rural Agricultural Conservation (RAC) to Conditional Rural Agricultural Conservation (C-RAC) and Conditional Limited Industrial (C-LI) for approximately 154.34 acres with tax map numbers 54-01-086B, 54-01-086J, and 55-01-013 in order to establish the uses of Custom Manufacturing, Industry Type 1, Warehousing and distribution, Industry Type 2 by conditional use permit, and Reconstructed Wetland along with a Community Park

ELECTION DISTRICT:

District 4

LOCATION:

The subject property is located on the north side of Windsor Boulevard (Rte. 460). The proposed project consists of three separate parcels consisting of approximately 154.34 acres. The parcels are in the Rural Agricultural Conservation (RAC) zoning district. The property is also located in the Windsor Development Service Overlay District, the Highway Corridor Overlay District, and the Chesapeake Bay Preservation Area Overlay District. To the south across Windsor Blvd. is the World Market warehousing and distribution center which is part of the Shirley T. Holland Industrial Park. A forested area containing Ennis Pond, a part of the City of Norfolk reservoir system, is located to the north of the project site as well as agricultural land. The Town of Windsor boundary line and residential development along Lovers Lane and Keaton Avenue are located to the west of the property. Additional agricultural land is located to the east of the project site.

BACKGROUND:

The subject properties contain approximately 154 acres located on the north side of US Route 460 and currently consist of agricultural fields and timber land. The property is currently zoned Rural Agricultural Conservation (RAC). County GIS

images indicate that both parcels 54-01-086J and 55-01-013 have historically been used for agriculture. Parcel 54-01-086J is currently owned by the Economic Development Authority (formerly the Isle of Wight Industrial Authority) of Isle of Wight County. The County originally purchased the property in 2008 to expand the Shirley T. Holland Industrial Park and later dedicated it to the Industrial Development Authority.

The application was discussed by the members of the Windsor Town Council. No vote in support of nor against the project was made.

The current future recommended land use designation for the properties is Mixed Use as shown on the Future Recommended Land Use Map in the Comprehensive Plan adopted in January 2020.

Both parcels 54-01-086J and 55-01-013 were found to have historic cemeteries on them. The cemetery on parcel 54-01086J is located within the project area, while the cemetery on 55-01-013 is located along the outer boundary of the parcel to the northeast. Parcel 55-01-013 is the current location for the historic home known as the Henry Saunders House which is listed on the National Register of Historic Places. The attached concept plan shows proposed buildings roughly 162 feet from the Henry Saunders House at its closest point.

The concept plan shows the closest building to existing residences along Lovers Lane, Hazelwood Drive, and Keaton Avenue to be approximately 280 feet.

The applicant previously submitted applications for a change in zoning district and comprehensive plan amendment in 2023. The application was denied by the Board of Supervisors at their June 2024 meeting. The applicant revised their application and resubmitted it as of November 2024. The Board of Supervisors may, at any time, consider a new application affecting the same property as an application previously denied. A new application is one that differs in some substantial way from the one previously considered as determined by the zoning administrator.

The applicant has made several revisions to the project. They have reduced the number of buildings from five to four and relocated them to avoid environmentally sensitive areas on the site. Additionally, the proffers have been updated to include a 14.92-acre park parcel. The proposed height of the berm has been increased to 9 feet at its peak, with a width of 60 feet along the portion the property closest to Lovers Lane. The total building size has been decreased from 1.23 million square feet to approximately 726,000 square feet, with the largest building now measuring 234,460 square feet. Furthermore, the distance from the nearest residence along

the western property line has increased from 235 feet to 280 feet. These and other changes made result in substantial changes to the application as determined by the zoning administrator.

DESCRIPTION:

The applicant requests a conditional zoning for the subject parcels. The proffered conditions will limit the permitted uses on the properties to the following: Custom manufacturing, Industry Type 1, Warehousing and Distribution, Industry Type 2, and Reconstructed wetland. It should be noted that Warehousing and Distribution, Custom Manufacturing, and Industry Type 1 uses are permitted in the current RAC zoning district with a conditional use permit.

In addition, the applicant has proffered to specifically prohibit the following uses: Fertilizer Storage Assembly and Repair of Storage Equipment, Forestry, Silvicultural, Agricultural Farming Operation, Timbering, Sawmill, Adult Care Center, Adult Entertainment Establishment, Laundry, Lawn and Garden Services, Mini Warehouse, Motor Vehicle Repair Service/Major, Construction Yard, Convenience Center, Meat Packing, Recycling Center, Abattoir or Livestock Processing, Asphalt Plant, Industry Type III, Industrial Landfill, Rubble Landfill, Transfer Station, Resource Extraction, Scrap and Salvage Service, Petroleum Storage for resale purposes, Manufacture of production of aluminum, Sand, gravel, or brick operations, and General Aviation Facility.

The applicant has not proposed an end user at this time. Warehousing and distribution are included in the proffered uses. Warehousing and distribution are defined as uses including storage, warehousing, and dispatching of goods within enclosed structures, or outdoors. Typical uses include storage warehouses, truck terminals, and moving/storage firms. The findings of the traffic impact analysis are based on the warehousing and manufacturing use types.

The Zoning Ordinance defines the Custom Manufacturing use type as establishments primarily engaged in the on-site production of goods by hand manufacturing, within enclosed structures, involving the use of hand tools, and the use of mechanical equipment commonly associated with residential or commercial uses or a single kiln. Typical uses would include pottery, cabinet, or woodwork shops.

Industry Type I uses could include enterprises engaged in the processing, manufacturing, compounding, assembly, packaging, treatment, or fabrication of

materials and products, from processed or previously manufactured materials. Included would be an assembly of electrical appliances, bottling and printing plants, the manufacturing of paint, oils, pharmaceuticals, cosmetics, solvents, and other chemicals, production of items made of stone, metal, or concrete.

Industry Type II uses could include businesses in which goods are generally mass-produced from raw materials on a large scale through the use of an assembly line or similar process, usually for sale to wholesalers or other industrial or manufacturing uses. Included in this use type are industries involved in processing and/or refining raw material such as chemicals, rubber, wood or wood pulp, forging, casting, melting, refining, extruding, rolling, drawing, and/or alloying ferrous metals, and the production of large durable goods such as automobiles, manufactured homes, or other motor vehicles.

The concept plan includes four warehouse buildings ranging in size from 113,400 to 234,360 square feet across two parcels, for a total of 726,000 square feet. This is a reduction in density of nearly 41%. There are parking areas dedicated to employee and visitor parking, trailer parking, and loading docks for the buildings. Building A is 113,400 square feet and is located at a minimum of 280 feet from the nearest residence on Lovers Lane. Building B is 234,360 square feet and the nearest distance shown to residences along the western property line is 549 feet. The current maximum side yard setback for the proposed zoning districts is twenty (20) feet. The setback distances are proffered to be no closer than the distance shown on the concept plan.

The buildings have been altered from their previous configuration and now are removed from the Chesapeake Bay Protection Area (CBPA) buffers. The only thing that remains in the CBPA buffer is a culvert bridge from parcel to parcel. The culvert bridge can be approved administratively subject to review of the zoning administrator.

To help mitigate concerns, the applicant has proposed a berm with additional landscaping to help shield the buildings and parking from the adjacent residential development along the western property line. The berm height is shown as nine feet at its apex and sixty feet wide along the northwest portion adjacent to the residential development. The applicant has proffered a 14.92 acre park to the southwest portion of the site. The park parcel includes a six foot wide community nature trail and walking path, seating areas along the walking path, and an additional 36 foot wide by five foot tall berm to shield buildings from view from the residential development along the western property line. The applicant also included a sound study in their proffered conditions and committed to

implementing the study's recommendations to achieve code compliance which could, but is not limited to, a sound wall. The sound wall is proffered to be placed along the berm. The applicant has also proffered that in no event shall noise levels exceed hourly equivalent noise levels of 50 dBA along the western property line adjacent to the residential development. The applicant also included a ten foot wide landscaping buffer which meets the industrial buffer zone landscaping requirements in the Zoning Ordinance between the proposed facility and the Saunders House.

An analysis of the project's potential impacts on public services and facilities is included below.

Public Services and Facilities:

The proposed development will be connected to public water facilities via the 16-inch water main in the Route 460 right-of-way. The water system around the Tidewater Logistics Center contains a 600,000-gallon elevated storage tank and mains that currently provide water service to the existing warehouses south of the site. The existing sanitary sewer infrastructure around the project consists of the 20-inch Hampton Roads Sanitation District (HRSD) force main along Route 460. A regional pump station is shown on the western boundary of the project. The size and capacity of the pump station will be determined if approved during the preliminary site plan process.

Traffic Impacts:

The primary access to the development will be at the intersection of Dominion Way and Windsor Boulevard (U.S. Route 460) where the development will add a fourth approach and modify the existing traffic signal to include signalization for movements to and from the development. The proposed Tidewater Logistics Center development has the potential to generate a total of 2,004 total daily trips and 400 total heavy vehicle trips. There are 243 total trips, and 261 total trips are expected to occur in the AM and PM peak hours, respectively. A turn lane with a 200 foot taper and storage are shown along the western and eastern access points. A copy of the traffic impact memo is attached to this staff report.

Financial Impact:

Site improvements include four industrial warehouses including offices, employee and truck parking, and a storm drainage system. The projected total number of jobs will be determined by the final total square footage constructed. The proposed

jobs will be associated with the use and some temporary jobs that are associated with construction.

Environmental Features:

The concept plan shows the impact on CBPA buffers with the proposed construction of a culvert bridge. The impact on the CBPA buffers has been reduced from the previous submission. The applicant has removed buildings and parking areas from the CBPA buffer. The proposed culvert bridge is used for parcel connectivity and can be approved administratively. Because of the need for state permits and local exceptions for any proposed environmental impacts, the design of the site could shift to achieve final site plan approval. The purpose of the conceptual plan is illustrative only and any final site plan will be required to meet Ordinance and proffered conditions.

Historical Resources:

Both Phase I and II were performed for the previous submission of the project. The Henry Saunders House is located within the project area and is included on the National Register for Historic Places (NRHP). In addition to the Henry Saunders House, a family cemetery was identified along the forested area to the east of parcel 55-01-013. A cemetery known as the Butler-Jones cemetery is located along the western edge of parcel 54-01-086J. A permanent fence has been proposed for both cemeteries so that they remain undisturbed. The applicant has included a ten foot wide landscape buffer along the boundary of the Sanders house and the outbuildings to shield the home from development.

Visual Impact:

The project site lies mostly in a vacant farm field with frontage along Route 460. There is a cluster of residential developments along the west and northwest of the project area. In addition, the Henry Saunders House, which is listed on the NRHP, is located on the southeastern side of the proposed project area. A six foot tall by 42 foot wide landscaped berm has been proposed along the western portion of the site with existing landscaping being proposed to remain along the northwest to minimize the impact to the viewshed of the residential development. An illustrative perspective rendering is attached to this staff report. The applicant has proffered additional screening adjacent to the Henry Saunders House with a ten foot wide buffer that will meet the industrial buffer zone landscaping requirements found in Section 8-1005 of the Zoning Ordinance.

The property also lies in the Highway Corridor Overlay (HCO) District, and future development will have to meet nonresidential design criteria. The attached concept plan is for illustrative purposes only, and any final site plan will need to meet current ordinance requirements. Conceptual elevations for the proposed buildings are attached to this staff report.

COMPREHENSIVE LAND USE PLAN:

The current recommended future land use designation for all properties is Mixed Use (MU) and Environmental Conservation (EC). This application is associated with an accompanying application for a comprehensive plan amendment from MU to Planned Industrial (PI).

The Comprehensive Plan describes MU as areas of housing mixed with office, commercial, and other uses. Types of housing in these areas may consist of one or multiple detached or attached single-family homes, multi-plex and apartment-style housing options, along with office or commercial uses. The Plan recommends MU areas be located on major transportation routes and at major intersections. MU areas should consist of large tracts of land capable of being master planned for a diversity and integration of multiple uses. MU should also have access to public water and sewer infrastructure with capacity for more intense development. Examples of MU development in the County include Eagle Harbor and Bennis Grant. The Plan does indicate, however, that select light industrial uses may also be appropriate when sited correctly.

The PI land use designation is given to areas where manufacturing, warehousing, and distribution are envisioned to occur. Typical land uses in PI consist of light industrial as well as heavy industrial and manufacturing uses which may negatively impact surrounding development. Preservation of environmental features still occurs, and PI development is connected to residential uses with vehicular and pedestrian access. The Plan notes that PI should be buffered from adjacent uses. Examples of PI include the Shirley T. Holland Intermodal Park and International Paper.

While PI land use is present across Rt. 460, the change to PI in this location could be incompatible with the surrounding residential uses and historical resources without substantial buffering for visual, noise, and lighting impacts. The applicant has proposed mitigation to possible sound and visual impacts with the installation of a berm along the western portion of the site and a sound wall along the berm.

The properties are also located within the Windsor Development Service District (DSD). The Plan describes the DSDs as specific areas identified for development to occur. Outside of the DSD boundaries, all land is intended to stay in rural and agricultural uses and environmental protection. Within the boundaries of the DSD, the County has installed or has plans for water and sewer infrastructure, road improvements, and other public facilities necessary to support growth. Following the DSD approach has allowed the County to protect roughly 85% of the County's land area for rural and agricultural uses.

The EC land use designation is identified for the protection of a variety of sensitive environmental features, such as wetlands and streams, and serves to create natural connections for wildlife, protect commercial and recreational fisheries, and provide buffers for adjacent developments. Specific locations of Environmental Conservation areas are determined with site-specific delineations during the plan of development review process. Both MU and PI designations recommend the preservation of environmentally sensitive features within these areas.

ORDINANCE REVIEW:

The proposed zoning district designations are C-RAC and C-LI subject to the attached proffered conditions. The applicant has proffered that only the uses included in the proffer statement will be permitted on this site. The uses proposed are consistent with the Limited Industrial zoning district. The applicant has also proffered a conservation easement, so the only uses permitted on the C-RAC property are the landscaping and the park.

If the Board of Supervisors approves the change in zoning, the project will need to undergo a site plan and building permit review. The project will be required to provide any necessary state and federal permits as well.

The parcel is also located in the HCO District. Section 6-3001 of the Zoning Ordinance states that the purpose of the HCO district is to protect the aesthetic and visual character of lands in Isle of Wight County adjacent to major existing and proposed highway corridors defined in the Zoning Ordinance and to provide for and promote their orderly development. To meet the intent of the HCO

District, the proposed building design, building materials, and outdoor storage area must comply with the district's design standards during site plan review, at which time all other applicable regulations of the Zoning Ordinance, such as parking, landscaping, lighting, will be addressed.

This property falls within the Chesapeake Bay Preservation Area (CBPA) Overlay District which includes a mandatory 100 foot wide resource protection area (RPA) buffer surrounding stream features and wetlands. The applicant would need an administrative exception to construct the culvert bridge as shown on the concept plan.

AGENCY REVIEW:

This application was forwarded to the following departments for their review, and staff received the following comments:

Economic Development: The EDA and the Economic Development Department support these applications and view this property as an extension of Shirley T. Holland Intermodal Park. Amending the Comprehensive Plan from Mixed Use to Planned Industrial and Rezoning from RAC to C-LI makes the land use and zoning consistent with the existing park. Although reduced in size from the original application, this project will still have a major economic impact on both Isle of Wight County and the Town of Windsor, creating a significant number of jobs and benefitting local businesses. Concerns with the ownership of the proposed park have been addressed.

Town of Windsor: Forwarded revised application documents. No comments provided at this time.

Virginia Department of Transportation: Recommend that the proposed park entrance be moved farther from the signalized intersection to avoid conflicts with inbound site traffic and queued vehicles at the intersection. The applicant has shifted the entrance to the north to provide 300 feet from the right-of-way line to the center of the drive entrance. Other concerns addressed.

County Attorney: Comments addressed.

General Services: The size and location of the future pump station will be determined if approved during the preliminary site plan process.

STAFF CONCLUSIONS:

Based on the assessment above, staff finds the following strengths and weaknesses for this request:

Strengths:

1. The proposed uses are consistent with the proposed C-LI zoning district.
2. The proposed project would create additional jobs and generate additional nonresidential revenue to help cover the costs of future public services and facilities.
3. The application includes features to mitigate potential land use conflict issues, such as enhanced setbacks from adjacent residential uses, a sound wall, and a community park.

Weaknesses:

1. Buildings on the western portion of the project area are in close vicinity to the residential development along Lovers Lane and Keaton Avenue; however, the applicant has proffered several mitigation measures to include a nine foot tall by sixty foot wide landscaped berm, a sound wall, and a sound study as well as a condition not to exceed 50 DBA.
2. The historic resource known as the Saunders House is less than 200 feet from the proposed buildings and parking areas and the applicant has proffered additional screening measures to minimize visual impacts to the resource.

STAFF RECOMMENDATION:

Based on the findings listed above, staff recommends approval of the application with the conditions proffered by the applicant.

ATTACHMENTS:

Description	Type	Upload Date
Application	Backup Material	1/21/2025
Concept Plan	Backup Material	1/21/2025
Site Map	Backup Material	1/21/2025
Proffers	Backup Material	1/21/2025
Building elevations	Backup Material	1/21/2025
Traffic Memo	Backup Material	1/21/2025

Landscape Detail	Backup Material	1/21/2025
Statment of Reason	Backup Material	1/21/2025
Location Map	Backup Material	1/21/2025
Location Closeup Map	Backup Material	1/21/2025
Zoning Map	Backup Material	1/21/2025
Land Use Map	Backup Material	1/21/2025



REZONING

WHAT IS REZONING?

Isle of Wight first adopted zoning laws in 1970 as part of the County's authority to promote and protect health, safety, and general welfare of the present, as well as future, residents and businesses of the County.

These laws, as outlined in the Zoning Ordinance, designate all land to one of the zoning districts. The permitted uses and rules pertaining to each district designate the use of a parcel of land in a desired fashion. A change, or rezoning, is made at the owner's request or at the direction of the Board of Supervisors and in accordance with the land use designations of the Comprehensive Land Use Plan.

WHAT MUST I FILE TO REZONE MY PROPERTY?

1. Prior to submitting an application, it is recommended to schedule a pre-application meeting with Economic Development to review the application and discuss any questions the applicant may have. Please call 757-365-6249 for meeting information. If the property is in the Land Use Assessment Program, the applicant should also contact the Commissioner of the Revenue's Office at (757) 365-6222.
2. Submit a completed application form, completed application checklist with all required documents (See Submittal Checklist for additional items that may be required), completed disclosure of real estate holdings, owners affidavit and the filing fee of \$1,200.

WHEN IS A REZONING APPLICATION CONSIDERED BY THE PLANNING COMMISSION?

Once a completed application has been submitted to the County, the application is distributed for comment and review to all appropriate County and State Agencies/Departments. Once all comments are received and the application is deemed acceptable by all appropriate County and State

Agencies/Departments, the application is scheduled for public hearing by the Planning Commission. The Planning Commission meetings are normally held at 6:00 p.m. on the fourth Tuesday of each month in the Robert C. Claude, Sr. Board Room, at the County Courthouse Complex. The advertising deadline for an upcoming Planning Commission public hearing is the first Thursday of the month. An application must be deemed acceptable by all appropriate County and State Agencies/Departments prior to this deadline in order to be placed on the next agenda.

WHAT IS THE PUBLIC HEARING PROCEDURE FOR REZONING?

1. Once the application is scheduled for a public hearing by the Planning Commission, the applicant is required to the required number of copies of the concept plan and all other supplementary documentation deemed necessary by the Planning and Zoning Department for distribution to the Planning Commission. All required items must be submitted to the Planning and Zoning Department no fewer than ten calendar days prior to the scheduled public hearing.
2. The applicant will be given at least one sign to post on the property at least fourteen days prior to the Planning Commission public hearing, indicating an application has been filed. Additional signs may be required based on linear road frontage. These signs are provided by the County and may be picked up at the Planning and Zoning Department front desk.
3. The application is advertised for public hearing in the local newspapers twice – no more than twenty-one (21) days and no less than six (6) days prior to the public hearing.
4. Notices are sent by the Planning and Zoning Department to all adjoining property owners

If you have any questions, please call the Central Permitting office at 757-365-6211 or email at planreview@iwus.net

at least fourteen days prior to the public hearing.

5. Staff will prepare a report on the application and the applicant will be sent a copy of the report and other comments made by County and State Agencies/Departments prior to the meeting date.
6. The applicant and/or a representative are/is required to attend the Planning Commission meeting to present the application and answer any questions from Commission members.
7. Following the Planning Commission's recommendation of approval or denial, the application will be placed on the Board of Supervisors' agenda for a public hearing. Board of Supervisors meetings are typically held on the third Thursday of each month and the meetings begin at 5:00 pm in the Robert C. Claude, Sr. Board Room, at the County Courthouse Complex. The same notification procedure as outlined above will be followed, and additional copies of the concept plan and all other supplementary documentation will be required to be submitted by the applicant for distribution to the Board of Supervisors. All required items must be submitted to the Planning and Zoning Department no fewer than ten calendar days prior to the scheduled public hearing.
8. The Board of Supervisors will hold the public hearing as scheduled, and make a determination to approve or deny the application. The applicant and/or a representative are/is required to attend the Board of Supervisors meeting to present the application and answer any questions from Board of Supervisors members.
9. The applicant will be notified in writing of the Board of Supervisors' discussion. If denied, a period of at least one (1) year must elapse in order to resubmit the application, unless significant changes are made. Also, the applicant may appeal the Board's decision to the Circuit Court

10. If approved, and the request does not include the rezoning of an entire parcel, a zoning boundary plat will need to be prepared by a licensed surveyor and submitted for approval within twelve months of the Boards approval of the rezoning application.

WHAT OTHER PERMITS OR APPROVALS MAY BE REQUIRED PRIOR TO CONSTRUCTION?

- Zoning Permit
- Stormwater
- Building Permit
- Health Department Permit
- Site Plan Approval
- Subdivision Plat Approval
- Landscaping Surety
- Erosion and Sediment Control Surety



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:

☐ Rezoning

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

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

Proposed Use or Activity: Industry, Type 1, Custom Manufacturing, Warehousing, and Distribution

☐ Amendment to Conditional Zoning

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

B. PROJECT DESCRIPTION:

Project Name: Tidewater Logistics Center

Property Address (if any): _____

Election District: District 4

Comprehensive Plan Designation: Planned Industrial (Proposed)

The rezoning will apply to 154.34 acres out of 154.34 total acres

Tax Parcel Identification # 54-01-086J Number of Acres to be Rezoned: 90.885

Requesting Zoning District Change from: RAC to LI

Tax Parcel Identification # 55-01-013 Number of Acres to be Rezoned: 63.457

Requesting Zoning District Change from: RAC to LI

Tax Parcel Identification # 54-01-086B Number of Acres to be Rezoned: 00.000

Requesting Zoning District Change from: RAC to LI

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

Public Sewer ☒ Private Septic ☐

C. APPLICATION INFORMATION:

Applicant(s) Name(s): Meridian Property Purchaser, L.L.C.

Address: 3 Bethesda Metro Center, Suite 1400

City, State, Zip Code: Bethesda, MD 20814

Phone No.: 240-507-1174 Email: tomboyland@tmgdc.com Fax No.: _____

Property Owner(s) Name(s): Industrial Development Authority of Isle of Wight and Hollowell Holdings, LLC

Address: IDA: 17146 Monument Circle, Suite A, Isle of Wight, VA 23397

Hollowell: 409 Patrick Street, Portsmouth, VA 23397

City, State, Zip Code: _____

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

Applicant Signature

Date



11/15/2024

Owner Signature if different

Date

C. APPLICATION INFORMATION:

Applicant(s) Name(s): Meridian Property Purchaser, L.L.C.

Address: 3 Bethesda Metro Center, Suite 1400

City, State, Zip Code: Bethesda, MD 20814

Phone No.: 240-507-1174 Email: tomboylan@tmgdc.com Fax No.: _____

Property Owner(s) Name(s): Industrial Development Authority of Isle of Wight and Hollowell Holdings, LLC

Address: IDA: 17146 Monument Circle, Suite A, Isle of Wight, VA 23397

Hollowell: 409 Patrick Street, Portsmouth, VA 23397
City, State, Zip Code: _____

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

AA

11/13/24

Applicant Signature

Date

Owner Signature if different

Date

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

____ 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 Meridian Property Purchaser, L.L.C.

Address 3 Bethesda Metro Center, Suite 1400

Bethesda Maryland 20814

City State Zip

REAL ESTATE HOLDINGS TO BE AFFECTED

Location or Address	Description
None	

OTHER OWNERS OF AFFECTED REAL ESTATE

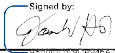
(Not Required for Corporation whose stock is traded on a national or local stock exchange or having more than 500 shareholders.)

Name of Individuals Corporation/Partnership Business Association	Address
None	

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:

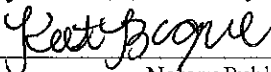
I do solemnly swear that the foregoing statement(s) and attachments(s), if any, are complete, correct and true.

Applicant: James Huckaby Applicant:  Date: November 5, 2024

Printed or Typed Name Signature

Commonwealth of Maryland
County of Montgomery

Subscribed and sworn to before me Katherine Bogue
A Notary Public in and for the County of Montgomery Commonwealth
of Maryland, this 5th day of November, 2024.


Notary Public

My Commission Expires 6/24/25



Approved By: Tom Boylan

REZONING/CONDITIONAL ZONING AMENDMENT APPLICATION CHECKLIST

****Both checklist and application required upon submission to central permitting or application will not be accepted****

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 an exception shall be certified as complete unless the following information is provided. **The required number of copies may be increased or reduced with permission of the Zoning Administrator, depending on the review needs.** Applicant(s) must have their signature(s) notarized on the disclosure of real estate holdings.

☐ **Ten (10) copies of the following:**

- ☐ original, executed application
- ☐ a statement of the reasons for seeking a rezoning, and if applicable, a statement of proffered conditions with owner(s) original, notarized signature.
- ☐ narrative description of current condition and use of the property, which shall include the tax parcel identification number
- ☐ full size 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)
- ☐ any additional information required for the proposed use in accordance with Section 5-5000, *Supplementary Use Regulations*, of the Zoning Ordinance.
- ☐ Community Impact Statement. Required for residential subdivisions of five (5) or more lots, planned development, commercial, industrial, or miscellaneous rezoning/conditional zoning amendment applications. Please refer to Section 1-1015.F for detailed requirements of the Community Impact Statement.
- ☐ Water Quality Impact Assessment. For any rezoning in the Chesapeake Bay

Preservation Area prepared in accordance with Appendix B-1 of the County Code for applications containing any of the following:

- 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.

- ☐ Planned Development supplemental information shall be submitted in accordance with Section 4-14005, *Submission Requirements*, of the Zoning Ordinance

- ☐ **One (1) original executed application**
- ☐ **One (1) digital copy of ALL application documents**
- ☐ **One (1) reduced 11"x17" copy of concept plan**
- ☐ **Voluntary Proffer Statement if applicable**
- ☐ **Waiver and Release of Claims if cash proffer is proposed**
- ☐ **Application fee submitted with the application. Checks should be made payable to treasurer, Isle of Wight, County**
- ☐ **Other information may be necessary to demonstrate compliance with all other applicable federal, state and County standards and regulations.**
- ☐ **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 Huckaby

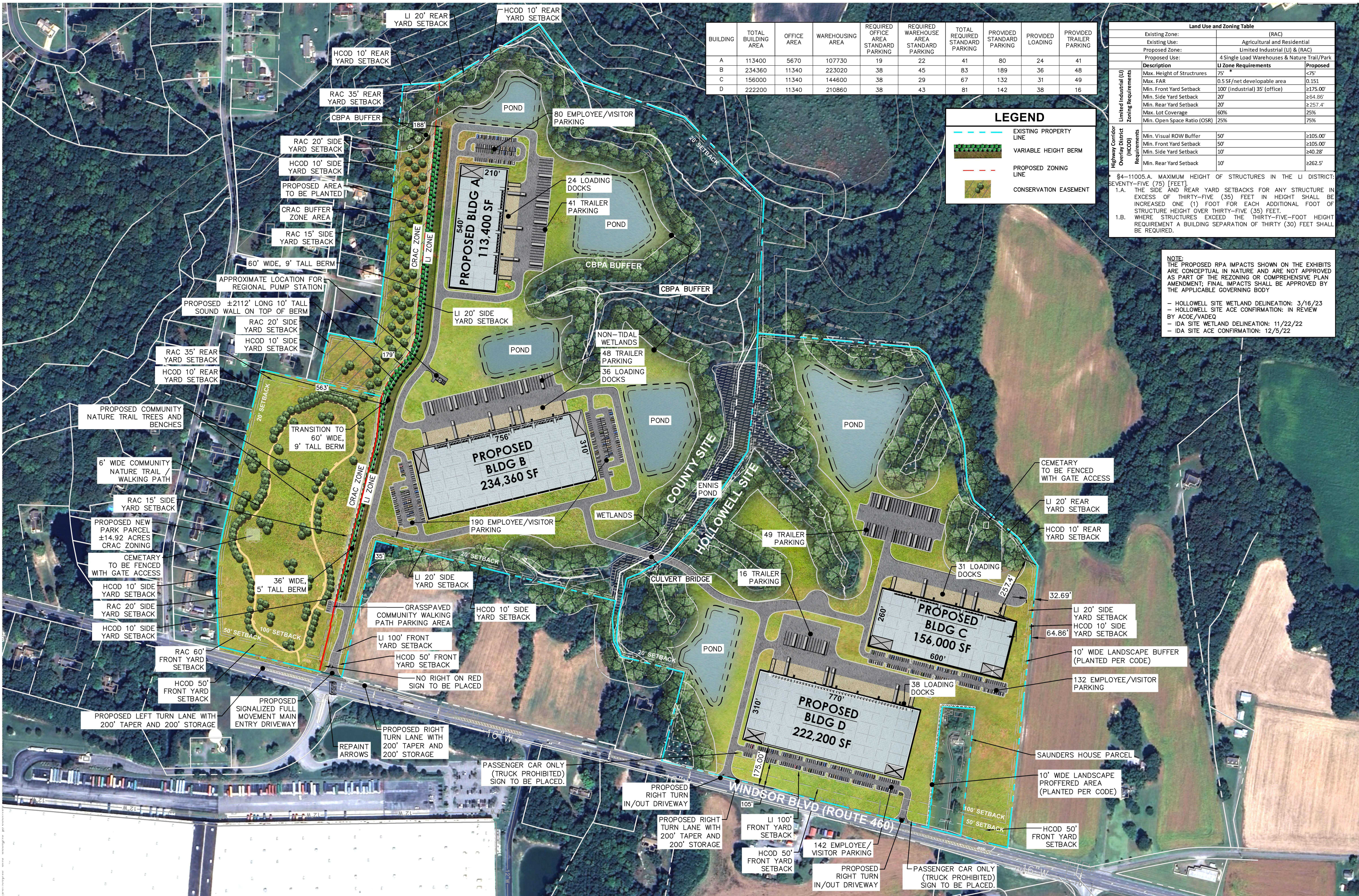
Name



Signature

11/13/24

Date

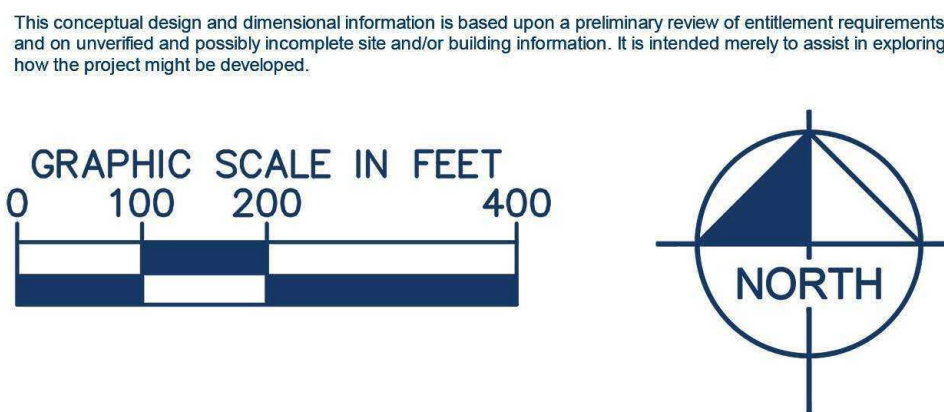


BUILDING	TOTAL BUILDING AREA	OFFICE AREA	WAREHOUSING AREA	REQUIRED OFFICE AREA STANDARD PARKING	REQUIRED WAREHOUSE AREA STANDARD PARKING	TOTAL REQUIRED STANDARD PARKING	PROVIDED STANDARD PARKING	PROVIDED LOADING	PROVIDED TRAILER PARKING
A	113400	5670	107730	19	22	41	80	24	41
B	234360	11340	223020	38	45	83	189	36	48
C	156000	11340	144600	38	29	67	132	31	49
D	222200	11340	210860	38	43	81	142	38	16

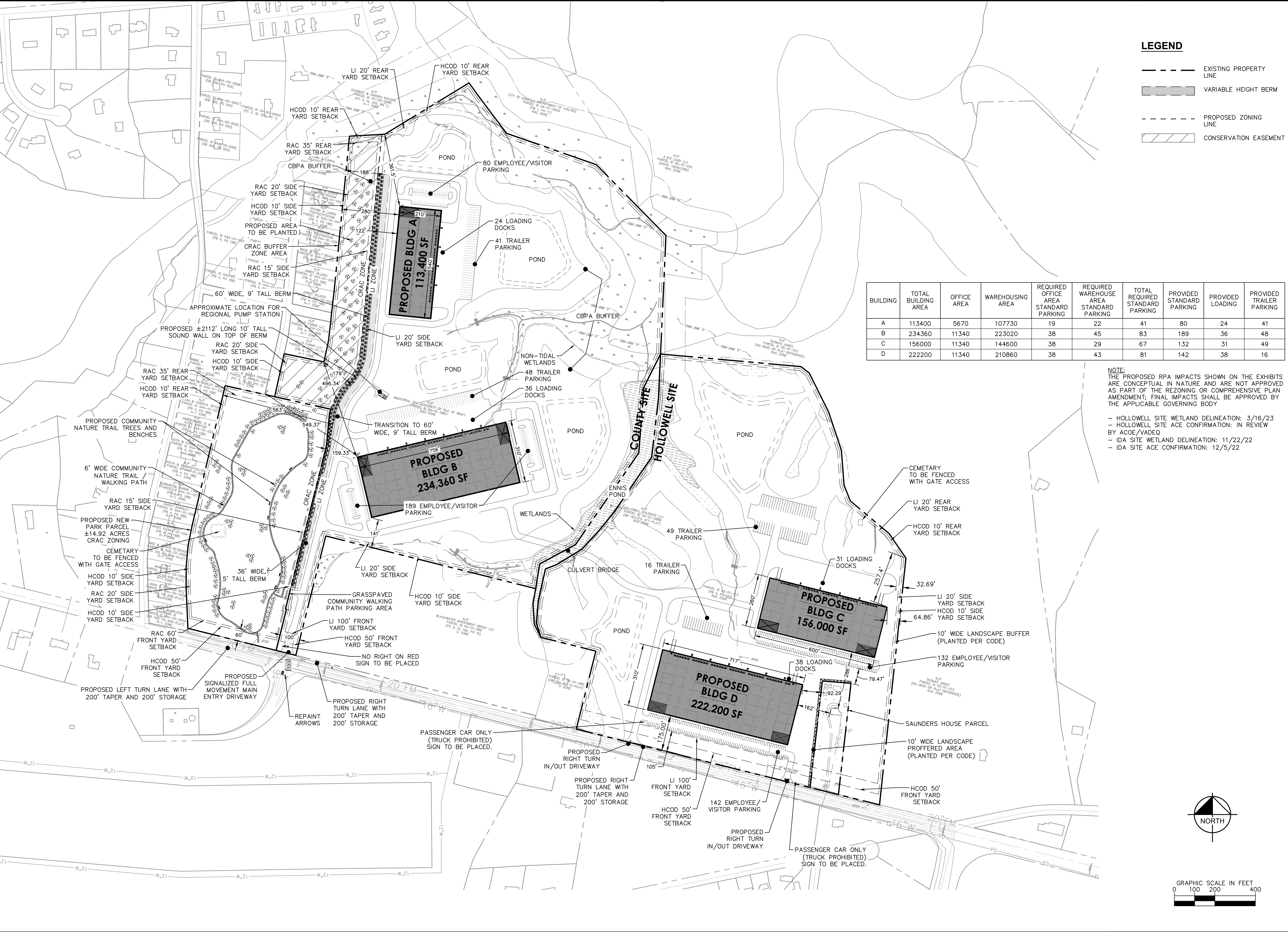
Land Use and Zoning Table		
Existing Zone:	(RAC)	
Existing Use:	Agricultural and Residential	
Proposed Zone:	Limited Industrial (LI) & (RAC)	
Proposed Use:	4 Single Load Warehouses & Nature Trail/Park	
Description	LI Zone Requirements	Proposed
Max. Height of Structures	75' *	<75'
Max. FAR	0.5 SF/net developable area	0.151
Min. Front Yard Setback	100' (industrial) 35' (office)	≥175.00'
Min. Side Yard Setback	20'	≥64.86'
Min. Rear Yard Setback	20'	≥257.4'
Max. Lot Coverage	60%	25%
Min. Open Space Ratio (OSR)	25%	75%
Min. Visual ROW Buffer	50'	≥105.00'
Min. Front Yard Setback	50'	≥105.00'
Min. Side Yard Setback	10'	≥40.28'
Min. Rear Yard Setback	10'	≥262.5'

§4-11005.A. MAXIMUM HEIGHT OF STRUCTURES IN THE LI DISTRICT: SEVENTY-FIVE (75) FEET.
1.A. THE SIDE AND REAR YARD SETBACKS FOR ANY STRUCTURE IN EXCESS OF THIRTY-FIVE (35) FEET IN HEIGHT SHALL BE INCREASED ONE (1) FOOT FOR EACH ADDITIONAL FOOT OF STRUCTURE HEIGHT OVER THIRTY-FIVE (35) FEET.
1.B. WHERE STRUCTURES EXCEED THE THIRTY-FIVE-FOOT HEIGHT REQUIREMENT A BUILDING SEPARATION OF THIRTY (30) FEET SHALL BE REQUIRED.

