

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

CALL TO ORDER

Brian Carroll, Chairman, called the Isle of Wight County Planning Commission meeting to order at 6:00 PM on June 28, 2022, in the Board of Supervisors Room at the Isle of Wight County Courthouse, Isle of Wight, Virginia.

INVOCATION

Commissioner Duerig delivered the invocation.

PLEDGE OF ALLEGIANCE

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

ROLL CALL/DETERMINATION OF A QUORUM

PRESENT

Brian Carroll, Chairman
Bobby Bowser, Vice-Chairman
James Ford
Thomas Duerig
George Rawls
Thomas Distefano

A quorum was determined.

ABSENT

Cynthia Taylor
Jennifer S. Boykin

ALSO IN ATTENDANCE

Robert W. Jones, Jr., County Attorney
Amy Ring, Community Development Director
Jeryl Phillips, Assistant Director of Planning and Zoning
Trenton Blowe, Planner
Jamie Oliver, Transportation Manager
Amanda Landrus, Secretary

ACTION ON REQUESTS TO WITHDRAW OR TABLE PENDING AGENDA ITEMS

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

APPROVAL OF AGENDA

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

APPROVAL OF CONSENT AGENDA

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

CITIZENS' COMMENTS

Chairman Carroll opened the floor for any citizen comments. There being no comments, Chairman Carroll closed citizen comments.

PUBLIC HEARINGS

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

Application of Anthony Landes and Derek Joyner, applicants, and Vincent Carollo, property owner, for a conditional use permit (CUP-9-21) to establish a private club, specifically a sports club, on property located at 14353 Benns Church Boulevard (Rte. 10) with tax parcel number 32-01-093. The property is in the Conditional-Suburban Residential zoning district.

Trenton Blowe, Planner, gave and overview by giving the following PowerPoint presentation.

Smithfield Sportsplex Conditional Use Permit CUP-09-21

PLANNING COMMISSION MEETING
JUNE 28, 2022

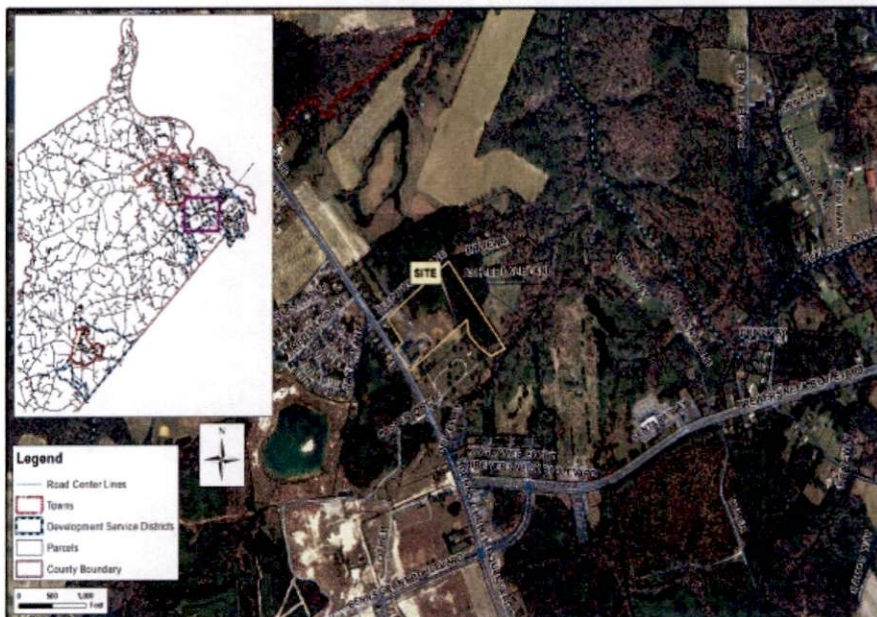
DESCRIPTION

- ▶ Location: 14353 Benns Church Blvd.
- ▶ Parcel: 32-01-093
- ▶ Zoning: Conditional Suburban Residential (C-SR)
- ▶ Election District: D1
- ▶ Purpose: To allow for a Club in an existing building on site. The proposal is specifically for a private youth sports training facility.

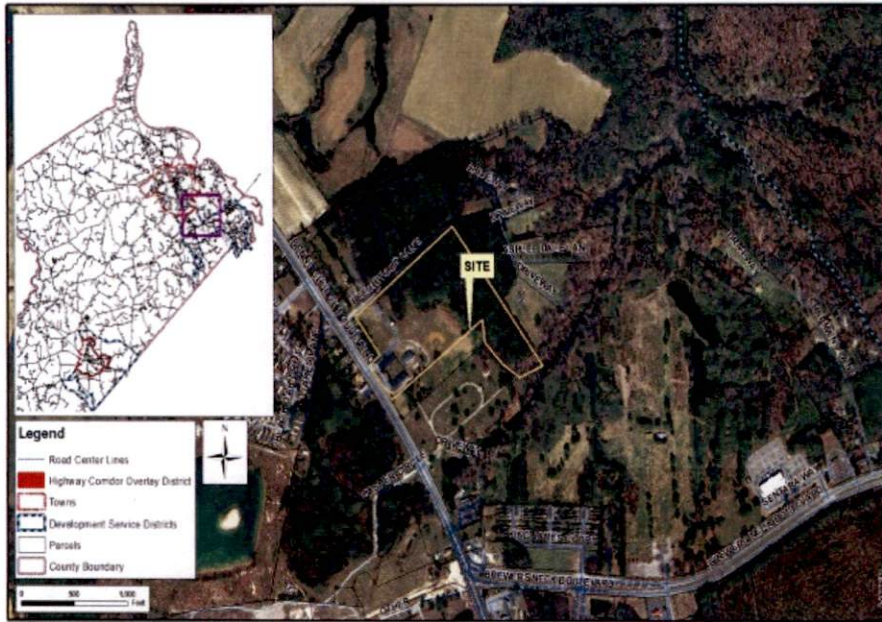
BACKGROUND

- ▶ Property is approximately 25 acres
- ▶ Former school facility built in 1970, 1972 and 1980
- ▶ School closed in 2007
- ▶ SR zoning district requires a CUP for a club
- ▶ Proposed club will utilize the existing gymnasium building and baseball field on the site. The proposed hours are to run opposite the previously approved child care center.

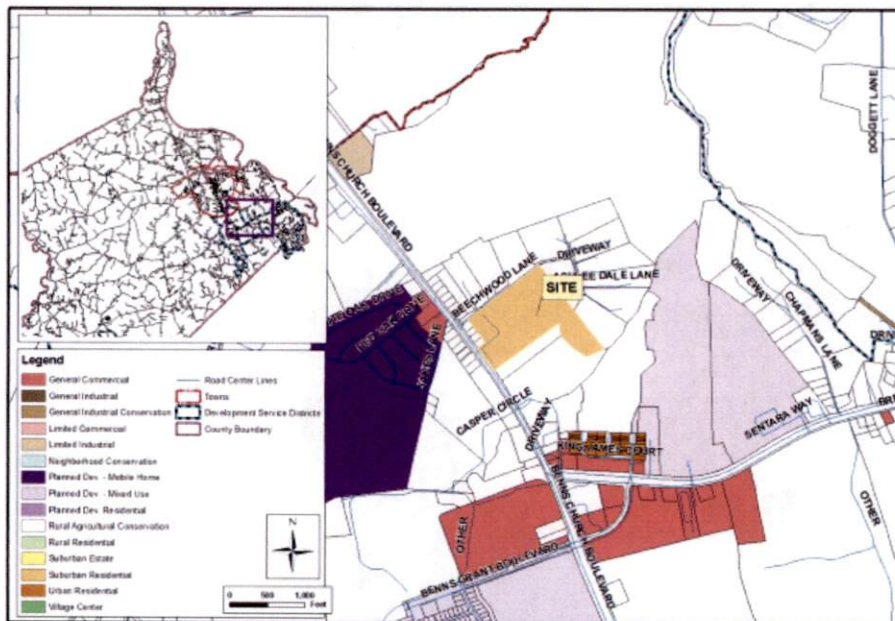
CUP-09-21 Conditional Use Permit - Location Map



