

**MINUTES OF THE MEETING OF THE ISLE OF WIGHT COUNTY
PLANNING COMMISSION HELD ON THE TWENTY-THIRD DAY OF
AUGUST 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 August 23, 2022, in the Board of Supervisors Room at the Isle of Wight County Courthouse, Isle of Wight, Virginia.

INVOCATION

Commissioner Rawls 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
Cynthia Taylor
James Ford
Thomas Duerig
Jennifer Boykin
George Rawls
Thomas Distefano
Rick Sienkiewicz

A quorum was determined.

ALSO IN ATTENDANCE

Mandy Rogers, Substitute Council to the Planning Commission
Jeryl Phillips, Assistant Director, Planning and Zoning
Don Robertson, Assistant County Administrator
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. Jeryl Phillips, Assistant Director, Planning and Zoning, stated there were no requests.

APPROVAL OF AGENDA

Chairman Carroll called for a vote to approve the agenda. Commissioner Ford made a motion to approve the agenda. Commissioner Bowser 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 Taylor 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 (ZA-4-21) of Advanced Construction Development, LLC, applicant, and Locust Grove Partners, LP and H&B Railroad Company, Inc. property owners, for a change and amendment to existing zoning to Conditional-Limited Industrial (C-LI) to allow an auction establishment and a scrap and salvage service on approximately 5 acres of property with tax map number 42-06-015 located on the north side of the western terminus of IWIP Road (Rte. 1032) together with approximately 70 acres of property with tax map number 42-01-006 located at 17094 Benns Church Boulevard (Rte. 10)

Jeryl Phillips, Assistant Director, gave an overview by giving the following PowerPoint presentation.

Auto Auction and Salvage Service Conditional Zoning Request ZA-4-21



Planning Commission Regular Meeting
August 23, 2022

SITE DESCRIPTION

Tax Map ID#:	42-06-015 and 42-01-006
Location :	IWIP Road and 17076 Benns Church Boulevard (Rte. 10)
CurrentZoning:	Conditional– Limited Industrial(C-LI) & Rural Agricultural Conservation(RAC)
Election District:	D4
Request	Amendment to conditional zoning for 42-06-015 and conditional LI zoning for 42-01-006 to allow for an auction establishment and a scrap and salvage service on 75 acres



BACKGROUND

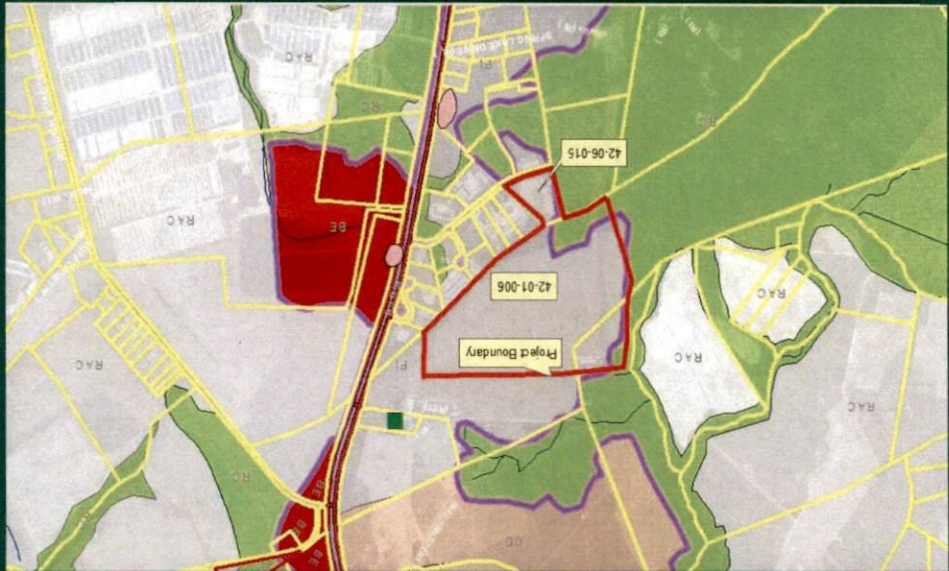
- Properties include Tax Map Parcel 42-06-015 (located on IWIP Road) and a portion of Tax Map Parcel 42-01-006 (on Route 10).
- Tax parcel number 42-06-015 is part of the Isle of Wight Industrial Park and is zoned Conditional-Limited Industrial for the uses permitted in the Limited Industrial Zoning District, including:
 - Blacksmith shop;
 - Welding and machine shops;
 - Retail food stores;
 - Auto and home appliance services;
 - Office buildings;
 - Service stations;
 - Lumber and building supply, including cabinet manufacturers, plumbing, electrical, and
 - Machinery sales and service.
- Parcel created in July 2002 as part of the planned industrial park. The current use of the property is equipment storage for the property owner, H&B Railroad Company, Inc.
- Approximately 70 acres of adjacent tax parcel number 42-01-006 will be used. The property has historically been used for farming and silvicultural uses.