NOTE:
THE PROPOSED RPA IMPACTS SHOWN ON THE EXHIBITS ARE CONCEPTUAL IN NATURE AND ARE NOT APPROVED AS PART OF THE REZONING OR COMPREHENSIVE PLAN AMENDMENT; FINAL IMPACTS SHALL BE APPROVED BY THE APPLICABLE GOVERNING BODY
- HOLLOWELL SITE WETLAND DELINEATION: 3/16/23
- HOLLOWELL SITE ACE CONFIRMATION: IN REVIEW BY ACOE/VADEQ
- IDA SITE WETLAND DELINEATION: 11/22/22
- IDA SITE ACE CONFIRMATION: 12/5/22



Plotted By: Lucas, Tyler Sheet Set: #117156002 Titled: TIDEWATER LOGISTICS CENTER CADD Exhibits 2025.01.05 Site Master Plan.dwg K:\VAB\Civil\117156002 Tidewater Logistics Center CADD Exhibits 2025.01.05 Site Master Plan.dwg This document, together with the concepts and designs presented herein, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.



TIDEWATER LOGISTICS CENTER
PREPARED FOR
THE MERIDIAN GROUP

ISLE OF WIGHT VIRGINIA

SITE MAP
MASTER PLAN
EXHIBIT

KHA PROJECT
117156002
DATE
01/10/2025
SCALE AS SHOWN
DESIGNED BY TRL
DRAWN BY TRL
CHECKED BY KBB

Kimley»Horn

© 2025 KIMLEY-HORN AND ASSOCIATES, INC.
4525 MAIN STREET, SUITE 1000, VIRGINIA BEACH, VA 23462
PHONE: 757-213-8600 FAX: 757-213-8601
WWW.KIMLEY-HORN.COM

REVISIONS
No.
BY
DATE

SHEET NUMBER
1 OF 1

PROFFERED CONDITIONS

January 28, 2025

Conditional Zoning Request REZN-24-10 (the “Application”) has been filed by the “Owner” (hereinafter defined) for certain real property owned by Hollowell Holdings LLC (“Hollowell”) and the Industrial Development Authority of Isle of Wight County (“IDA”), which property is situated within the territorial confines of the County of Isle of Wight, Virginia (the “County”) located at 13009 Windsor Boulevard (Tax Parcel ID Numbers 54-01-086J, 55-01-013, and 54-01-086B) in the Windsor Development Service District and more particularly described on **Exhibit A** attached hereto and made part hereof (the “Property”). Meridian Property Purchaser, L.L.C. (“Meridian”) is the contract purchaser of the Property. Hollowell, IDA and Meridian (collectively, the “Owner”) filed the Application requesting that the zoning of the Property be changed from RAC – Rural Agricultural Conservation to C-RAC – Conditional Rural Agricultural Conservation and C-LI – Conditional Limited Industrial with proffers in order to permit the development of a project (the “Project”) on the Property as shown on the “Master Plan” (hereinafter defined).

The Owner and the County have carefully evaluated, among other things, a traffic impact analysis and community impact analysis (copies of which are on file with the County’s Community Development Department, hereinafter referred to as the “Department”) and the on-site and off-site impacts of the Project and have determined (i) the impacts specifically attributable to the Project (the “Impacts”), (ii) certain Impacts create a need (or identifiable portion of a need) for the expansion of existing capacity of public transportation facilities (the “Expansion of Existing Capacity”), (iii) the Project will receive a direct and material benefit from the Expansion of Existing Capacity, and (iv) the provisions of the County’s zoning ordinance (“Zoning Ordinance”) are inadequate for addressing various of the Impacts and necessitate supplementation by these Proffers.

In furtherance of the Application, the Owner, for itself and its successors and/or assigns, hereby voluntarily proffers the conditions specifically set forth below, in addition to the regulations provided for by the Zoning Ordinance, which proffered conditions are determined by the Owner and, upon acceptance by the Board of Supervisors in connection with the approval of the Application, the County: (i) to be reasonable, (ii) to address impacts specifically attributable to the Project, (iii) to address the need (or identifiable portion of a need) for the Expansion of Existing Capacity, (iv) to directly and materially benefit the Project, (v) to have a reasonable relation to the proposed change in zoning, (vi) to be in conformity with County’s adopted comprehensive plan, and (vii) to be in accordance with the provisions of Section 15.2-2296, et seq. of the Code of Virginia (1950), as amended (the “Virginia Code”), Section 15.2-2303.2 through 15.2-2303.4 of the Virginia Code, and the County Zoning Ordinance. The following proffered conditions apply only to the Property.

1. **Plan of Development.** A conceptual development plan of the Project entitled “TIDEWATER LOGISTICS CENTER CONCEPTUAL PLAN”, dated January 10, 2025, prepared by ARCO Design/Build (the “Master Plan”), has been submitted to the Department for review by the County in connection with the Application. The Master Plan is on file with the Department. Development of the Property shall be in substantial conformance, as determined by the Community Development Director (the “Director”) with the Master Plan. The Master Plan may be modified from time to time provided that such modifications do not alter the basic concept or character of the Master Plan and provided that such amendments are approved by the Director for consistency with the terms of this proffer.

2. Permitted and Prohibited Uses on the Conditional Light Industrial Zoned Portion of the Property.

- a. Permitted Uses. The portion of the Property zoned Conditional Light Industrial (the "CLI Property") shall be used as permitted under the Limited Industrial zoning designation and more specifically for the following uses:

- i. Custom manufacturing
- ii. Industry, Type 1
- iii. Warehousing and distribution
- iv. Industry, Type 2 (with a conditional use permit)
- v. Reconstructed Wetland
- vi. Accessory Uses

- b. Prohibited Uses. The following uses shall be expressly prohibited on the CLI Property.

i. Agricultural Uses

1. Fertilizer Storage
2. Assembly and Repair of Storage Equipment
3. Forestry, Silvicultural
4. Agricultural Farming Operation
5. Timbering
6. Sawmill

ii. Civic Uses

1. Adult Care Center

iii. Commercial Uses

1. Adult Entertainment Establishment
2. Laundry
3. Lawn and Garden Services
4. Mini Warehouse
5. Motor Vehicle Repair Service/Major

iv. Industrial Uses

1. Construction Yard
2. Convenience Center
3. Meat Packing
4. Recycling Center
5. Abattoir or Livestock Processing
6. Asphalt Plant
7. Industry, Type III
8. Landfill, Industrial
9. Landfill, Rubble
10. Transfer Station
11. Resource Extraction
12. Scrap and Salvage Service
13. Petroleum Storage for resale purposes
14. Manufacture or production of aluminum
15. Sand, gravel, or brick operations

v. Miscellaneous Uses

1. Aviation Facility, General

3. Permitted and Prohibited Uses on the Conditional Rural Agricultural Conservation Zoned Portion of the Property. The portion of the Property zoned Conditional Rural Agricultural Conservation (the “CRAC Property”) shall be used for a Public Park and Recreation Area and Accessory Uses, and no other uses shall be permitted on the CRAC Property.

4. Design. The buildings on the CLI Property shall be constructed in substantial conformance with the drawings entitled “CONCEPTUAL RENDERING – BUILDING D”, dated 02/05/2024, prepared by ARCO Design/Build and One Four Two Design Group, “CONCEPTUAL RENDERING”, dated 02/05/2024, prepared by ARCO Design/Build and One Four Two Design Group, and “PRELIMINARY ELEVATIONS - BUILDING D”, dated February 5, 2024, prepared by ARCO Design/Build and ADB Design Services (the “Renderings”) and in substantial conformance with the Highway Corridor Overlay zoning ordinance as determined by the Director. A copy of the Renderings is on file in the Department. The Renderings may be modified from time to time provided that such modifications do not alter the basic concept or character of the Renderings and provided that such amendments are approved by the Director for consistency with the terms of this proffer.

5. Buffer Design. The site plan(s) for the development of the portions of the Property containing Buildings A and B on the Master Plan shall include the CRAC Property and include the design for the construction of the park, CRAC buffer, and berm as shown on the Master Plan and as shown on that certain exhibit entitled “Landscape Industrial Adjacent to Residential Buffer Zone: Mixed Buffer, Tidewater Logistics Center Rezoning Isle of Wight Virginia”, dated November 2024, prepared by Kimley Horn (the “Landscape Buffer Concept Drawing”) or such comparable design as may be approved by the Director. Owner shall guarantee (in accordance with Section 15.2-2299 of the Virginia Code or such successor provision) maintenance of the landscaping associated with the park and the berm for a period of 3 years after installation. A copy of the Landscape Buffer Concept Drawing is on file in the Department. The Landscape Buffer Concept Drawing may be modified from time to time provided that such modifications do not alter the basic concept or character of the Renderings and provided that such amendments are approved by the Director for consistency with the terms of this proffer.

6. Minimum Setback Requirements from Western Property Line. Building A and Building B shall not be located any closer to the western boundary line of the Property than the respective setback for each Building as shown on the Master Plan.

7. Maximum Noise Levels and Sound Study. A sound study (the “Sound Study”) shall be performed by Owner and submitted to the Department with any site plan for development of any portion of the CLI Property located west of Ennis Pond, which Sound Study shall be subject to review and approval by the Director for technical accuracy, compliance with this Proffer, and consistency with the County’s noise ordinance. Such site plan shall include the implementation of the recommendations of the Sound Study as necessary to comply the County’s noise ordinance and this Proffer, which recommendations shall include but not be limited to a 10-foot noise wall as shown on the Master Plan and Landscape Buffer Concept Drawing. Notwithstanding the forgoing, in no event shall noise levels along the western boundary line of the Property adjacent to residentially developed property exceed hourly equivalent noise levels of 50 dBA with noise level measurements using, at a minimum, a properly functioning and calibrated Type I integrating sound level meter under the supervision of an experienced professional certified by the Institute of Noise Control Engineering of the USA.

8. Historic Resources. Owner shall document in the Virginia Cultural Resource Information System (VCRIS) the dense concentration of redeposited historic architectural, agricultural, and domestic materials exposed on and within an eroding ditch on the Property, as referenced in Attachment A of the Virginia Department of Historic Resources letter to Isle of Wight County dated February 12, 2024, DHR File No. 2023-4713 ("VDHR Letter"). Owner shall also engage a qualified archaeologist to monitor land disturbance around the cemetery noted in the VDHR Letter as DHR ID No. 046-5629. Additionally, Owner shall explore additional controlled excavation regarding Site 44IW0395 as referenced in the VDHR Letter. Owner shall include a ten foot landscape buffer in compliance with the industrial buffer zone landscaping requirements found in section 8-1005 of the Zoning Ordinance around the Saunders House as shown on the Master Plan and shall provide funding for a highway marker for the house through the Virginia Department of Historic Resources. In the event the Saunders House is subdivided from the Property in the future, the landscape buffer shall continue to be located within the Project.

9. Traffic Improvements.

- a. Prior to issuance of a final certificate of occupancy for any of the buildings on the Property shown on the Master Plan, the construction, installation, and/or implementation of the following improvements at Windsor Boulevard and Dominion Way shall be completed or guaranteed by the Owner in accordance with Section 15.2-2299 of the Virginia Code or such successor provision:
 - i. Reconstruct the existing traffic signal to add a north leg of the intersection to accommodate the Project;
 - ii. Modify existing protected-permissive left-turn phasing to flashing yellow arrow;
 - iii. Modify coordinated traffic signal timings at this intersection as well as the VA 460-603/610 and VA 460-258 intersections based on new signal phasing and volumes;
 - iv. Construct an exclusive eastbound left-turn lane with 200-feet of storage and a 200-foot taper on Windsor Boulevard;
 - v. Construct an exclusive westbound right-turn lane with 200-feet of storage and a 200-foot taper on Windsor Boulevard;
 - vi. Restripe the existing right-turn lane to a through/right-turn on northbound Dominion Way; and
 - vii. Construct one exclusive left-turn lane and one shared through/right-turn lane on the southbound Project access road and sign such through/right-turn lane to prohibit right turns on red.
- b. Prior to issuance of a final certificate of occupancy for Buildings C or D shown on the Master Plan, the construction, installation, and/or implementation of an exclusive right-turn lane with 200-feet of storage and a 200-foot taper on westbound Windsor Boulevard at the western right-in/right-out Project entrance shall be completed or guaranteed by the Owner in accordance with Section 15.2-2299 of the Virginia Code or such successor provision.
- c. Prior to issuance of a final certificate of occupancy for Building D shown on the Master Plan, the construction, installation, and/or implementation of an exclusive right-turn lane with 200-feet of storage and a 200-foot taper on westbound Windsor Boulevard at the eastern right-in/right-out Project entrance with signage prohibiting

truck traffic shall be completed or guaranteed by the Owner in accordance with Section 15.2-2299 of the Virginia Code or such successor provision.

10. Off-Site Sanitary Sewer Improvements. Conditioned upon (a) Owner's receipt of a written request from the County, (b) the establishment of a mutually acceptable cost sharing agreement between Owner and County which the parties shall use commercially reasonable efforts to achieve, (c) Owner's reasonable ability to obtain all necessary governmental approvals, and (d) there being no private approvals or private property rights of third parties required to be obtained by Owner, Owner shall proceed to design and construct a gravity sanitary sewer main (the "Gravity Sanitary Sewer Main") to be located in the Town of Windsor within the portions of the public rights of way of Lovers Lane, Hazelwood Drive, and Keaton Avenue shown on **Exhibit B** attached hereto and connecting to a sewer pump station located on the Property. The size and location of the pump station located on the Property shall be determined during the preliminary site plan process. Upon completion of construction of the Gravity Sanitary Sewer Main in accordance with all applicable governmental approvals, the County shall take over ownership, operation, and maintenance of the Gravity Sanitary Sewer Main. County shall reimburse Owner in accordance with the cost sharing agreement for its actual out-of-pocket expenses incurred in connection with the design, approval, and construction of the Gravity Sanitary Sewer Main as such expenses are incurred. If, prior to the date which is 3 months after Owner's initial site plan submission to the County for the first phase of development of the Property, the Owner has not received a written request from the County as described in subsection (a) above, or the Owner and the County have not achieved a mutually acceptable cost sharing agreement as described in subsection (b) above, then all of the Owner's obligations under this Proffer 10 shall automatically expire and shall thereafter be of no further force or effect.

11. Public Park and Conservation Easement. Prior to the issuance of a certificate of occupancy for a new building on the CLI Property, Owner shall (a) complete the construction of the park on the portion of the CRAC Property labeled as "PROPOSED NEW PARK PARCEL +/- 14.92 ACRES CRAC ZONING" on the Master Plan (the "Park Parcel") in accordance with the depiction of said park area on the Master Plan, and (b) establish a conservation easement on the CRAC Property which restricts the uses of the CRAC Property to those shown on the Master Plan. Thereafter, Owner (or a property owners association for the Property established by Owner) shall maintain such improvements on the Park Parcel and permit public access thereto for use as a public park and recreation area subject to customary and reasonable rules and regulations as may be imposed by Owner (or property owners association) from time to time.

12. Successors and Assigns. These Proffers shall run with the title to the Property and shall be binding on the parties hereto and their respective successors and assigns; provided, however once a party ceases to own any portion of the Property, such party shall have no continuing liability hereunder.

13. Severability. In the event that (i) the County's approval of the Application and/or acceptance of these Proffers is appealed within 30 days after the date of the Board of Supervisors' action on same, and (ii) any clause, sentence, paragraph, subparagraph, section or subsection of these Proffers shall be judged by any court of competent jurisdiction to be invalid or unenforceable for any reason, including a declaration that it is contrary to the Constitution of the Commonwealth of Virginia or the United States, or if the application thereof to any owner of any portion of the Property or to any government agency is held invalid, then the change in zoning intended to be accomplished by the County's approval of the Application and acceptance of these Proffers shall be deemed void and the zoning of the Property shall automatically revert to that which existed immediately prior to the date of such approval.

14. Headings. All paragraph and subparagraph headings of the Proffers herein are for convenience only and are not part of these Proffers.

15. Conflicts. In the event that there is any conflict between these Proffers and the Zoning Ordinance, the conflict shall be resolved by the County's Director subject to the appeal process to the Board of Zoning Appeals and the Courts as otherwise provided by law.

16. Void if Application not Approved. In the event that the Application is not approved by the County or is overturned by subsequent judicial determination, these Proffers and the Master Plan shall be null and void.

[SIGNATURE PAGE TO PROFFERS]

WITNESS the following signatures, thereunto duly authorized:

HOLLOWELL HOLDINGS LLC

By: John W. Hollowell Jr.

Print Name: John W. Hollowell, Jr.

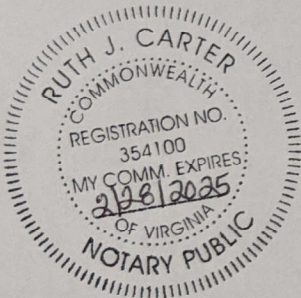
Title: Owner/Property Manager

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF Leicester, to wit:

The foregoing instrument was acknowledged before me this 14th day of January, 2025 by
JOHN HOLLOWELL as JOHN HOLLOWELL of Hollowell Holdings LLC

Ruth Carter
NOTARY PUBLIC

My commission expires: February 28, 2025
Registration No.: 354100



[SIGNATURE PAGE TO PROFFERS]

**INDUSTRIAL DEVELOPMENT AUTHORITY OF ISLE OF
WIGHT COUNTY**

By: Kristi R Sutphin

Print Name: Kristi R. Sutphin

Title: Secretary - Treasurer

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

The foregoing instrument was acknowledged before me this 13TH day of January, 2025 by
Kristi R. Sutphin as Secretary
of Isle of Wight County. Treasurer

Gloria Banks Spratley
NOTARY PUBLIC

My commission expires: June 30, 2025
Registration No.: 7543850



[SIGNATURE PAGE TO PROFFERS]

MERIDIAN PROPERTY PURCHASER, L.L.C.

By: _____

Print Name: Mark King

Title: President + COO

COMMONWEALTH OF Maryland
CITY/COUNTY OF Montgomery, to wit:

The foregoing instrument was acknowledged before me this 13th day of January, 2025 by
Mark King as President + COO of Meridian Property Purchaser, L.L.C.

My commission expires: 6/24/25
Registration No.: N/A

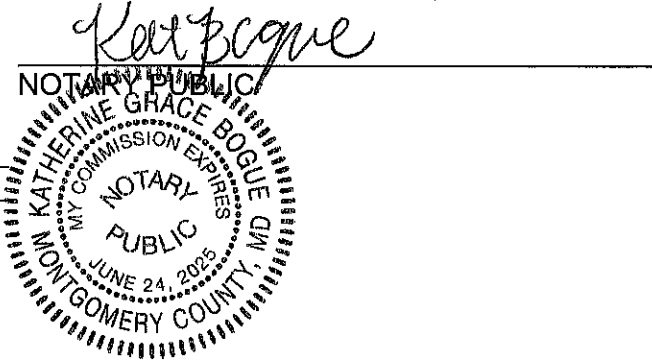


EXHIBIT A

HOLLOWELL

All that certain lot or parcel of land together with all improvements thereon located and being in the County of Isle Of Wight, VA and being more particularly described as follows:

Parcel One:

ALL THAT certain tract, piece or parcel of land lying, situate and being on the North side of U.S. Route 460, Windsor Magisterial District, Isle of Wight County, Virginia, containing a total area of 84.9 acres, more or less, according to a survey made by Roy Brinkley on August 9, 1949, with corrections to both conveyances thereafter made and bounded and described with reference to said survey as follows, to-wit: Beginning at a marked pine tree at the Northwest corner of the property hereby conveyed and on the Eastern edge of a swamp forming a part of the Western boundary line of the tract hereby conveyed and running thence South 77° 30' East a distance of 715.4 feet to a concrete post set in the run of another branch; thence following said branch South 45° East 52 feet to a gum; thence South 19° East 215 feet to a cypress; thence South 11° East 200 feet to a poplar; thence South 3° West 171 feet to a gum; thence South 14° East 84 feet to a gum; thence South 42° 30' East 251 feet to a gum in branch; thence leaving said branch and running South 27° East 147 feet to an iron pin; thence along the fence set on the Western side of a field path South 13° 30' West 1225 feet to a post set on the North side of U.S. Route 460, a corner; thence Northwestwardly along the North side of Route 460 1543 feet to a Hickory Tree and iron pipe which point is the Southeast corner of the land conveyed by William B. Spivey to John A. Wells and Estelle Slade Wells by deed recorded in the Clerk's Office of the Circuit Court of Isle of Wight County, Virginia, in Deed Book 160, page 10; thence North 21° 30' East 397 feet to an iron pin; thence North 68° 30' East 280 feet along the Northern boundary line of said Wells land to an iron pin; thence along the Eastern edge of the swamp as follows:

North 10° West 73 feet to a beech; thence
North 12° East 108 feet to a beech; thence
North 20° East 164 feet to a hickory; thence
North 76° East 60 feet to a poplar; thence
North 66° East 147 feet to a black gum; thence
North 50° East 115 feet to a red oak; thence
North 46° 30' East 131 feet to a red oak; thence
North 41° 30' East 212 feet to a hickory; thence
North 42° East 112 feet to a pine; thence
North 14° East 293 feet to an oak; thence
North 10° East 218 feet to a pine, the point of beginning.

LESS AND EXCEPT that certain parcel conveyed to the Board of Supervisors of Isle of Wight County, Virginia dated May 29, 20004, and duly recorded in the Clerk's Office of the Circuit Court of Isle of Wight County, Virginia, as [Instrument Number 040003535](#).

Parcel Two:

ALL THAT certain piece, parcel or tract of land contiguous to the western boundary line of the land of Dr. John W. Hollowell in Windsor Magisterial District, Isle of Wight County, Virginia conveyed to Dr. John W. Hollowell by Fred T. Mathews and Hazel Keaton Mathews by deed dated March 8, 1967, and duly recorded in the Clerk's Office of the Circuit Court of Isle of Wight County, Virginia, on March 14, 1967, in [Deed Book 187, page 43](#), which said parcel of land conveyed hereby is known, numbered and designated as Parcel A, as shown on a plat thereof entitled, "Plat 'A' The Property of F. T. Matthews Estate Being Conveyed to Dr. John W. Hollowell", made by Roy Brinkley, Surveyor, dated June 7, 1968, a copy of which plat is attached to and made a part of the Deed recorded as [Instrument No. 050713](#), and particular reference is hereby made to said plat for description of said property by metes and bounds.

IDA

All that certain lot or parcel of land together with all improvements thereon located and being in the County of Isle Of Wight, VA and being more particularly described as follows:

All of that certain tract, piece or parcel of land situate, lying and being in Windsor Magisterial District, Isle of Wight County, Virginia, on both sides of Route 460 and containing 279.58 acres according to a survey made by Roy Brinkley, licensed surveyor, and being bounded and described with reference to a plat of said survey styled "Plat Showing Property of K.E. Johnson Estate Windsor District Isle of Wight Co. Scale 1" - 400 Sept 25, 1961", which plat is recorded in [Plat Book 4, page 151](#) in the Clerk's Office of the Circuit Court of Isle of Wight County, Virginia, which property is more particularly described by metes and bounds shown on said plat:

LESS, SAVE AND EXCEPT the property conveyed by the following deeds, all of which are incorporated herein by reference:

1. A deed from Allie Johnson Edwards et als, to Earl E. Bussey et ux, dated July 18, 1957, recorded in [Deed Book 152, page 106](#) conveying 1-3/4 acres.
2. A deed from Allie Johnson Edwards et als, to Harry D. Young et ux, dated May 27, 1958, recorded in [Deed Book 154, page 402](#) conveying 2.67 acres.
3. A deed from Fred T. Mathews et ux to Otis Thomas Eanes, Jr., dated April 25, 1966 recorded in [Deed Book 183 at page 255](#), containing 17 acres, more or less.
4. A deed from Fred T. Mathews, Jr., et als to the Commonwealth of Virginia, dated February 17, 1970, recorded in [Deed Book 201 at page 589](#), conveying right of way to widen Route 636 to a width of up to 50 feet, located between Routes 607 and 608.
5. A deed from Fred T. Mathews, Jr., et als to the Commonwealth of Virginia, dated February 18, 1970, recorded in [Deed Book 200 at page 531](#), conveying right and easement to build a drainage ditch along Route 636 just west of Route 607.
6. A deed from Fred T. Mathews, Jr. and John Thomas Mathews, Executors, to Lloyd Raymond Olson, Jr. et ux, dated December 1, 1979, recorded in [Deed Book 203 at page 726](#), conveying 2.095 acres
7. A deed from Fred T. Mathews, Jr. and John Thomas Mathews, Executors to Victor L. Walker et ux, dated January 29, 1971, recorded in [Deed Book 206 at page 116](#), conveying 1.377 acres.
8. A deed from Fred T. Mathews, Jr. and John Thomas Mathews, Executors to John T. Mathews, dated January 14, 1972, recorded in [Deed Book 211, page 275](#), conveying 12.50 acres.
9. A deed from HRFT, Inc. to James R. Hughes, Jr. et ux, dated January 2, 1973, recorded in [Deed Book 217, page 72](#), conveying 2 lots, each containing 30,000 square feet.
10. A deed from HRFT, Inc. to James L. Griggs et ux, dated December 8, 1976, recorded in [Deed Book 242, page 795](#), conveying Lot 3, containing 1.148 acres.
11. A deed from HRFT, Inc. to Kenneth L. Murphy et ux, dated May 2, 1977 recorded in [Deed Book 245 page 813](#), conveying Lot 1, containing 1.148 acres.
12. A deed from HRFT, Inc. to Henry A. Opauski et ux, dated October 12, 1977, recorded in [Deed Book 249, page 624](#), conveying Lot 2, containing 1.148 acres.
13. A deed from HRFT, Inc. to Leland D. Johansen et ux, dated February 15, 1983, recorded in [Deed Book 286, page 300](#) conveying 1.55 acres.
14. A deed from HRFT, Inc. to Walter F. Gilchrist, II et al, dated November 30, 1989, recorded in [Deed Book 365, page 97](#) conveying 1.963 acres.
15. A deed from HRFT, Inc. to Isle of Wight County Industrial Development Authority, dated September 29, 1993, recorded in [Deed Book 422, page 882](#), conveying tract on south side of Highway 460. Corrected by deed of correction dated April 2, 2004, recorded as [Instrument No. 040003193](#), conveying 93.16 acres.
16. A. deed from HRFT, Inc. to the Board of Supervisors of Isle of Wight County, Virginia, dated February 5, 2001, recorded as [Instrument No. 010001645](#), conveying 0.605 acre.
17. A deed from HRFT, Inc. to Walter D. Freeman et ux, dated July 26, 2001, recorded as [Instrument No. 010003715](#) conveying Parcel B, in Hazelwood containing 0.092 acre.
18. A quitclaim deed from HRFT, Inc. to the Board of Supervisors of Isle of Wight County, Virginia, dated

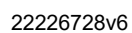
May 21, 2004, recorded as [Instrument No. 040003534](#). conveying 0.004 acre.

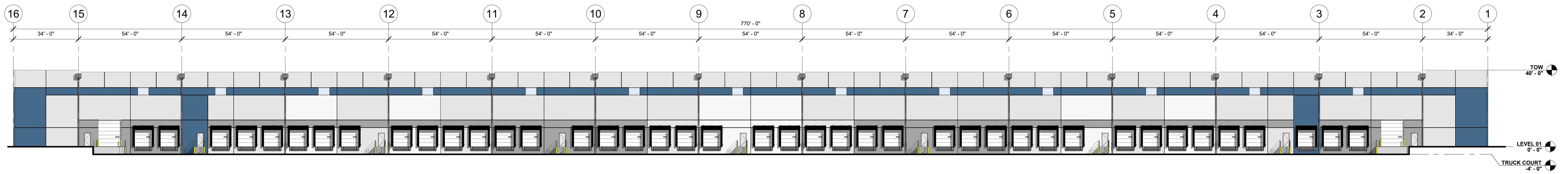
ALSO SPECIFICALLY EXCEPTED FROM THIS CONVEYANCE is that certain tract, piece or parcel of land containing 16.30± acres, shown and identified as "Residual of Tax Parcel 54-01-86" on that certain plat of survey entitled "PLAT SHOWING RESIDUAL OF TAX PARCEL 54-01-086 TO BE RETAINED BY HRFT, INC. WHEREAS THE REMAINDER OF TAX PARCEL 54-01-086 SHOWN HEREON AS PARCEL A IS TO BE ACQUIRED BY THE ISLE OF WIGHT COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY PROPERTY LOCATED IN WINDSOR MAGISTERIAL DISTRICT, ISLE OF WIGHT COUNTY, VIRGINIA SCALE: 1" = 200' AUGUST 15, 2008" made by Stafford C. Camp, Land Surveyor, a copy of which plat is recorded in [Plat Cabinet 2, Slide 190, page 16](#), in the Clerk's Office of the Circuit Court of Isle of Wight County, Virginia, reference to which is here made for a complete metes and bounds description of the property reserved.

THE PROPERTY IS DESCRIBED BY METES & BOUNDS DESCRIPTION AS SURVEYED:

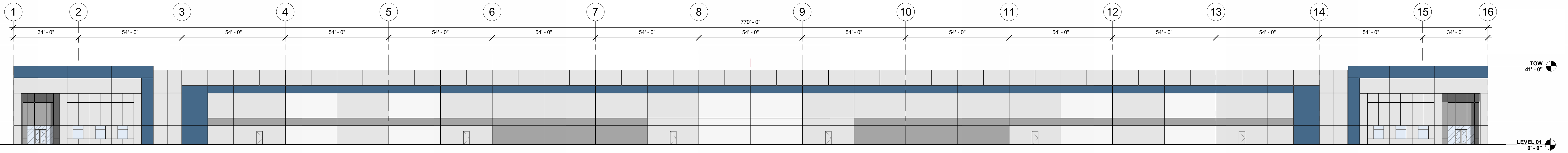
BEGINNING AT A PIN FOUND ON THE NORTHERN RIGHT-OF-WAY OF WINDSOR BOULEVARD AND BEING 210.65' FROM THE INTERSECTION OF WINDSOR BOULEVARD AND LOVERS LANE, SAID PIN FOUND BEING THE POINT OF BEGINNING; THENCE, N 02° 30' 16" W, A DISTANCE OF 203.37' TO A PIN FOUND; THENCE, N 00° 21' 50" E, A DISTANCE OF 103.01' TO A POINT; THENCE, N 05° 07' 42" E, A DISTANCE OF 103.18' TO A PIN FOUND; THENCE, N 11° 25' 17" E, A DISTANCE OF 100.15' TO A POINT; THENCE, N 13° 18' 52" E, A DISTANCE OF 710.00' TO A PIN FOUND; THENCE, S 77° 26' 04" E, A DISTANCE OF 250.00' TO A POINT ON THE SOUTHEAST CORNER OF KEATON AVENUE; THENCE, N 12° 31' 34" E, A DISTANCE OF 217.56' TO A PIPE FOUND; THENCE DEPARTING KEATON AVENUE, S 78° 16' 43" E, A DISTANCE OF 200.00' TO A POINT; THENCE, N 12° 28' 17" E, A DISTANCE OF 100.00' TO A POINT; THENCE, N 06° 58' 17" E, A DISTANCE OF 100.00' TO A PIN FOUND ON THE EASTERN TERMINUS OF HAZELWOOD DRIVE; THENCE ALONG SAID EASTERN TERMINUS, N 05° 18' 33" E, A DISTANCE OF 46.36' TO A POINT; THENCE DEPARTING HAZELWOOD DRIVE, N 06° 40' 04" E, A DISTANCE OF 105.00' TO A POINT; THENCE N 05° 40' 04" E, A DISTANCE OF 771.09' TO A POINT NEAR THE CENTER OF A SWAMP; THENCE ALONG A TIE LINE THROUGH SAID SWAMP, N 86° 53' 03" E, A DISTANCE OF 174.16' TO A POINT; THENCE ALONG A TIE LINE, N 58° 39' 13" E, A DISTANCE OF 487.43' TO A POINT; THENCE, S 35° 39' 44" E, A DISTANCE OF 79.86' TO A POINT; THENCE, S 36° 54' 44" E, A DISTANCE OF 230.00' TO A POINT; THENCE, S 70° 43' 44" E, A DISTANCE OF 470.00' TO A POINT; THENCE, S 44° 30' 44" E, A DISTANCE OF 295.00' TO A POINT; THENCE, S 44° 30' 44" E, A DISTANCE OF 172.76' TO A CALCULATED POINT; THENCE, S 02° 32' 41" W, A DISTANCE OF 647.85' TO A CALCULATED POINT; THENCE, S 29° 22' 41" W, A DISTANCE OF 132.00' TO A POINT IN ENNIS POND; THENCE, S 04° 32' 41" W, A DISTANCE OF 328.00' TO A POINT IN ENNIS POND; THENCE, S 34° 32' 41" W, A DISTANCE OF 550.00' TO A POINT IN ENNIS POND; THENCE, S 61° 32' 41" W, A DISTANCE OF 200.00' TO A POINT IN ENNIS POND; THENCE, S 09° 32' 41" W, A DISTANCE OF 123.77' TO A POINT; THENCE, N 75° 54' 38" W, A DISTANCE OF 1068.11' TO A PIN FOUND; THENCE, S 14° 05' 22" W, A DISTANCE OF 608.00' TO A PIN FOUND ON THE NORTHERN RIGHT-OF-WAY OF WINDSOR BOULEVARD; THENCE ALONG WINDSOR BOULEVARD, N 75° 54' 38" W, A DISTANCE OF 548.98' TO THE POINT OF BEGINNING; CONTAINING 3,948,817 SQUARE FEET OR 90.652 ACRES, MORE OR LESS.