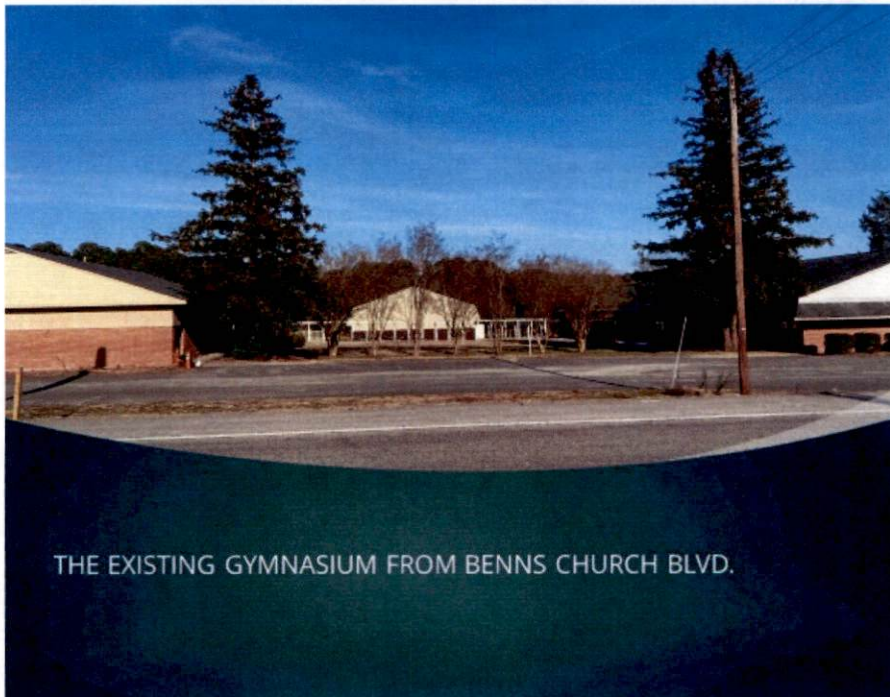
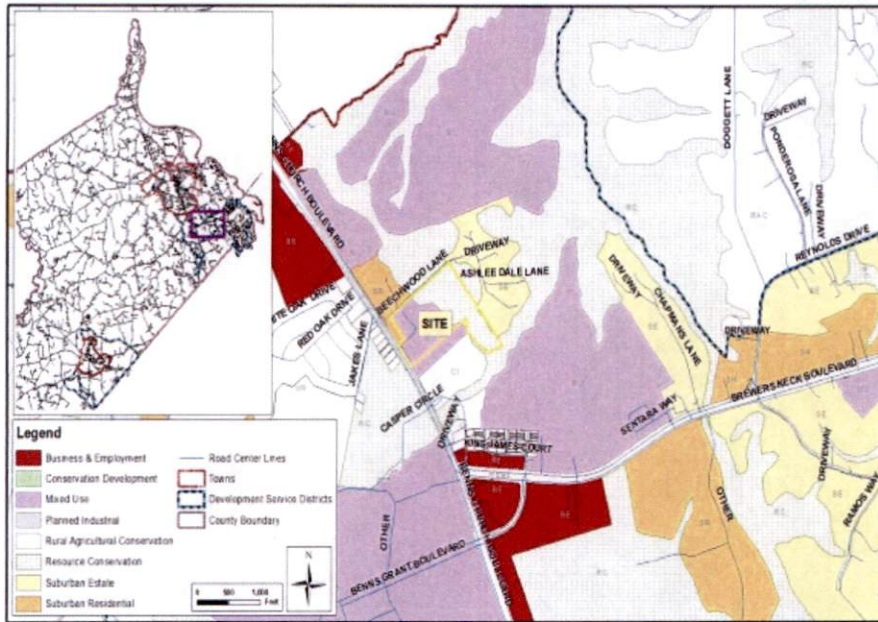
CUP-09-21 Conditional Use Permit - Location Closeup

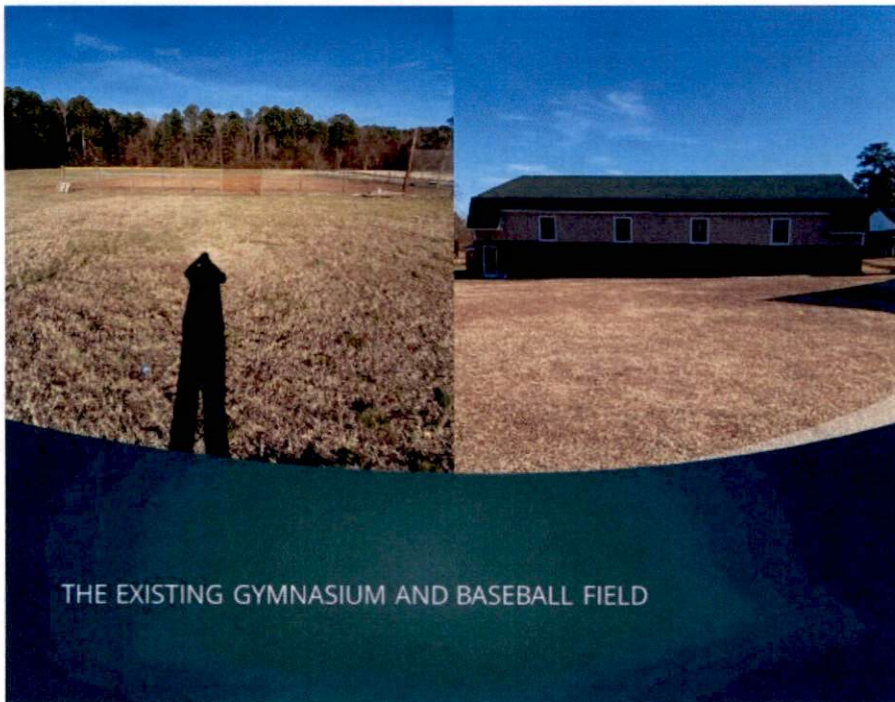


CUP-09-21 Conditional Use Permit- Zoning Map



CUP-09-21 Conditional Use Permit - Land Use Map





THE EXISTING GYMNASIUM AND BASEBALL FIELD

COMPREHENSIVE PLAN REVIEW

Appropriate nonresidential use types in future recommended SR designated areas include schools, churches, libraries, and similar uses which are supportive of the residential use and enhance development in close proximity.

AGENCY REVIEW

- ▶ General Services, Economic Development, Sheriff's Office, Emergency Services, and the County Attorney - No concerns
- ▶ Health Department - If the CUP is approved, the applicant will have to provide projected usage information and an engineer's certification letter
- ▶ Virginia Department of Transportation - Installation of 200' storage x 200' taper lane is not recommended at this time. It is noted that any further development or additional uses will trigger the need in the future.

The Planning Commission and Board of Supervisors shall consider the following criteria before the granting a CUP:

1. Will not be detrimental to or endanger the public health, safety, and general welfare;
2. Will not be injurious to the use and enjoyment of other nearby property for permitted uses, nor substantially impair the use of other property within the immediate proximity;
3. Adequate utilities, water, sewer or septic system, access roads, storm drainage, and/or other necessary public facilities and improvements will be provided;
4. Ingress and egress so designed as to minimize traffic congestion on the public streets;
5. Does not conflict with the goals and objectives of the Isle of Wight County Comprehensive Plan;
6. Shall conform to all other applicable regulations of the zoning district classification in which it is located and to the special requirements established for the specific use; and
7. Will not result in a multiplicity or saturation of similar uses in the same general neighborhood of the proposed use

Board may impose additional conditions or limitations on CUPs. Such conditions may include, but are not limited to:

1. Number of persons working on the site & proposed hours of operation;
2. Conditions, for roads, sidewalks, parking facilities, vehicle access, and peak periods of traffic,
3. Orderly growth of the community and the fiscal impact on the County;
4. Effect of odors, dust, gas, smoke, fumes, vibration, glare, and noise;
5. Impacts to public facilities and the ability of the County or persons to supply public services;
6. Consistency with acceptable engineering and planning practices;
7. Location of structures in the vicinity of schools, houses of worship, theaters, hospitals, and similar places of public use;
8. Consistency of the proposal with County ordinances and plans;
9. Environmental impacts and opportunities for recreation and open space; and
10. Preservation of cultural and historic resource landmarks.

STAFF ANALYSIS

Strengths:

- ▶ Application proposes the reuse of an existing building.
- ▶ The project is a use not commonly seen in the county and will serve a recreation need

Weaknesses:

None identified.

STAFF RECOMMENDATION

Staff recommends approval of the application with the following conditions:

- 1) The private club will be limited to the use of the former gymnasium building and adjacent ball field.
- 2) No more than 25 people at any one training session.
- 3) Hours of operation of 5:30 PM to 9 PM Monday through Friday, by appointment only 9:00 AM to 1:00 PM on Saturday, and closed Sunday.
- 4) The club must be private.
- 5) Club membership may not exceed 100 members.
- 6) Any expansion of the use or additional uses on the property will require a turn lane analysis and the installation of any recommended improvements.

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

Derek Joyner, 15765 Breezy Hill Lane, Smithfield, and Nick Hess, 223 S. Church Street, Smithfield, stated they wanted to provide a location for the youth of the community to train for baseball, soccer, softball, and gymnastics as well as have use of the field for practices.

There being no public comments, Chairman Carroll closed the public hearing and called for conversation from the Planning Commission.

Commissioner Distefano asked for clarification on the capacity for the training sessions, if the twenty-five was participants only or total and if training sessions could run concurrently.

Trenton Blowe stated that the parking is based on maximum occupancy and without major improvements, the facility would not be able to allow for the extra parking. Mr. Blowe stated the training sessions would run separately.

Commissioner Rawls asked about the parking for the daycare center.

Trenton Blowe stated the daycare and the sports complex have alternate schedules.

Commissioner Bowser asked what the membership consists of.

Nike Hess stated the beginner session is one to two days a week, and the advanced sessions are five days a week. Mr. Hess added there is one membership per family.

Commissioner Distefano asked if the County is trying to regulate the amount traffic and cars with the twenty-five-person limit, and if the county could put the regulation on the number of cars versus the occupancy.

Trenton Blowe stated the reason for the condition was the County's ordinance addressing parking by maximum occupancy.