ZONING
DISTRICT
MAP



FUTURE
LAND USE
MAP





SITE VIEW
LOOKING
SOUTH FROM
LOCUST GROVE



VIEW TO
WEST ACROSS
SITE FROM
HOUSE



EAST VIEW
ACROSS SITE
TO ROUTE 10



VIEW TO
NORTH FROM
H&B SITE



VIEW WEST
ON H&B SITE



VIEW
SOUTH TO
IWIP ROAD



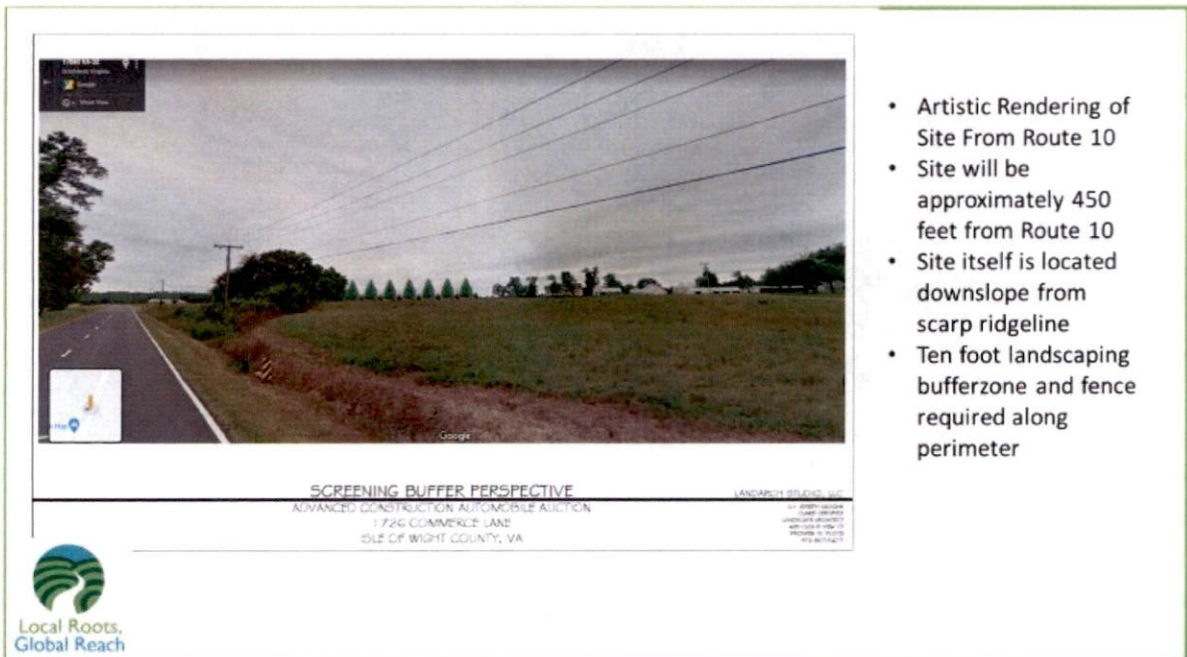
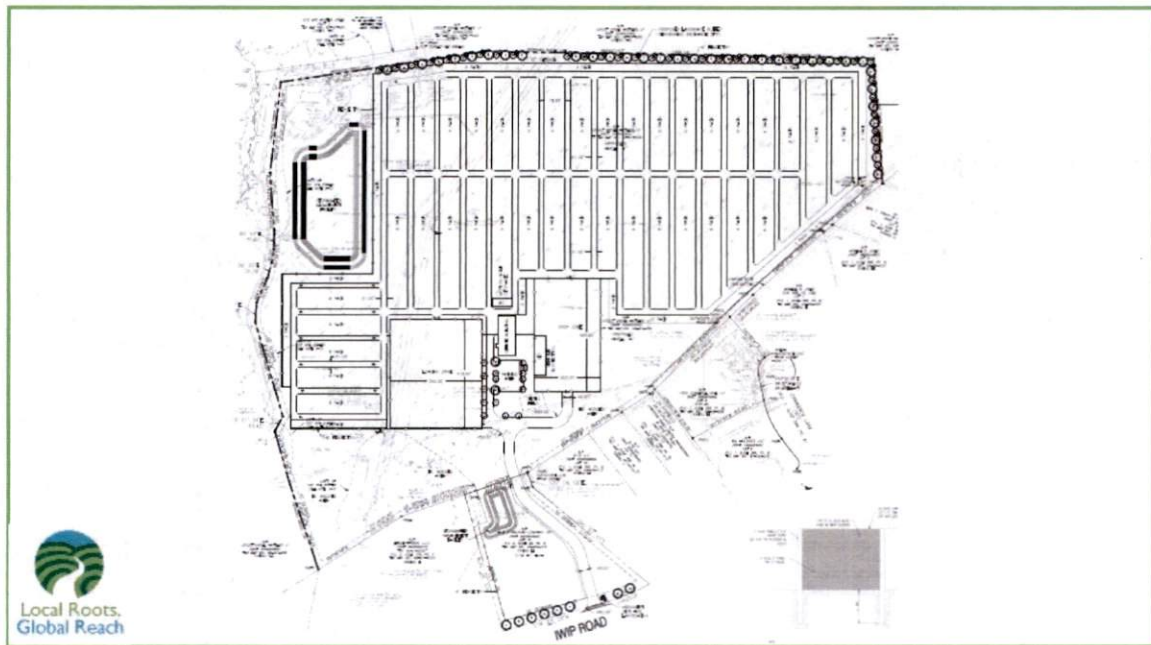
EAST VIEW FROM H&B SITE