13

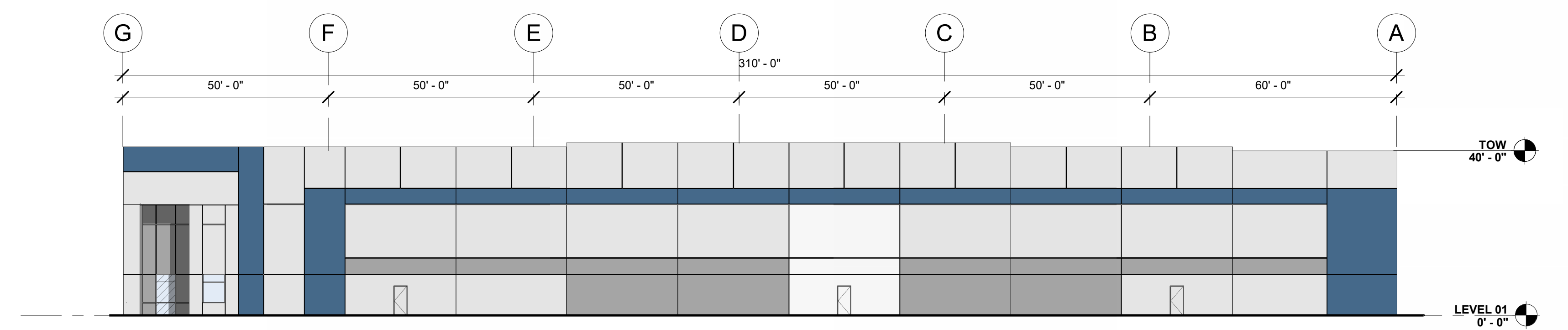




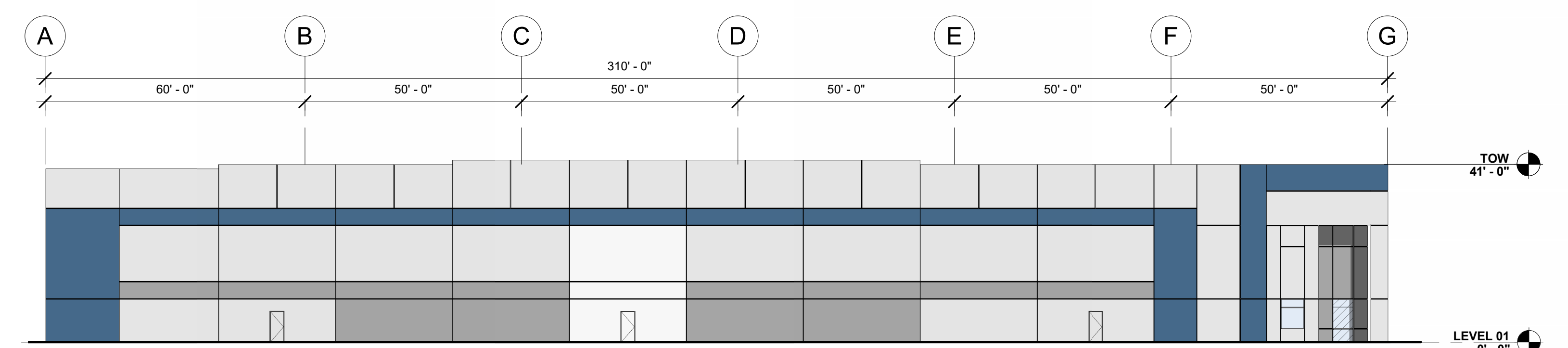
NORTH ELEVATION
SCALE: 3/64" = 1'-0"



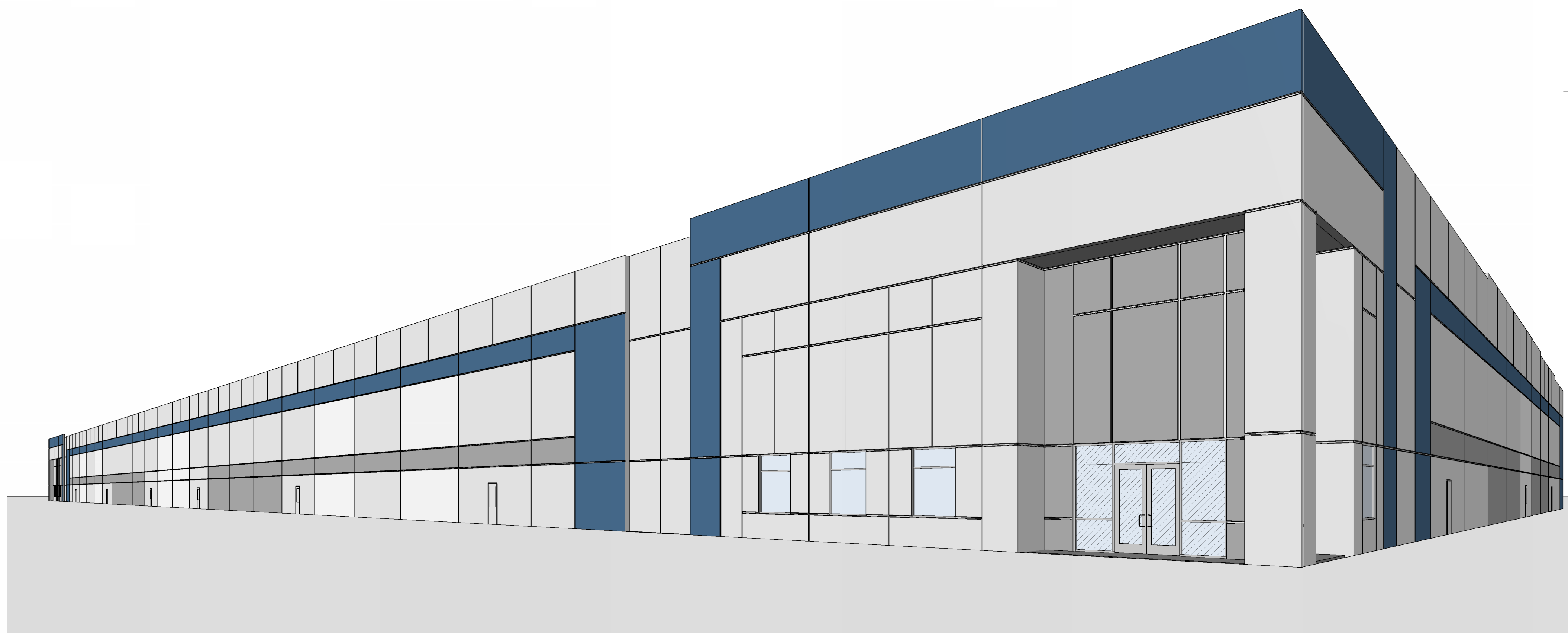
SOUTH ELEVATION
SCALE: 3/64" = 1'-0"



EAST ELEVATION
SCALE: 3/64" = 1'-0"



WEST ELEVATION
SCALE: 3/64" = 1'-0"



This conceptual design is based upon a preliminary review of entitlement requirements and on unverified and possibly incomplete site and/or building information, and is intended merely to assist in exploring how the project might be developed.
SCALE 3/64" = 1'-0"

ADB | **DESIGN SERVICES**

TMG

PRELIMINARY ELEVATIONS - BUILDING D

TIDEWATER LOGISTICS CENTER
ISLE OF WIGHT COUNTY, VA
06/16/2023

ARCO
DESIGN/BUILD



MEMORANDUM

To: Mr. Tom Boylan
The Meridian Group

From: Patrick Fitzsimmons, P.E.
Kimley-Horn and Associates, Inc.

Date: November 4, 2024

Subject: Tidewater Logistics Center Industrial Development Rezoning
Trip Generation Analysis

Kimley-Horn was retained to perform a trip generation analysis for the updated Tidewater Logistics Center (TLC) concept plan, in Isle of Wight County, Virginia. The primary access to the development will be at the intersection of Dominion Way and Windsor Boulevard (U.S. Route 460) where the development will add a fourth approach and modify the existing traffic signal to include signalization for movements to and from the development. This evaluation will compare the trip generation potential for the revised concept plan to the trip generation potential from the 2023 Tidewater Logistics Center Rezoning Traffic Impact Analysis (referred to as the “2023 TIA”) using Institute of Transportation Engineers (ITE) *Trip Generation Manual 11th Edition* (2021) methodologies.

The intent of this assessment is to confirm that the planned roadway and intersection laneages/capacity improvements, traffic control measures, and network connectivity are still sufficient to sustain safe and efficient traffic operations despite the proposed changes in land use intensities and projected traffic volumes.

Following the approval of the 2023 TIA by VDOT, the proposed site layout was updated to reduce the total square footage of the development. A land use type was also modified for an individual building and the building names were updated. These changes are summarized below in **Table 1**. It is noted that the new concept has removed one building formerly referred to as Building A.

Table 1: TLC Concept Revision Summary

2023 TIA					Current TLC Concept				
Building Name	ITE Code	ITE Description	Density	Unit	Building Name	ITE Code	ITE Description	Density	Unit
Building A	150	Warehousing	171	KSF	Removed				
Building B	154	High-Cube Transload and Short-Term Storage Warehouse	543	KSF	Building A	150	Warehousing	113	KSF
Building C	140	Manufacturing	122	KSF	Building B	140	Manufacturing	234	KSF
Building D	150	Warehousing	239	KSF	Building C	150	Warehousing	156	KSF
Building E	150	Warehousing	156	KSF	Building D	150	Warehousing	222	KSF
Total Density			1,231	KSF	Total Density			725	KSF

In the 2023 TIA, the development was estimated to generate 2,349 daily weekday trips with 223 and 243 trips occurring during the AM and PM peak hours, respectively. Approximately 22% of the total daily trips were anticipated to be heavy vehicle trips. The trip generation results from the TIA are summarized in **Table 2**.

Table 2: 2023 TIA Trip Generation Summary

Building Name	ITE Code	ITE Descriptions	Density	Unit	Vehicle Type	Daily	AM Peak Hour			PM Peak Hour		
							Total	Enter	Exit	Total	Enter	Exit
Building A	150	Warehousing	171	KSF	Total	308	29	22	7	31	9	22
					Passenger	205	26	20	6	26	6	20
					Trucks	103	3	2	1	5	3	2
Building B	154	High-Cube Transload and Short-Term Storage Warehouse	543	KSF	Total	760	43	33	10	54	15	39
					Passenger	641	32	28	4	49	13	36
					Trucks	119	11	5	6	5	2	3
Building C	140	Manufacturing	122	KSF	Total	580	83	63	20	90	28	62
					Passenger	525	79	61	18	86	26	60
					Trucks	55	4	2	2	4	2	2
Building D	150	Warehousing	239	KSF	Total	416	41	32	9	43	12	31
					Passenger	273	36	29	7	36	8	28
					Trucks	143	5	3	2	7	4	3
Building E	150	Warehousing	156	KSF	Total	285	27	21	6	28	8	20
					Passenger	191	24	19	5	23	5	18
					Trucks	94	3	2	1	5	3	2
Total Site Trips						2,349	223	171	52	246	72	174
Total Truck Trips						514	26	14	12	26	14	12

Source: ITE Trip Generation Manual, 11th Edition

As shown below in **Table 3**, the current TLC concept is expected to generate a total of 2,004 total daily trips and 400 total heavy vehicle trips. When compared to the 2023 TIA, this would result in an approximate reduction of 15% in total daily trips and a 22% reduction in heavy vehicle trips. 243 total trips and 261 total trips are expected to occur in the AM and PM peak hours, respectively. Although there is a decrease in the total daily site trips, it is anticipated that the total AM and PM peak hour trips could each increase by approximately 20 vehicles (i.e. approximately 6-9%) when compared to the 2023 TIA. Based on the trip generation of the proposed TLC concept, the anticipated change in trips is relatively minor.

Table 3: Current TLC Trip Generation Summary

Building Number	ITE Code	ITE Descriptions	Density	Unit	Vehicle Type	Daily	AM Peak Hour			PM Peak Hour		
							Total	Enter	Exit	Total	Enter	Exit
Building A	150	Warehousing	113	KSF	Total	217	19	15	4	20	6	14
					Passenger	149	17	14	3	17	4	13
					Trucks	68	2	1	1	3	2	1
Building B	140	Manufacturing	234	KSF	Total	1,113	159	121	38	173	54	119
					Passenger	1,008	152	117	35	166	51	115
					Trucks	105	7	4	3	7	3	4
Building C	150	Warehousing	156	KSF	Total	285	27	21	6	28	8	20
					Passenger	191	24	19	5	23	5	18
					Trucks	94	3	2	1	5	3	2
Building D	150	Warehousing	222	KSF	Total	389	38	29	9	40	11	29
					Passenger	256	34	27	7	33	7	26
					Trucks	133	4	2	2	7	4	3
Total Site Trips						2,004	243	186	57	261	79	182
Total Truck Trips						400	16	9	7	22	12	10

Source: ITE Trip Generation Manual, 11th Edition

TLC is served by a roadway network that provides alternate means of access to/from the site as well as enhanced internal connectivity. The network infrastructure supports the opportunity to appropriately disperse traffic demand so that areas of the development are not reliant on a single means of access to/from the site or limited by individual roadway or intersection capacity.

Dominion Way provides direct access to Windsor Boulevard (U.S. Route 460) for TLC. Additional access is provided at two right-in/right-out access points located east of Dominion Way along Windsor Boulevard (U.S. Route 460). Dominion Way is served by a signalized intersection along Windsor Boulevard (U.S. Route 460). The proposed traffic control measures and the associated exclusive turn-lane configurations and geometry were planned with the intent of accommodating warehouse/industrial traffic that also consists of heavy vehicles.

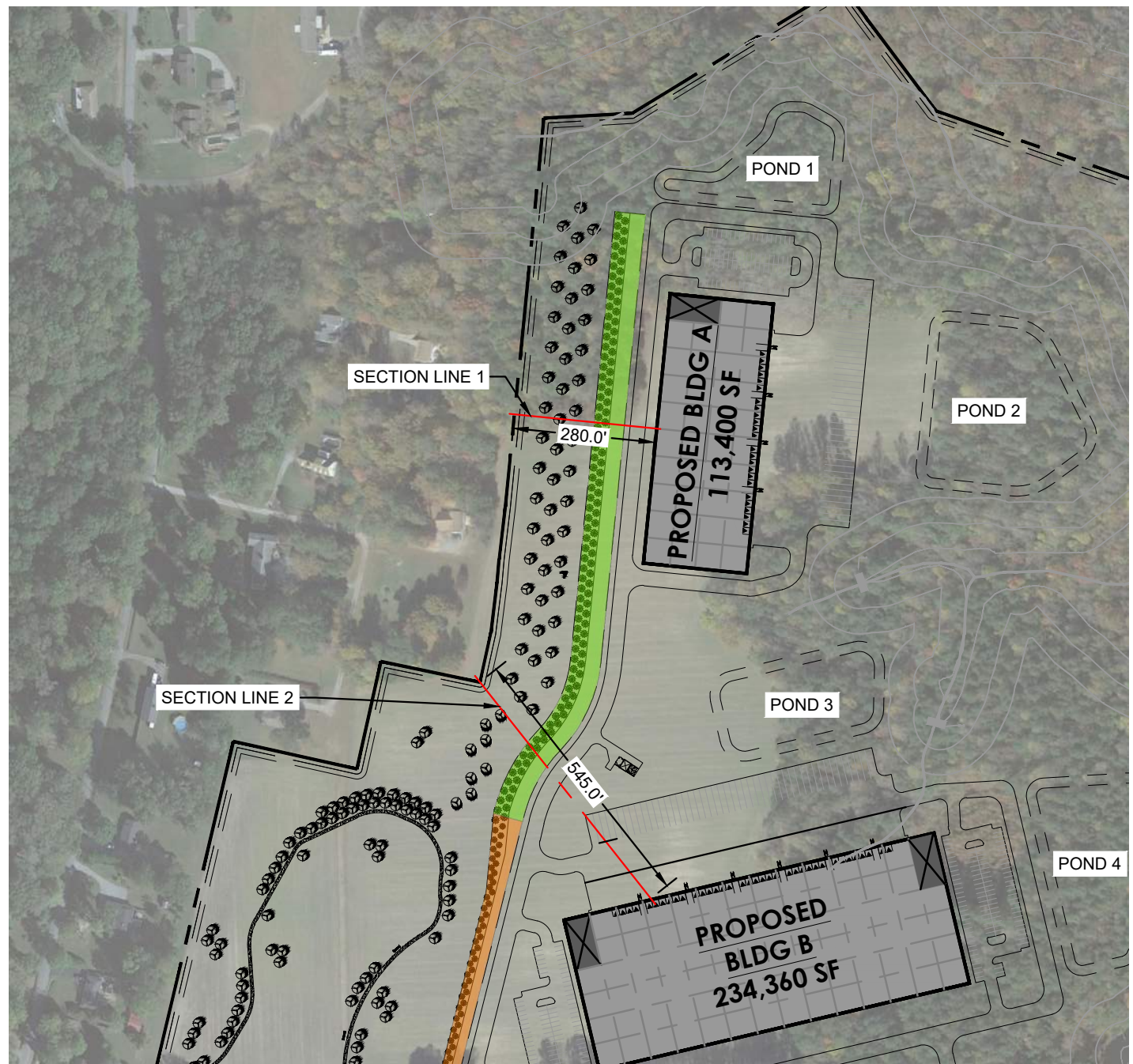
The planned roadway network has the connectivity, capacity, and traffic control measures necessary to support the changes associated with the currently proposed TLC concept.



BUFFER ZONE SECTION 1



BUFFER ZONE SECTION 2



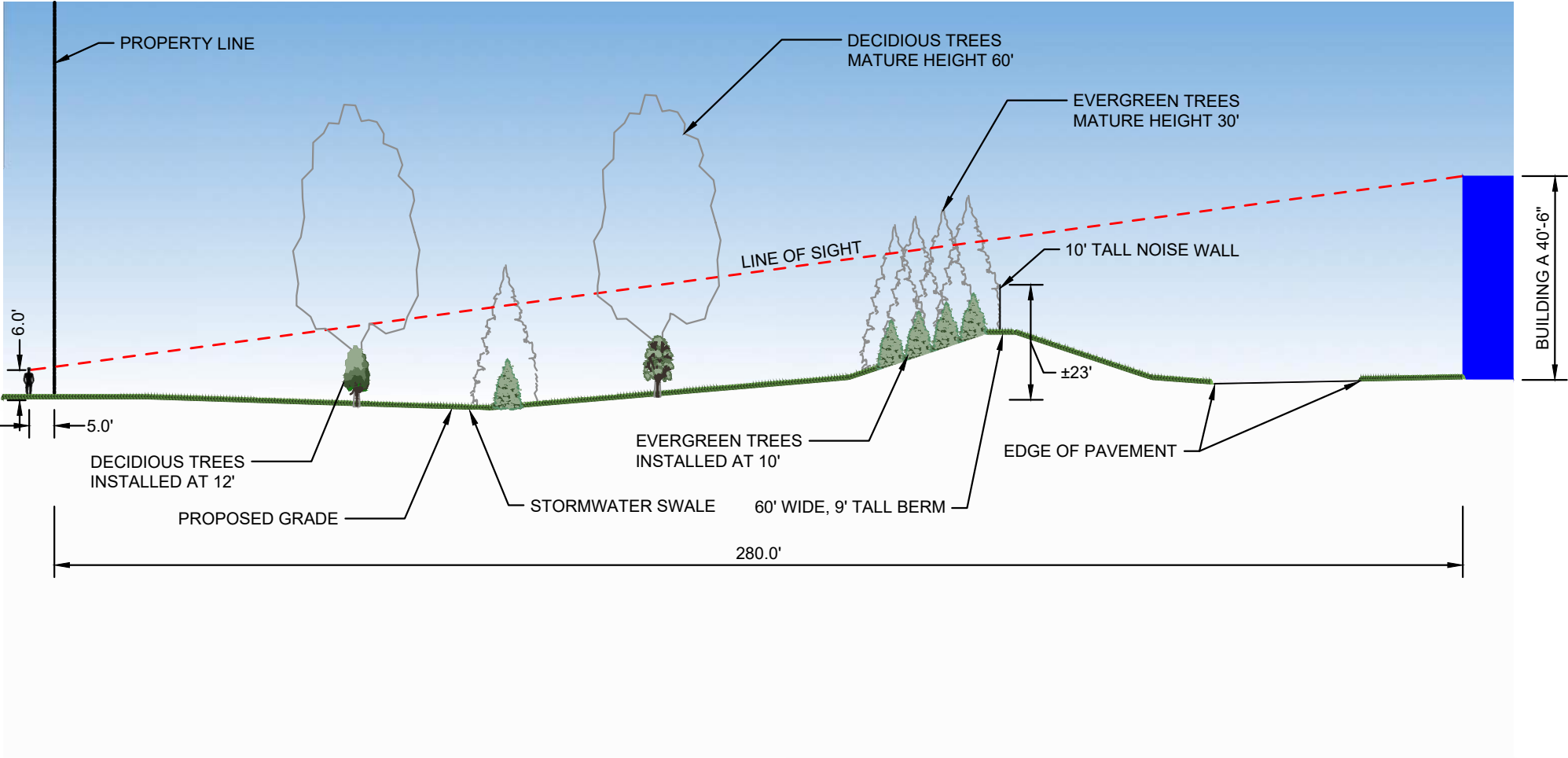
Landscape Industrial Adjacent to Residential Buffer Zone: Mixed Buffer

Tidewater Logistics Center Rezoning | Isle of Wight | Virginia

PLAN VIEW
NOVEMBER 2024

Kimley»Horn

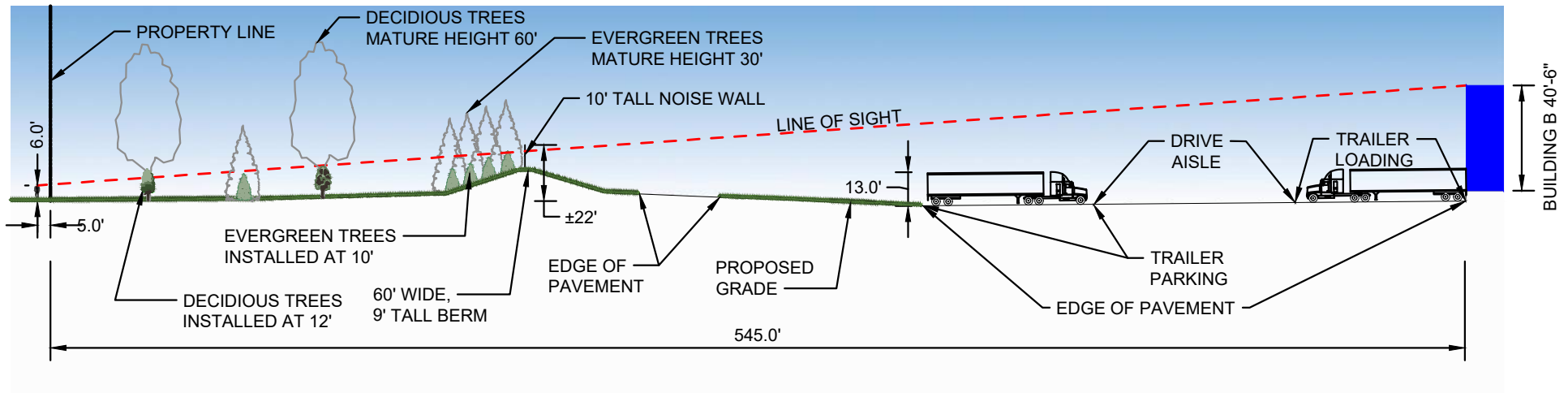
SECTION 1



GIS TOPO DATA USED FOR OFF SITE TOPOGRAPHY

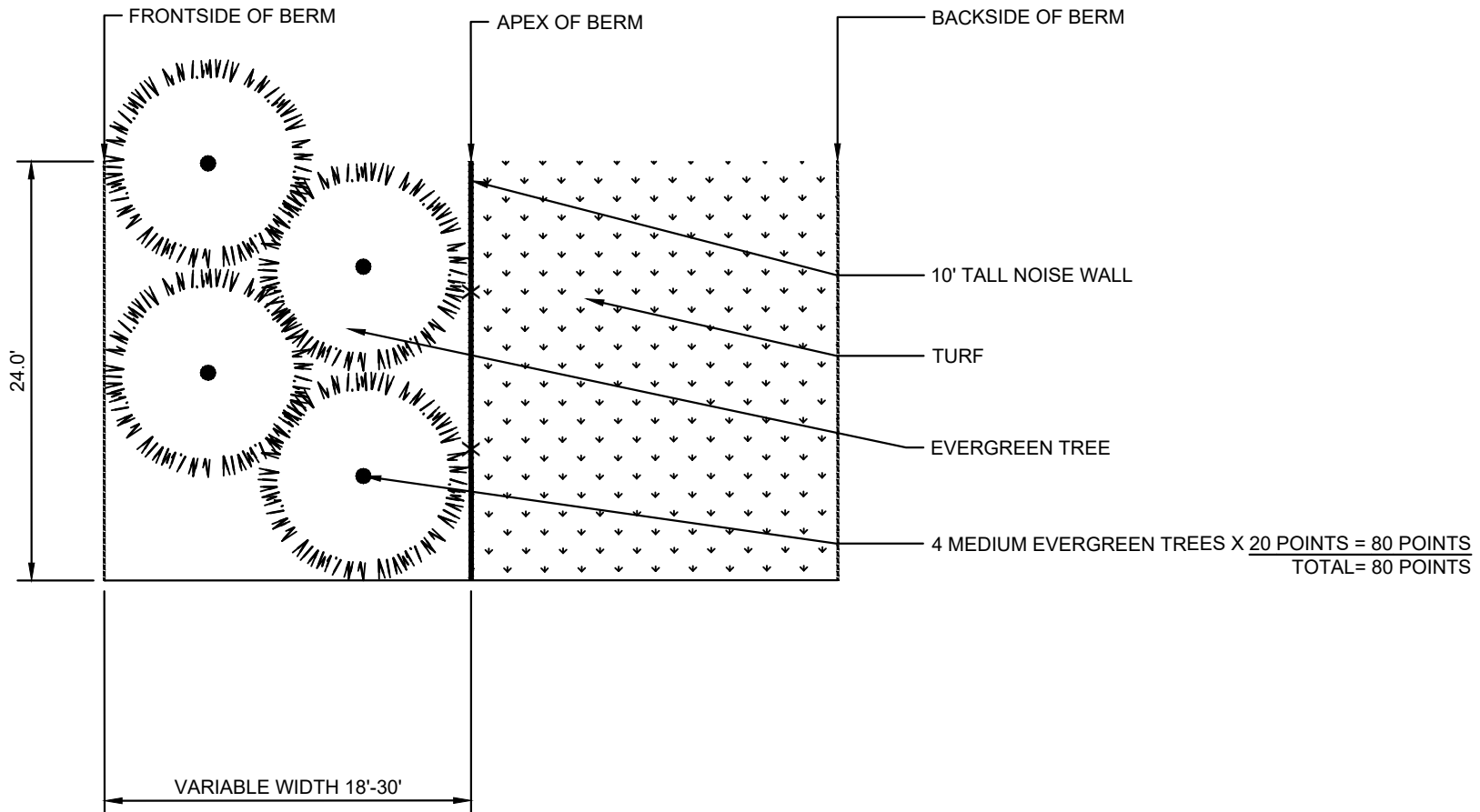
APEX OF BERM INCREASED TO 9'

SECTION 2



GIS TOPO DATA USED FOR OFF SITE TOPOGRAPHY

APEX OF BERM INCREASED TO 9'



EVERGREENS ARE 10' HEIGHT AT INSTALLATION
AND 30-70' HEIGHT AT MATURITY

THE BUFFER ZONE PLANT MATERIAL PROPOSED ON THIS EXHIBIT DOES NOT ADHERE WITH
INDUSTRIAL USE BUFFER BASED ON SECTION 8-1005(F.2.V). DURING THE ORIGINAL REZONING
CASE, PUBLIC OPINION AND DIRECTION FROM THE COUNTY RESULTED IN THE EVERGREEN

Landscape Industrial Adjacent to Residential Buffer Zone: Mixed Buffer

Tidewater Logistics Center Rezoning | Isle of Wight | Virginia

BUFFER EXHIBIT
NOVEMBER 2024

Kimley»Horn



Evergreen Buffer Example



Evergreen Buffer Example



Evergreen Buffer Example



Acoustic Fence Example



Aluminum Sound Wall, Source Silentium



PVC Sound Wall, Source Durisol Walls

Character Board for Landscaped Variable Height Berm and Sound Wall.
Images were not taken by Kimley-Horn. Images sourced from Google.

Landscape Industrial Adjacent to Residential Buffer Zone: Mixed Buffer

Tidewater Logistics Center Rezoning | Isle of Wight | Virginia

BERM AREA
CHARACTER BOARD
NOVEMBER 2024

Kimley»Horn



Nature Trail Example



Trees to be considered in park area. Proposed tree species will be native to the coastal plain region of Virginia.



Trail Bench



Grass Paver Parking Lot



Crushed Shell Parking Lot

Character Board for Community Nature Trail and Park with Grass Pave Parking Lot Area
Images were not taken by Kimley-Horn. Images sourced from Google.

Landscape Industrial Adjacent to Residential Buffer Zone: Mixed Buffer

Tidewater Logistics Center Rezoning | Isle of Wight | Virginia

NATURE AREA
CHARACTER BOARD
NOVEMBER 2024

Kimley»Horn

REZONING
STATEMENT OF REASONS & NARRATIVE DESCRIPTION

Tax Parcel ID# 54-01-086J: Windsor Blvd., Windsor
Tax Parcel ID# 55-01-013: 13009 Windsor Blvd., Windsor
Tax Parcel ID# 54-01-086B: 13009 Windsor Blvd., Windsor

November 14, 2024

Applicant/Project Background

<https://tmgdc.com/about>

The Applicant, Meridian Property Purchaser, L.L.C., is an affiliate of The Meridian Group. The Meridian Group was founded in 1993, and is based in Bethesda, Maryland. Over the past 30 years, TMG has evolved into a full service real estate firm with a present focus on the development and management of light industrial centers. TMG is passionate about place making and envisions a dynamic and modern warehousing and distribution center for the subject property. TMG is excited about the opportunity to work with the County in developing this vision and in expanding an emerging economic center within the County.

Narrative Description

The property upon which the project is envisioned is located at 13009 Windsor Boulevard (Tax Parcels ID # 54-01-086J, # 54-01-086B, and # 55-01-013) in the Windsor Development Service District, just outside the limits of the Town of Windsor. The site contains approximately 154 acres located on US Route 460 and consists of agricultural fields and timberland. The property is currently zoned RAC – Rural Agricultural Conservation and designated Mixed Use on the County's Comprehensive Plan Future Land Use Map.

Parcel ID # 54-01-086J is owned by the Industrial Development Authority of Isle of Wight, and Parcels ID # 55-01-013 and # 54-01-086B are owned by Hollowell Holdings, LLC. The legal descriptions and surveys for the property are attached hereto as Exhibit A. Meridian Property Purchaser, L.L.C. is the contract purchaser of the property.

Statement of Reasons

The applicant's previous request for an exclusively industrial development on the entire property met with substantial objections from the neighboring residents to the west, and the proposal was ultimately rejected by the Board of Supervisors. In response to the feedback the applicant received from neighboring residents and the Board of Supervisors, the applicant has dramatically revised its development plans for the property to, among other things, eliminate an entire building, decrease the density of the project, restrict various traffic movements, increase the height of the berm, and provide an extensive public park and buffer area in between the project and the residential properties to the west. The applicant has met with Windsor Town Council and residents in a town hall meeting to review the plan changes. The applicant believes that its current application is fundamentally different than the previous application and is responsive to the concerns raised.

Accordingly, the applicant seeks to change the zoning of the property from Rural Agricultural Conservation to Conditional Rural Agricultural Conservation and Conditional Limited Industrial for the development of a public park and a warehousing and fulfillment center to be known as the Tidewater Logistics Center.

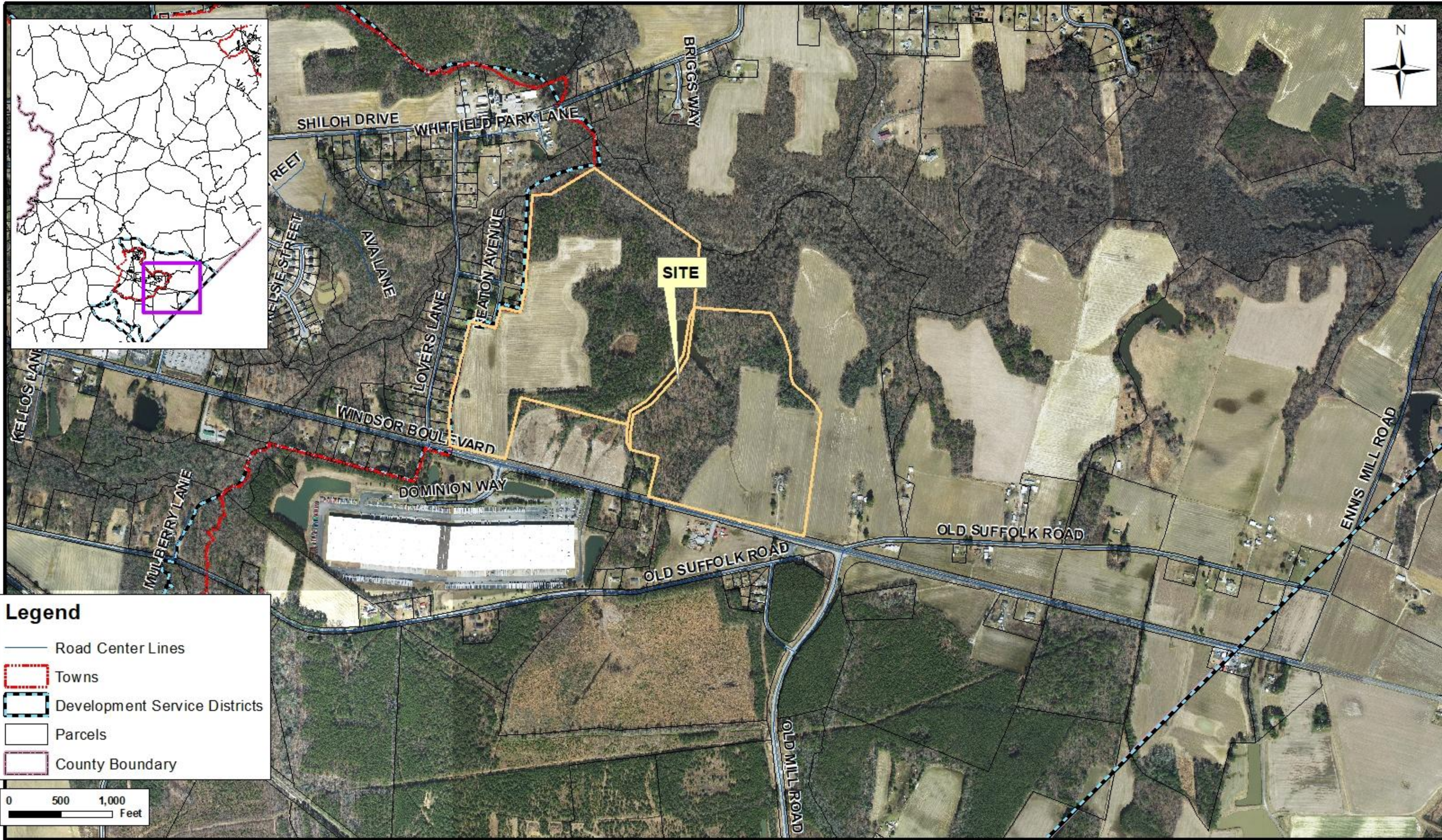
The Port of Virginia is a major driver of warehousing and distribution activity in the region. The capacity and logistics of the Port's operations and its investment in its future operations make it a leading center of global commerce and a vital import and export location for many US and foreign businesses. Accordingly, there is significant and growing demand for warehousing and distribution centers in the Hampton Roads region.

The County is well positioned, generally, to be a beneficiary of this economic activity given its proximity to the Port, US Route 460, and the Norfolk Southern Rail Line. The County's quality of life, work force, and stable local economy, as well as its supply of suitable property along the 460 corridor make it a desirable location for warehousing and distribution centers. The subject property is of particular interest because of the availability of the relatively large area of contiguous, relatively flat land with direct access to US Route 460, as well as its location within the Virginia Enterprise Zone and the Foreign Trade Zone.

The character of the area for the proposed zoning has been established by the existing World Market, Safco, and other industrial facilities. A rezoning to Conditional Rural Agricultural Conservation and Conditional Limited Industrial is consistent with the planned industrial designation south of 460 and allows for a larger, well-planned industrial node and protects against potentially incompatible land uses that could be associated with other designations. The project will provide a much needed public amenity and transition between uses, and will generate substantial revenue for the County and many new jobs. The proffers, master plan, and elevations which are a part of the proposal mitigate the impacts of the project and ensure a high-quality project that contributes to the character and prosperity of the area.