Amy Ring added that this limit was placed to prevent the applicant from having to do additional improvements for parking as well as VDOT's requirement for a turn lane. No limit on participants and membership may trigger the need for these improvements.

Commissioner Rawls asked what the current number of parking spaces are there now.

Nick Hess stated there are 36 total parking spaces.

Chairman Carroll stated he expects this business to grow and shares the concern with the limit on the occupancy.

Ms. Ring stated that increasing the occupancy would require VDOT review.

Commissioner Ford asked how these requirements are regulated.

Ms. Ring stated it is on an honors system unless there is a complaint, and then staff would investigate.

Commissioner Ford believes this would be a benefit to the community but is concerned with how it will be regulated and just left to the honor system.

Derek Joyner stated a baseball training session would have ten to twelve participants and gymnastics would have ten, totaling twenty-two total participants. Mr. Joyner added that the parents typically drop their kids off and return to pick up which creates no issues as far as parking.

Commissioner Distefano asked if the wording of the condition could be changed to state twenty-five participants instead of the current twenty-five people.

Commissioner Distefano made the motion to recommend approval of the Conditional Use Permit to the Board of Supervisors with the recommendations of staff to include the modification of condition number two to state twenty-five participants instead of twenty-five people.

Commissioner Ford seconded the motion, which was adopted with Commissioners Bowser, Distefano, Duerig, Ford, Rawls and Carroll voting in favor of the motion, and no Commissioners voting against the motion (6-0).

Motion was carried and will go to the Board of Supervisors on July 21, 2022.

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

Application of Curtis Contracting, Inc., applicant, and Whitley-Hawkins Holdings, LLC, property owner, for approval of conditional use permit (CUP-6-21) to expand an existing resource extraction use, specifically a sand borrow pit, on eleven acres located at 32083 Airport Drive on properties with tax map numbers 68-01-001 and 68-02-002. The property is in the Rural Agricultural Conservation zoning district.

Jeryl Phillips, Assistant Director of Planning and Zoning, gave an overview by giving the following PowerPoint presentation.

Whitley Hawkins Borrow Pit Expansion Conditional Use Permit (CUP-6-21) Request



Planning Commission Regular Meeting
June 28, 2022

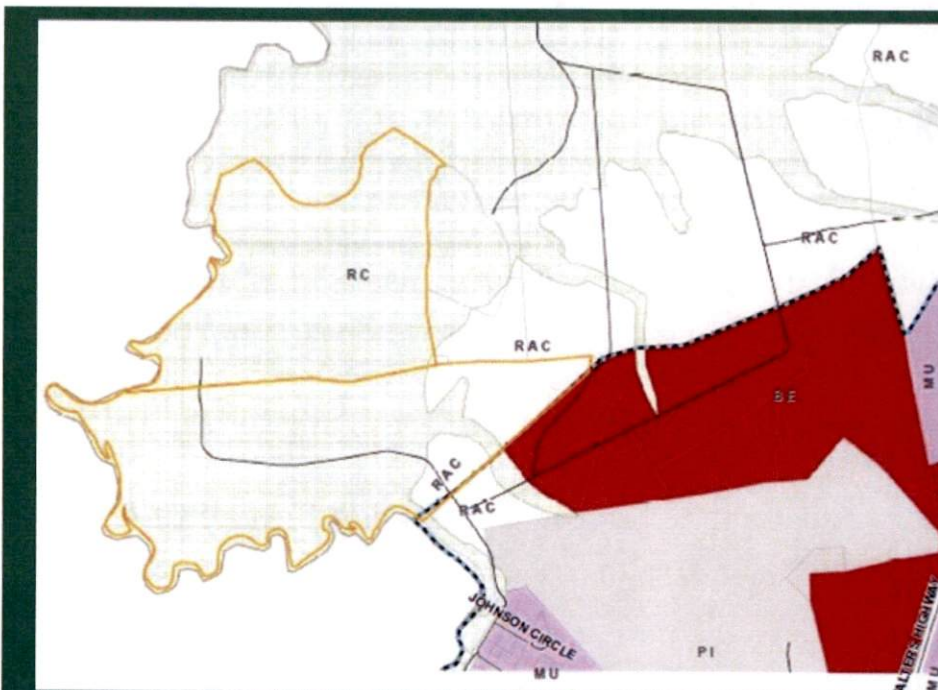
SITE DESCRIPTION

Tax Map ID#:	68-01-001 and 68-02-002
Location :	32083 Airport Drive
Current Zoning :	Rural Agricultural Conservation (RAC)
Election District:	D5
Proposed Use:	To allow an 11 acre expansion of an existing sand borrow pit