PROJECT DESCRIPTION

- Proposed commercial use of "Auction Establishment" and the industrial use of "Scrap and Salvage Service" to establish a business known as Insurance Auto Auctions (IAAI) that receives, inspects, temporarily stores, and auctions automobiles via the internet.
- Improvements will consist of an office building, employee and customer parking, storage yard, and storm drainage system.
- Will create ~~thirty~~ thirty fifteen* full-time, on-site jobs, including managerial positions.
- No new traffic improvements are proposed.
- Private, community well system and on -site wastewater system to be utilized.

**Note: Correction provided by applicant's representative just prior to presentation; differs from application documents referenced in staff report.*





COMPREHENSIVE PLAN CONSISTENCY

- Recommended future land use designation for both properties is Planned Industrial (PI) and Environmental Conservation (EC) along the wetland and stream areas.
- No impacts to environmentally sensitive features are proposed.
- Both properties are located within the Newport DSD.
- Proposed commercial and industrial uses are consistent with the future recommend land use designations.



DEPARTMENT AND AGENCY REVIEW

Staff distributed the application to the following departments for review and comment. Only one outstanding concern remains as noted.

- Emergency Services - As of August 22, 2022, there remains one outstanding concern in regard to water supply to the site for fire suppression. EMS is currently investigating all available options to the site. An update will be provided, once it is available.
- Economic Development
- General Services
- Transportation Project Manager
- Environmental Planner
- Virginia Department of Historic Resources
- Isle of Wight County Museum
- Virginia Department of Conservation and Recreation
- Virginia Department of Transportation
- Sheriff's Office



STAFF ANALYSIS

Staff reviewed proposed uses for consistency with the comprehensive plan, ordinances, transportation requirements, drainage and stormwater, natural resources protection, flood prevention, agricultural preservation, and for potential impacts to adjacent properties and significant routes of tourist access to designated historic landmarks, buildings, structures or districts.

Strengths:

- Proposed uses are consistent with the future recommended land use designation in the Comprehensive Plan.
- Proposed business will create additional job opportunities and tax revenues to meet future public service and facility needs in the County.