It is understood that there is certain overlap in permitted and conditional uses between RAC and Conditional Limited Industrial zoning designations; however, the Applicant's goal for the Tidewater Logistics Center project, as described in the pre-application meeting and application materials, is to rezone the project from the RAC to C-RAC and C-LI district. The application seeks to maintain land use consistency with the adjacent Shirley T. Holland Intermodal Park (Limited Industrial zoning designation). Additionally, it is important that there be a clear alignment of the project's land use with the purpose and intent of property's underlying zoning designation in order to ensure the project's success over the long term. A Conditional Limited Industrial zoning designation will allow the Virginia Enterprise Zone Program objectives to be accomplished without limitations or marketing ambiguity. Furthermore, the project's consideration as part of the Virginia Business Ready Sites Program (VBRSP) would be hindered without a tier ranking as part of the site characterization report that supports a road map to zoning alignment.

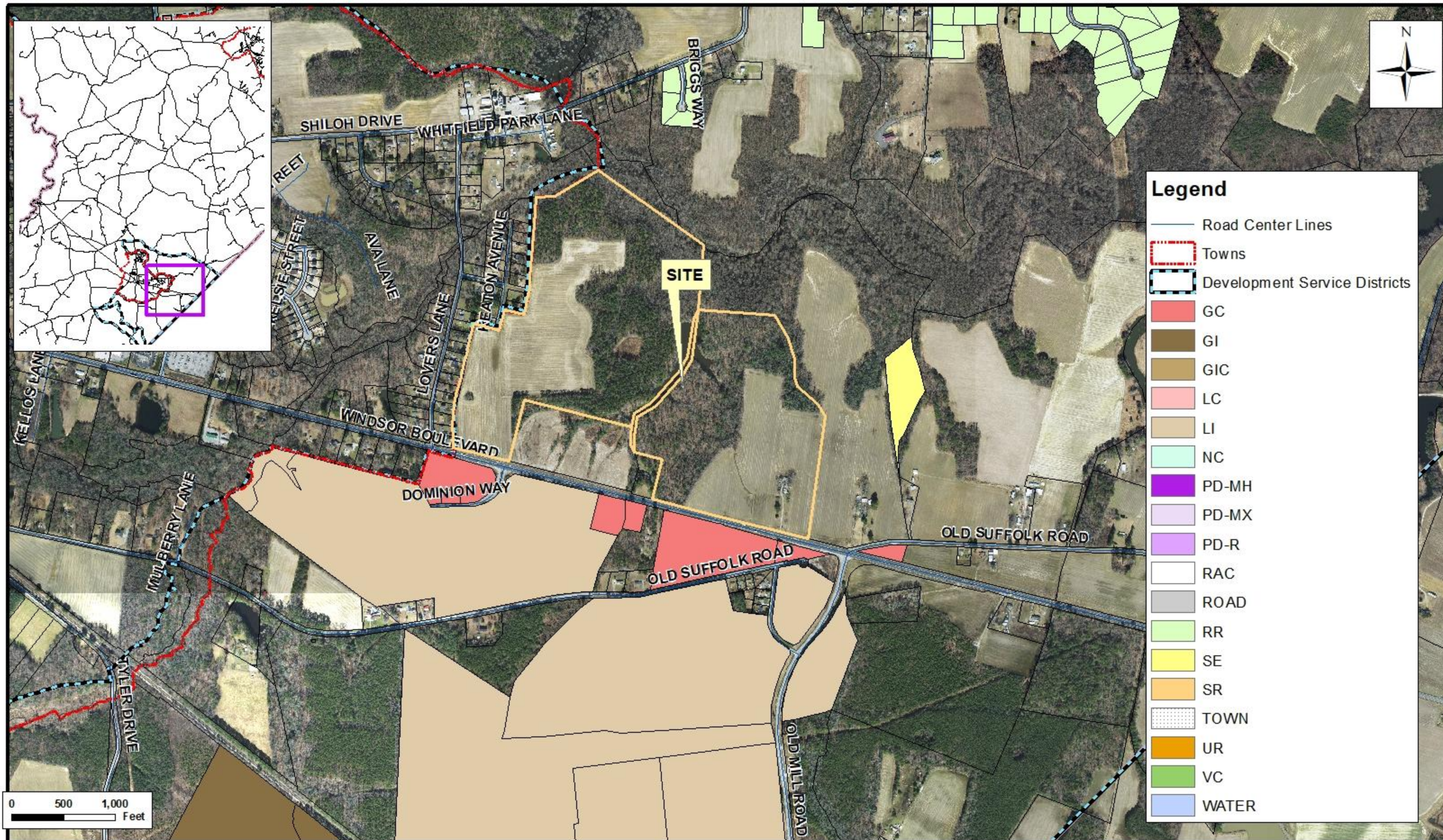
REZN-24-10 - Tidewater Logistics Conditional Rezoning - Location Map



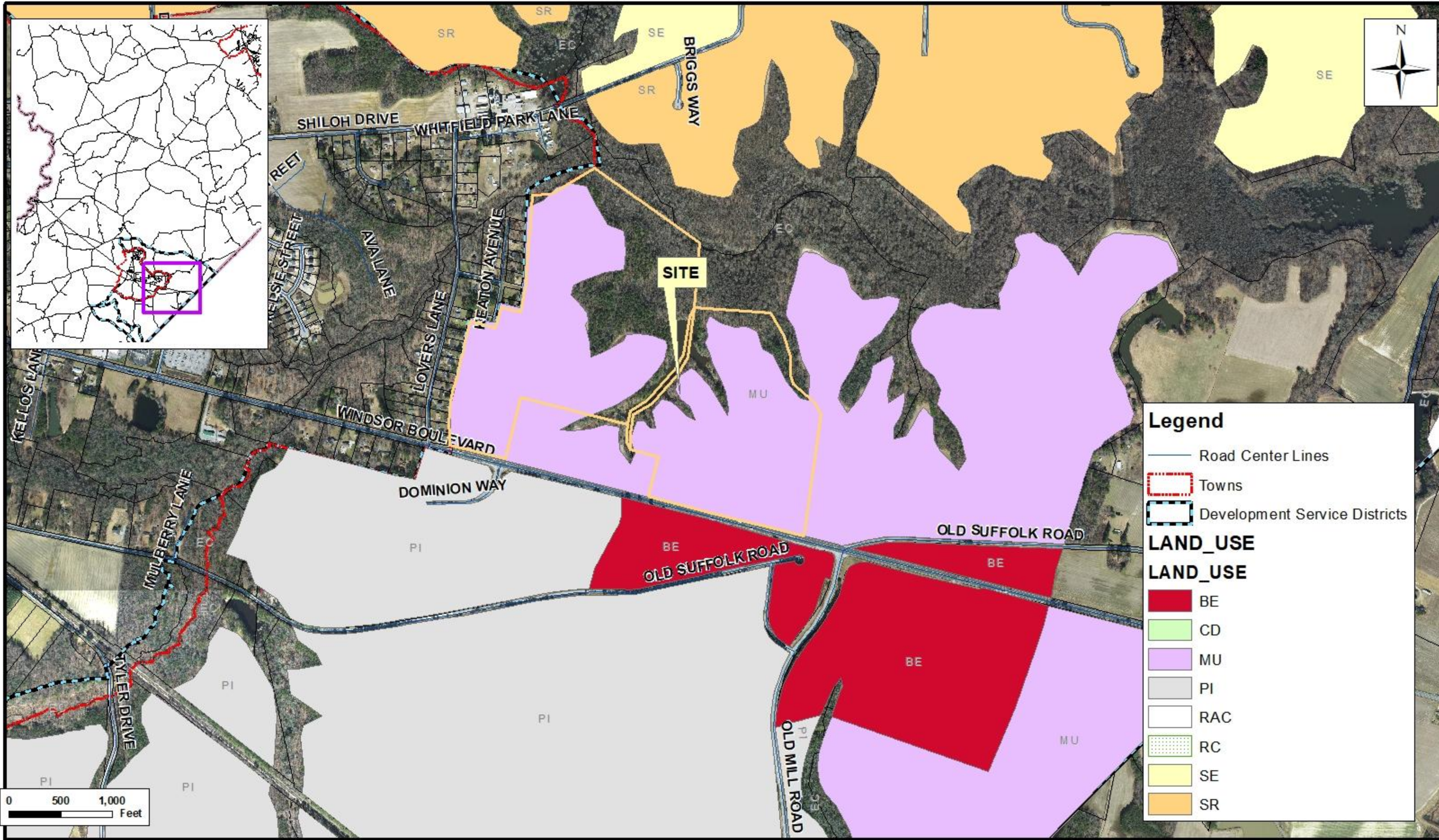
REZN-24-10 - Tidewater Logistics Conditional Rezoningt - Closeup Map



REZN-24-10 - Tidewater Logistics Conditional Rezoning - Zoning Map



REZN-24-10- Tidewater Logistics Conditional Rezoning - Land Use Map



PLANNING REPORT

APPLICATION:

Application EXC-24-2 of Jeffrey H. and Paula J. Bolt and Bryan W. and Amanda L. Boyes, property owners, for an after-the-fact exception under the Chesapeake Bay Preservation Area Ordinance for an unauthorized retaining wall with fill in the fifty-foot seaward Resource Protection Area (RPA) buffer at 15407 and 15437 Laurelwood Drive on tax map numbers 34A-01-F006 and 34A-01-F005 as well as a request to place a swimming pool within the fifty-foot seaward RPA buffer and a replacement shed within the fifty-foot landward RPA buffer on tax map 34A-01-F006

ELECTION DISTRICT:

D2

LOCATION:

The exception request is located 15407 and 15437 Laurelwood Drive, Carrollton. Surrounding land uses include other residential uses and wetland areas.

BACKGROUND:

In 2020, the current owners installed a new septic tank and drainfield. The septic tank was placed in the RPA as there was no other suitable area to place it. The health department and the previous environmental planner gave the contractor Mr. John Edwards of Edwards Septic Service permission to install the tank and use fill as needed to install the tank due to the slope of the backyard. Work was completed in July 2020, and Mr. Edwards stated he did not need fill as he buried the tank deep enough that it would not move. In October 2020, a complaint was received about someone dumping several truck loads of dirt into the RPA. During the site visit, staff observed a new retaining wall and fresh fill that leveled the backyard within the seaward portion of the RPA.

Staff worked for several years with the applicant to submit an exception request. Once the request was received with a survey, the County noticed that a portion of the retaining wall was on the neighboring property 34A-01-F005. Mr. Bolt tried to purchase the piece of the adjacent property where he had built the wall, and then ultimately the neighbor agreed to be included in the exception application.

Mr. Bolt subsequently revised his application to include a pool within the fifty-foot seaward portion of the RPA and to replace an existing shed in the landward portion of the RPA. The retaining wall and fill were installed without permits or obtaining the required CBPA exception.

Following the public hearing at their October 22, 2024, regular meeting, the Planning Commission voted to postpone their consideration of the application until Mr. Bolt presented a landscaping plan that met the minimum requirements.

DESCRIPTION:

This request is for an exception to allow a retaining wall with fill to remain in the seaward RPA as well as install a pool in the seaward 50-foot RPA and replace a shed in the landward portion of the RPA.

The unpermitted 118-foot long retaining wall including 12.2 feet on adjacent parcel 34A-01-F005 required approximately 105 cubic yards, or twelve dump trucks, of fill to level out the backyard. The fill lies within the seaward fifty-foot buffer and flood hazard zone AE. The proposed new 22-foot diameter swimming pool would lie within the fifty-foot seaward buffer and also within flood zone AE. The proposed 11.3 by 9.5 foot replacement shed lies within the fifty-foot landward portion of the buffer. The fill, the shed and the pool total 1,995 square-feet of disturbance.

To compensate for the encroachment into the buffer area, the WQIA recommends compensatory landscaping consisting of five canopy trees, ten understory trees, and 15 small shrubs, with the RPA. The landscaping is based on the total square footage of the disturbance and is in compliance with the state "Riparian Buffers Modification and Mitigation Guidance Manual." However, the property owner would like to reduce the amount required amount.

Since the October 22, 2024, Planning Commission meeting, the applicant submitted an updated landscaping plan that meets the minimum requirements. A copy of the updated landscaping plan is attached to this staff report.

COMPREHENSIVE LAND USE PLAN:

The Comprehensive Plan categorizes this sensitive environmental area as an Environmental Conservation Area, or an area dominated by environmental features that are particularly sensitive to development, including wetlands,

floodprone areas, streams and stream buffers, unique habitat areas, and RPAs defined by the local Chesapeake Bay program.

Areas that should remain largely undeveloped consist of wetlands, floodplains, forest and some areas of farmland. Within residential developments, they should be preserved as protected open spaces. Limited low impact recreational uses such as trails and water access are also appropriate if sited correctly.

ORDINANCE REVIEW:

CBPA Article 4, Section 4002, regulates performance standards in RPAs and outlines permitted modifications and encroachments. Development is not permitted to extend into the 100-foot RPA buffer under this section unless an exception is warranted due to loss of buildable area.

Under Subsection 4002(b)2., permitted encroachments in the RPA buffer must be the "minimum necessary to achieve a reasonable buildable area for a principal structure and necessary utilities" and "may not extend into the seaward fifty (50) feet of the buffer area." This exception request proposes development that is not part of the principal structure and extends into the seaward fifty feet.

CBPA Article 5, Section 5002 regulates exception requests and include five criteria that must be met in order to grant an exception. These are as follows:

1) That the strict application of the ordinance would produce an undue hardship and will not confer upon the applicant any special privileges denied by this ordinance to other property owners in the CBPA areas;

The need for a retaining wall prior to the installation is unknown, because they were installed without review, permits, and inspections. If there were erosion problems, it is possible other measures could have been used in place of the retaining wall and fill that would have been more appropriate and less intensive in this low wave action environment. Other neighbors in the general area have sloping backyards and have not requested any erosion stabilization projects.

The need for a pool is not considered a hardship and would be placed in a flood hazard area. In addition, encroachments in the fifty-foot seaward foot of the buffer area are similarly restricted on all lots where the RPA buffer exists. Records show that requests from nearby areas were received and were advised that exceptions were required or they needed to avoid the the buffer. Therefore, this request would not constitute a unique hardship and would grant a special privilege to the

applicants.

2) The exception request is not based on conditions or circumstances that are self-created or self-imposed, nor does the request arise from conditions or circumstances either permitted or non-conforming that are related to adjacent parcels;

The applicant failed to contact the County and to apply for the necessary exception, which resulted in a retaining wall and fill not permitted by the ordinance. This is a self-created circumstance.

3) The exception request is the minimum necessary to afford relief;

Lots in the surrounding area have not requested any shoreline or property erosion control projects. Therefore, it is unknown if this was the minimum necessary to address the erosion.

4) The exception request will be in harmony with the purpose and intent of this ordinance, not injurious to the neighborhood or otherwise detrimental to the public welfare, and is not of substantial detriment to water quality; and

The expansion of the backyard and pool does not meet the purpose or intent of the ordinance, which is to safeguard water quality through protection of existing buffers and establishment of buffers where they do not exist. The retaining wall with fill and the pool are within the fifty-foot seaward buffer and lie within flood hazard zone AE. Structures built in flood hazard areas present the opportunity for property damage as well as flood insurance claim liability.

5) Reasonable and appropriate conditions are imposed which will prevent the exception request from causing a degradation to water quality;

If this exception is approved, staff recommends the following conditions:

1. the applicant be required to install the mitigation landscaping as proposed in the WQIA within the RPA,
2. the pool be denied due to flood hazard potential and in accordance with the CBPA Ordinance, and
3. no further exceptions be granted.

STAFF CONCLUSIONS:

Strengths:

1. Proposed landscaping mitigation in the WQIA does meet the requirements of the Riparian Buffers Guidance Manual.

Weaknesses:

1. The applicants' request does not meet the five criteria needed for approval of exceptions.
2. Exceptions for structures are not permitted by Ordinance in the fifty-foot seaward RPA buffer.
3. Structures are proposed in the flood hazard area presenting potential flood damage liability.
4. The retaining wall and fill were done without permits or needed inspections to determine structural integrity. It is not known what, if any, erosion problems existed prior to the property being covered in fill.

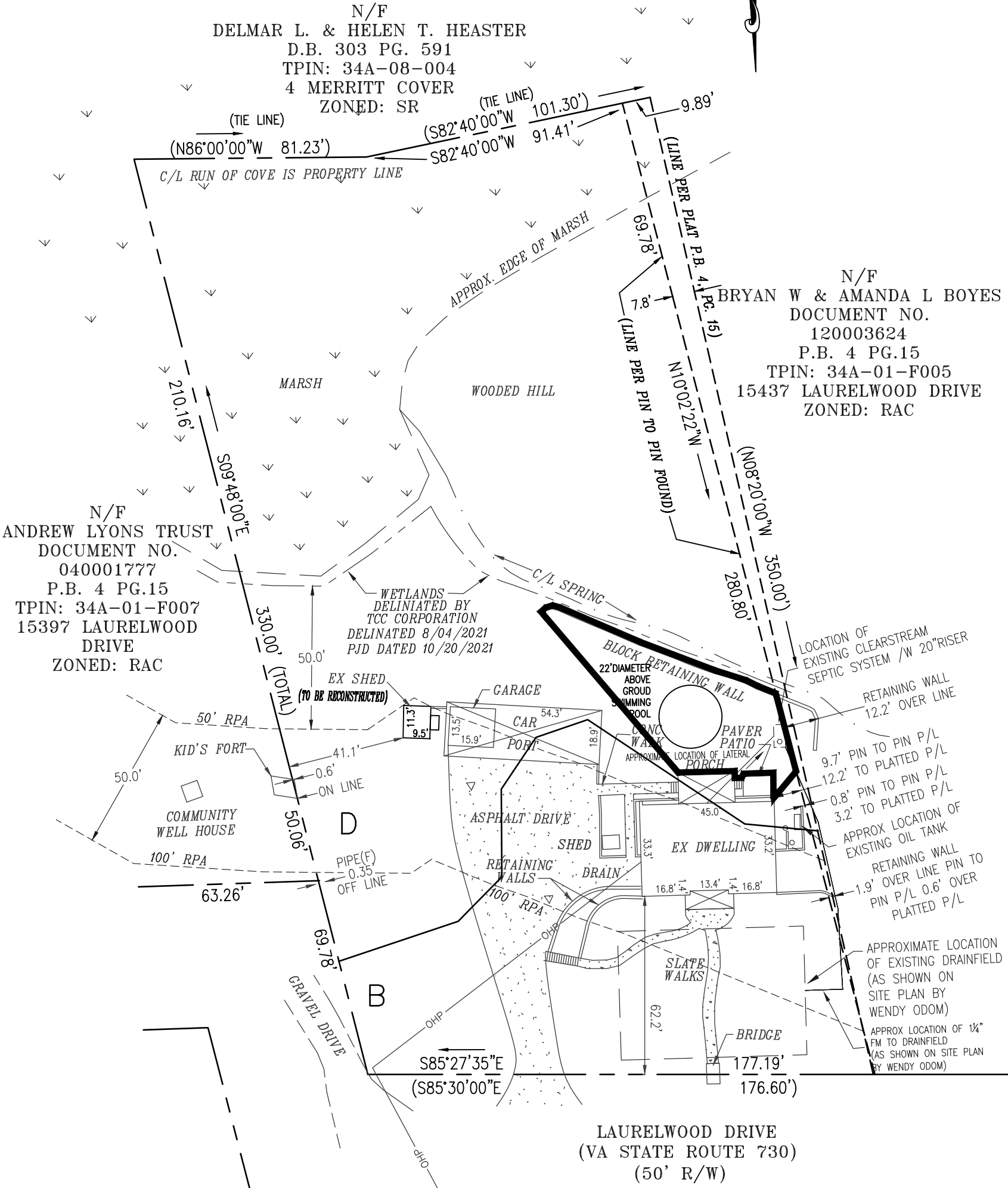
STAFF RECOMMENDATION:

Based on the above findings, staff recommends denial of the exception request. If this exception is approved, staff recommends the following conditions: 1. the applicant be required to install the mitigation landscaping as proposed in attached landscaping plan within the RPA, 2. the pool be denied due to flood hazard potential and in accordance with the CBPA Ordinance, and 3. no further exceptions be granted.

ATTACHMENTS:

Description	Type	Upload Date
Site Plan	Exhibit	10/3/2024
Site Plan zoomed in showing areas of disturbance	Exhibit	10/3/2024
Area of Disturbance with proposed mitigation	Exhibit	10/3/2024
Pictures	Exhibit	10/3/2024
WQIA	Exhibit	10/3/2024
Flood Map #1	Exhibit	10/3/2024
Flood map #2	Exhibit	10/3/2024
Plantings proposed by homeowner	Exhibit	10/3/2024
Homeowners reason for asking for reduced landscaping	Exhibit	10/3/2024
Statement of Reason for exception	Exhibit	10/3/2024
Boyes Letter	Exhibit	10/3/2024
Updated Landscaping Plan	Exhibit	1/13/2025

— DENOTES LIMITS OF DISTURBANCE
(1,995 SF (0.05 ACRE))



SITE PLAN
FOR
JEFFREY H. AND PAULA J. BOLT
15407 LAURELWOOD DRIVE

JUNE 28, 2024

NEWPORT MAGISTERIAL DISTRICT
ISLE OF WIGHT COUNTY, VIRGINIA

FILE NUMBER: 2020-026 (INITIAL SUBMITTAL APRIL 14, 2022)

NOTE:

TTC CORPORATION
DELINEATION OF WETLANDS
COMPLETED AUGUST 4, 2021

MELISSA NASH OF USACE
CONFIRMED DELINEATION
OCTOBER 20, 2021

GRAPHIC SCALE



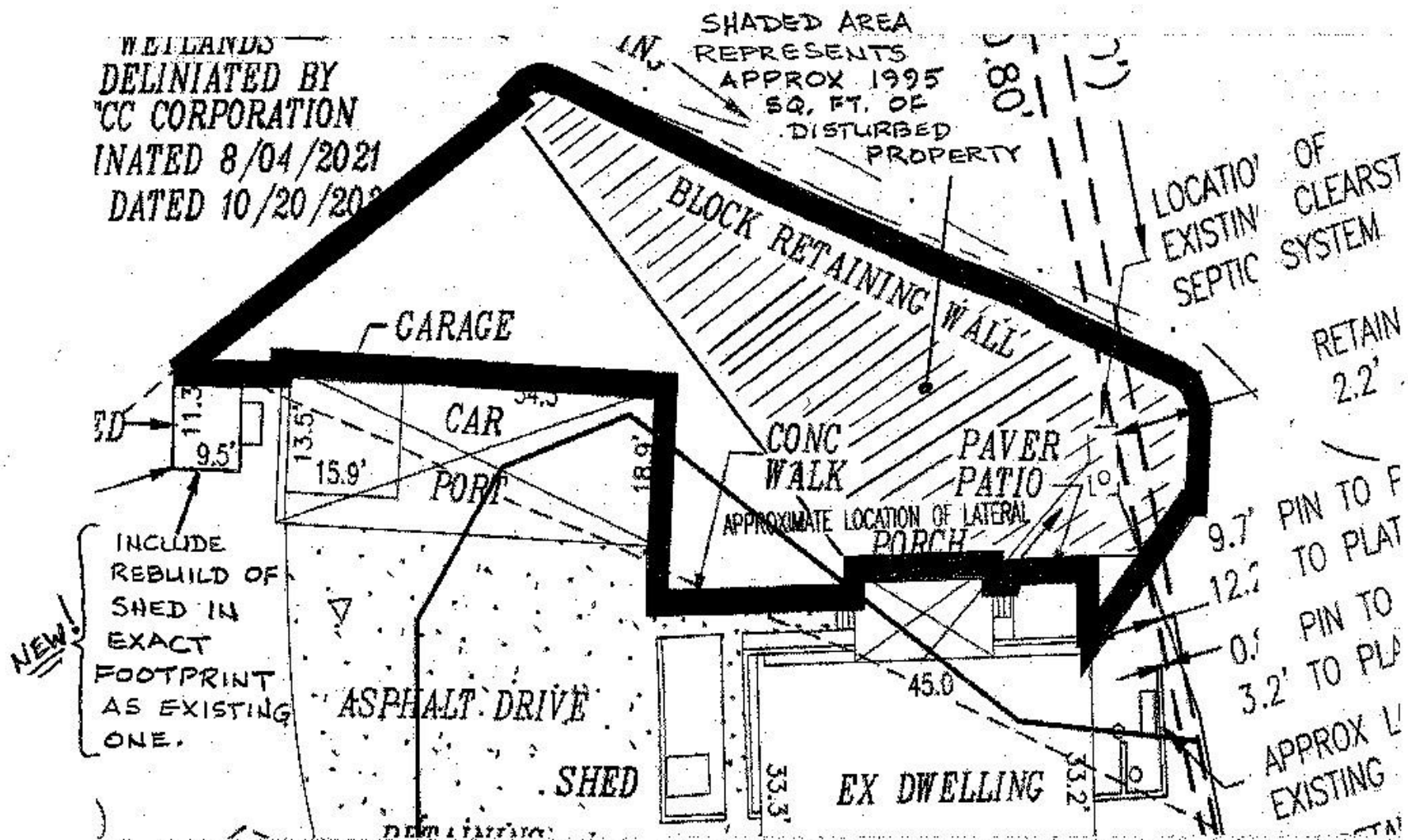
(IN FEET)
1 inch = 40 ft.

CAE, INC.

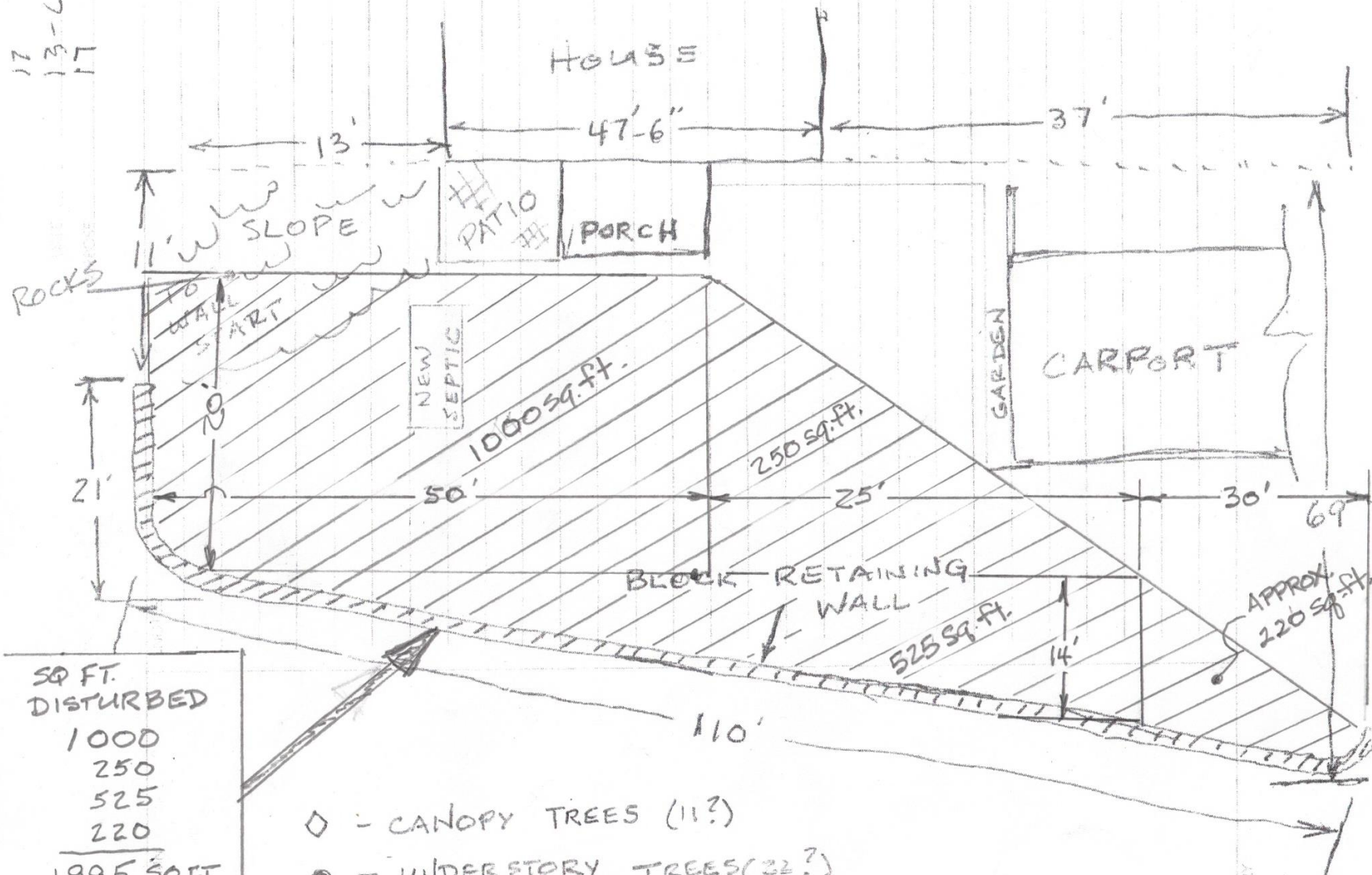
ENGINEERS, PLANNERS, AND CONSTRUCTION CONSULTANTS

321 OFFICE SQUARE LANE, SUITE 101A
VIRGINIA BEACH, VIRGINIA 23462-3655
TELEPHONE (757) 271-1576 (757) 271-1009 (FAX)

WETLANDS
DELINIATED BY
"CC CORPORATION
INATED 8/04/2021
DATED 10/20/202



17
13-6
17



SQ. FT.
DISTURBED

1000

250

525

220

1995 SQ. FT.

◇ - CANOPY TREES (11?)

● - UNDERSTORY TREES (32?)

* - SHRUBS (33?)

* SHADED AREA

DENOTES DISTURBED
GROUNDS

SUMMARY











Entrance



Along side wall













Major Water Quality Impact Assessment

For

Jeff Bolt

Prepared By

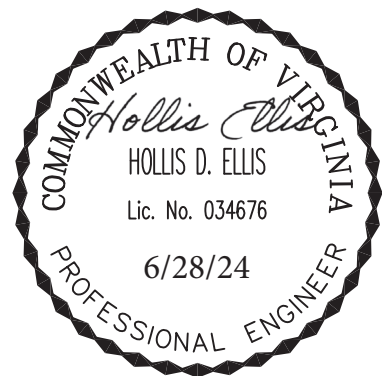
Hollis D. Ellis, PE

CAE, Inc.

321 Office Square Lane, Suite 101A

Virginia Beach, VA 23462-3655

June 28, 2024



Isle of Wight County Major Water Quality Impact Assessment (pg-1)

Sec. 4003. - Water quality impact assessment.

Contents of the major water quality impact assessment.The information required below shall be considered a minimum, unless the zoning administrator determines that some of the elements are unnecessary due to the scope and nature of the proposed use and development of land:

- (1) A site plan, which shall at minimum, contain the following: **Site Plan Attached**
 - A. Location of the components of the resource protection area, including the one-hundred-foot buffer area delineated in accordance with section 3001; **RMA / RPA Buffers Delineated on Site Plan As Attached**
 - B. Location and nature of the proposed encroachment into the buffer area, including type of paving material; areas of clearing or grading; location of any structures, drives, or other impervious cover; and sewage disposal systems or reserve drainfield sites; **All existing features located with RMA / RPA shown on plan. The proposed above ground swimming pool is located within the seaward 50' RPA buffer while the reconstructed shed is located within the landward 50' RPA buffer. All other impervious features are existing.**
 - C. Type and location of proposed best management practices to mitigate the proposed encroachment; **No BMPs proposed**
 - D. Location of existing vegetation on site, including the number and type of trees and other vegetation to be removed in the buffer to accommodate the encroachment or modification; **No existing vegetation disturbed for construction of bulkhead.**

- E. Re-vegetation plan that supplements the existing buffer vegetation in a manner that provides for pollutant removal, erosion and runoff control. **Plantings are proposed in the nature of 5 large canopy trees, 10 understory trees and 15 shrubs for CBPAO mitigation.**

(2)

- A. A hydrogeological element that describes the existing topography, soils, and hydrology of the site and adjacent lands. **The existing topography consists of gentle slopes ranging from 1% - 2% from the dwelling towards the RMA/RPA Buffer. The site is divided into two different soil types, Emporia fine sandy loam, 0 – 2% and Nevarc/Remlik soils, 15 – 20% slopes.**

The Emporia fine sandy loam consists of the upland areas while the Nevarc/Remlik soils are in the wetlands areas. The bulkhead has been constructed within the Nevarc/Remlik soil area. This area will drain towards the existing wetlands area. Slopes within the bulkheaded area will continue to drain towards the wetlands. No impervious area is proposed here.

- B. Describes the impacts of the proposed development on topography, soils, hydrology, and geology on the site and adjacent lands. **As stated in Item A, constructed bulkhead falls within the Nevarc/Remlik soils area. No wetlands disturbance is proposed and no change in hydrology will occur given no increase in impervious is proposed.**

- C. Indicates the following:

- (i) Disturbance or removal of wetlands and justification for such action. **No wetlands have been removed with this application.**
- (ii.) Disruptions or reductions in the supply of water to wetland, streams, lakes, rivers, or other water bodies. **No disruptions to water supply to existing live streams.**

Isle of Wight County Major Water Quality Impact Assessment (pg-3)

- (iii.) Disruptions to existing hydrology including wetland and stream circulation patterns. **No disruption to existing wetlands or stream patterns proposed.**
- (iv.) Source location of description of proposed fill material. **Locally Sourced Fill Material.**
- (v.) Location of dredging and location of dumping area for such dredged material. **No Dredging Proposed.**
- (vi.) Estimation of pre- and post-development pollutant loads in runoff. **Pre-Developed Loading: 0.72 PPY. Post-Developed Loading: 0.73 PPY.**
- (vii.) Estimation of percent increase in impervious surface on site, type(s) of surfacing material used. **The applicant is proposing an above ground swimming pool, 22' in diameter for a total of 380 SF additional impervious. The existing 11'X9.5' shed is being reconstructed within the same footprint, no increase in impervious from shed reconstruction.**
- (viii.) Percent of site to be cleared for project. **Area to be bulkheaded already cleared. No additional clearing required.**
- (ix.) Anticipated duration and phasing schedule of construction project. **Project Already Completed. Completed March 2021.**
- (x.) Listing of all requisite permits from all applicable agencies necessary to develop project. **USAOE Confirmed No Additional Permits Required.**

(D) Describes the proposed mitigation measures for the potential hydrogeological impacts. Potential mitigative measures include. **No Mitigation Measures proposed with application.**

Isle of Wight County Major Water Quality Impact Assessment (pg-4)

(i.) Additional proposed erosion and sediment control concepts beyond those normally required under subsection 4000(b)5. of this ordinance; these additional concepts may include the following: minimizing the extent of cleared area; perimeter controls; reduction of runoff velocities; measures to stabilize disturbed areas; schedule and personnel for site inspection.

No E&S Measures required at this time. Site has been stabilized.

(ii.) When required, proposed stormwater management system for nonpoint source quality and quantity control in compliance with Chapter 14A of Isle of Wight County's Stormwater Management Ordinance. **No BMP proposed as no increase in impervious area.**

(3) A vegetative element that identifies and delineates the location of all woody plant material on site, including all trees on site eight (8) inches or greater diameter at breast height or, where there are groups of trees, said stands may be outlined. **No woody vegetation exists within the RMA/RPA Buffer on site.**

(B) Describes the impacts the development or use will have on the existing vegetation. Information should include:

(i) General limits of clearing, based on all anticipated improvements, including buildings, drives, and utilities. **No improvements within limits of clearing.**

(ii) Clear delineation of all trees and other woody vegetation which will be removed. **No vegetation has been removed for this application.**

(iii) Description of all plant species to be disturbed or removed. **No vegetation has been removed for this application.**

(C) Describes the proposed measures for mitigation. Possible mitigation measures include:

No mitigation measures proposed.