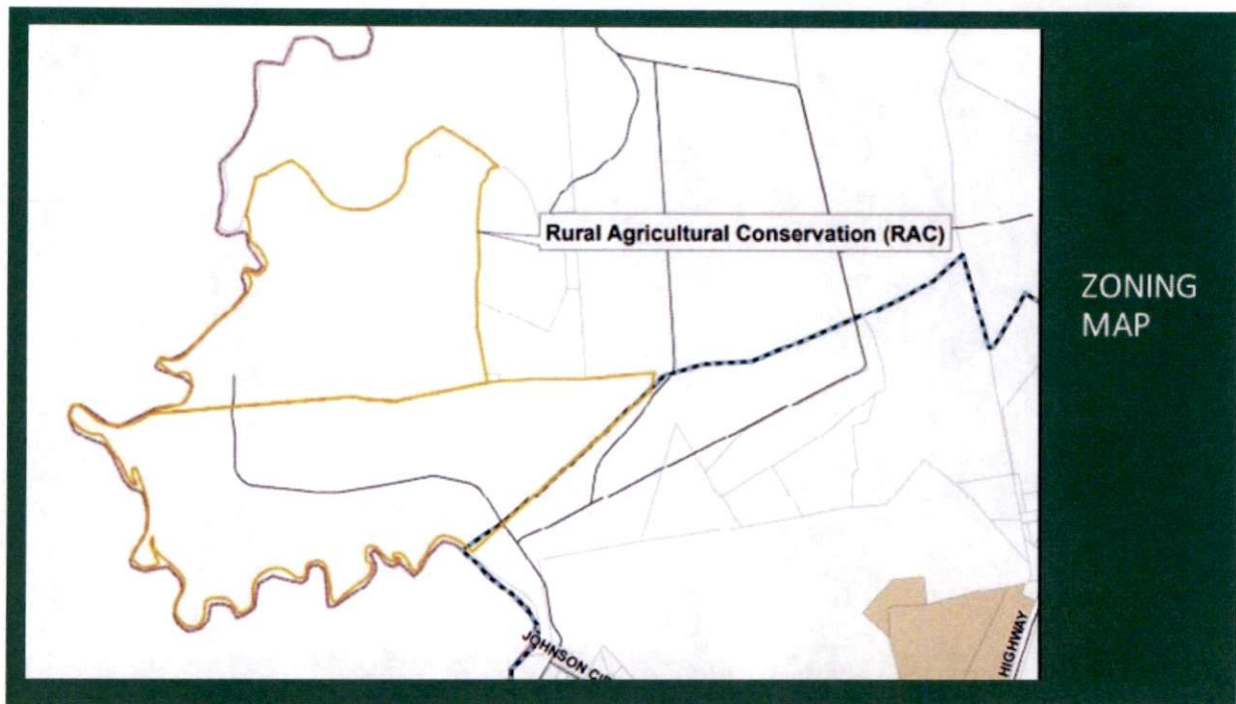




SITE
LOCATION



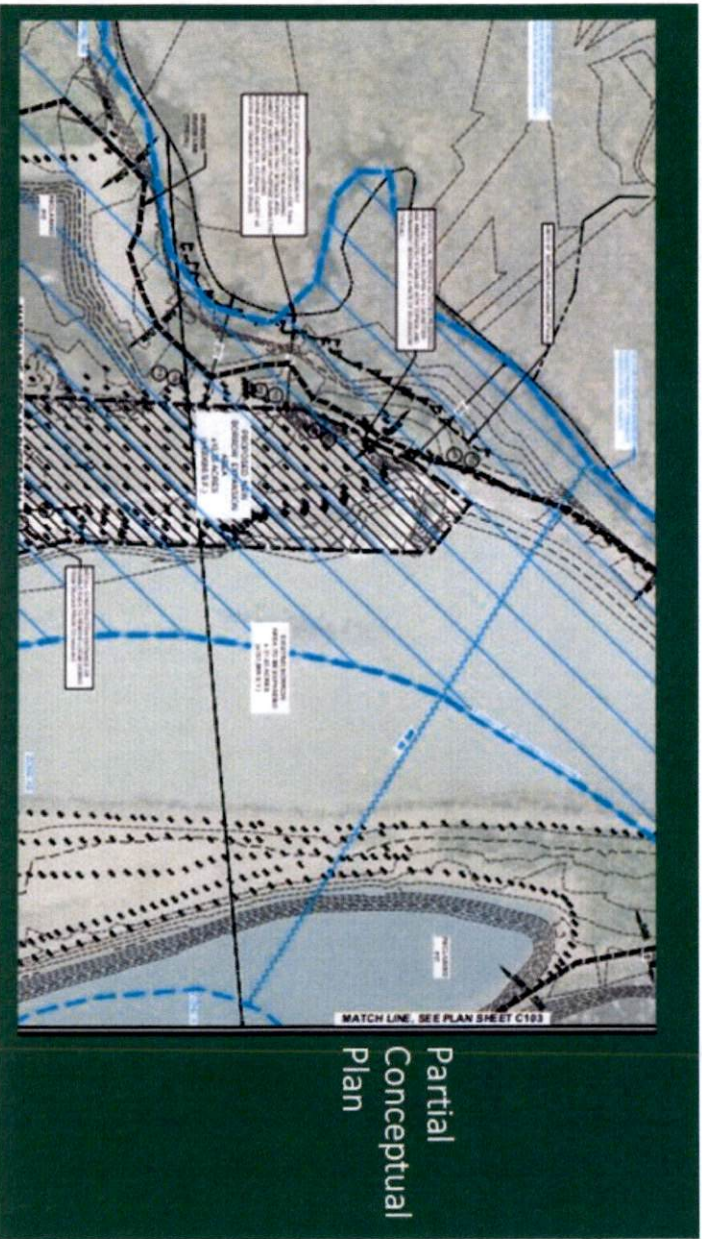
FUTURE
RECOMMENDED
LAND USE MAP



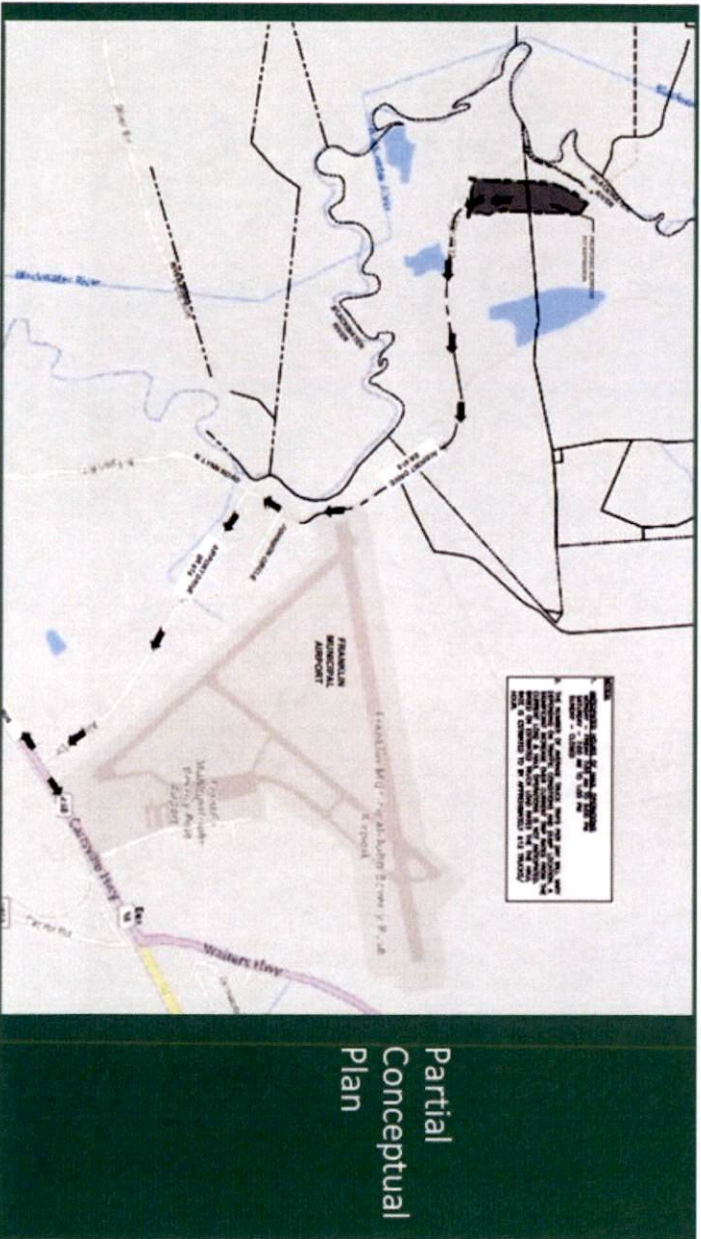
BACKGROUND

- Original sand borrow pit approved in 1975
- Proposal includes an 11 acre expansion of a previously reclaimed, 31 acre borrow pit that extends across both properties
- Floodplain variance granted in 2004. No new structures or improvements in the floodplain proposed.
- No disturbances to jurisdictional wetlands are proposed or anticipated.
- Same, existing haul route to be used along Airport Drive to Carrsville Highway (Rte. 58)





Partial
Conceptual
Plan



Partial
Conceptual
Plan



DEPARTMENTAL & AGENCY REVIEW

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

- Emergency Services - No concerns noted with CUP.
- Economic Development - No concerns noted with CUP.
- General Services - No concerns noted with CUP.
- Environmental Planner – Concerns addressed.
- Transportation Project Manager - No concerns noted with CUP.
- VDOT - No concerns noted with CUP.
- Sheriff's Office - No concerns noted with CUP.
- County Attorney - No concerns noted with CUP.



CRITERIA FOR CUP CONSIDERATION (Section 1-1017)

1. Will not be detrimental to or endanger the public health, safety, and general welfare;
2. Will not be injurious to the use and enjoyment of other nearby property nor substantially impair the use of other property within the immediate proximity;
3. Adequate utilities, water, sewer or septic system, access roads, storm drainage and/or other necessary public facilities and improvements will be provided;
4. Adequate measures will be taken for ingress and egress/traffic control;
5. Not contrary to the goals and objectives of the Comprehensive Plan;
6. Will conform to ordinance regulations; and
7. Will not result in a multiplicity or saturation of similar uses in the same general neighborhood of the proposed use.



ADDITIONAL CONSIDERATIONS FOR BOARD

1. Number of persons working on the site & proposed hours of operation;
2. Conditions, for roads, sidewalks, parking facilities, vehicle access, and peak periods of traffic,
3. Orderly growth of the community and the fiscal impact on the County;
4. Effect of odors, dust, gas, smoke, fumes, vibration, glare, and noise;
5. Impacts to public facilities and the ability of the County or persons to supply public services;
6. Consistency with acceptable engineering and planning practices;
7. Location of structures in the vicinity of schools, houses of worship, theaters, hospitals, and similar places of public use;
8. Consistency of the proposal with County ordinances and plans;
9. Environmental impacts and opportunities for recreation and open space; and
10. Preservation of cultural and historic resource landmarks.



STAFF ANALYSIS

Strengths:

- Borrow pit will be located away from waterways and runoff is directed back toward the interior of the pit and away from streams and rivers which is consistent with the policies of the Comprehensive Plan that aim to protect sensitive environmental features from the effects of development.
- Proposed mining area is located away from adjoining buildings and uses. Volume of truck traffic expected on Airport Drive is consistent with what residents have experienced from past operations, according to County records from past CUP approvals.
- Proposed commercial mining activity is anticipated to confer a positive economic benefit from additional tax revenue.
- Forests along the edges of the property will be maintained to protect the Blackwater River, streams, and wetland areas.

Weaknesses:

- Existing aboveground storage tanks represent a potential environmental risk to ground and surface water in the event of spills or leaks.



RECOMMENDATION

Based on the strengths of the application, staff recommends approval of the conditional use permit subject to the following conditions:

1. The conditional use permit shall be for a maximum of 11 acres as depicted in the Erosion and Sediment Control Plan dated April 27, 2022.
2. The applicant shall register the aboveground storage tanks (ASTs) located on the property with DEQ as required by the Virginia Facility and Aboveground Storage Tank Regulations (9VAC25-91-10 et seq). Evidence of such registration shall be provided to the Zoning Administrator prior to issuance of the zoning permit.
3. The applicant shall comply in all respects with the Environmental Protection Agency Spill Prevention, Control, and Countermeasure Rule in accordance with Section 311(j)(1)(C) of the federal Clean Water Act, as amended by the Oil Pollution Act of 1990, to include development, maintenance, and implementation of an oil spill prevention plan. Evidence of the plan shall be provided to the Zoning Administrator prior to issuance of the zoning permit for the project.
4. Operations associated with the conditional use shall be conducted between 7:00 A.M. and 5:30 P.M., Monday through Friday. If work is to be conducted on Saturdays, operations shall be limited to these same hours. No operations shall occur on Sundays.

RECOMMENDATION CONTINUED

5. The applicant shall monitor and control the access road for dust in accordance with the methods described in the approved Operations and Reclamation Plan dated April 26, 2022. The entrance gate to the access road shall kept locked at all times when not in use.
6. The applicant shall submit a Phase 1 Cultural Resources Survey for staff review at the time of site plan submittal and resource limits identified and marked on the site during pit operations.



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

William Riddick, legal representation for applicant, stated purpose for this application is for sand, particularly for the highway project and VDOT repair work. Mr. Riddick added with the increase in fuel prices it is important to have raw material near where the work is being done at.

William Riddick stated this site has been used since 1945. Mr. Riddick addressed the concern of the fuel tanks, and stated they do not belong to the applicant, and he intends to remove them and replace them with tanks that meet current code. Mr. Riddick asked if the option to remove those fuel tanks can be added to the conditions.