Weaknesses:

- Project lies within the Cat Pond Conservation Area, however, the applicant has proposed no impacts to wetland areas and to minimize impact to existing wooded areas according to their concept plan, although this is not explicitly stated in their proffers.



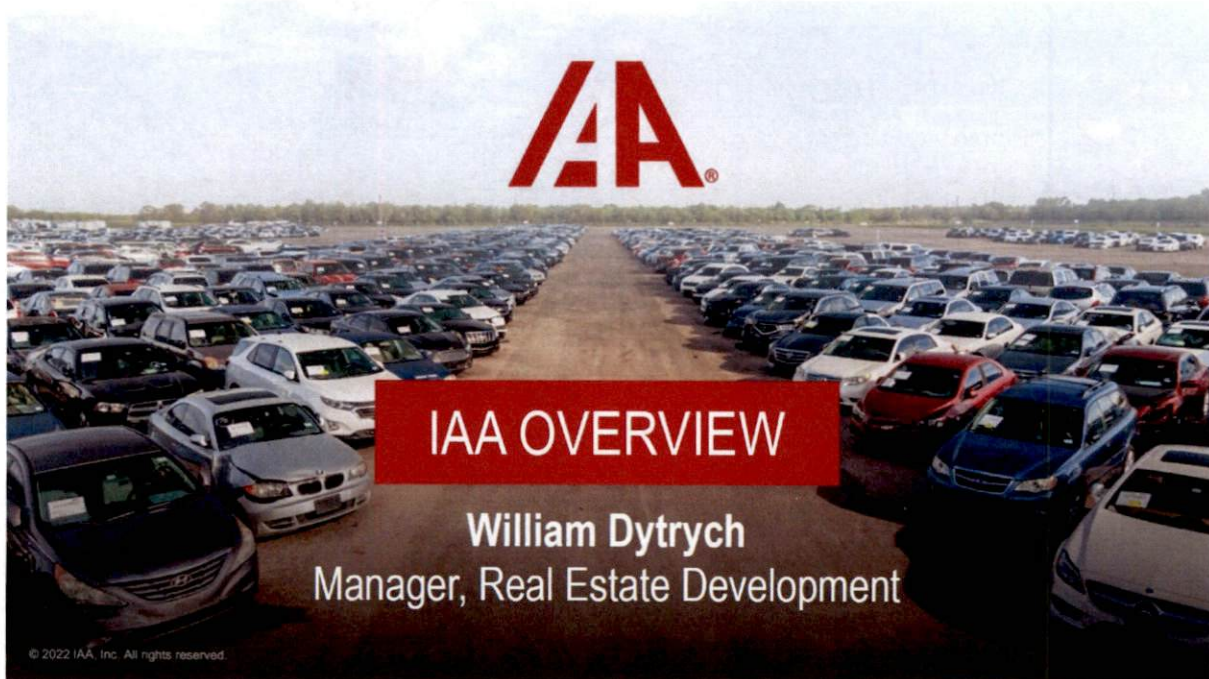
RECOMMENDATION

Based on the strengths of the application, staff recommends approval of conditional zoning request with the proffered conditions.

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

Witt Harper, legal representative, 705 W. Washington Street, Suffolk, stated he understands the concerns that have been brought but feels like this is a good project and a good use for this property.

William Dytrych, Manager of Real Estate Development, gave an overview of the business by giving the following presentation.



Who is IAA?

- One of the Largest Vehicle Auctions in U.S.
- Locations in U.S., Canada & UK
- In Business for 40 Years
- 4,500 Employees
- Conducts 9,300 Auctions per year
- Sell 2.5 Million Vehicles a Year
- Buyers in 170+ Countries

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IAA U.S.