(i) Proposed design plan and replanting schedule for trees and other woody vegetation removed for construction, including a list of proposed plants and trees to be used. **No additional plant materials proposed with this application.**

(ii) Demonstration that the re-vegetation plan supplements the existing buffer vegetation in a manner that provides for pollutant removal, erosion and runoff control. **No replanting proposed within the buffer or entire site.**

Isle of Wight County Major Water Quality Impact Assessment (pg-5)

(iii) Demonstration that the design of the plan will preserve to the greatest extent possible any significant trees and vegetation on the site and will provide maximum erosion control and overload flow benefits from such vegetation. **No woody vegetation required to maintain erosion control. Site has been stabilized with permanent seeding based on Virginia E&S Standard and Specification 3.32.**

(4) Demonstration that indigenous plants are to be used to greatest extent possible. **Not Applicable. Not vegetation proposed.**

(A) In the case of a WQIA for shoreline and bank stabilization projects, the following items shall be required: **Not a shoreline stabilization project. No impact to wetland area proposed.**

(B) Completion of the shoreline erosion control water quality impact assessment form, as provided by the zoning administrator and kept on file with the department of planning and zoning. **Not Applicable.**

(i) An environmental assessment as follows: The environmental site assessment shall be drawn to scale and clearly delineate the environmental components identified in subsection 3000(b) of this ordinance. **See Attached Site Plan for Environmental Site Assessment components.**

Isle of Wight County Major Water Quality Impact Assessment (pg-6)

(ii) Wetlands delineations shall be performed consistent with the procedures specified in the Federal Manual for Identifying and Delineating Jurisdictional Wetlands, 1987, and updates as they become available. **Wetland Delineation shown on Site Plan. No disturbance to wetlands with application.**

(iii) The environmental assessment shall delineate the geographic extent of the resource protection area on the specific site or parcel as required under section 3001 of this ordinance. **Not Applicable.**

(iv) The environmental assessment shall be drawn at the same scale as the preliminary site plan or subdivision plat. **Not Applicable**

(C) A landscaping plan in accordance with subsection 5000(c), except that the plans may be submitted by any qualified professional, including shoreline contractors and nursery professionals. **Not Applicable.**

(D) A stormwater management plan in accordance with Chapter 14A of the Isle of Wight County Code, as required by state code Section 62.1-44.15:55. **No increase in impervious, therefore no stormwater management proposed.**

(E) An erosion and sediment control plan in accordance with Chapter 6 of the Isle of Wight County Code. **Site has been stabilized and no further disturbance proposed.**

(F) Project construction plans shall be certified as complete and accurate by a professional shoreline engineer or other qualified professional, as determined by the zoning administrator, as well as a determination as to the necessity of the project. **No shoreline / waterborne activities proposed.**

(5)

(E) For phased projects, an updated WQIA shall be provided for each phase to the county planning and zoning department demonstrating the projects compliance with the criteria of the original WQIA. An updated WQIA shall be required until all phases of the project are complete. **Not Applicable.**

Isle of Wight County Major Water Quality Impact Assessment (pg-7)

(1) Submission, review requirements, and evaluation procedure. Ten (10) copies of all site drawings and other applicable information as required by subsection c. above shall be submitted to the zoning administrator for review. **10 Copies of WQIA provided.**

(2) All information required in this section shall be certified as complete and accurate by a professional engineer or certified land surveyor qualified to prepare such information.

Acknowledged.

Responses From Comments from April 19, 2022 Review as follows:

(1) How tall is the wall? **Wall is approximately 3 feet on its lowest end to 4' on the its highest. The highest end is to the west and the lowest end is to the east.**

(2) How long is the wall? **Wall is 118' feet long.**

(3) What is the change in elevation caused by the fill and wall? **Change in elevation is approximately 3 to 4' from west to east along wall profile. We are estimating the fill to be in the range of 105 cubic yards. This equates to approximately 10 to 12 dump truck loads of fill. The perineal stream which flows along the east side of the property is on the outside of the wall and fill area and is not blocked by the wall. Stream still flows to the tidal ditch to the rear.**

(4) Mr. Bolt stated that some grading and seeding is still needed for erosion. Why is there erosion still after the placement of the wall and fill. Grading is prohibited in the RPA without a plan and approval, So justification for this will be needed. **Seed is having difficulty establishing itself in the fill area due to the excessive existing tree canopy in the area. Since these comments were made, seed as better established itself now that its towards the end of summer. See attached site photographs.**

(5) Site plan should show date TTC delineated and date when USACE confirmed. **TTC completed its delineation in August 2021 and Ms. Melissa Nash of the USACE confirmed the delineation on October 20, 2021. This is now reflected on the site plan. Contours in the vicinity of the fill area have been added to the site plan.**

(6)

(A) Site plan should show date TCC delineated and date when USACE confirmed. **USACE PJD Dated October 20, 2021.**

(B) Make sure the site plan you submit in the package has; all utilities shown including drainfield locations, and all parts of the septic system, length of wall, height of wall, contour lines Drainfield location, Clearstream treatment system, and lateral from dwelling is now shown on plan. **Mr. Bolt stated that some grading and seeding is still needed for erosion. Why is there erosion still after the placement of the wall and fill. Grading is prohibited in the RPA without a plan and approval, So justification for this will be needed. You may need to have stormwater meet with you for there input on how to address the issues without impacting the RPA any further.**

Bare and non-denuded areas still exist on the site due to the extensive amount of tree canopy to the rear of the site. This side is the southern side of the property, therefore the extensive tree canopy is blocking the maximum amount of sunlight. drainfield locations, and all parts of the septic system, length of wall, height of wall, contour lines Drainfield location, Clearstream treatment system, and lateral from dwelling is now shown on plan.

(i) How tall is the wall? **Wall height varies but averages around 3.5' to 4'.**

(ii) How long is the wall? **Wall is approximately 120' long.**

Isle of Wight County Major Water Quality Impact Assessment (pg-9)

(iii) Location and nature of the proposed encroachment into the buffer area, including: type of paving material; areas of clearing or grading; location of any structures, drives, other impervious cover; and sewage disposal systems or reserve drain field sites; **Encroachment. into the 50' seaward RPA is the CMU block retaining wall and the Clearstream treatment unit (located underground other than access hatch). All other seaward encroachments are existing and predate the CBPAO. The drainfield is located within the 50' landward RPA and within the RMA on the north side of the property.**

(7) Mr. Bolt stated that some grading and seeding is still needed for erosion. Why is there erosion still after the placement of the wall and fill. Grading is prohibited in the RPA without a plan and approval, So justification for this will be needed. You may need to have stormwater meet with you for their input on how to address the issues without impacting the RPA any further. **Bare and non-denuded areas still exist on the site due to the extensive amount of tree canopy to the rear of the site. This side is the southern side of the property, therefore the extensive tree canopy is blocking the maximum amount of sunlight.**

(8) What is the proposed mitigation plantings? **Using the area of disturbance of approximately 1,995 SF, will result in 4.99 required planting credits based upon CBPA planting mitigation of 400 SF. Therefore, the requirement will be 5 canopy trees, 10 understory trees, and 15 small shrubs or woody groundcover.**

(9) Describes the existing topography, soils, and hydrology of the site and adjacent lands **The existing topography prior to wall construction consists of slopes towards the spring of 9 – 10% slopes from the edge of the dwelling. Soils in this area consist of Emporia Fine Sandy Loam, Nevarc and Remlik soils, and Bohicket silty clay loam.**

The Emporia fine sandy loam occupies the upland area upland of the retaining wall. The Necarc, Remlik, and Bohicket soils occupy the wetlands area along the southern side of the property. Given this, the Emporia Sandy Loams are well drained soils with good soil hydrology. Therefore, these are classified by NRCS within Hydrologic Group 'B'. The Necarc, Remlik, and Bohicket soils are classified within Hydrologic Group 'D' given these are wetlands mudflats in this location. The surrounding area exhibits similar topography and physiology.

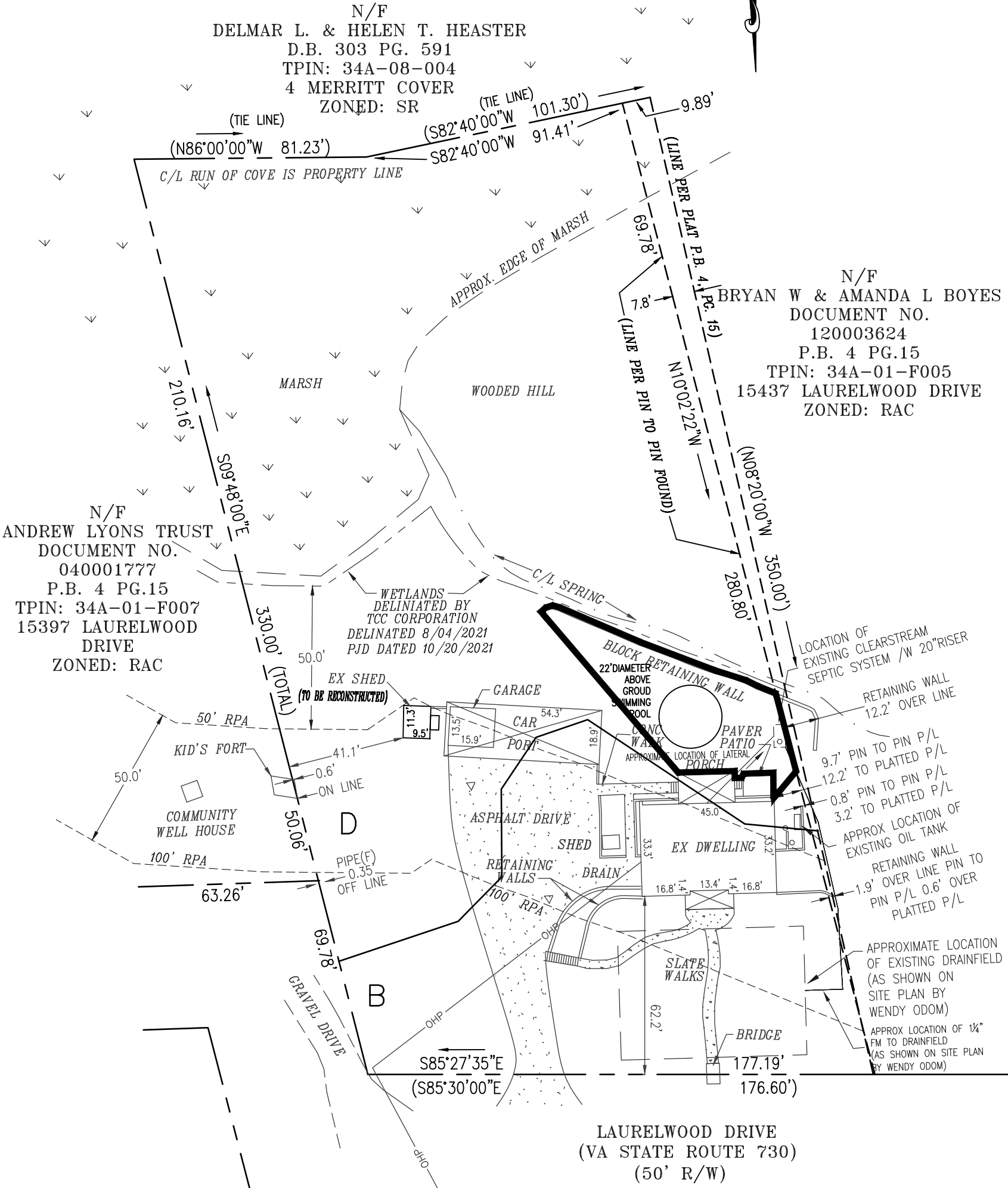
(10) What is the change in elevation caused by the fill and wall?

The backyard is now level to the spring so the contour has changed. The elevation change is approximately 5-6 feet from low to high along the wall. There was approximately 105 CY of fill placed within the rear yard representing approximately 8 to 10 truckloads of fill. This is based upon the comparison of old topographic contours and the elevation change between the dwelling and the wall. The perennial stream is approximately 5-6 feet below the top elevation of the wall.

(11 Describes the impacts of the development on topography, before wall and fill vs now. **The construction of the retaining wall has reduced the cross-slope of the yard from the natural grade of 9-10% to 7-8%. Once the grade is stabilized and seed well established, this will result in less erosion into the spring as the slope will not be as severe.**

(12)Does the wall effect the spring water levels? **The perennial stream source is upstream from the wall location. Additionally, the wall is constructed outside of the top of bank of course of the stream. Given these factors, the wall construction will have minimum impact upon the perennial stream levels.**

— DENOTES LIMITS OF DISTURBANCE
(1,995 SF (0.05 ACRE))



SITE PLAN
FOR
JEFFREY H. AND PAULA J. BOLT
15407 LAURELWOOD DRIVE

JUNE 28, 2024

NEWPORT MAGISTERIAL DISTRICT
ISLE OF WIGHT COUNTY, VIRGINIA

FILE NUMBER: 2020-026 (INITIAL SUBMITTAL APRIL 14, 2022)

NOTE:

TTC CORPORATION
DELINEATION OF WETLANDS
COMPLETED AUGUST 4, 2021

MELISSA NASH OF USACE
CONFIRMED DELINEATION
OCTOBER 20, 2021

GRAPHIC SCALE



(IN FEET)
1 inch = 40 ft.

CAE, INC.

ENGINEERS, PLANNERS, AND CONSTRUCTION CONSULTANTS

321 OFFICE SQUARE LANE, SUITE 101A
VIRGINIA BEACH, VIRGINIA 23462-3655
TELEPHONE (757) 271-1576 (757) 271-1009 (FAX)

National Flood Hazard Layer FIRMMette



76°30'59"W 36°55'39"N



0 250 500 1,000 1,500 2,000 Feet 1:6,000

Basemap Imagery Source: USGS National Map 2023

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes. Zone X
		Area with Flood Risk due to Levee Zone D
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
GENERAL STRUCTURES		Area of Undetermined Flood Hazard Zone D
		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
		Cross Sections with 1% Annual Chance Water Surface Elevation
		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
OTHER FEATURES		Coastal Transect Baseline
		Profile Baseline
		Hydrographic Feature
MAP PANELS		Digital Data Available
		No Digital Data Available
		Unmapped



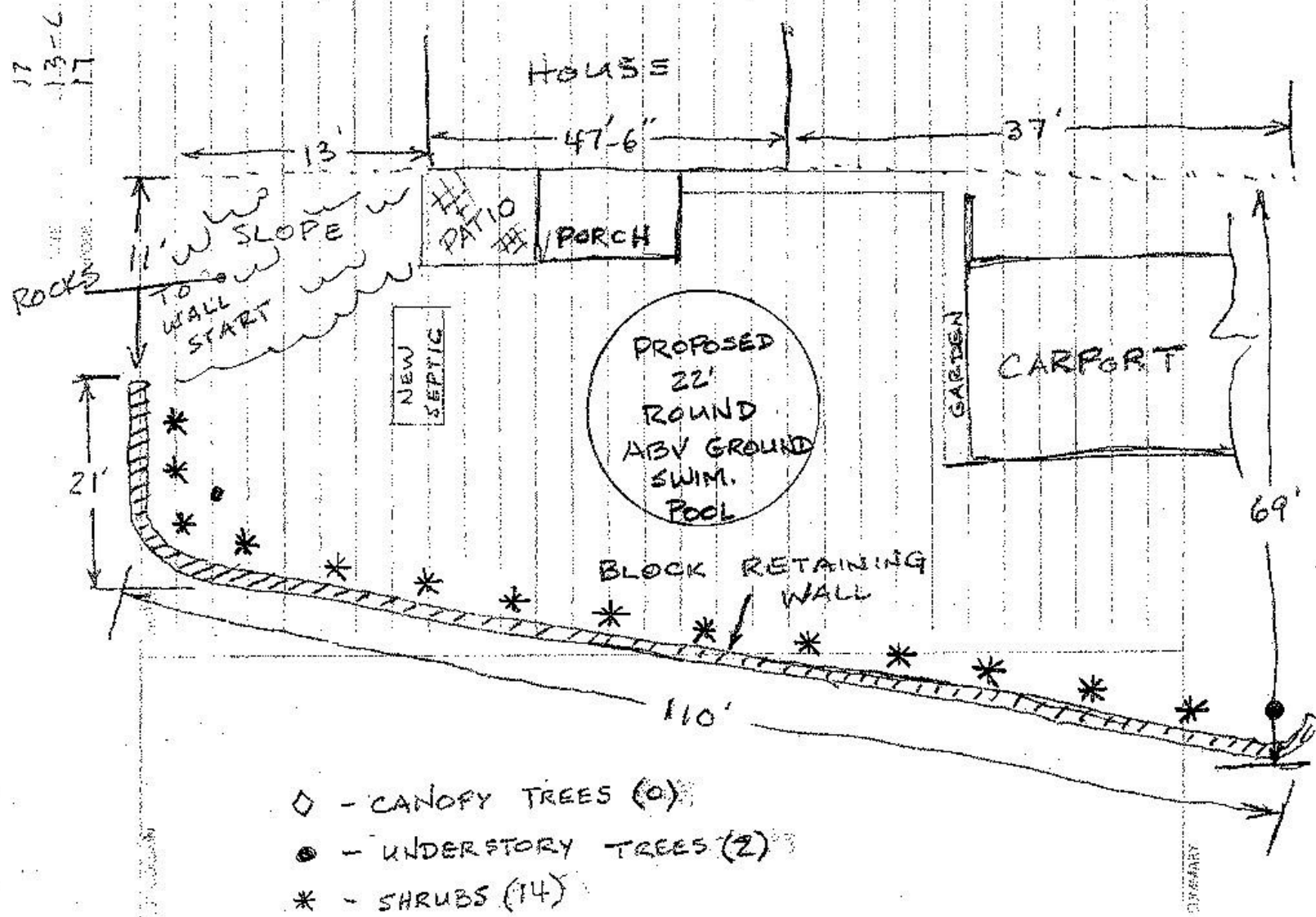
The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 10/1/2024 at 2:11 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.





Reasons for proposed planting plan in lieu of established guidelines:

1. The existing canopy from trees just behind the wall extends well in to the yard. This is further exasperated by the slope of the hill that the trees are actually growing from.
2. The retaining wall is currently retaining the soil. Presently, there is no soil loss as a result. In essence, the wall is doing what it was installed to do.
3. The addition of more large trees and the resulting root structures would put the wall in jeopardy of failing as the trees become mature. The retaining wall, while built to specification, is not designed to ward off large roots from close by trees.
4. Before anything was disturbed in my backyard, the yard was a grass lawn and had been for a great number of years. I moved into the house in March of 2012 and the yard was an established grass lawn.
5. I have already had one large tree blow over on to my house during a thunderstorm. There are presently, still today, trees that are close enough to the house to do the same. I do not wish to add to this fear.
6. While I realize there are guidelines concerning plantings in this type of situation, there is no mention of a retaining wall of this kind in the wetland's guidelines. There are mentions of bulkheads along the shoreline but that is not the case with my backyard.
7. Before the retaining wall was installed, when the yard included the sloping condition that proved to be next to impossible to grow new grass, the yard eroded at a fast pace. Presently, vegetation is flourishing due to the retaining wall. This, despite the fact that I have not attempted to grow grass (I was advised against it by Ms. Beussink).
8. The Preface to the CBPA Riparian Buffers Guidance Manual, page iii, states "Where a property had a lawn prior to the adoption of the local Bay Act program, no additional planting is required, although the addition of woody vegetation is encouraged for the benefits they would provide."

r/Jeff Bolt

7/12/24

Statement of reasons for exception/waiver-

A retaining wall became necessary when a large area of the grass lawn, directly behind and to the driveway side of the house was destroyed by heavy equipment during the installation of a new septic tank and system.

A new septic system was installed when the old one failed. I was advised to move the drain field from the back to the front yard which required a new tank that included a pump to move fluid uphill (the front yard is much higher in elevation than the backyard). The process of doing this turned the entire front yard and about ½ of the backyard into dirt. I immediately followed up the front yard disturbance with grass sod to replace the lawn that was previously there.

Due to the severe slope of the backyard, at the uphill side of the yard (behind where the actual house resides), the now dirt landscape immediately started to erode. It would not hold grass seed even with the netted mesh that is used to hold grass seed in place. The erosion was occurring at such a fast pace, I felt something needed to be done as soon as possible. This is when I decided a retaining wall would be appropriate to control erosion and enable the re-establishment of a grass lawn.

I would also like to note that I had attempted many times, before the septic tank issue, to grow grass on the most severe-sloping area of the yard but was unable to. This was mostly due to the extreme downpours we experience nowadays. Some grass and mostly weed-like vegetation was able to hold most of the soil but erosion did occur.

In addition to the retaining wall, I am asking for an above-ground swimming pool which would only be set on the ground and would provide rest and relaxation. This would be installed in the area enclosed by the retaining wall.

I'm also asking to rebuild a dilapidated shed that is already on a concrete slab. I would like to replace this shed on the exact same footprint with a wood structure.

August 5, 2023

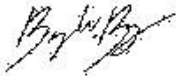
To Whom it may concern,

I, Bryan Boyes, am aware that my neighbor has built a retaining wall that intrudes upon my property by 12.2 feet. I have discussed this situation with them and believe it was done unintentionally and without any malicious intent. I believe that the actions my neighbor has taken were done with the intent to protect and improve water quality in the Chesapeake Bay. The wall appears to be professionally built and seems to be a reasonable solution to the erosion problem they have been experiencing over the years.

In light of all this, I am willing to allow the wall to remain intact with the understanding that no adverse possession claim can be made in the future, and that I cannot be held liable for any financial or physical hardship or adversity caused by any portion of the wall that remains on my property.

Respectfully,

Bryan William Boyes

A handwritten signature in black ink, appearing to read "Bryan Boyes", written over a horizontal line.

PLANNING REPORT

APPLICATION:

A Resolution of Appreciation for Cynthia Taylor for her Service to the County as the Planning Commission Representative for District 2

BACKGROUND:

Cynthia Taylor was originally appointed to the Planning Commission for what was then the Newport District, now known as District 2, in March 2014. Ms. Taylor has served over ten years on the Commission. Ms. Taylor's term expires in February 2025.

ATTACHMENTS:

Description	Type	Upload Date
Resolution of Appreciation for Cynthia Taylor	Resolution	1/24/2025



RESOLUTION OF APPRECIATION

WHEREAS, Cynthia Taylor of Election District 2, Isle of Wight County, Virginia, has tendered her resignation as a member of the Planning Commission of Isle of Wight County, Virginia; and

WHEREAS, Cynthia Talor has served ten years and ten months as a member of the Isle of Wight County Planning Commission representing Election District 2 from March 2014 to January 2025; and

WHEREAS, Cynthia Taylor, in her capacity as a member of the Planning Commission of Isle of Wight County, has worked faithfully and diligently on behalf of all the citizens of Isle of Wight County to promote better planning so as to enable the County of Isle of Wight to progress in its growth in an orderly manner; and

WHEREAS, the members of said Planning Commission wish to acknowledge the outstanding service rendered by Cynthia Taylor, and it is their desire to formally express their sincere gratitude and appreciation.

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

That it is with sincere regret on the part of the Planning Commission members of Isle of Wight County, Virginia, that Cynthia Taylor will no longer continue as a member of the Planning Commission of Isle of Wight County and said Planning Commission hereby commends her for the services performed for the citizens of Isle of Wight County in her capacity as a member of the Planning Commission representing Election District 2.

The Secretary to the Planning Commission is hereby directed to spread this resolution upon the minutes of the Commission as a matter of public record and to forward a copy of the same to Cynthia Taylor and to the Board of Supervisors of Isle of Wight County, Virginia.

Adopted this 28th day of January 2025.

Chairman, Isle of Wight County
Planning Commission

ATTEST: _____, Secretary

PLANNING REPORT

APPLICATION:

Resolution of Appreciation for Rick Sienkiewicz for his Service to the County as the Planning Commission Representative for District 4

BACKGROUND:

Rick Sienkiewicz was appointed as the Planning Commission representative for District 4 in August 18, 2022. His current term expires in February 2025.

ATTACHMENTS:

Description	Type	Upload Date
Resolution of Appreciation for Rick Sienkiewicz	Resolution	1/22/2025



RESOLUTION OF APPRECIATION

WHEREAS, Rick Sienkiewicz of Election District 4, Isle of Wight County, Virginia, has tendered his resignation as a member of the Planning Commission of Isle of Wight County, Virginia; and

WHEREAS, Rick Sienkiewicz served two years and one month as a member of the Isle of Wight County Planning Commission representing the Election District 4 from August 18, 2022 to September 24, 2024; and

WHEREAS, Rick Sienkiewicz, in his capacity as a member of the Planning Commission of Isle of Wight County, has worked faithfully and diligently on behalf of all the citizens of Isle of Wight County to promote better planning so as to enable the County of Isle of Wight to progress in its growth in an orderly manner; and

WHEREAS, the members of said Planning Commission wish to acknowledge the outstanding service rendered by Rick Sienkiewicz, and it is their desire to formally express their sincere gratitude and appreciation.

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

That it is with sincere regret on the part of the Planning Commission members of Isle of Wight County, Virginia, that Rick Sienkiewicz will no longer continue as a member of the Planning Commission of Isle of Wight County and said Planning Commission hereby commends him for the services performed for the citizens of Isle of Wight County in his capacity as a member of the Planning Commission representing the Election District 4.

The Secretary to the Planning Commission is hereby directed to spread this resolution upon the minutes of the Commission as a matter of public record and to forward a copy of same to Rick Sienkiewicz and to the Board of Supervisors of Isle of Wight County, Virginia.

Adopted this 28th day of January 2025.

Chairman, Isle of Wight County
Planning Commission

ATTEST: _____, Secretary

PLANNING REPORT

APPLICATION:

Information on the Proposed Carrollton Boulevard (Rte. 17) Widening Project

DESCRIPTION:

As a matter for the Planning Commission's information, please find attached some general information from Jamie Oliver, the County's Transportation Administrator, about a pending grant award to construct a third lane to widen southbound Carrollton Boulevard (Route 17).

The project would occur in the following two phases:

- Phase 1 will lengthen the existing Rte. 17 right turn lane at Smiths Neck along the entire frontage of the shopping center; and
- Phase 2 will transition to a full southbound third lane from Eagle Harbor Parkway to the Bartlett intersection and Brewer's Neck Boulevard.

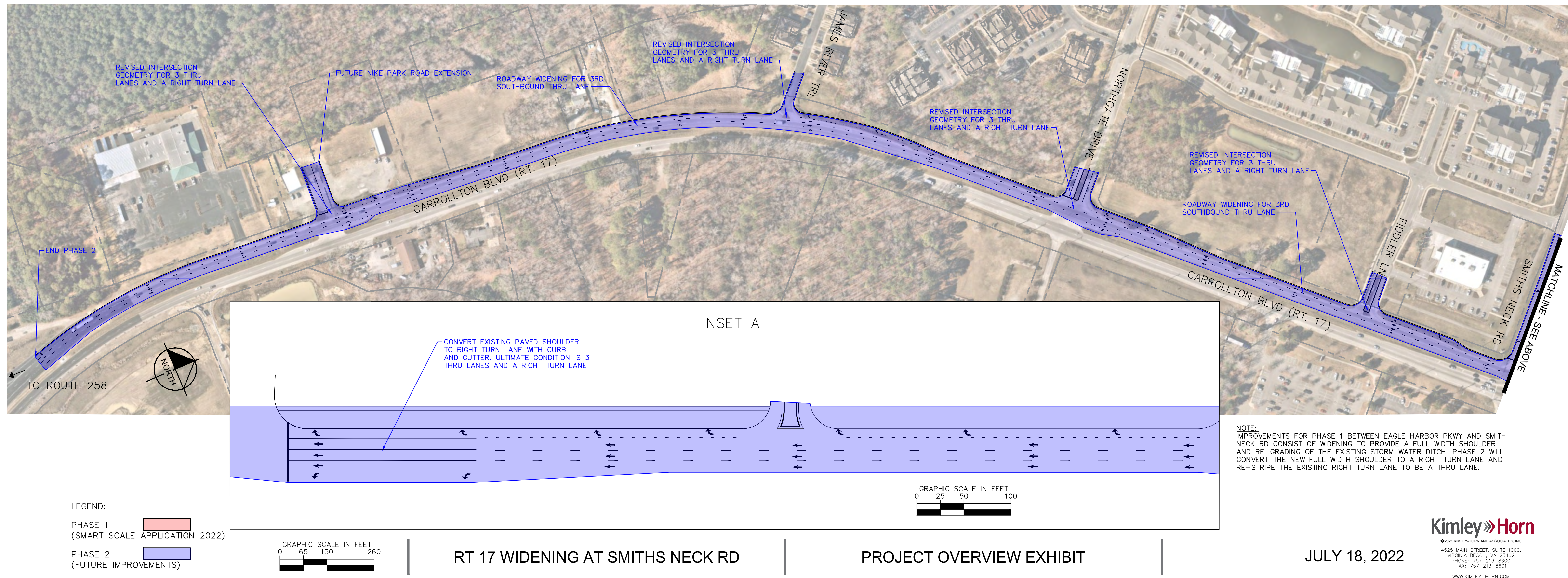
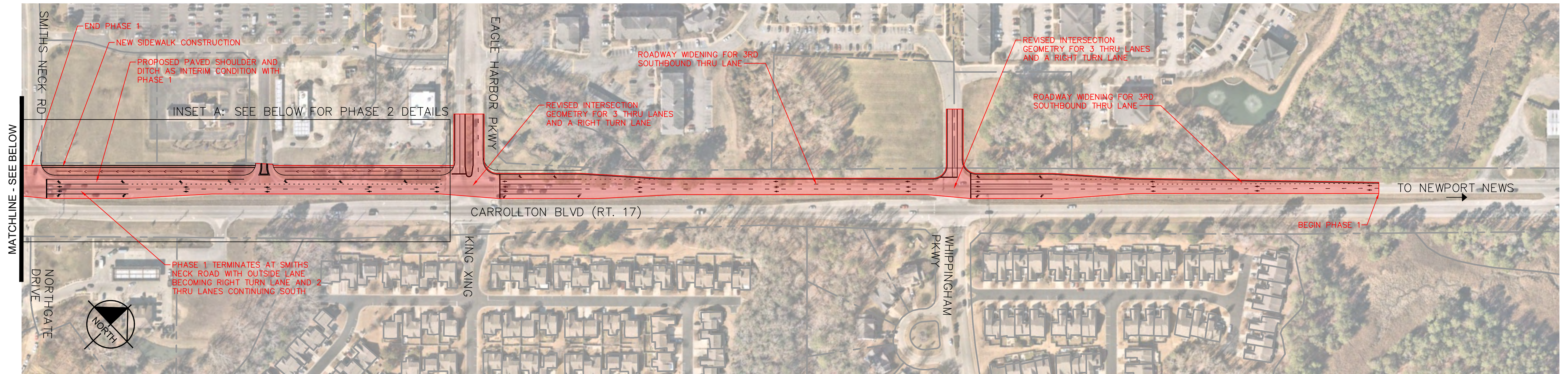
Staff will provide additional information on the grant award and construction schedule as it becomes available. A concept plan is attached to this staff report.

STAFF RECOMMENDATION:

This is an informational item only.

ATTACHMENTS:

Description	Type	Upload Date
Concept Plan	Cover Memo	1/21/2025



PLANNING REPORT

APPLICATION:

Informational Item on the Proposed Promontory Project in the Town of Smithfield

LOCATION:

Town of Smithfield at Benns Church Boulevard and Turner Drive

DESCRIPTION:

Please find attached general information on the Promontory mixed use project in the Town of Smithfield near the intersection of Benns Church Boulevard and Turner Drive. The project entails a total of 262 residential units and five commercial outparcels along Route 10. A copy of application documents are attached to this staff report.

STAFF RECOMMENDATION:

This is an informational item only.

ATTACHMENTS:

Description	Type	Upload Date
Project Description	Cover Memo	1/21/2025
Promontory Concept Plan	Cover Memo	1/21/2025
Promontory Pattern Book	Cover Memo	1/21/2025
Proffer Statement	Cover Memo	1/21/2025

The Promontory – Rezoning – Town of Smithfield

Site Address: 18495 Cypress Run Drive Smithfield, VA 23431 (Tax Map No. 32-01-005 and 32-01-006 in part)

Statement of Reasons, Narrative Description, and Community Impact Statement

Project Consultants:

Civil Engineer	-	Dan Caskie The Bay Companies 8500 Bell Creek Road Mechanicsville, VA 23116
Landscape Architect	-	Jon Hershey, Veronica Malinay Cite Design 301 N. Adams Street Richmond, VA 23220
Traffic Engineer	-	Kimley Horn Suite 200 2035 Maywill Street Richmond, VA 23230
Fiscal Analyst	-	Ted Figura 118 Logan Avenue Asheville, NC 28806

Statement of Reasons:

The property known as Tax Map Parcel No. 32-01-005 is currently designated Residential Mixed-Use and Commercial Mixed-Use in the Town's Comprehensive Plan (adopted 2022) and are presently zoned Community Conservation (C-C) and Environmental Conservation (E-C). The applicant seeks to amend the existing zoning to Planned Mixed-Use Development (PMUD), in a manner consistent with the Comprehensive Plan, to develop the property for commercial and residential uses. The property is unique with adjacency to Cypress Creek and access to a large man-made lake. By rezoning the property, the parcel will not only provide the Town of Smithfield with one of the most unique neighborhoods in Virginia but will also foster commercial development along Benn's Church Blvd.

Narrative Description:

The bulk of the existing parcel has served as a sand and stone quarry for approximately 29 years. The remaining pond provides an opportunity for a neighborhood to extend around the arc of the pond to the western section. This provides ample opportunity to create trails, docks, and other water access, it is anticipated that The Promontory will be one of the most appealing places to live in Hampton Roads. The Commercial portion of the site has been approached by franchisees and developers for the last decade with

interest to add highly desirable restaurants, retail, and other service oriented commercial. Due to the limitations of the existing zoning, the owners of the property have had to pass on significant opportunities for the residents of the Town of Smithfield. Rezoning this property to PMUD will provide commercial development that will elevate the current offerings of Benns Church Blvd.

The amended zoning proposes to feature 88 townhome units, 154 single-family detached units, and 20 villa units, totaling 262 units on the property. The commercial parcels adjacent to Benn's Church Blvd. will remain unchanged from the approved layout. The tabulation below provides an overview of the proposed plan:

- The total number of dwelling units proposed by type of structure
 - 154 - single family units
 - 88 – 20' wide townhouse units
 - 20 - 30' wide villa units
 - Total = 262 units
- The total land area and net developable area is shown below:

OVERALL			
Physical Environmental Land Unit	Area (Acres)	Capacity Rating	Net Area (Acres)
Slopes Less than 10%	42.80	1	42.80
Slopes From 10% but less than 20%	3.36	0.75	2.52
Slopes From 20% but less than 30%	6.27	0.5	3.14
Slopes 30% or more	4.31	0.1	0.43
Shrink Swell Soil	0.00	0.75	0.00
Wetlands	20.67	0	0.00
Stormwater Management	33.60	0	0.00
69 KV or greater transmission lines	0.00	0	0.00
Public Right of Way	13.39	0	0.00
Private Street and Parking Bays	10.90	0	0.00
Total	135.30		48.89
Total Units Proposed			262
Density			5.36

The Promontory – Town of Smithfield, VA

- The density calculations for the residential lot areas have been provided below:

SINGLE FAMILY DETACHED			
Physical Environmental Land Unit	Area (Acres)	Capacity Rating	Net Area (Acres)
Slopes Less than 10%	27.25	1	27.25
Slopes From 10% but less than 20%	3.36	0.75	2.52
Slopes From 20% but less than 30%	6.02	0.5	3.01
Slopes 30% or more	1.05	0.1	0.11
Shrink Swell Soil	0.00	0.75	0.00
Wetlands	20.69	0	0.00
Stormwater Management	33.60	0	0.00
69 KV or greater transmission lines	0.00	0	0.00
Public Right of Way	7.01	0	0.00
Private Street and Parking Bays	0.00	0	0.00
Total	98.98		32.89
Total Units Proposed			154
Density			4.68

SINGLE FAMILY ATTACHED			
Physical Environmental Land Unit	Area (Acres)	Capacity Rating	Net Area (Acres)
Slopes Less than 10%	7.29	1	7.29
Slopes From 10% but less than 20%	0.00	0.75	0.00
Slopes From 20% but less than 30%	0.25	0.5	0.13
Slopes 30% or more	1.08	0.1	0.11
Shrink Swell Soil	0.00	0.75	0.00
Wetlands	0.00	0	0.00
Stormwater Management	0.00	0	0.00
69 KV or greater transmission lines	0.00	0	0.00
Public Right of Way	3.83	0	0.00
Private Street and Parking Bays	1.27	0	0.00
Total	13.72		7.52
Total Units Proposed			108
Density			14.36

COMMERCIAL					
Floor Aea Calculations - Commercial					
	Pacel 1	Pacel 2	Pacel 3	Pacel 4	Pacel 5
Total Commercial Site Area	100,939 sf	96,082 sf	69,579 sf	71,969 sf	93,832 sf
Proposed Commercial Floor Area *	5,000 sf	3,000 sf	3,000 sf	3,000 sf	4,000 sf
Floor Area Ratio	5%	3%	4%	4%	4%

- The proposed schedule of off-street parking and loading spaces for each proposed type of land use
 - Residential:
 - Single Family: 2 spaces per unit required = 308 spaces required. 308 spaces provided.
 - Villas: 2 spaces per unit required plus 1 space per every 3 units = 46 spaces required. 46 spaces provided.
 - Townhouses: 2 spaces per unit required plus 1 space per every 3 units = 205 spaces required. 225 spaces provided.
 - Commercial:
 - Commercial Parking = 249 spaces
 - Commercial Stacked parking = 35 spaces
 - Commercial Loading Spaces = 4 spaces (assumes 1 loading space per commercial parcel)

The ~~common areas of the project will be owned and maintained by the Property homeowner's Owners Association~~ shall be responsible for the maintenance, upkeep, and improvement of all common areas, including but not limited to parks, trails, landscaping, and recreational facilities within the neighborhood.