There being no public comments, Chairman Carroll closed the public hearing and called for conversation from the Planning Commission.

Commissioner Rawls asked about the location of the cemetery in relation to the location of the borrow pit expansion.

Amy Ring stated the pit is to the north of where the cemetery is located. Ms. Ring added there has never been a formal delineation for the cemetery, and the limits are not identified and to be safe, it is required to have those limits marked so that equipment operators know where those limits are.

Commissioner Rawls also shared his concern with family members having access to the cemetery.

Andy Curtis owner of Curtis Contracting, PO Box 769, West Point, VA 23181, stated the gate to the property will always be locked when not being operated, and someone can call if access is needed during non-working hours.

Commissioner Rawls asked if there could be a sign placed by the gate with the information on who to call.

Andy Curtis said he would be happy to install a sign.

Commissioner Deurig made the motion to recommend approval of the Conditional Use Permit the Board of Supervisors with the recommendations of staff to include installation of the sign at the gate. Commissioner Ford seconded the motion, which was adopted with Commissioners Bowser, Distefano, Duerig, Ford, Rawls, and Carroll voting in favor of the motion, and no Commissioners voting against the motion (6-0).

Motion was carried and will go to the Board of Supervisors on July 21, 2022.

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

Application of Remus Brustur of Frontier Development, applicant, and the William G. Yeoman, III, Trust, property owner, for a conditional use permit (CUP-8-21) for a Wawa convenience store and gas station on 5.69 acres located on the southwest corner of Turner Drive (Rte. 644) and Benns Church Boulevard (Rte. 10) on property with tax map number 32-01-007.

Amy Ring, Community Development Director, gave an overview by giving the following PowerPoint presentation.

Wawa Convenience Store & Gasoline Station Conditional Use Permit (CUP8-21) Request



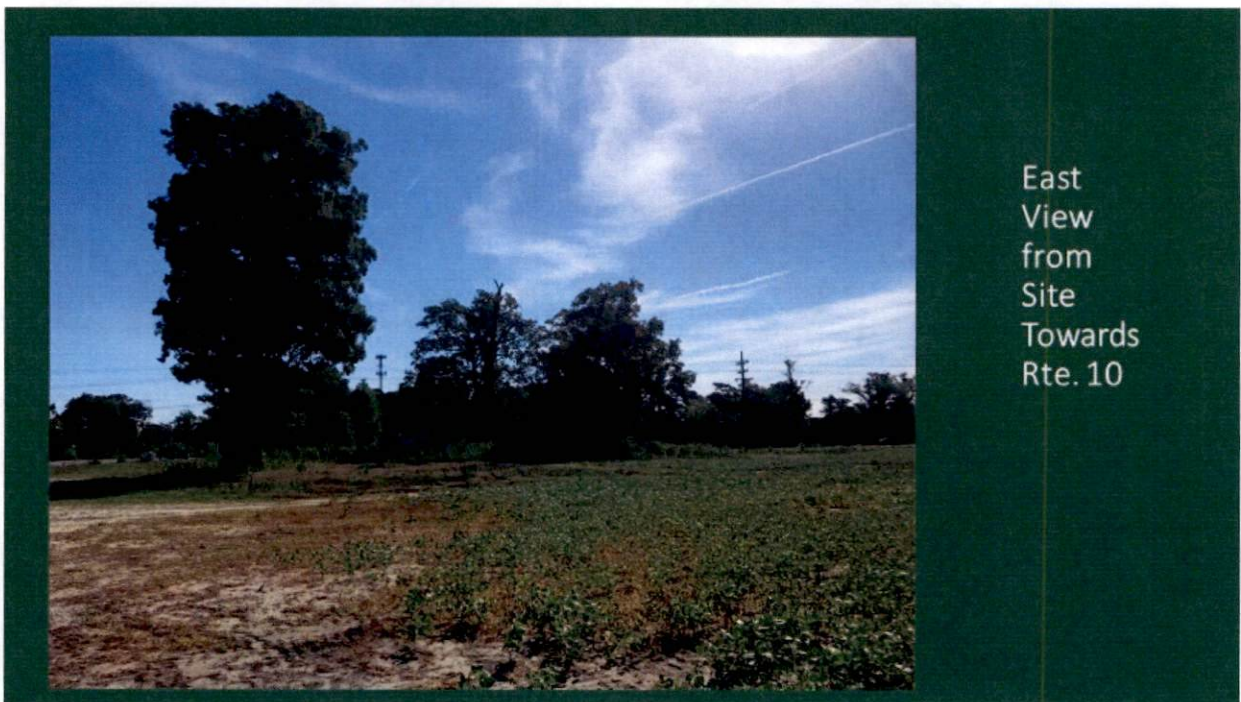
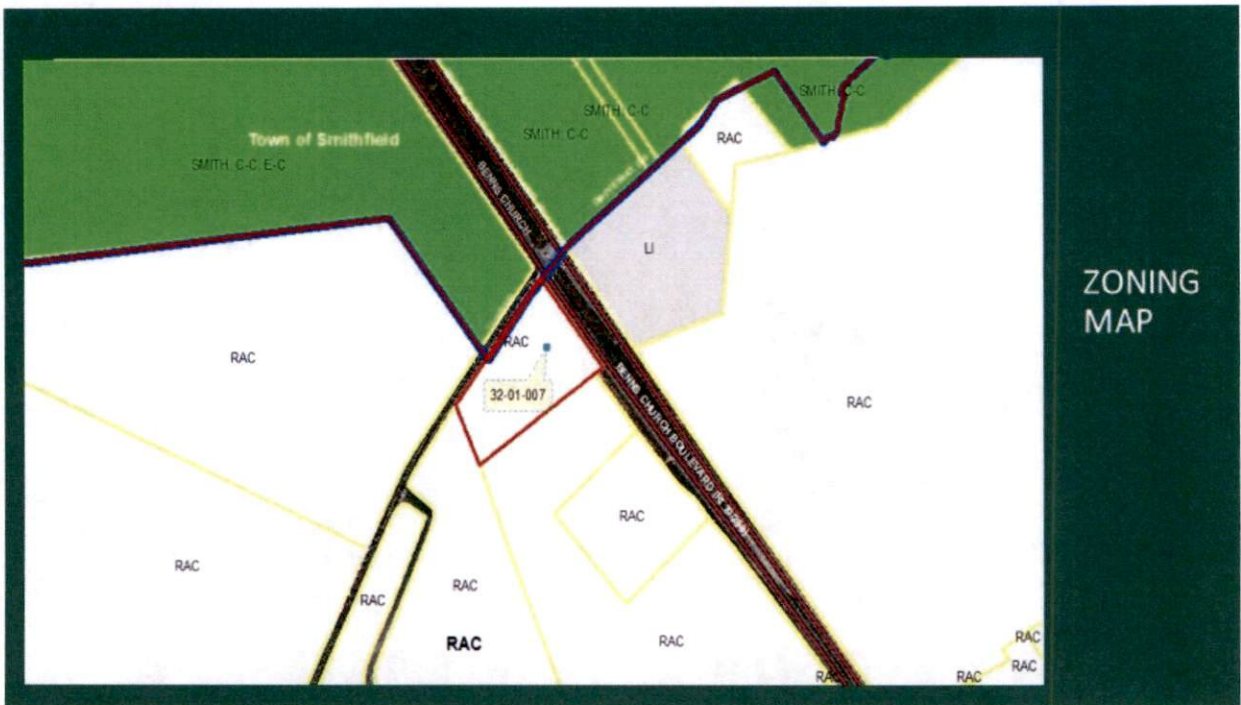
Planning Commission Regular Meeting
June 28, 2022

SITE DESCRIPTION

Tax Map ID#:	32-01-007
Location :	Southwest corner of the intersection between Bennis Church Boulevard (Rte. 10) & Turner Drive (Rte.644)
Current Zoning :	Rural Agricultural Conservation (RAC)
Election District:	D3
Proposed Use:	To allow a 6,049 SF convenience store & 16 fuel pump gasoline station with an approximately 15 foot tall canopy.