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Tampa North



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IAA Tow Network

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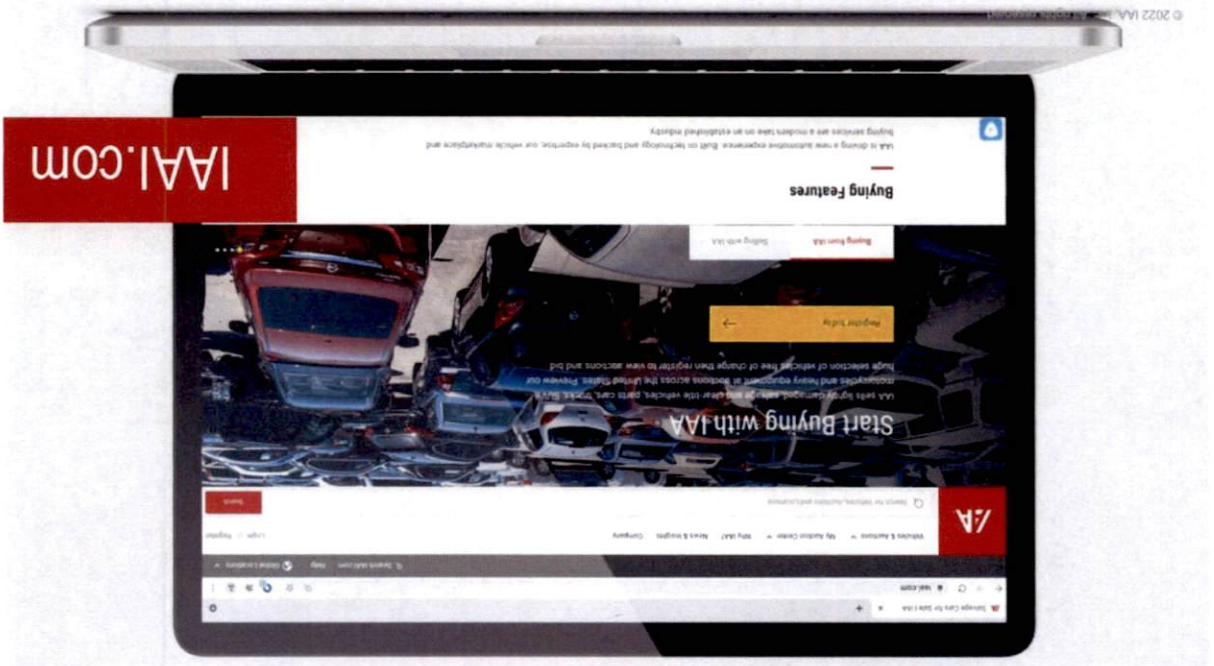