Architecture:

The intent of the architecture at The Promontory is to build upon the rich history in the Town of Smithfield. By referencing the materials and massing of the homes and businesses in the Town, the neighborhood will feel connected to something much larger. Greenwood Homes has an in-house architecture team that will build upon the current layouts of our homes and provide architectural components reminiscent of the traditional design of the Town. Low-country motifs will also be utilized to connect to the characteristics of the site.

For the commercial property, materials such as masonry and metal roof accents will connect to the Town of Smithfield commercial area.

Landscaping along Benns Church Boulevard will be significant to reinforce the intent of the Entrance Corridor.

Amenities:

The amenity package of the neighborhood will provide access to the lake in parks on the east side of the neighborhood and adjacent to the single-family attached product. The promontory itself, the point of land extending into the lake, will become the focal point of the community allowing residents to have access potentially to boat, kayak, and fish.

The trail system will provide exercise opportunities throughout the neighborhood and access to the beautiful natural area along Cypress Creek. Potentially a dock could extend to Cypress Creek, allowing access to residents to boat and fish.

The homeowner's association will own and maintain all common areas including the infrastructure. Residents participate in a comprehensive program with curbside collection for garbage, recycling, and organic waste. Every Monday, bins of household waste are collected, while Tuesdays are reserved for single-stream recycling. Organic waste is gathered on Thursdays and sent to a municipal composting facility. Monthly bulk waste pickups and quarterly hazardous waste collection events ensure that larger and more dangerous items are responsibly managed

See attached amenities exhibit.

Community Impact Statement:

Drainage:

The stormwater management for this site will consist of water quality and water quantity controls. The existing pond will be retrofitted with an outlet riser structure and outlet pipe as well as an armored emergency spillway. Since the receiving channel meets the 1% rule, and a proposed sheet flow to open space level spreader is proposed at the end of the outlet pipe outfall, the water quantity aspects of the requirements are met. See detailed analysis by The Bay Companies attached.

Sanitary:

The project will tie into Hampton Roads Sanitation District's (HRSD) existing 30" sanitary force main sanitary sewer system at the northwest corner of Turner Dr. and Benn's Church Blvd. The tie in will be made with a 4" sanitary force main that will be serving the entire Promontory development. The onsite pump station will receive gravity fed service from the entire residential site.

Water:

The project will tie into Isle of Wight County's water system for residential domestic water by extending the existing 12" waterline from the intersection of Benn's Church Blvd. and Turner Dr. to the intersection of Public Road A (Tractor Supply entrance) and Benn's Church Blvd. There it will connect to a proposed 8" x 12" Tee. The site will be tied into an existing 8" waterline on Public Road A southwest of the Tractor supply. Fire flow demands will be met by proposed fire hydrants on the extended line, as well as supplying 6 dry hydrants that are fed by the existing pond.

Fire Stations:

There are three fire stations near the site that will serve the proposed site.

The Smithfield Volunteer Fire Department Station 50 is located at 1804 South Church St, Smithfield, VA 23430. This is 0.9 miles North of the Promontory Property and approximately a three-minute drive.

The Smithfield Volunteer Fire Department Station 51 is located at 310 Institute Street, Smithfield, VA 23430. This is 3.5 miles Northwest of the Promontory Property and approximately a seven-minute drive.

The Promontory – Town of Smithfield, VA

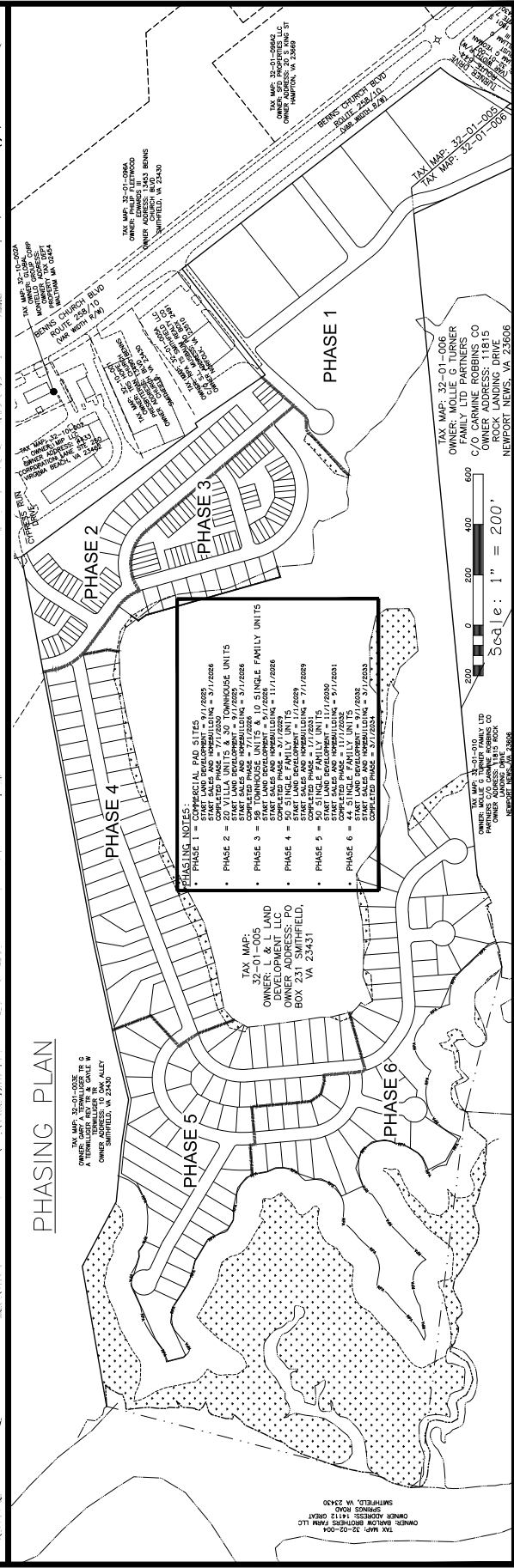
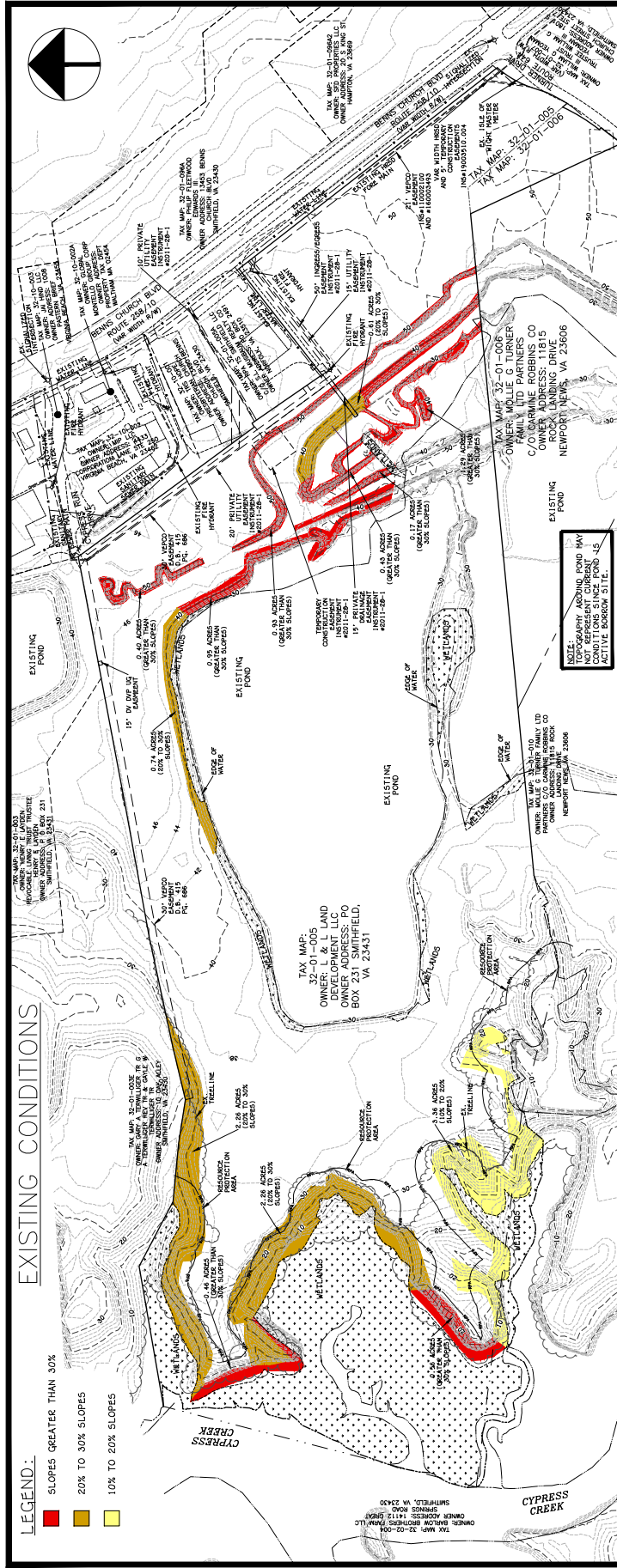
The Isle of Wight Volunteer Rescue Squad is located at 13080 Great Spring Road, Smithfield, VA 23430. This is 3.4 miles Northwest of the Promontory Property and approximately an eight-minute drive.

Roadways:

The roadway system serving this development has been analyzed in the Traffic Impact Analysis, prepared by Kimley Horn. See attached analysis for this information.

Fiscal Impact Analysis:

The fiscal impact analysis has been prepared by Ted Figura Consulting and is attached.



JOB NO.



Scale: 1" = 200'

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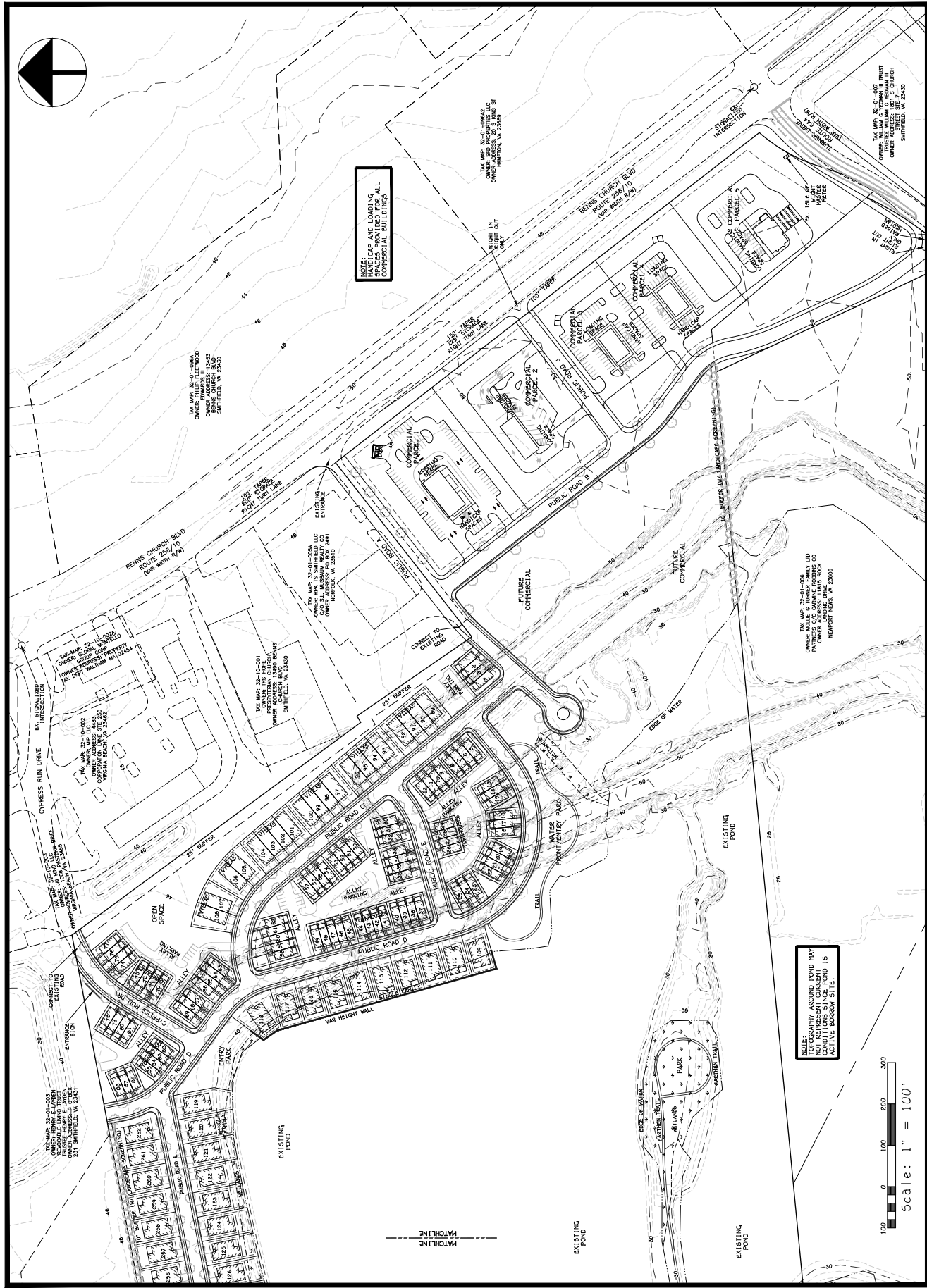
FILED: 23021_Zoning Concept
DATE: August 31, 2023
REVISED: December 13, 2023
REVISED: July 29, 2024
REVISED: October 15, 2024

THE BAY COMPANIES

CIVIL ENGINEERS

8600 BEL OAK RD
MEDFORD, VA 23116
TEL: (804) 587-7001
FAX: (804) 587-7001

PROJECT: The Promontory
Zoning Concept Plan
Smithfield, Virginia
SHEET:
Zoning Concept Plan (East)
SHEET NO: C3
JOB NO: 23021



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FILED: 23021 - Open Space

DATE: August 31, 2023

REVISED: December 13, 2023

REVISED: July 29, 2024

REVISED: October 15, 2024

bay
THE BAY COMPANIES
CIVIL ENGINEERS

8000 BEL OREX ROAD
MEADOWSVILLE, VA 23116
PAK (804) 589-7091

PROJECT: The Promontory

Zone: Concept Plan

Smithfield, Virginia

SHEET: Open Space and Pedestrian and Connectivity Plan

SHEET NO: C5

JOB NO: 23021



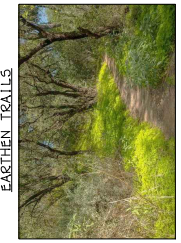
TYPICAL ROAD SECTION
ALLEYS

TYPICAL ROAD SECTION
PUBLIC ROAD A, C-1 AND CYPRESS RUN DRIVE

TYPICAL ROAD SECTION
PUBLIC ROAD B AND FUTURE ROAD

- LEGEND:
- INTERNAL CONCRETE WALKWAYS
 - CRUSHED GRAVEL TRAILS
 - EARTHEN TRAILS
 - OPEN SPACE

NOTE:
NO FILL OR GRADING WILL OCCUR
FOR EARTHEN TRAIL IN WETLANDS



CRUSHED GRAVEL TRAILS

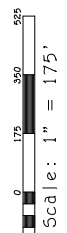


EARTHEN TRAILS

OPEN SPACE:
REQUIRED = 15% OR 19.95 ACRES
TOTAL OPEN SPACE REQUIRED = 64.46 ACRES
(56.46 ACRES IN NON-CRITICAL AREAS)
(MAX 9.98 ACRES IN CRITICAL AREAS)

OPEN SPACE CALCULATIONS EXCLUDE LAND WHICH ARE RESERVED FOR PUBLIC RIGHT OF WAY OR PRIVATE ALLEYS, LOADING AREAS, SIDEWALKS, OR PARKING AREAS.

WETLANDS: WETLANDS ARE DEFINED AS AREAS WHICH CONSIST OF LAND CLASSIFIED AS 100 YEAR FLOODPLAIN, STREAMS, WETLANDS, SLOPES GREATER THAN 30% AND/OR DECLINE SLOPES.



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FILED: 2/20/21 Site Details
DATE: August 31, 2023
REVISED: December 13, 2023
REVISED: July 29, 2024
REVISED: October 15, 2024



8500 BEL OREFF ROAD
MIDDLETOWN, VA 23116
PVA (804) 584-7091

PROJECT:

The Promontory

Zoning Concept Plan

Smithfield, Virginia

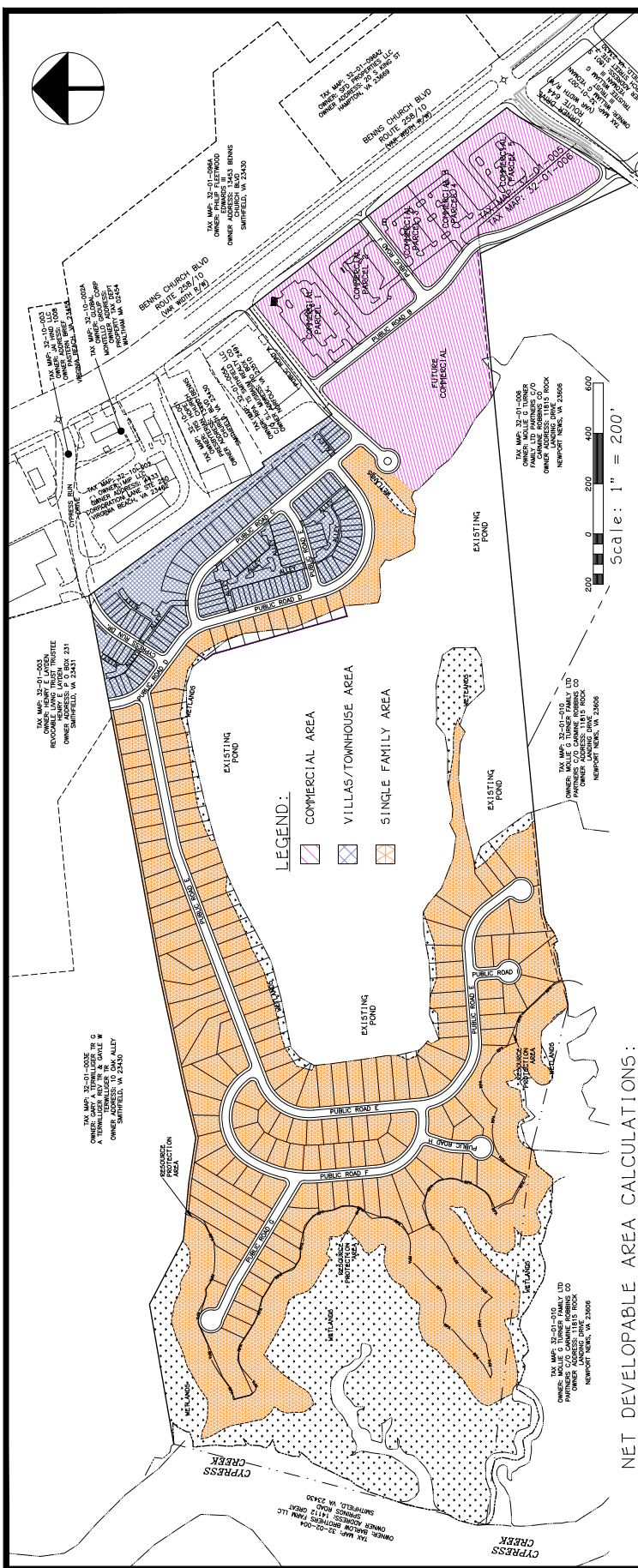
SHEET:

Density and Lot Exhibits

SHEET NO:

C6

JOB NO. 23021



NET DEVELOPABLE AREA CALCULATIONS:

COMMERCIAL				
Floor Area Calculations - Commercial	Parcel 1	Parcel 2	Parcel 4	Parcel 5
Total Commercial Site Area	100,029 sf	96,082 sf	169,579 sf	93,882 sf
Proposed Commercial Floor Area *	5,000 sf	3,000 sf	3,000 sf	4,000 sf
Floor Area Ratio	5%	3%	4%	4%

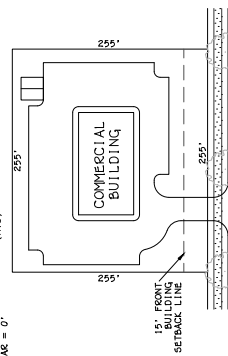
*Commercial floor area includes all floors

OVERALL				
Physical Environmental Land Use	Area (Acres)	Capacity Rating	Net Area (Acres)	Density
Slopes Less than 10%	42.80	0.75	32.60	42.80
Slopes From 10% but less than 20%	3.36	0.75	2.52	3.36
Slopes From 20% but less than 30%	6.27	0.5	3.14	6.27
Slopes 30% or more	4.31	0.5	2.16	4.31
Shrink Steel Soil	0.00	0.5	0.00	0.00
Wetlands	20.67	0.0	0.00	20.67
Stormwater Management	33.60	0.0	0.00	33.60
99 KV or greater transmission lines	0.00	0.0	0.00	0.00
Public Right of Way	13.30	0.0	0.00	13.30
Private Street and Parking Bays	10.00	0.0	0.00	10.00
Total	118.30		48.89	
Total Units Proposed			262	
Density			5.36	

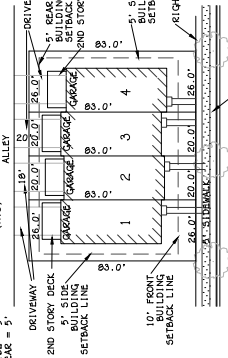
SINGLE FAMILY ATTACHED				
Physical Environmental Land Use	Area (Acres)	Capacity Rating	Net Area (Acres)	Density
Slopes Less than 10%	7.29	0.75	5.47	7.29
Slopes From 10% but less than 20%	0.00	0.75	0.00	0.00
Slopes From 20% but less than 30%	0.25	0.5	0.13	0.25
Slopes 30% or more	0.00	0.5	0.00	0.00
Shrink Steel Soil	0.00	0.5	0.00	0.00
Wetlands	0.00	0.0	0.00	0.00
Stormwater Management	0.00	0.0	0.00	0.00
99 KV or greater transmission lines	0.00	0.0	0.00	0.00
Public Right of Way	3.45	0.0	0.00	3.45
Private Street and Parking Bays	1.27	0.0	0.00	1.27
Total	13.72		7.42	
Total Units Proposed			108	
Density			14.26	

SINGLE FAMILY DETACHED				
Physical Environmental Land Use	Area (Acres)	Capacity Rating	Net Area (Acres)	Density
Slopes Less than 10%	27.25	0.75	20.44	27.25
Slopes From 10% but less than 20%	3.36	0.75	2.52	3.36
Slopes From 20% but less than 30%	6.02	0.5	3.01	6.02
Slopes 30% or more	0.00	0.5	0.00	0.00
Shrink Steel Soil	0.00	0.75	0.00	0.00
Wetlands	20.69	0.0	0.00	20.69
Stormwater Management	33.60	0.0	0.00	33.60
99 KV or greater transmission lines	0.00	0.0	0.00	0.00
Public Right of Way	7.00	0.0	0.00	7.00
Private Street and Parking Bays	0.00	0.0	0.00	0.00
Total	98.98		33.89	
Total Units Proposed			33.89	
Density			4.08	

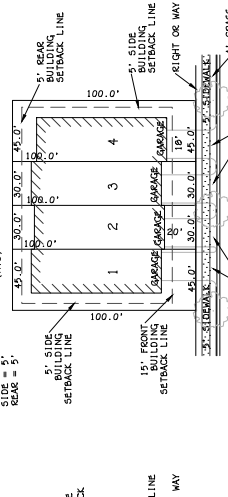
COMMERCIAL
BUILDING SETBACKS:
FRONT/CORNER = 15'
SIDE = 5'
REAR = 0'



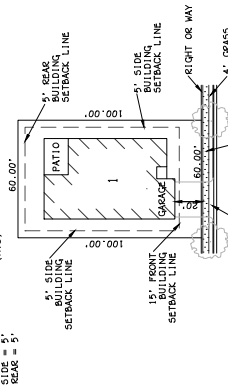
TOWNHOUSE
BUILDING SETBACKS:
FRONT/CORNER = 10'
SIDE = 5'
REAR = 5'



VILLA
BUILDING SETBACKS:
FRONT/CORNER = 15'
SIDE = 5'
REAR = 5'



SINGLE FAMILY
BUILDING SETBACKS:
FRONT/CORNER = 15'
SIDE = 5'
REAR = 5'



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23021 utility master plan
DATE: August 31, 2023
REVISED: December 13, 2023
REVISED: July 29, 2024
REVISED: October 15, 2024



8000 BEL OREX ROAD
MECHANICSVILLE, VA 23116
P.O. BOX 5007-7081

PROJECT:

The Promontory

Zoning Concept Plan

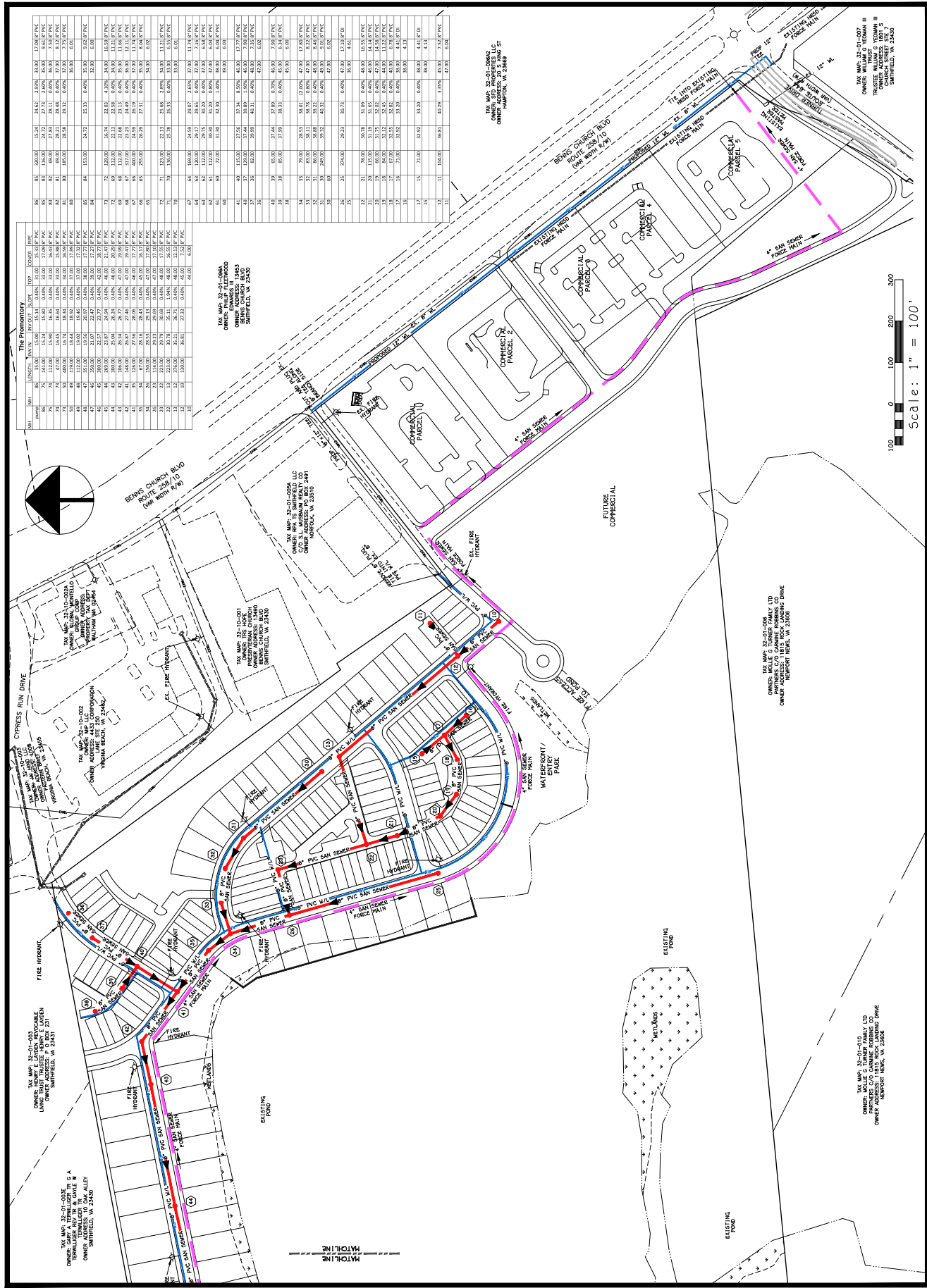
Smithfield, Virginia

SHEET:

Master Utility Plan (East)

SHEET NO: C7

JOB NO. 23021



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FILED: 23021 utility master plan
DATE: August 31, 2023
REVISED: December 13, 2023
REVISED: July 29, 2024
REVISED: October 15, 2024

THE BAY COMPANIES

bay

CIVIL ENGINEERS

8500 BEL OREX ROAD
MEDFORD, VA 23116
P.O. BOX 5007-7091

PROJECT: The Promontory
Zoning: Concept Plan
Smithfield, Virginia
SHEET: Master Utility Plan (West)
SHEET NO: C8
JOB NO: 23021



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DATE: August 31, 2023
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FILED: 23021 utility master plan
DATE: August 31, 2023
REVISED: December 13, 2023
REVISED: July 29, 2024
REVISED: October 15, 2024

OWNER: GARY A. TOWNSEND JR & A
OWNER ADDRESS: 10110 W. GATE W
SMITHFIELD, VA 23060

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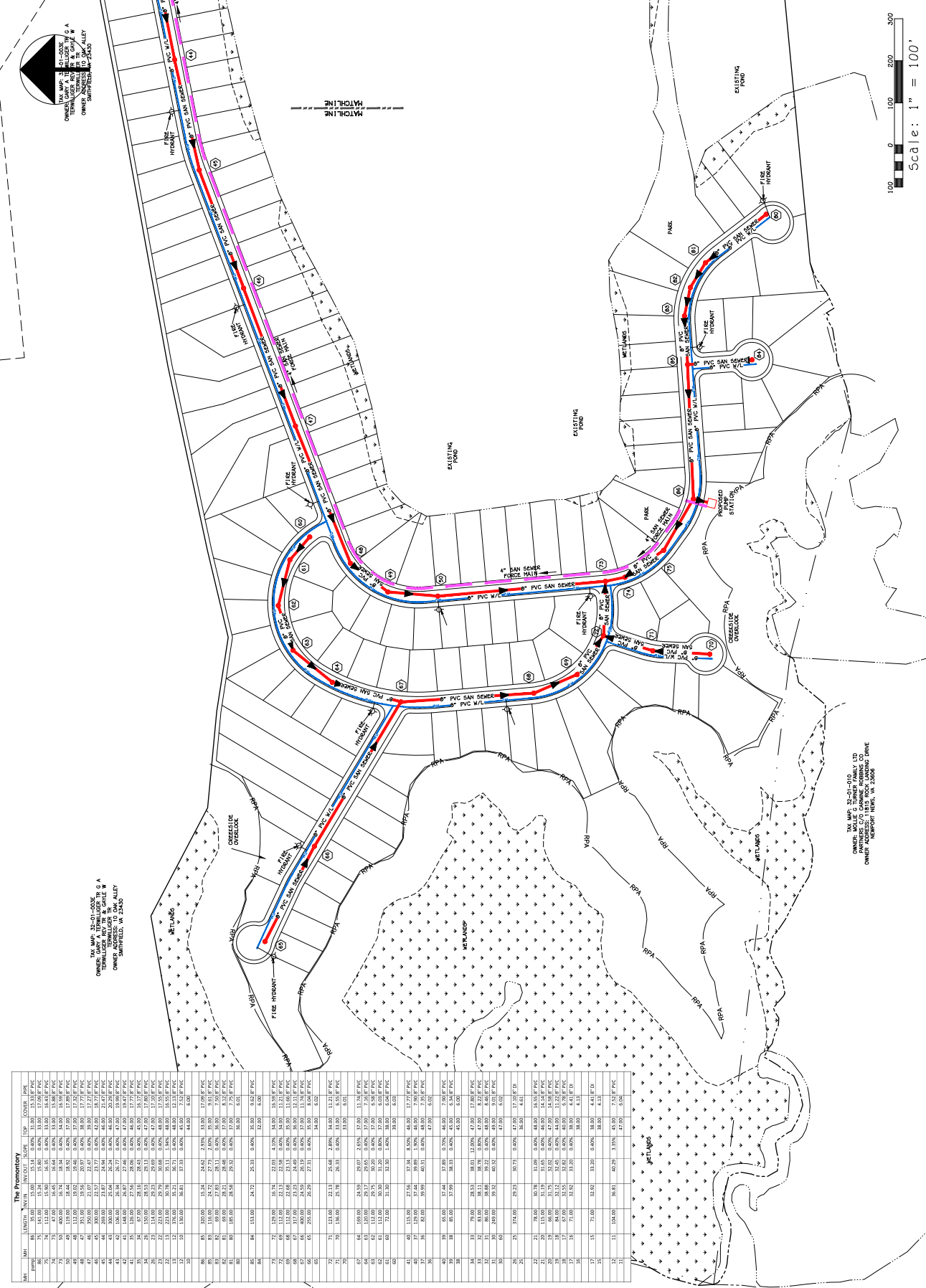
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www.thebaycompanies.com



THE PROMONTORY DESIGN GUIDELINES

TOWN OF SMITHFIELD
ISLE OF WIGHT COUNTY
VIRGINIA

THE PROMONTORY | GREENWOOD HOMES
DESIGN GUIDELINES | OCTOBER 2024



CITE DESIGN

Developer:



Landscape Architects/Conceptual Planners:



Civil/Environmental Engineers:



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INTRODUCTION

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Vision of The Promontory	L8

LOCATION & CONTEXT

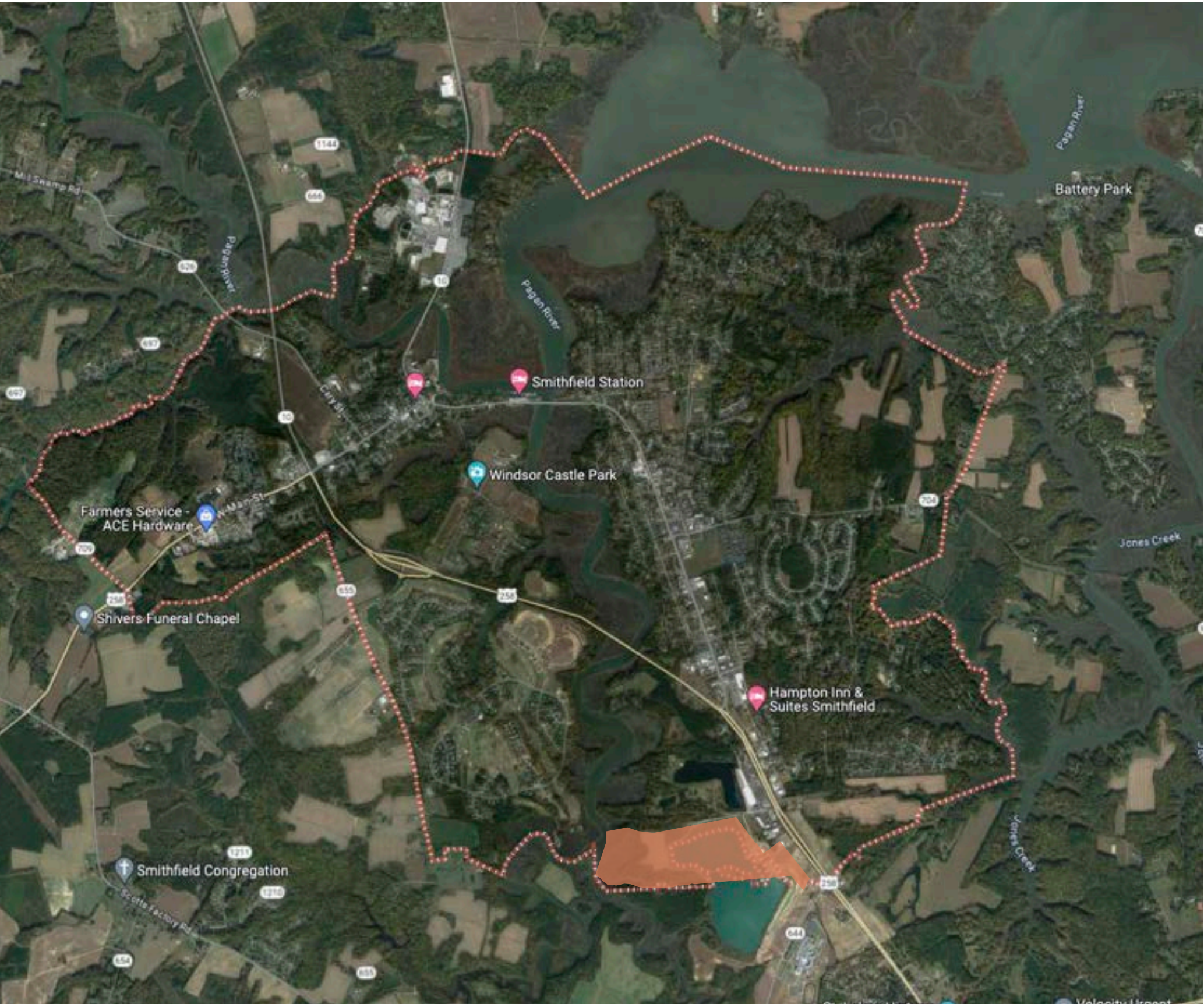
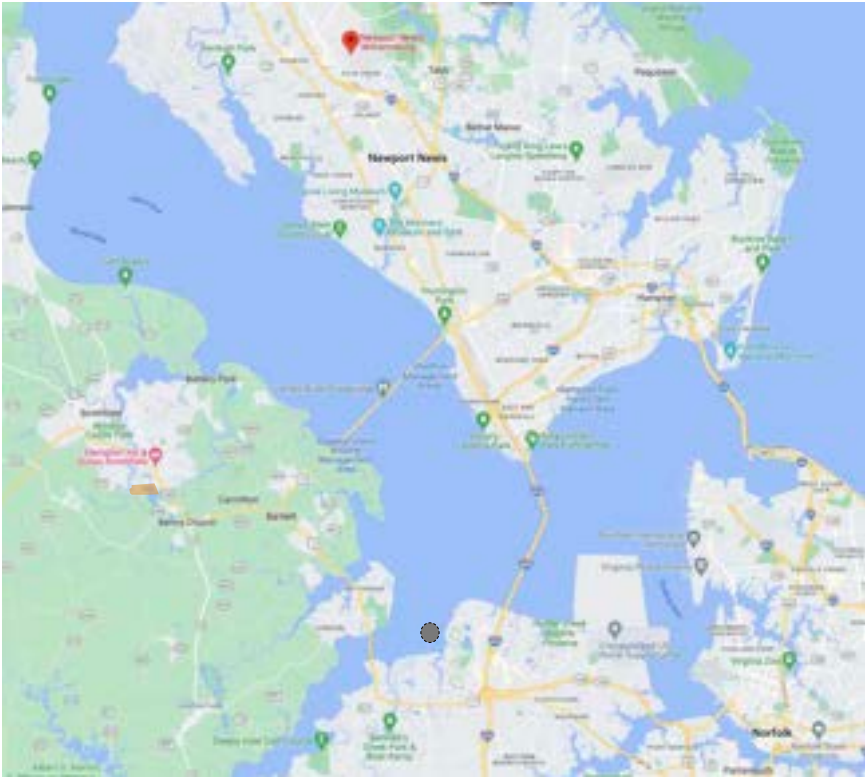
The Promontory will be a landmark development anchoring the southern gateway to the Town of Smithfield. The 133+/- acre site is located at the doorstep to a unique natural setting that celebrates the charm and beauty of Smithfield. Offering great access and visibility, the project is positioned at the intersection of Bennis Church Blvd (US Route 258/State Route 10) and Cypress Run Dr.