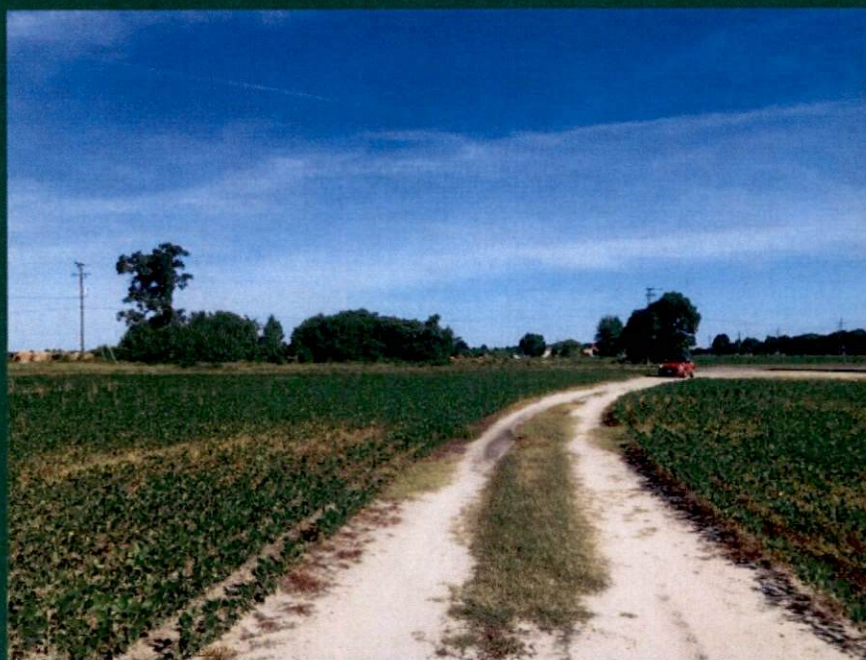




South
View
from
Site



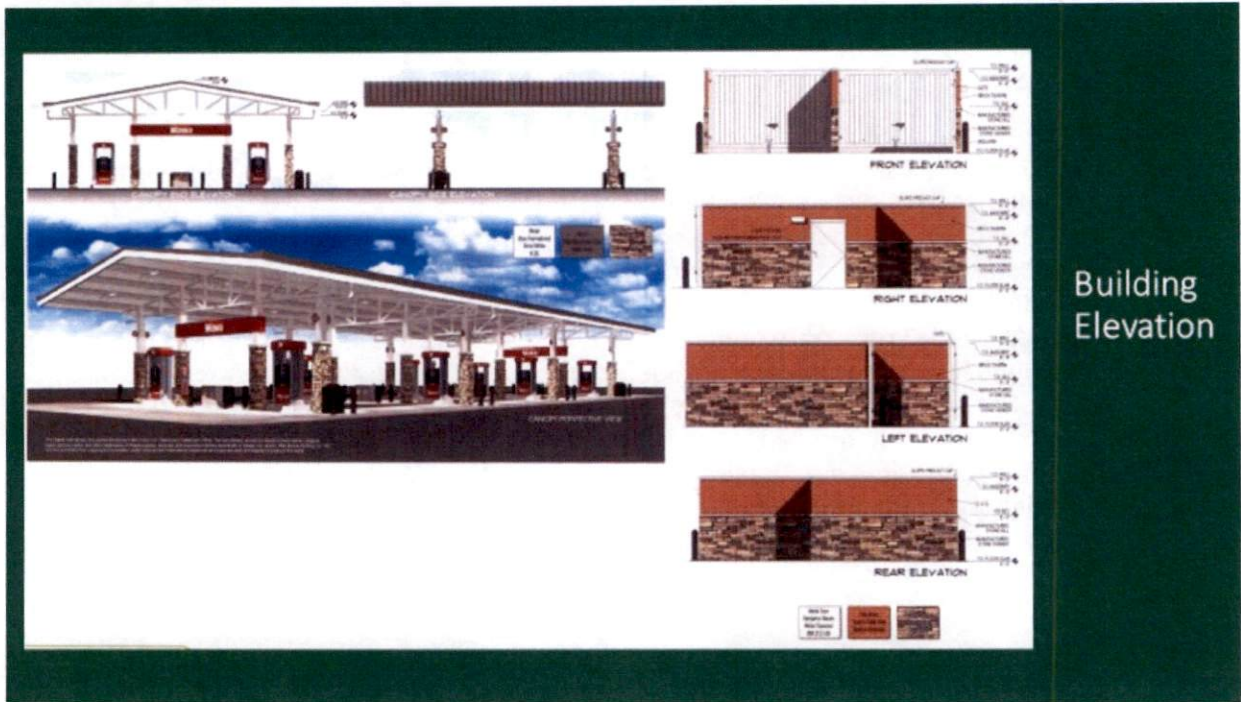
West
View
from
Site
Towards
SHS



North
View
from
Site
Towards
Turner
Drive

BACKGROUND

- Past and current use is agricultural use.
- No existing structures or environmentally sensitive features on the site.



DEPARTMENTAL & AGENCY REVIEW

No outstanding concerns for the project:

- Utility Services
- Emergency Services
- Isle of Wight County Museum
- Economic Development

Outstanding Concerns (VDOT, Transportation Manager, Smithfield):

- Concern with additional delays and continued service level deterioration of the intersection - right-turn movement from Turner Drive (level B to level D).
- Safety concerns with the "DO NOT BLOCK THE BOX" area due to limited visibility for vehicles exiting the site and reliance on public safety resources for successful implementation.
- Concern with service level deterioration of the intersection with traffic generated by a potential new school adjacent to the high school.
- Driveway should be reconfigured into site at the rear of the property to avoid parking areas.



CRITERIA FOR CUP CONSIDERATION (Section 1-1017)

1. Will not be detrimental to or endanger the public health, safety, and general welfare;
2. Will not be injurious to the use and enjoyment of other nearby property nor substantially impair the use of other property within the immediate proximity;
3. Adequate utilities, water, sewer or septic system, access roads, storm drainage and/or other necessary public facilities and improvements will be provided;
4. Adequate measures will be taken for ingress and egress/traffic control;
5. Not contrary to the goals and objectives of the Comprehensive Plan;
6. Will conform to ordinance regulations; and
7. Will not result in a multiplicity or saturation of similar uses in the same general neighborhood of the proposed use.



ADDITIONAL CONSIDERATIONS FOR BOARD

1. Number of persons working on the site & proposed hours of operation;
2. Conditions, for roads, sidewalks, parking facilities, vehicle access, and peak periods of traffic,
3. Orderly growth of the community and the fiscal impact on the County;
4. Effect of odors, dust, gas, smoke, fumes, vibration, glare, and noise;
5. Impacts to public facilities and the ability of the County or persons to supply public services;
6. Consistency with acceptable engineering and planning practices;
7. Location of structures in the vicinity of schools, houses of worship, theaters, hospitals, and similar places of public use;
8. Consistency of the proposal with County ordinances and plans;
9. Environmental impacts and opportunities for recreation and open space; and
10. Preservation of cultural and historic resource landmarks.



STAFF ANALYSIS

Strengths:

- The proposed uses are generally consistent with the County's future recommended land use plan;
- The proposed uses will generate additional employment opportunities and tax revenues necessary to fund future public services and facilities; and
- The proposed business will provide additional local retail and services to community members.

Weaknesses:

- The proposed use will contribute to the degradation of service of the intersection with Benns Church Boulevard and Turner Drive, to include increased wait times and safety concerns for left hand turns from the site onto Turner Drive.



RECOMMENDATION

Based on the strengths of the application, staff recommends approval with the following conditions in order to help mitigate safety concerns and delays at the intersection of Benns Church Boulevard and Turner Drive.

1. In lieu of the "DO NOT BLOCK THE BOX" improvements, submit an alternative intersection design for the Turner Drive site entrance with enhanced safety and greater functionality to reduce delays and drain on law enforcement resources, such as a single-lane roundabout, to the County and VDOT for review and approval at site plan submittal.
2. The property shall provide a shared entrance with the adjacent property onto Benn's Church Boulevard.
3. Provide a cross-access easement along the rear property line that meets VDOT standards for a future public cross parcel access road.
4. The proposed connection across the rear of the property from the Turner Drive entrance shall be designed to have sufficient throat distance from the intersection of Entrance 2 with Turner Drive to be submitted at site plan review.
5. The proposed multipurpose trail along the frontage with Benn's Church Boulevard shall meet the County's minimum trail specifications at the time of site plan submittal.
6. The proposed public sidewalk along Turner Drive shall meet VDOT minimum specifications at the time of site plan submittal.
7. With the exception of the signal timing optimization and coordination, the applicant shall be responsible for the design and construction of the all other recommended improvements not listed here provided in the project TIA received in Community Development on June 16, 2022. In addition to the signal changes proposed, the applicant shall install an ADA accessible curb ramp as part of the sidewalk and trail improvements and a pedestrian push button signal for their side of the intersection to provide pedestrian safety.

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

Robert Thornton, representative with Thalhimer real estate company in Virginia Beach for the Yeoman property as well as Wawa, spoke in favor of the project.

There being no public comments, Chairman Carroll closed the public hearing and called for conversation from the Planning Commission.

Commissioner Distefano asked if the applicant agree with the recommendations from staff.

Ms. Ring stated the applicant wants to pursue the “do not block the box” traffic management tool, however that requires public resources that may not always be available. Ms. Ring also stated that the applicant does not want to share an entrance with the adjacent property owner, however this is a condition the County feels appropriate to ensure safe ingress and egress.

Chairman Carroll stated the following letter was received in support of this application from an adjoining property owner.

L & L Land Development LLC

PO BOX 231

SMITHFIELD VA 23431

June 21, 2022

Isle of Wight Dept of Planning and Zoning
PO Box 80
Isle of Wight, VA 23397

Dear Planning and Zoning Officials and Planning Commission Members:

On behalf of L & L Land Development please accept this letter of commendation and appreciation for your efforts and consideration of the application submitted by Frontier Development for the construction of a Wawa Convenience Store and Gas Station at the corner of Turner Drive and Benns Church Boulevard. Without a doubt you have spent numerous hours of deliberation, review, and collaboration due to the scope of this project. Trust that your hard work and commitment to providing the best options for Isle of Wight County do not go unnoticed.