Vehicles Sold Online

IAA AuctionNow™



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Vehicle Deliveries

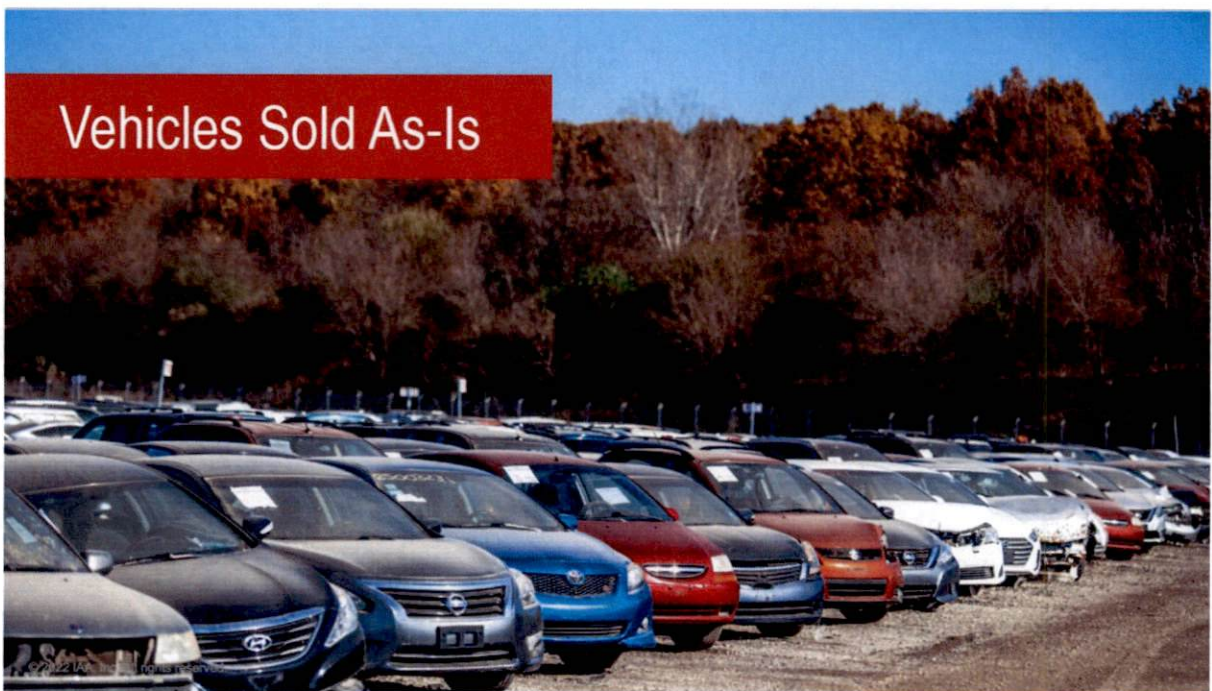


Vehicle Check-In





Many Vehicle Types



Vehicles Sold As-Is

No Work Done on Vehicles



Follow IAA



Chairman Carroll asked for the following letter of support be entered into the minutes.

August 19, 2022

Isle of Wight County Community Development
P.O. Box 80
17140 Monument Circle
Isle of Wight, VA 23397

Dear Amanda Landrus:

My name is Ted Christian. I live at 21160 Woodland Road Carrollton, VA.
I own the property with map number 42-01-007G which is adjacent to subject property. I also co-owned properties with map numbers 42-06-010 and 42-06-013 in the Industrial Park.

This is in response to your August 5, 2022 notification regarding a Public Hearing to consider the application for a change and amendment to existing zoning to Conditional-Limited Industrial (C-LI) to allow an auction establishment and a scrap and salvage service on property with map number 42-06-015.

As a resident of Isle of Wight County for 40 years and business owner in the Industrial Park for 30 years, I support and encourage your committee to approve this application. I believe the spin-off economic activity would enhance my property values and would also contribute to the business diversity of our County.

I heard about this project several years ago. I supported the project then and I still support the project. The Developer should be commended for staying the course and for choosing Isle of Wight County for his business location.

You have my permission to read this letter before your committee if so desired.

Sincerely,

Ted Christian

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

Commissioner Taylor asked Mr. Dytrych how many cars are anticipated on this site.

Mr. Dytrych stated around thirty-five hundred.

Commissioner Taylor asked about the discrepancy between the hours of operation in the application and staff report versus his presentation.

Mr. Dytrych stated the hours included on the application are the open to public window. The longer hours outside of that are for the branch manager to catch up on any work needed done prior to opening or after close.

Commissioner Taylor asked if there has been any communication with Columbia Gas regarding their transmission line that is on the property.

Elmer Toll, 1210 Progressive Drive, Chesapeake, stated Columbia Gas has approved the parking of vehicles on the gas line but has stated no structures are to be built.

Commissioner Taylor stated the report states the forklifts used on site would be repaired on site and asked where they would be repaired at because there are no maintenance buildings shown.

Mr. Dytrych stated a heavy equipment repair company will be called and they will do the repair on site where the equipment is located.

Commissioner Taylor asked about fire suppression and what kinds would be used.

Elmer Toll stated a solution would be to have the water supply run from the BMP and with the Fire Department having access to a standpipe for fire suppression.

Commissioner Taylor asked what type of lighting will be used.

Mr. Dytrych stated no lights will be used.

Commission Duerig asked how much area will be paved.

Mr. Dytrych stated concrete would be placed for employee and customer parking by the building and the remainder of the property would be asphalt millings.

Commissioner Rawls asked what the average time is that a car would stay on the lot.

Mr. Dytrych stated the goal is two months.

Commissioner Rawls asked what the length of time an auction is open for.

Mr. Dytrych stated that depends on what the insurance company requests and if they are willing to let it go for below their requested amount of time.

Commissioner Rawls asked if electrical vehicles will be stored on site.

Mr. Dytrych stated electrical vehicles will be stored on site and set aside with greater spacing between the vehicles to reduce the spread of fire in the event of a fire.

Commissioner Rawls asked if there is a requirement for the status of the charge of the battery when the vehicle arrives on site.

Mr. Dytrych stated it is accepted how it arrives.

Commissioner Rawls asked if anything is in place in the event of an electrical vehicle fire.

Mr. Dytrych said that has not been discussed as a team but can bring that information back.