The Promontory neighborhood will integrate commercial, residential (single-family, townhomes, and villas), and outdoor recreational areas providing residents and customers an environment that is both beautiful and functional blending natural beauty with the elegance of the town.

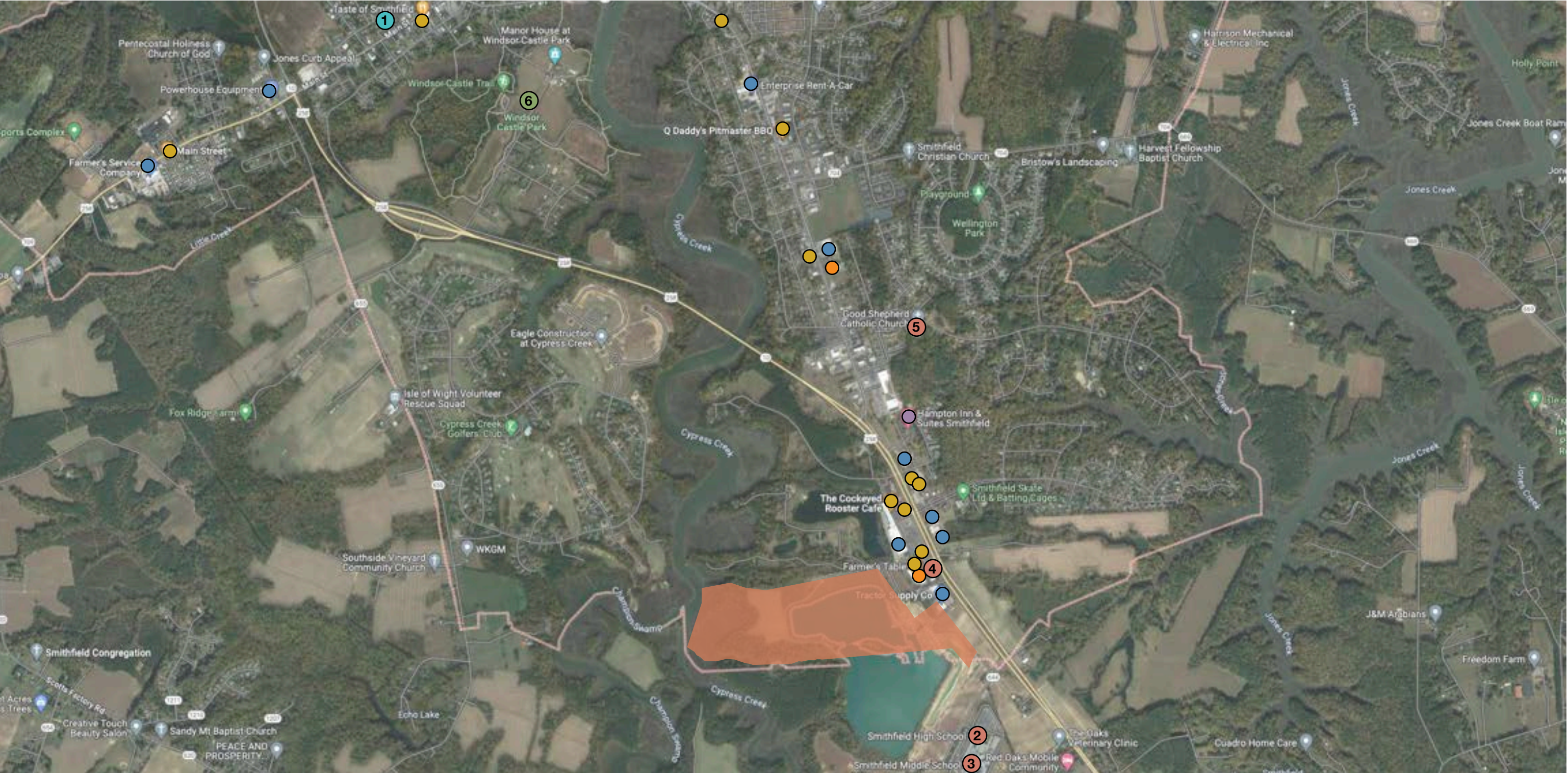
-  From The Promontory to:
- Newport News - 20 miles (30 minutes)

Norfolk – 28 miles (35 minutes)

Newport News/Williamsburg International Airport – 17.6 miles (24 minutes)



LOCATION & CONTEXT



Civic

1

Town of Smithfield
310 Institute Street
Smithfield, VA 23430

Community (schools, churches, libraries)

2

Smithfield High School

3

Smithfield Middle School

4

Hope Presbyterian Church

5

Good Shepherd Catholic Church

Parks/open space

6

Windsor Castle Park

Lodging (hotel/motel)

Restaurant

Gas station/convenience store

Business/Industrial

N

L6

THE PROMONTORY | GREENWOOD HOMES
DESIGN GUIDELINES

VISION & INTENT

At Greenwood Homes, our vision transcends the construction of houses; we are dedicated to crafting vibrant neighborhoods that foster *connection, joy, and a sense of belonging*.

We aspire to create living spaces where *every resident feels part of a greater whole*, enjoying not only the comfort of their individual homes but also the shared amenities and Smithfield community.

Our intent is to build more than just houses; we build places where life thrives. The Promontory neighborhood in Smithfield is a testament to this philosophy, extending the charm of the town into a serene coastal haven centered around the pristine waters of a crystal-clear pond. Through thoughtful design and meticulous craftsmanship, we aim to:

Create High-Quality Housing

Each home is constructed with superior materials and attention to detail, ensuring durability, comfort, and style.

Foster Neighborhood Connections

Shared amenities such as parks, walking trails, community gardens and docks provide spaces for residents to gather, interact, and build lasting relationships.

Enhance Aesthetic Appeal

Our layouts are designed to be visually harmonious, integrating natural landscapes with elegant architecture to create an environment that is both beautiful and functional.

Sustain Natural Beauty

The Promontory features a central pond and a bucolic connection to Cypress Creek, creating a unique and diverse connection to the natural beauty of the coastal environment.

We believe that by focusing on these core principles, The Promontory will not only extend the town of Smithfield but also enrich the lives of all who call it home. **Together, we are building not just homes, but a neighborhood where people come together to live, laugh, and flourish.**



VISION OF THE PROMONTORY

The Promontory is committed to quality materials such as natural stone, cementitious siding, accent elevations with board and batten and metal roofing and a lattice pattern specifically developed to accentuate the Tidewater region.

Example Exterior Materials

- Board & Batten and Traditional Lap Siding
- Cementitious siding or equivalent

Foundation Treatment

- Lattice
- Parged
- Real stone or masonry foundations

Architectural Shingles

Standing Metal Seam Accent Roofs

Metal Accent Railings

Synthetic Decks





MASTER PLAN

Master Plan Layout	L10
Pedestrian System	L11
Street Trees	L12
Amenities	L13
Site Furnishings	L14
Site Lighting	L15

MASTER PLAN LAYOUT



1. PROMONTORY PARK

2. WATERFRONT PARK

3. DRAGONFLY PARK
4. NORTH CREEKSIDE

5. SOUTH CREEKSIDE

6. LAKESIDE PARK
7. OSPREY PARK

8. NATURAL AREA (TYP.)

9. WOODED AREA (TYP.)

TRAIL

PROPERTY LINE

Amenity area layouts are for design intent only. All elements and layout are subject to change.

The HOA will maintain the amenities, parks, and trail systems.



PEDESTRIAN SYSTEM



LEGEND

- WOODLAND TRAIL (MULCH) ---
- CONCRETE SIDEWALK ---

- OPEN SPACE ■
- PROPERTY LINE ---

All paths, walks, and trails are for design intent only. All materials, elements, and layout are subject to change.

The HOA will maintain the amenities, parks, and trail systems.



STREET TREES



LEGEND

PROPERTY LINE - - - - -
AMENITY AREA ■■■■■

STREET TREE ■

Per Town of Smithfield Design Guidelines, street trees shall be spaced 40 ft. on center. Tree locations are for conceptual use only. Actual quantity and spacing may vary due to sight distance lines, utilities, grading, drainage, road improvements, etc. and street trees will be field adjusted per final design and utility layout.



AMENITIES



AMENITY PROGRAM LIST MAY INCLUDE:

- Nature Trails
- Multi-Purpose Area
- Grilling Areas
- Kayak/Canoe Areas
- Outdoor Games
- Hammock Garden
- Swing Benches
- Picnic Pavilions
- Lake Access
- Dog Park
- Kids Play
- Fire Pit Areas

Amenities used throughout The Promontory may include one or more of the amenities listed above. Other amenities not listed may also be incorporated. Site plans or subdivision plans may identify the location of the amenities and the types of amenities selected.

SITE FURNISHINGS



Site furnishings, such as those shown here, will be placed throughout the public spaces at The Promontory. The colors/finishes shown are examples only; final colors/finishes shall be determined at a later date. The owner may propose alternate site furnishings that are substantially similar in architectural form for approval by the Town of Smithfield.

SITE LIGHTING



Parking lot light fixture Options



Entryway Street Light - Required by Town of Smithfield
Traditional Colonial light fixture (Dominion Energy)



Inside Subdivision - Street Light Options
All fixtures shown may be used with or without an armbar.

PARKING LOT LIGHTING

Parking lot lighting fixtures shall not exceed twenty-five (25) feet in height as measured from the grade at the base of the lighting standard. Parking lot lighting shall otherwise comply with the requirements in the Town’s Zoning Ordinance for parking illumination.

The colors/finishes shown are examples only; final colors/finishes shall be determined at a later date. The owner may propose alternate site lighting fixtures that are substantially similar in architectural form for approval by the Town of Smithfield.

STREET LIGHTING

(From the Town of Smithfield Design Standards, Feb 2023)

Residential (Neighborhood and Suburban Residential) New Development

Street lights in newly developed residential neighborhoods should be no more than 400 feet apart.

Entrance

Entryway streetlights must be:

- between 10’ and 14’ height
- be at least 8,000 lumens
- must be mounted on a sturdy decorative pole
- be no further than 100 feet apart
- installed on both sides of the entrance and along the front of the property

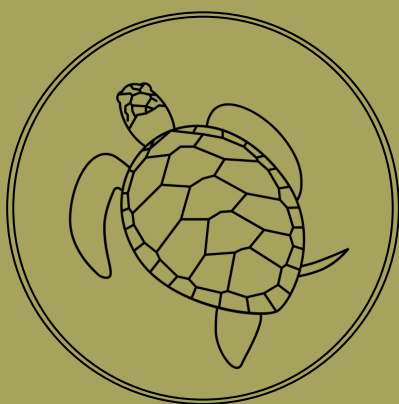
The required lights are the 8,000 lumen Traditional Colonial lights on the approved list provided by Dominion Energy ([dominionenergy.com/virginia/products/lighting-fixtures](https://www.dominionenergy.com/virginia/products/lighting-fixtures)) and/or Community Electric.

The entrance will be defined as the section of road at the beginning of the subdivision to the first cross-street. All subdivisions are encouraged to install LED streetlights where feasible in lieu of traditional street lights.

Inside Subdivision

When built as part of a subdivision where underground utilities are present, all interior street lights must be:

- in substantial conformance with entryway streetlights
- no less than 14’ in height
- at least 8,000 lumens



ARCHITECTURE & LANDSCAPE

Use Areas	L17
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Single-Family	L23
Townhomes	L25
Villas	L27

USE AREAS



RESIDENTIAL PARK / OPEN SPACE COMMERCIAL - - - - - PROPERTY LINE



Proposed Fast-food Restaurant (NTS)

COMMERCIAL



Proposed High Turn-over Restaurant (NTS)



Proposed High Turn-over Restaurant (NTS)

COMMERCIAL



Proposed Automated Car Wash (NTS)

COMMERCIAL



Proposed Drive-in Bank (NTS)

SINGLE-FAMILY



Front elevation



Left elevation

Rear elevation

Right elevation

Conceptual elevation of proposed single-family buildings (not to scale)



Front elevation



Left elevation

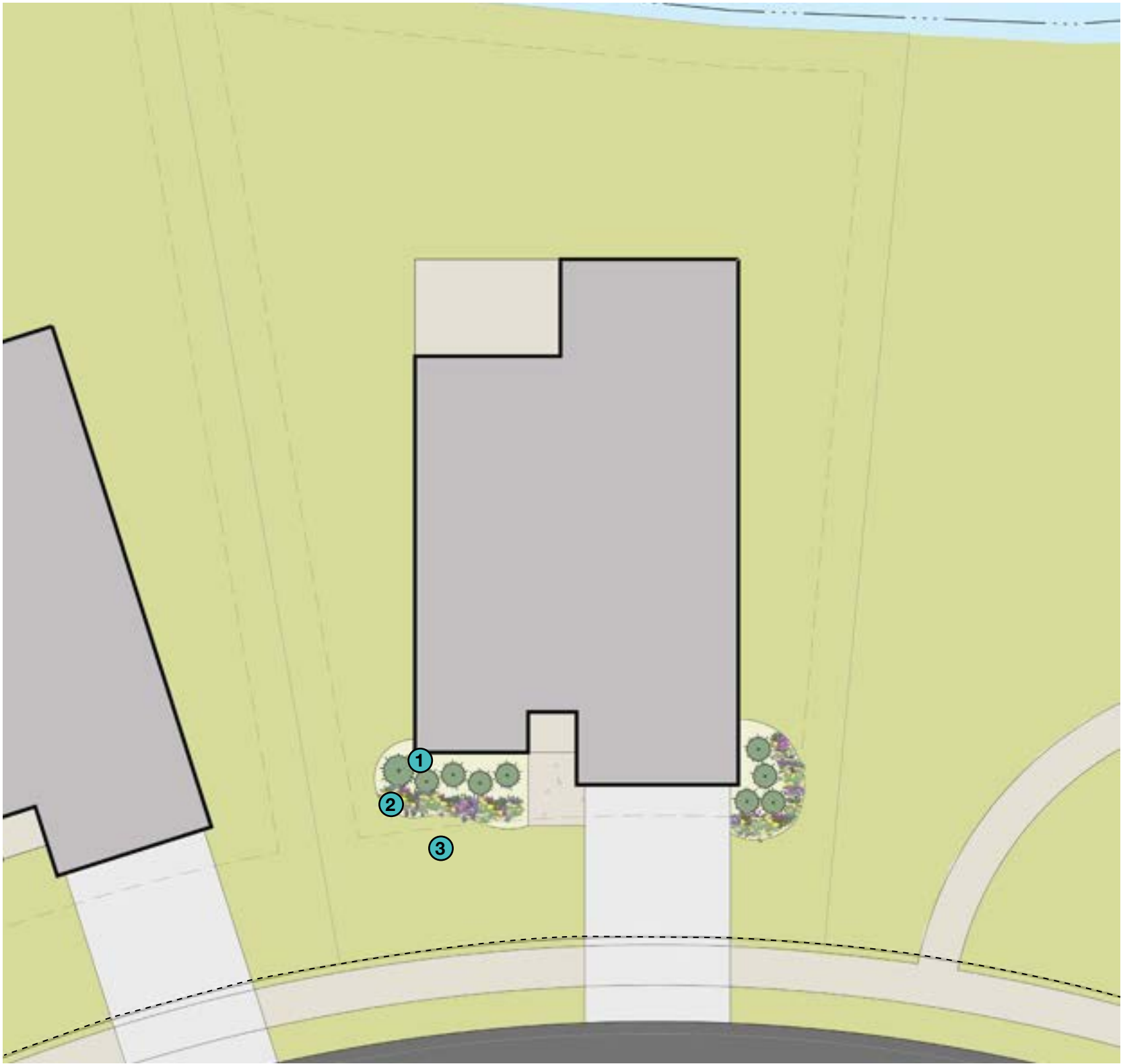
Rear elevation

Right elevation

Example of typical exterior materials

- | | | |
|--|--------------------------|-------------------------------------|
| ① Board & Batten siding and Traditional lap siding | ④ Architectural shingles | ⑦ Foundation treatment: |
| ② Cementitious siding or equivalent | ⑤ Metal accent railings | • Lattice |
| ③ Standing metal seam accent roof | ⑥ Synthetic decks | • Parged |
| | | • Real stone or masonry foundations |

SINGLE-FAMILY



Typical Landscape Plan for Single-Family

- 1 Small/medium evergreen shrub (typ.)
- 2 Perennials/ornamental grasses (typ.)
- 3 Turf grass (typ.)

Plant locations and quantities are conceptual and subject to change (based on utility locations, etc.). These landscape requirements represent the minimum landscape requirements. Additional landscaping and landscape features, such as fences, walls, and hardscapes, may be used. The plants on each face of the building to be chosen appropriately for sun exposure; may vary by building depending on the building orientation. Street trees are shown for reference only and are subject to change.

- Lake (typ.)
- Lead walk (typ.)
- Driveway (typ.)
- Road (typ.)
- Single-family house
- Right-of-way (typ.)

TOWNHOMES



Front elevation



Left elevation

Rear elevation

Right elevation

Conceptual elevation of proposed townhome buildings (not to scale)

Example of typical exterior materials

- ① Board & Batten siding and Traditional lap siding
- ② Cementitious siding or equivalent
- ③ Architectural shingles
- ④ Foundation treatment:
 - Lattice
 - Parged
 - Real stone or masonry foundations
- ⑤ Synthetic decks

TOWNHOMES



Typical Landscape Plan for Townhomes

- 1 Small/medium evergreen shrub (typ.)
- 2 Small/medium deciduous shrub (typ.)
- 3 Perennials/ornamental grasses (typ.)
- 4 Turf grass (typ.)

Plant locations and quantities are conceptual and subject to change (based on utility locations, etc.). These landscape requirements represent the minimum landscape requirements. Additional landscaping and landscape features, such as fences, walls, and hardscapes, may be used. The plants on each face of the building to be chosen appropriately for sun exposure; may vary by building depending on the building orientation. Street trees are shown for reference only and are subject to change.

- Lead walk (typ.)
- Driveway (typ.)
- Road (typ.)
- Townhome
- Right-of-way (typ.)



Front elevation



Left elevation

Rear elevation

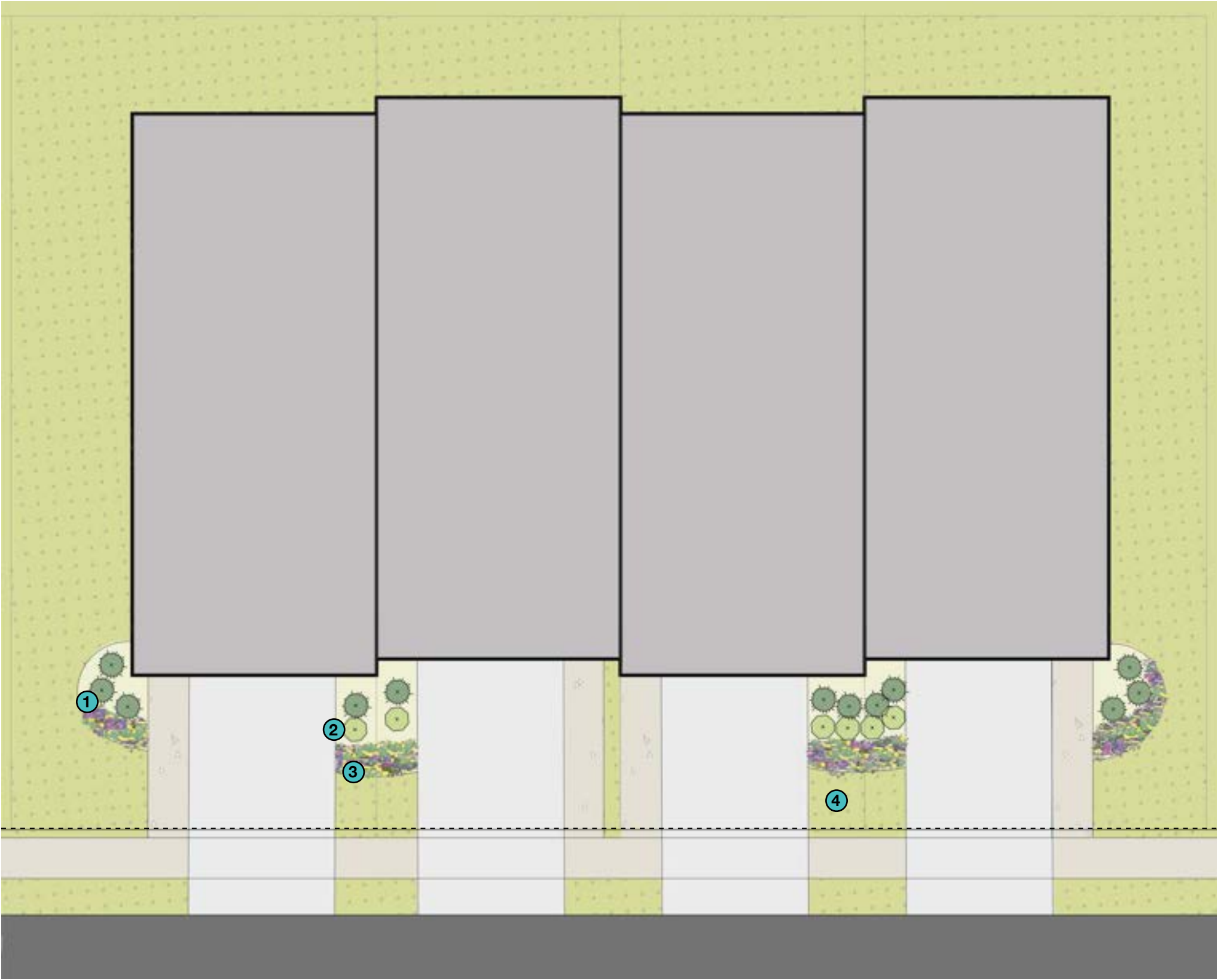
Right elevation

Conceptual elevation of proposed villa buildings (not to scale)

Example of typical exterior materials

- 1 Board & Batten siding and Traditional lap siding
- 2 Cementitious siding or equivalent
- 3 Standing metal seam accent roof
- 4 Architectural shingles
- 5 Metal accent railings
- 6 Synthetic decks
- 7 Foundation treatment:
 - Lattice
 - Parged
 - Real stone or masonry foundations

VILLAS



Typical Landscape Plan for Villas

- 1 Small/medium evergreen shrub (typ.)
- 2 Small/medium deciduous shrub (typ.)
- 3 Perennials/ornamental grasses (typ.)
- 4 Turf grass (typ.)

Plant locations and quantities are conceptual and subject to change (based on utility locations, etc.). These landscape requirements represent the minimum landscape requirements. Additional landscaping and landscape features, such as fences, walls, and hardscapes, may be used. The plants on each face of the building to be chosen appropriately for sun exposure; may vary by building depending on the building orientation. Street trees are not shown on this plan.

- Lead walk (typ.)
- Driveway (typ.)
- Road (typ.)
- Villa
- Right-of-way (typ.)

PROFFER STATEMENT

Pursuant to that certain application (“Application”) submitted by L&L Land Development, LLC (“Owner”) and Greenwood Homes Hampton Roads, LLC (“Developer”) to rezone that certain parcel of real property located at 18495 Cypress Run Drive Smithfield, VA 23431 and designated as Tax Map No. 32-01-005 (“Property”) to develop a planned mixed-use development project of residential and commercial uses known as “The Promontory” (“Project”), the Owner hereby voluntarily proffers as a part and provision of the above-referenced rezoning that the use and development of the Property shall be in strict accordance with the following conditions, which are reasonable and offered voluntarily, which shall constitute covenants running with the Property, and which shall be binding upon the Property and upon all parties and persons claiming under or through the owners and applicants, their heirs, personal representative, assigns, grantees and other successors in interest or title:

1. The site shall be developed in substantial conformance with the conceptual plan entitled “GENERAL DEVELOPMENT PLAN”, dated August 31, 2023, last revised October 15, 2024, and prepared by Bay Civil Engineers (the “Conceptual Plan”) a copy of which is on file with the Community Development and Planning Department and has been exhibited to the Planning Commission and the Smithfield Town Council for illustrative purposes and to provide justification for the rezoning action requested by the Application. Changes in the Conceptual Plan may be made to accommodate environmental, engineering, architectural, topographic or other development conditions, or site plan and subdivision approval requirements as required by law and subject to the approval of the Community Development and Planning Director.

2. There shall be a maximum of 262 residential units as depicted on the Conceptual Plan.

3. The buildings shall be constructed in substantial conformance with the elevations entitled, “THE PROMONTORY DESIGN GUIDELINES”, dated August, 2024, and prepared by Developer and Cite Design (“Pattern Book”), copies of which are on file with the Community Development and Planning Department and have been exhibited to the Planning Commission and the Smithfield Town Council for illustrative purposes and to provide justification for the rezoning action requested by the Application. The Community Development and Planning Director may approve additional elevations provided they are consistent with the Pattern Book, as determined by the Community Development and Planning Director or designee.

4. The Project shall provide the amenities shown on the Conceptual Plan and contemplated in the Pattern Book’s amenity plan (“Amenity Book”), including without limitation one or more of the following: nature trails, multi-purposes area, grilling areas, kayak/canoe areas, outdoor games, hammock garden, swing benches, picnic pavilions, lake access, dog park, kids play, and fire pit areas. Other similar amenities may be provided in place of those shown on the Conceptual Plan and the Amenity Book with the approval of the Community Development and Planning Director or designee.

5. A property owners association shall be established in accordance with Virginia law which shall be responsible for the maintenance and upkeep of the following features of the Project: (i) all open space, common areas, and other amenities noted in Conceptual Plan; (ii) all stormwater management infrastructure, including “wet” stormwater management infrastructure, specifically best management practices; and (iii) landscaped buffer areas, as shown in the Conceptual Plan.

6. The Project shall contract with a professional management company to administer the above-referenced property owner’s association.

7. Prior to the issuance of the first certificate of occupancy for the Project’s residential units on the Property (not including model homes), the Developer will design and construct the following road improvements:

a. Southbound right-turn lane (100-foot storage plus 200-foot taper) into right in/right out proposed Project entrance off of US 258/Rt. 10 (Benns Church Boulevard) designated as Public Road A on the Conceptual Plan and currently serving as an entrance to the existing Tractor Supply;

b. Southbound right-turn lane (100-foot storage plus 200-foot taper) into right in/right out proposed Project entrance off of US 258/Rt. 10 (Benns Church Boulevard) designated as Public Road J on the Conceptual Plan; and

8. Provided Isle of Wight County and/or the Town of Smithfield receives a grant from the Virginia Department of Transportation to develop a proposed roundabout on Turner Drive (“Roundabout”), no later than ninety (90) days after the award of the construction contract for the construction of the Roundabout the Developer shall contribute to the Town an amount of cash equal to One Million and No/100 Dollars (\$1,000,000.00) (“Roundabout Payment”) payable and conditioned as follows: (a) \$400,000.00 shall be payable from the owner(s) of the Project’s commercial parcels as shown on the Conceptual Plan on a prorata basis upon such commercial parcel(s) receiving a final certificate of occupancy; and (b) \$600,000.00 shall be payable from the Developer and allocated to the Project’s residential parcels on a per unit basis payable upon such residential units obtaining final certificates of occupancy.

9. The proposed rezoning could potentially impact capacity at Smithfield Middle School (“SMS”) and result in SMS being over enrollment capacity upon completion of the Project. If the Project results in a lack of capacity at SMS (as determined by the annual Isle of Wight County Membership Report for SMS and verified by Developer), Developer shall pay a cash proffer in the amount of \$62,519 per seat over enrollment capacity up to a maximum amount of \$750,228. The calculated impact of students generated, and the value of a cash proffer contribution, shall be based upon the enrollment at the time of issuance of a certificate of occupancy for each dwelling constructed as part of the Project. The cash proffer contribution shall be paid across the cost of all units in the Project. If capacity is available at the time of the application for a certificate of

occupancy, a cash proffer payment will not be required. If capacity is not available at the time of the application of a certificate of occupancy, then the cash proffer payment shall be made to Isle of Wight County to be designated for its school system prior to the issuance of a certificate of occupancy as indicated above.

10. The Project shall be developed in multiple phases; provided, however, the Developer shall develop the Project's commercial parcels in the first phase of development.

PLANNING REPORT

APPLICATION:

Continued Discussion on Proposed Changes to Industrial Setback Requirements adjacent to Residential Uses in the Zoning Ordinance

ELECTION DISTRICT:

All

LOCATION:

County-wide

BACKGROUND:

The Planning Commission continued its discussion of proposed changes to the industrial zoning district setback requirements adjacent to residential uses at their November 12, 2024, regular meeting.

At this meeting, Kristi Sutphin, representing the Economic Development Authority (EDA), gave a presentation on the potential impacts of the proposed setbacks on the buildable area of County-owned property planned for industrial use. A copy of the presentation is attached to this staff report. The EDA expressed concern about the loss of buildable area and the marketability of its industrial property. They requested that the EDA property's current setback requirements be grandfathered.

The Commission requested staff to provide a comparison of the County's proposed changes to the requirements of other localities. A comparison table is attached this staff report.

DESCRIPTION:

Staff developed draft Ordinance changes for Planning Commission review and discussion. A copy of the draft revisions is attached to this staff report.

AGENCY REVIEW:

STAFF RECOMMENDATION:

The information provided in this staff report is for informational purposes only. No action is required.

ATTACHMENTS:

Description	Type	Upload Date
Redline Version revised November 12, 2024	Cover Memo	11/12/2024
EDA Presentation	Cover Memo	1/21/2025
Setback Comparison Table	Backup Material	1/21/2025

Proposed Zoning Ordinance Revisions

Revised November 12, 2024

The draft revisions are listed by section below. New, proposed language is in red underlined text where blue represents the most recent change. Language proposed to be deleted is shown in red text with ~~strikethrough~~ markings.

Article IV, Zoning districts and boundaries.

Sec. 4-11005. Limited Industrial - Bulk regulations

C. Minimum setback requirements:

1. Front yard: Thirty-five (35) feet.
 - a. Industrial uses shall meet a setback of one hundred (100) feet, except that office buildings associated with the industrial use may meet the minimum thirty-five (35) feet setback.
 - b. For lots within designated industrial park of twenty (20) acres or more, office buildings associated with the industrial use shall meet a setback of thirty-five (35) feet.
2. Side yard: Twenty (20) feet.
3. Rear yard: Twenty (20) feet.
4. For parcels directly adjacent to a residential use or district whose principal use is residential, the minimum setback shall be 300 feet from the property line. Within the required setback, there shall be no development, clearing, grading, or construction activity with the following exceptions:
 - a. Roadway or driveway access to the portion of the site not in the minimum residential setback is permitted provided that it is approximately perpendicular to the arterial public right-of-way;
 - b. Water, sanitary sewer, storm drainage, to include stormwater management ponds, electrical, telephone, natural cable, and utility service lines may be installed below the surface of the ground at right angles, provided that the natural vegetation is preserved and protected to the greatest extent practicable, and landscaping requirements are met;
 - c. Sidewalks, pedestrian pathways and bicycle paths designed to provide continuous connection along the road corridor may be permitted, provided that they can be constructed without materially reducing the screening and visual softening capacity of the required landscaping;
 - d. Signs are permitted in accordance with article IX;
 - e. Clearing for sight distances is permitted at the entrances and exits to any development as needed to provide for reasonable traffic safety, in accordance with accepted traffic engineering practices recommended or required by the Virginia Department of Transportation;
 - f. The trimming of existing limbs or branches of preserved trees is permitted when approved by the zoning administrator;

- g. When, in the opinion of the zoning administrator, the addition of plantings and earthen berms or masonry walls would better achieve the purposes of this district in lieu of the landscaping requirements of the frontage zone.
- h. There shall be an earthen berm with a minimum height of ten (10) feet installed in the required set back between the residential use and the industrial use.
- i. A sound study shall be required with the submittal of the application for the industrial use.