Isle of Wight County has seen exponential residential growth during the past decade and is no longer the quiet rural community we remember. With residential growth comes the need for additional services along with commercial growth. That said, as an adjacent property owner L & L supports the approval of the aforesaid application for the WaWa Convenience Store and Gas Station. Competition has proven to be beneficial to customers. In light of recent gas prices, this application is a timely one. Not to mention the opportunity the new business brings to the County for additional revenue in the form of sales tax, meal

tax, etc. Employment opportunities will be introduced along with diversified inventory and service options offered by the Convenience Store and Gas Station.

In closing let me reiterate that your efforts are applauded as you consider providing this option Isle of Wight County residents. Thank you for your service.

Respectfully,


L & L Land Development, LLC

L & L Land Development LLC

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Commissioner Duerig asked if the Route 10 left turn lane is being extended.

Ms. Ring stated the recommendation is to extend that lane. Ms. Ring added the County currently has a grant application for this road improvement, however if Wawa is constructed before this improvement happens, the applicant will be the responsible party to install it.

Jamie Oliver, County Transportation Manager, stated the County currently has an approved smart scale grant application to install the extended turn lane in fiscal year 2028, however if the Wawa is developed now then the County would require these improvements to be installed at the time of development.

Chairman Carroll asked if there are other improvements Wawa is installing.

Jamie Oliver stated there are several improvements required in the TIA including improvements on Turner Drive to readjust turn lanes and a solution for the "do not block the box" since this will be a full access intersection.

Commissioner Distefano asked for clarification on the June 16th letter that stated the applicant is considering an alternate intersection traffic control roundabout.

Ms. Ring stated that the applicant has not submitted anything for review, so she is unsure where they are at in developing an alternative.

Mr. Thornton stated their traffic engineer is working on a roundabout and is currently in the study mode.

Commissioner Distefano asked for a timeline for the study.

Mr. Thornton stated it is in the pipeline.

Commissioner Ford stated his concern with future development in this area with the traffic.

Ms. Ring stated this was staff's concern as this area continues to build out. Ms. Ring added there is a possibility of adding alternative access to the rear of the Smithfield High School to take some pressure off of Turner Drive.

Commissioner Ford stated he supports this application and understands the need but believes all parties need to be involved to determine the best solution.

Commissioner Bowser asked what the timeline is for Wawa.

Mr. Thornton stated construction could possibly begin late fall.

Commissioner Distefano explanation of the utility services adjacent to the intersection and the importance of getting it right the first time because it would be cost prohibited to go back and amend it.

Ms. Ring stated because of the utilities adjacent to Turner Drive and the limited amount of Right of Way space, the functional capacity of this intersection is maxed out in terms of being able to add lanes.

Ms. Oliver added that Turner Drive cannot be widened unless all utilities on both sides are moved which is cost prohibitive.

Commissioner Distefano asked if the roundabout would require any utility relocation.

Jamie Oliver stated that's what their engineer would be verifying. Ms. Oliver added that she and VDOT have done some preliminary research and with the roundabout being further back, it allows for more room because of the location of the utilities as well as different property owners. She also stated a single lane roundabout takes less right away than adding full width lanes. Ms. Oliver stated she believes this is a viable option but cannot say for certain until the engineering is done.

Commissioner Distefano asked if the secondary school entrance would be needed if the roundabout is installed.

Jamie Oliver said she believes it is important and will act as a service road to connect the parcels without traffic having to be on Route 10.

Commissioner Duerig asked if the BMP's are allowed to go on the property line and if they are movable.

Amy Ring stated where the BMP is placed now is at optimal site for drainage, but an engineer could modify that. Ms. Ring added that the ordinance states BMPs are not recommended in the buffer yards but does not prohibit it.

Commissioner Distefano suggested the Planning Commission table the application until the roundabout study comes back.

Commissioner Duerig stated if the Planning Commission approves this application with the recommendations and restrictions that staff recommended this cannot move forward until they work out the issues.

Commissioner Distefano shared his concern if the roundabout study comes back and is not feasible then what happens.

Robert Jones stated the Board of Supervisors then makes the decision.

Commissioner Bowser made the motion to recommend approval of the Conditional Use Permit the Board of Supervisors with the recommendations of staff. Commissioner Ford seconded the motion, which was adopted with Commissioners Bowser, Distefano, Duerig, Ford, Rawls, and Carroll voting in favor of the motion, and no Commissioners voting against the motion (6-0).

Motion was carried and will go to the Board of Supervisors on July 21, 2022.

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

Application of Gerald W. Peade, property owner, for an amendment to conditional zoning (ZA-2-22) to add motor vehicle repair service (major) and garden center uses to conditional zoning uses on a 1.25-acre parcel, located at 12728 Courthouse Highway on property with tax map number 21-01-026C. The property is zoned Conditional - General Commercial (C-GC) and no change in zoning classification is proposed.

Jeryl Phillips, Assistant Director of Planning and Zoning, gave an overview by giving the following PowerPoint presentation.

Gerald W. Peade Request for Amendment to Conditional Zoning

Planning Commission Regular Meeting
June 28, 2022



SITE DESCRIPTION

Tax Map ID#: 21-01-026C

Location : 12728 Courthouse Highway (Rte. 258)

Current Zoning : Conditional – General Commercial (C-GC) and Route 258 Highway Corridor Overlay District (HCOD)

Election District: D3 (formerly Hardy)

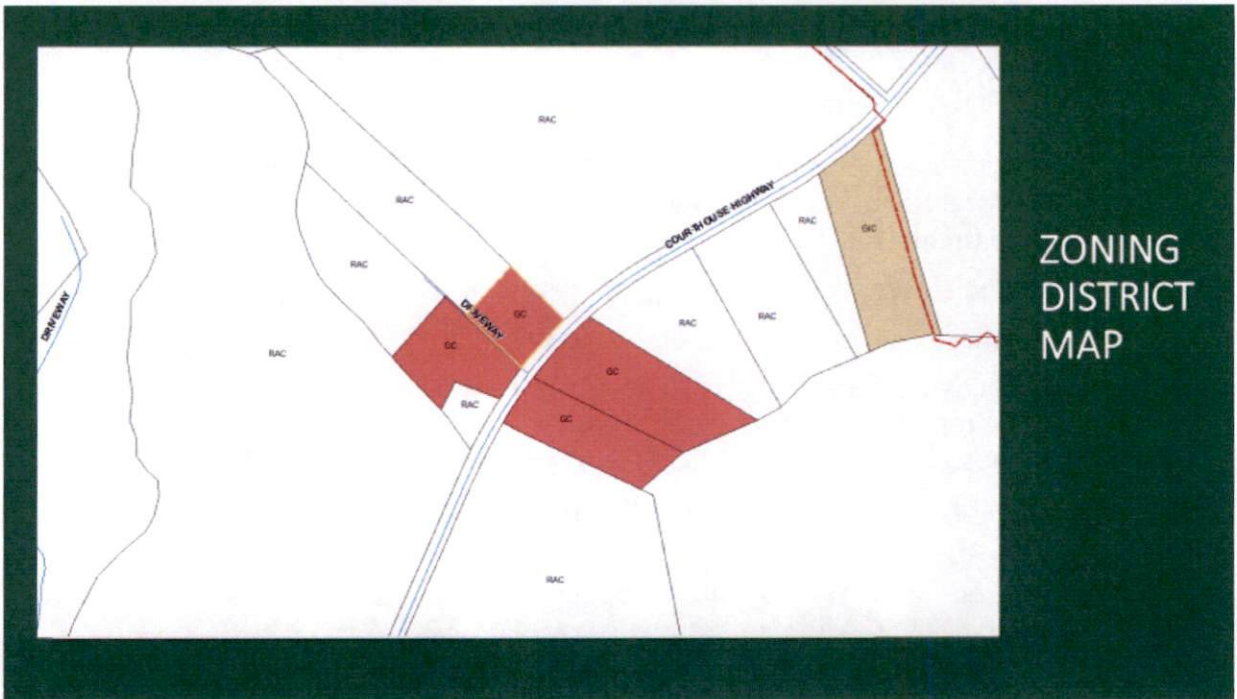
Request: Amendment to conditional zoning to add major motor vehicle repair services and a garden center (retail sales of bulk mulch and topsoil only) to conditional zoning uses on 1.25 acres, previously limited to minor motor vehicle repair service use only. No change in zoning designation proposed.