Sec. 4-12005. General Industrial – Bulk regulations

C. Minimum setback requirements:

1. Front yard: Thirty-five (35) feet.
 - a. Industrial uses shall meet a setback of one hundred (100) feet, except that office buildings associated with the industrial use may meet the minimum setback of thirty-five (35) feet.
 - b. For lots within designated industrial park of twenty (20) acres or more, office buildings associated with the industrial use shall meet a setback of thirty-five (35) feet.
2. Side yard: Twenty (20) feet.
3. Rear yard: Twenty (20) feet.
4. For parcels directly adjacent to a residential use or district whose principal use is residential, the minimum setback shall be 300 feet from the property line. Within the required setback, there shall be no development, clearing, grading, or construction activity with the following exceptions:
 - a. Roadway or driveway access to the portion of the site not in the minimum residential setback is permitted provided that it is approximately perpendicular to the arterial public right-of-way;
 - b. Water, sanitary sewer, storm drainage, to include stormwater management ponds, electrical, telephone, natural cable, and utility service lines may be installed below the surface of the ground at right angles, provided that the natural vegetation is preserved and protected to the greatest extent practicable, and landscaping requirements are met;
 - c. Sidewalks, pedestrian pathways and bicycle paths designed to provide continuous connection along the road corridor may be permitted, provided that they can be constructed without materially reducing the screening and visual softening capacity of the required landscaping;
 - d. Signs are permitted in accordance with article IX;
 - e. Clearing for sight distances is permitted at the entrances and exits to any development as needed to provide for reasonable traffic safety, in accordance with accepted traffic engineering practices recommended or required by the Virginia Department of Transportation;
 - f. The trimming of existing limbs or branches of preserved trees is permitted when approved by the zoning administrator;
 - g. When, in the opinion of the zoning administrator, the addition of plantings and earthen berms or masonry walls would better achieve the purposes of this district in lieu of the landscaping requirements of the frontage zone.

- h. There shall be an earthen berm with a minimum height of ten (10) feet installed in the required set back between the residential use and the industrial use.
- i. A sound study shall be required with the submittal of the application for the industrial use.

Sec. 4-13005. General Industrial Conservation – Bulk regulations

B. Minimum setback requirements:

1. Front yard: Thirty-five (35) feet.
 - a. Industrial uses shall meet a setback of one hundred (100) feet from the right-of-way of any existing street which abuts or borders the use, except that uses located within a designated industrial park of twenty (20) acres or more shall meet a setback of fifty (50) feet from any street right-of-way.
 - b. For lots within a designated industrial park of twenty (20) acres or more, office buildings associated with the industrial use shall meet a setback of thirty-five (35) feet.
2. Side yard: Twenty (20) feet.
3. Rear yard: Twenty (20) feet. (11-17-16; 7-19-18; 11-15-18.)
4. For parcels directly adjacent to a residential use or district whose principal use is residential, the minimum setback shall be 300 feet from the property line. Within the required setback, there shall be no development, clearing, grading, or construction activity with the following exceptions:
 - a. Roadway or driveway access to the portion of the site not in the minimum residential setback is permitted provided that it is approximately perpendicular to the arterial public right-of-way;
 - b. Water, sanitary sewer, storm drainage, electrical, telephone, natural cable, and utility service lines may be installed below the surface of the ground at right angles, provided that the natural vegetation is preserved and protected to the greatest extent practicable, and landscaping requirements are met;
 - c. Sidewalks, pedestrian pathways and bicycle paths designed to provide continuous connection along the road corridor may be permitted, provided that they can be constructed without materially reducing the screening and visual softening capacity of the required landscaping;
 - d. Signs are permitted in accordance with article IX;
 - e. Clearing for sight distances is permitted at the entrances and exits to any development as needed to provide for reasonable traffic safety, in accordance with accepted traffic engineering practices recommended or required by the Virginia Department of Transportation;
 - f. The trimming of existing limbs or branches of preserved trees is permitted when approved by the zoning administrator;
 - g. When, in the opinion of the zoning administrator, the addition of plantings and earthen berms or masonry walls would better achieve the purposes of this district in lieu of the landscaping requirements of the frontage zone.
 - h. There shall be an earthen berm with a minimum height of ten (10) feet installed in the required set back between the residential use and the industrial use.

- i. A sound study shall be required with the submittal of the application for the industrial use.

Article V, Supplementary Use Regulations

Sec. 5-1001. - Prohibited uses.

The following uses are specifically excluded from all districts:

Sec. 5-2000. - Supplementary density and dimensional regulations.

H. Projections and yard setback modifications.

1. Covered, unenclosed front porches. Covered, unenclosed porches, decks, landings, steps, terraces, patios or platforms, open on three (3) sides except for necessary supporting columns and customary architectural features, may be permitted in a required front yard provided that such structure shall not be more than eight (8) feet in width and shall not project more than three (3) feet into such yard.
2. Covered unenclosed porches permitted in required side or rear yard. Covered, unenclosed porches, decks, landings, steps, terraces, patios or platforms, open on three (3) sides except for necessary supporting columns and customary architectural features, may be permitted in required side or rear yards provided that no such structure, shall project closer than three (3) feet to any side lot line, that no such structure shall be more than one (1) story in height or more than twenty-four (24) feet in length, and that no such structure shall project more than eight (8) feet into any required rear yard.
3. Uncovered porches. Uncovered porches, decks, landings, steps, terraces, patios or platforms which do not extend above the level of the first floor of the building (except for railings and railing supports) may project into any required front, side or rear yard or court not to exceed eight (8) feet.
4. [Architectural features, chimneys, air conditioners, cornices, eaves, belt courses, sills, canopies, or other similar architectural features.] Architectural features, chimneys, air conditioners, generators, fuel tanks, cornices, eaves, belt courses, sills, canopies, or other similar architectural features (but not including bay windows or vertical projections) may project into a required side yard not more than eighteen (18) inches, but not closer than three (3) feet to the side lot line, and may not exceed thirty-six (36) inches. Chimneys and air conditioners may project into any yard not more than eighteen (18) inches, but air conditioners rated at twenty-four thousand (24,000) BTU or less shall not be so placed as to discharge air within five (5) feet of side yard lines, and those rated over twenty-four thousand (24,000) to discharge air within twelve (12) feet of side yard lines, other than side yard lines adjacent to streets.
5. Open fire escapes. Open, unenclosed fire escapes may project not more than four (4) feet into any required yard, but shall not project closer than three (3) feet to any side lot line.
6. Open stairways and balconies. Open, unenclosed stairways or balconies, not covered by a roof or canopy, may extend or project into a required rear yard only, not more than four (4) feet, but shall not be within three (3) feet of any property line.

7. Exemption of front yard setback for handicap ramps. Handicap ramps used for residence(s) of a single-family dwelling shall be allowed to encroach into the required front yard setback. The ramp must be built in accordance with the American Disabilities Act as it pertains to wheelchair accessibility. In no instances shall the ramp be covered.
8. Exemption of yard setback requirements for electrical, water or wastewater utility cabinets. Utility cabinets measuring no more than six feet high and eight feet wide shall be allowed to encroach into required yard setbacks and shall be located outside of any required sight line or sight triangle.



Local Roots, Global Reach

ISLE OF WIGHT
COUNTY, VIRGINIA

Economic Development Update

Isle of Wight Planning Commission

November 1, 2024

ECONOMIC DEVELOPMENT DEPT.

Who We Are:

- Kristi Sutphin - Director
- Nicole Talton - Economic Development Coordinator
- Gloria Spratley - Administrative Assistant



ECONOMIC DEVELOPMENT MISSION

The Department of Economic Development's mission is to help **attract, retain and expand new business investment** in Isle of Wight County and to provide **quality employment opportunities for County citizens**. By attracting new industry sectors, the department seeks to **diversify the County's economic base**.



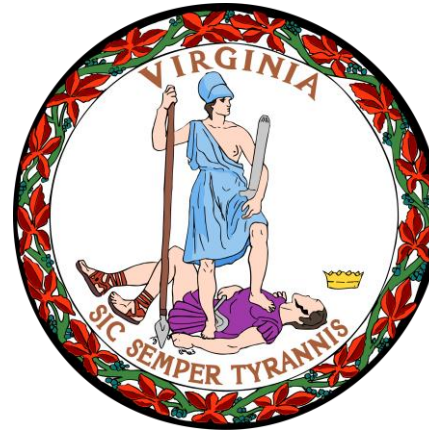
ECONOMIC DEVELOPMENT PROGRAMS

What we do:

- Develop, market and maintain 1,000+ Acre Shirley T. Holland Intermodal Park
- Business Attraction, Retention & Expansion
- Workforce Development
- Staff the Economic Development Authority (EDA)
- Promote and Manage Incentive Policies and Programs
- Coordinate Pre-application Meetings for development projects



STATE PARTNERS

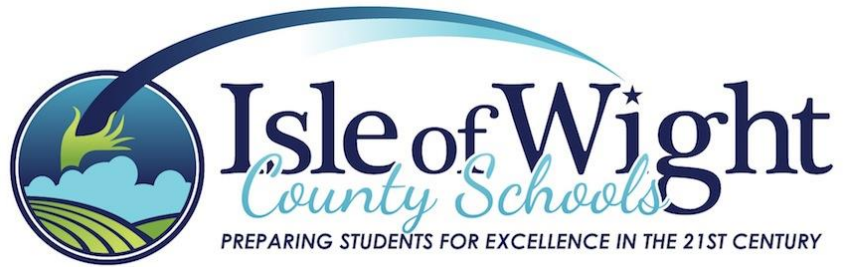


REGIONAL PARTNERS



HAMPTON **ROADS**
WORKFORCE COUNCIL

LOCAL PARTNERS



TARGET INDUSTRY SECTORS



MANUFACTURING



**FOOD & BEVERAGE
PROCESSING**



**TRANSPORTATION &
WAREHOUSING**



**PROFESSIONAL,
SCIENTIFIC &
TECHNICAL SERVICES**



**MANAGEMENT OF
COMPANIES &
ENTERPRISES**



BUSINESS ATTRACTION

- Develop & market County-controlled sites & assets
- Market privately-owned commercial & industrial real estate
- Respond to RFIs from prospects & host site visits
- Attend marketing missions & conferences for lead generation
- Promote & maintain incentive programs
- Assist small business startups (resources & navigating County/Town processes)
- Coordinate & host Pre-Application meetings (15 YTD)
- Maintain InsideTheIsle.com (site selection info)
- Print & digital marketing



BUSINESS RETENTION & EXPANSION

- Relationship building and connecting businesses to resources
- Assist businesses with navigating County/Town processes
- Conduct in-person business visits (state/regional partners)
- Isle Chat - businesses schedule phone or video calls w/ staff
- Welcome Packets & “After Care” – incentives, ensuring success
- Participation in GMODS meetings
- [Insidetheisle.com](https://www.insidetheisle.com) – business resources, online business list
- State/Regional collaboration on workforce development
- Use Salesforce CRM to track business information
- Launched a shop local program to support Smithfield businesses impacted by Cypress Creek bridge closure



Bludot Open Rewards Program Update

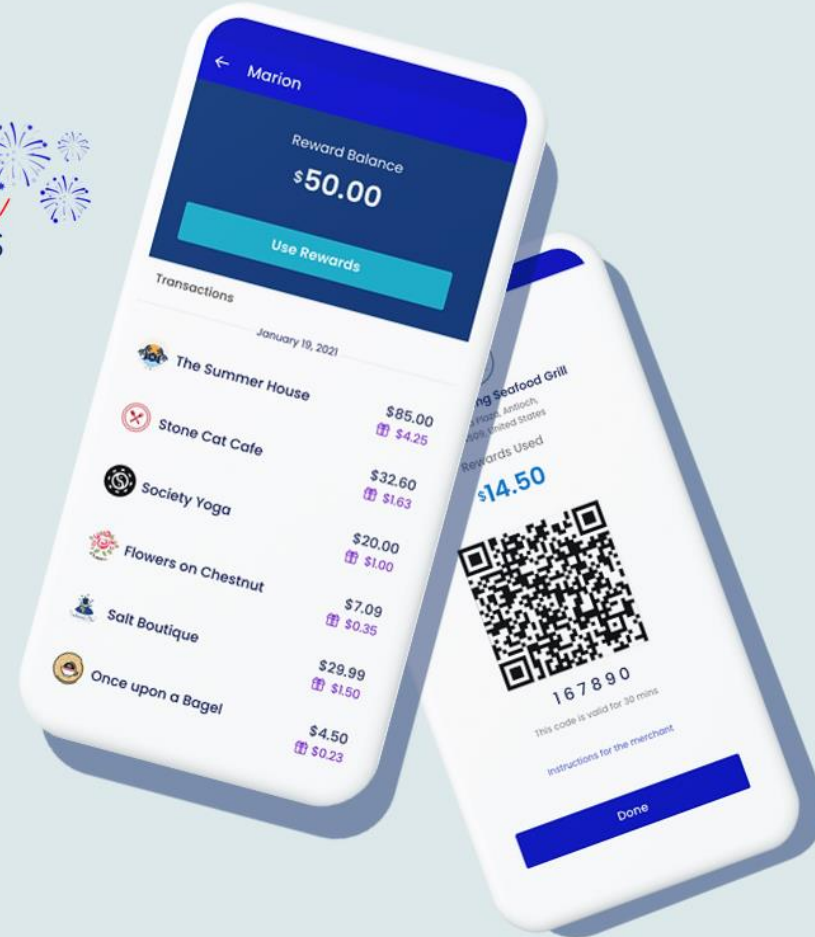


Local Roots, Global Reach
ISLE OF WIGHT
COUNTY, VIRGINIA
DEPARTMENT OF ECONOMIC DEVELOPMENT



Get rewarded for shopping local

Shop, dine, have fun, all while supporting your community.



<https://www.bludot.io/open-rewards-isleofwight>



ECONOMIC DEVELOPMENT AUTHORITY

- EDA was created in 1968 to promote industrial growth
- EDA owns & manages property & finances
 - Park Assoc. Fees – STH Phase II
 - Lease management – agricultural
 - Forestry management/ timber sales
- Member of EVRIFA & Investor in Kings Creek Commerce Center (York County)
- Issued \$257M+ in Revenue Bonds to Riverside Smithfield Hospital in 2023
- Sold 42-acre parcel (STH II) to W.M. Jordan in April 2024
- Could serve as landlord and fiscal agent for proposed Smithfield Farmers Market at The Grange at 10Main



EDA PROPERTIES SOLD / UNDER CONTRACT

TIDEWATER LOGISTICS CENTER
83.31 ACRES UNDER CONTRACT (EDA)
84.90 ACRES UNDER CONTRACT (PRIVATE OWNER)
4 BUILDINGS (+/- 726,000 SF)
LIGHT MANUFACTURING/WAREHOUSING
STATUS: PROPOSED / REZONING REQUIRED

XDOCK 258 LOGISTICS CENTER
135 ACRES UNDER CONTRACT
240,000 SF COLD STORAGE FACILITY W/CONTAINER STORAGE
STATUS: PLANNED / UNDER SITE PLAN REVIEW

19.4 AC PARCEL UNDER OPTION

460 COMMERCE CENTER
42 ACRES SOLD
352,000 SF CROSS-DOCK FACILITY
STATUS: UNDER CONSTRUCTION / DELIVERY 3Q25

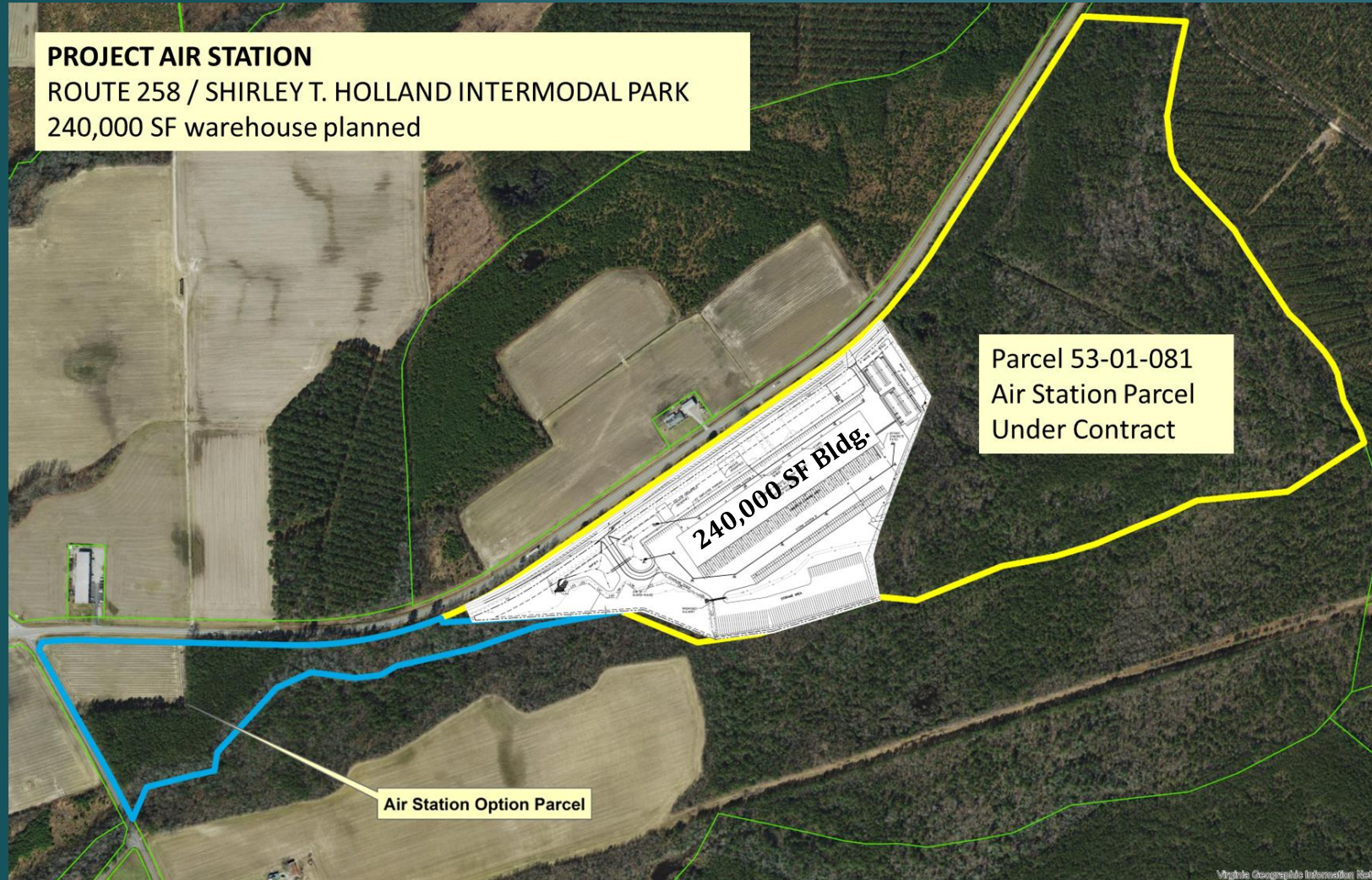
 Shirley T. Holland Intermodal Park
 Town of Windsor Boundary

Isle of Wight County
City of Suffolk



October 2024

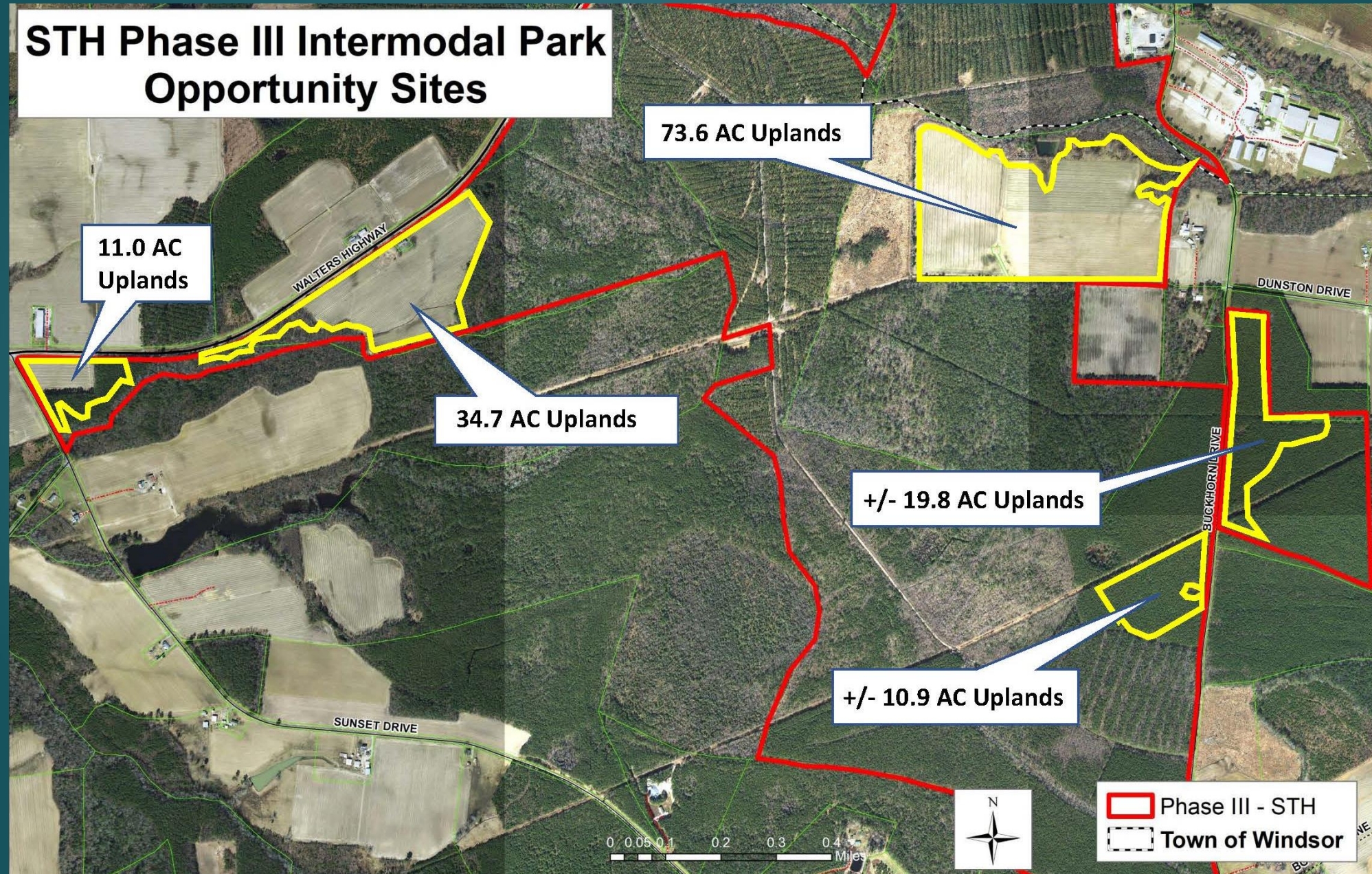
STH PHASE III – XDCK 258 LOGISTICS CENTER



- 240,000 SF Cold Storage Facility
- New Jobs: +/-200
- Site Plan Revisions Underway
- Breaking Ground 2025



STH PHASE III – OPPORTUNITY SITES



STH PHASE I EXTENDED – TIDEWATER LOGISTICS CENTER



- 4 Buildings proposed on 168 AC (EDA & Private Property)
- 726,000 SF total
- Community Walking Path
- Developer to resubmit Rezoning & Comp Plan Amendment Applications





**WORLD MARKET
DISTRIBUTION**

OLD SUFFOLK ROAD (SR 636)

WINDSOR BOULEVARD (US RTE 460)

NEW TRAFFIC SIGNAL

**PARCEL 2
NORTHWEST
PARCEL
(UNDEVELOPED)**

**ISLE OF WIGHT
INDUSTRIAL DEVELOPMENT
AUTHORITY**

**REMAINDER OF PARCEL 1
ISLE OF WIGHT
INDUSTRIAL DEVELOPMENT**

**PARCEL 1
NEW WAREHOUSE
(UNDER DESIGN)**

**KEURIG DR
PEPPER**

**SAFCO
WAREHOUSE**

OLD MILL ROAD (S.R. 607)

WILLIAM A. GWALTNEY WAY (FUTURE EXTENSION)

WILLIAM A. GWALTNEY WAY

**EXHIBIT 2
OVERALL MASTER PLAN
SHIRLEY T. HOLLAND INTERMODAL PARK
ISLE OF WIGHT, VIRGINIA**

- | | |
|--------------------------------|----------------------|
| William A Gwaltney Way | Future Building |
| Future William A. Gwaltney Way | Wetlands (Confirmed) |
| Parcel Boundary | Wetlands (Presumed) |
| | Storm Water BMP |

0 1,000 2,000 Feet



STH PHASE II - 460 COMMERCE CENTER



- +/-352,000 SF Cross Dock Facility (80 doors)
- Under Construction w/completion Summer 2025
- Beam Signing Event 10/22/24
- Joint marketing with Colliers Int'l





Working on fire and domestic water run-ins to building

Completed cement soil stabilization/proof roll at building pad

Started stone at building pad

Started stone at parking lot

Continued straw/seed and storm structures

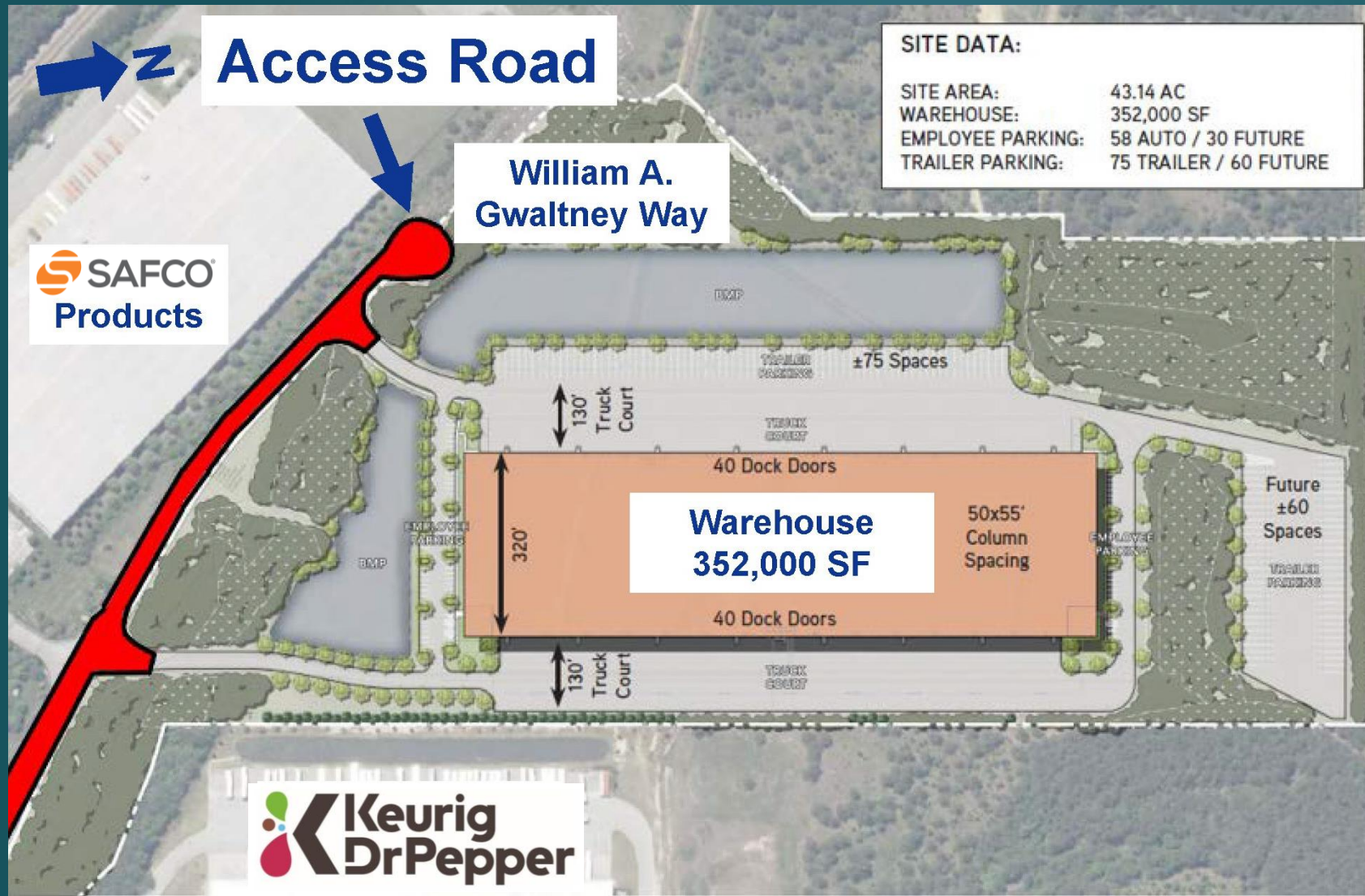
Completed fire line around building



STH PHASE II - 460 COMMERCE CENTER



GWALTNEY WAY EXTENSION



- Sept 2023 – Commonwealth Transportation Board approved **VDOT ED Access Program Funding Request: \$850,000**
- Construction Contract awarded in August 2024
- Construction to begin soon

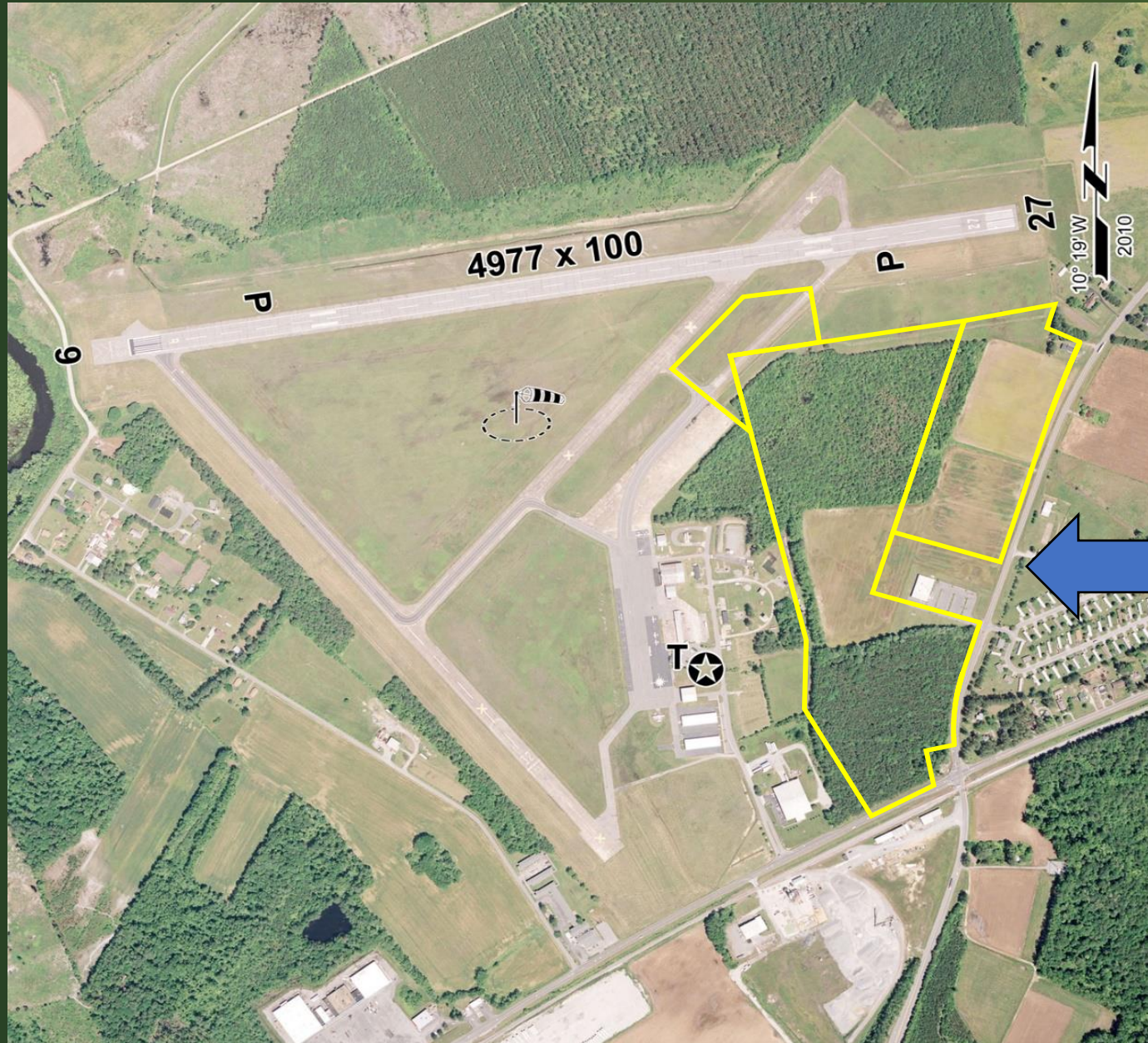


KEURIG DR PEPPER CLOSING

- **State and Local Assistance for dislocated workers (Rapid Response):**
 - Employee Briefings and Job Fairs planned
 - Approx. 25 companies in the region have expressed interest in hiring impacted workers
- **Sale of Property**
 - Building tours with regional and state partners
 - Keurig has hired CBRE brokers based in Norfolk and they are working on a site assessment and gathering information to establish the value of the property
 - We anticipate getting a marketing flyer soon
 - Coordination with brokers and state and regional ED partners



FRANKLIN REGIONAL AIRPORT / Industrial Air Park



- General Aviation airport located in IOW; owned and operated by the City of Franklin
- 5,000 Ft. runway
- 58 AC available in Industrial Air Park
- Limited Industrial (LI) zoning
- IOW/Franklin collaboration
- RepairTech Expansion



WHAT'S NEXT?

- Continue supporting Air Station and Tidewater Logistics Center
- Identify tenants for 460 Commerce Center & Keurig Dr Pepper facilities
- Create a permit-ready site on “Northwest Parcel” in STH Phase II
 - Rezone from RAC to LI and extend road and utilities
- Rezone the STH Phase III “option” parcel for Project Air Station
- Create a permit-ready site on the 73-acre parcel in STH Phase III
- Renewed focus on development potential of the Camptown area
- Expand the BRE Program to include more focus on home-based businesses
- Update the Economic Development Strategic Plan
 - consider strategies for defense, energy and unmanned systems



QUESTIONS?



Industrial Buffer Zone Setback from Residential District Comparison

1/15/2025

LOCALITY	INDUSTRY TYPE SETBACKS FROM RES IN FEET		ADDITIONAL REQUIREMENTS
	Light Industrial	Heavy Industrial	
Isle of Wight County	20	20	10 foot landscape buffer required
Southampton County	50	50	100 feet for new planned dev; buffer landscaping required
Surry County	15	15	15 foot landscape buffer required
James City County	75 if adjoins a lot line, 100 feet across the street	75 if adjoins a lot line, 100 feet across the street	35-50 feet of landscaping required
Suffolk City	30	30	Requires an 8 foot tall sound wall or 60 foot wide x 8 foot tall berm with 3 tiers of staggered landscaping or in lieu of sound barrier wall, a 60 ft wide buffer with a min 8 ft tall berm shall be provided
Goochland County	30	30	Must maintain and install double row landscaping
Fauquier County	100	100	Transitional screening required between uses
Louisa County	25	25	Landscape buffer required
Albemarle County	50	100	Min 20 foot wide landscape screen with double row of evergreen trees 15 O.C.
Newport News	30 or 40	30 or 40	Adj to MF versus SFD neighborhood
Williamsburg	35 screening yard + normal setback	n/a	Landscape buffer required