BACKGROUND

- Property rezoned from A-2, Agricultural General Commercial to Conditional B-1, Conditional Business General in February 1988 for Smithfield Glass & Mirror (minor motor vehicle repair service) only
- Business closed, vacant building (office and vehicle repair garage)
- Any other uses require amendment to prior conditional zoning approval
- Prospective tenant interest to re-occupy existing building for minor motor vehicle repair services, and add a garden center for retail sales of bulk mulch and topsoil only, within enclosed storage/loading area behind the building
- Applicant wants flexibility to offer major motor vehicle repair services in future, should a tenant desire such
- Proposed uses are permitted by-right in GC zoning district, subject to compliance with supplementary use regulations





ZONING
DISTRICT
MAP



FUTURE
LAND USE
MAP



SITE VIEW
LOOKING WEST
FROM ACROSS
COURTHOUSE
HIGHWAY (Rt.
258)



VIEW
NORTH FROM
SITE



VIEW EAST
FROM SITE
LOOKING
ACROSS
COURTHOUSE
HIGHWAY (Rt.
258)



VIEW SOUTH
FROM SITE
LOOKING
ACROSS
PRIVATE
ROAD



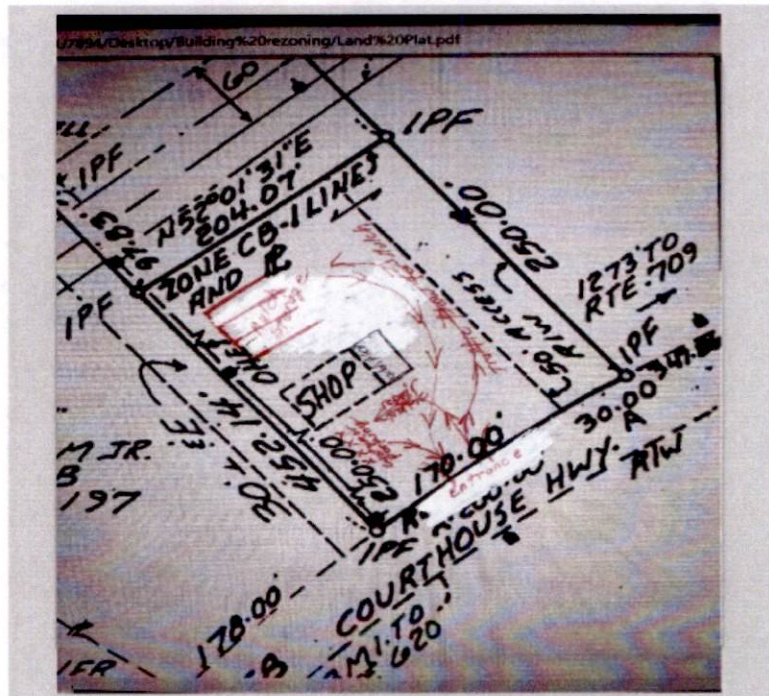
VIEW
REAR OF SITE
FACING
NORTH AND
WEST

PROJECT DESCRIPTION

- Proffered uses: Continue prior-approved minor motor vehicle repair service use, new uses limited to major motor vehicle repair service and garden center (retail bulk mulch and top soil sales only)
- Add garden center sales enclosure to rear of existing building
- No outdoor/overnight storage of vehicles is proposed but would be enclosed/screened if needed in future
- Site serviced by private well and on-site septic
- Site access from existing commercial driveway on Courthouse Highway (Rt. 258)
- Existing gravel customer parking area



CONCEPT PLAN



COMPREHENSIVE PLAN CONSISTENCY

- Future recommended land use designation for this property is Rural Agricultural Conservation (RAC) under the adopted Comprehensive Plan.
- Appropriate uses for RAC land use designation include agriculture, horticulture, forest lands, and scattered or small clusters of low-density residential uses. Other uses such as resource extraction and utility-scale solar facilities are also permitted when appropriately sited.
- Property was developed as commercial use following conditional rezoning approval in 1988 to Conditional B-1, Conditional – General Business. Part of small cluster of businesses located along this section of Courthouse Highway.
- While C-GC zoning is not generally consistent with RAC land use, motor vehicle service repair service (minor and major) and garden center uses are by-right uses in the GC zoning district with supplementary use regulations.
- Therefore, could be considered generally compatible with existing zoning district and could be compatible with rural areas with implementation of HCO design criteria for any new structures
- Proposed uses will minimally alter the site/building layout and will have minimal impact on adjacent property with regard to traffic, noise, and impacts to existing character of the surrounding area.



DEPARTMENT AND AGENCY REVIEW

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

- Economic Development - Supports the application, allowing for a new or existing business or businesses to occupy a vacant commercial building on a major roadway. Helps to create or retain jobs in the community. Visual barrier for outside storage would help protect the visual aesthetic of the highway for other businesses and residents.
- Utilities/Stormwater: No public water or sanitary sewer present on site. All stormwater management requirements will be address at Site Plan review.
- Health Department: Based on information/study provided, the existing septic and well system design is adequate for the proposed use.
- Public Works/Transportation: No turn lane warrants are met for ingress/egress. There will likely be an increase in vehicle trailers and commercial-sized vehicles. Internal stacking at ingress/egress points needs to be considered for onsite as part of an internal circulation plan without causing unanticipated off-site congestion along US Route 258.



DEPARTMENT AND AGENCY REVIEW (cont'd.)

- Planning & Zoning/Environmental – Site is located in the Chesapeake Bay Preservation Area's Resource Management Area (RMA). All new development and redevelopment that exceeds 2,500 square feet of land disturbance subject to Plan of Development Review including site plan approval.
- Virginia Department of Transportation: There appear to be no additional impacts to the State-maintained right-of-way with this amendment to zoning.
- Historic Review: Although moderate probability for archaeological resources, consultation with staff for developed site revealed no further concern.
- Emergency Services: No concerns at this time.
- City Attorney: Voluntary proffers acceptable and no further comment.



STAFF ANALYSIS

Strengths:

- The application enables reuse of an existing vacant commercial building and site with new commercial uses limited to those in conditions voluntarily proffered.

Weaknesses:

- Since this site was previously developed, reuse and development of the property for the proposed uses, as conditioned, will require compliance with current regulations.



RECOMMENDATION

Based on the strengths of the application, staff recommends approval of this amendment to existing conditional zoning with the proffered conditions.

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

Gerald Peade, 4733 Courthouse Road, Prince George VA, stated he was available for questions.

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

Commissioner Bowser asked how much mulch was going to be kept in the rear of the property.

Kevin Jones, future tenant, stated about one-hundred yards of mulch in each different color, about three to four hundred yards of material on site at a time. Mr. Jones added that a tractor trailer load comes in with about seventy-five yards of mulch at a time.

Commissioner Bowser asked if this will be in the rear of the building.

Kevin Jones stated it would be in concrete bins in the back of the building.

Commissioner Ford stated he has a concern with the type of traffic this would bring and asked if there were any plans for improvements for the ingress and egress of the property.

Commissioner Bowser stated this was the reason to his questions about the amount stored on site and doesn't believe the lower amount would cause any problems.

Gerald Peade stated that Smithfield Glass has been in business since 1989 and has had three tractor trailer deliveries of glass each week and that this site is not new to tractor trailer truck deliveries.

Commissioner Bowser made the motion to recommend approval of the Amendment to Conditional Zoning the Board of Supervisors with the recommendations of staff. Commissioner Distefano seconded the motion, which was adopted with Commissioners Bowser, Distefano, Duerig, Ford, Rawls, and Carroll voting in favor of the motion, and no Commissioners voting against the motion (6-0).

Motion was carried and will go to the Board of Supervisors on July 21, 2022.

OLD BUSINESS

Chairman Carroll called for the item on Old Business.

Application of Carrollton Ventures, LLC, property owner, for a change in conditional zoning to allow 120,000 square feet of mini-warehouses, also known as self-storage units, and outdoor motor vehicle storage on 8.08 acres located at 15411 Carrollton Blvd. (Rte. 17) on property with tax parcel numbers 34-01-108 and 34-01-108B

Amy Ring stated this item was continued on the May 24th regular meeting and asked the applicant and staff to provide additional market information about the need for additional self-storage and outdoor storage in the Carrollton area. Ms. Ring added market studies typically are done on a three-mile area around the proposed facility. The three mile radius area around this project includes only two self-storage facilities. Ms. Ring also added that based on the general population for the Carrollton area in the Census, the average is 9.08 square feet of inside self-storage space per person which is higher than the average for the US and Virginia. Ms. Ring also added that Ms. Walkup did some additional research and found only one facility in this radius had one vacancy. Ms. Ring stated the applicant did submit a revised concept plan to show the cross access easement and revised their proffer statement to state they will provide the cross access.

Commissioner Distefano asked what the factor is that is the causes for the higher demand for storage space.

Beverley Walkup, the applicant's representative, stated she thinks the housing density, the smaller lot sizes, and ordinances not allowing commercial vehicles parked on residential property are factors.

Commissioner Distefano stated his previous concerns have been addressed but does believe this use is at saturation for this area.

Commissioner Duerig made the motion to recommend approval of the Amendment to Conditional Zoning to the Board of Supervisors with the recommendations of staff. Commissioner Bowser seconded the motion, which was adopted with Commissioners Bowser, Distefano, Duerig, Ford, Rawls, and Carroll voting in favor of the motion, and no Commissioners voting against the motion (6-0).

Motion was carried and will go to the Board of Supervisors on July 21, 2022.

NEW BUSINESS

Amy Ring confirmed there were no New Business items.

COUNTY ATTORNEY'S REPORT

Bobby Jones confirmed there was no items for the County Attorney's Report.

CLOSED MEETING

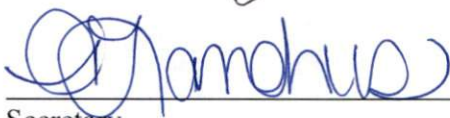
Chairman Carroll confirmed there were no items to discuss in closed meeting.

ADJOURNMENT

There being no further information to discuss, Chairman Carroll adjourned the meeting at 7:50 PM.

Adopted this 26 day of July, 2022.


Chairman, Isle of Wight County Planning Commission

Attest: 
Secretary