Commissioner Sienkiewicz asked if this site would be similar to the Yorktown facility and if the vehicles will be moved inside the fence.

Mr. Dytrych stated it is a risk to the company if they are not inside the fence line.

Commissioner Sienkiewicz asked about the flooded vehicle preparation stated in the Environmental Best Practices.

Mr. Dytrych stated the vehicles would be rinsed down and removal of as much interior water as possible and no fluids will be drained besides the water.

Commissioner Bowser asked if the 15 employees would be hired locally or are they being transferred.

Mr. Dytrych stated the company likes to hire locally although existing employees may submit their application if they are interested in relocating.

Commissioner Duerig stated the concept plan shows this project being on an additional parcel 41-01-053.

Elmer Toll stated the County GIS map is incorrect and that this has been extensively surveyed to verify.

Commissioner Ford stated that the motorcycles look to be stored in a building.

Mr. Dytrych stated the motorcycles would be stored in a metal shed type structure.

Jeryl Phillips stated the concept plan in the staff report shows the location of different structures on site.

Commissioner Ford asked how many vehicles would be delivered daily or weekly.

Mr. Dytrych stated around eighty cars per day or four hundred per week.

Commissioner Ford asked where the cars would be coming from.

Mr. Dytrych stated they would be coming from heavily populated areas like Virginia Beach.

Commissioner Ford asked about the lease term for this location would be.

Mr. Dytrych stated fifteen years is the standard lease, and they are a long-term tenant.

Commissioner Taylor asked if this property is rezoned, would there be a subdivision plat to create this into a single parcel.

Jeryl Phillips stated once the Board approves the change in zoning the next step would be a subdivision plat.

Commissioner Taylor asked if the proffered conditions would apply to the entire parcel or the subdivided parcel.

Witt Harper said from his understanding the rezoning would just be for subdivided parcel project area.

Commissioner Distefano asked about ground water samples and if at the end of their lease will any further testing need to be done or if a decommission agreement would be in place.

Jeryl Phillips stated that she was not sure and would verify if either of these would be required.

Commissioner Taylor asked if York County or Suffolk has been contacted to ask about this business.

Jeryl Phillips stated she has not had any contact but not sure if Amy Ring, Community Development Director, has.

Commissioner Distefano stated he is in favor of the project but would like more information on the decommissioning agreement.

Commissioner Taylor stated she would like more information on fire suppression.

Commissioner Ford complimented the applicant on the organizational storage practices.

Commissioner Rawls asked if the company has their own decommissioning plan.

Mr. Dytrych stated the lease agreement has provisions that include restoring the property to the initial condition. He added if there is an environmental spill it is addressed immediately. Mr. Dytrych also stated the company has a national environmental consulting firm that addresses any issued immediately.

Witt Harper stated the lease does address an environmental phase one done prior. Mr. Harper also stated that the York County site is an older project, and this would be an updated project.

Commissioner Sienkiewicz stated that the site, fence, and building looks good at the Yorktown site, the problem is vehicles are being dropped off and stored in the public right away outside of the fence.

David Francis, Equity Exchange, Newport News, stated the Yorktown site is a sixteen-acre site and considered temporary. Mr. Francis stated the centralized location makes this an excellent location.

Commissioner Distefano asked for more information regarding the phase one plan.

Shawn Fulkerson, representing the developer, stated the extensive phase one study done by a national firm and is updated throughout the lease as well as the company is required to meet all local, state, and federal regulations. Mr. Fulkerson stated soil sampling will be done and if any contamination is suspected a phase two study can be requested.

Commissioner Boykin asked if this should be tabled due to waiting on a response from EMS regarding fire suppression capability.

Commissioner Taylor stated the Industrial Park is under-utilized and believes this business is a good fit. Ms. Taylor added that there are some concerns that have not been addressed.

Commissioner Taylor made the motion to table this application until the next meeting. Commissioner Ford seconded the motion, with Commissioners Bowser, Boykin, Distefano, Duerig, Ford, Rawls, Taylor, Sienkiewicz, and Carroll voting in favor of the motion, and no Commissioners voting against the motion (9-0).

Motion was carried and will go back to the Planning Commission September 27, 2022, under Old Business.

OLD BUSINESS

Jeryl Phillips confirmed there was no items under Old Business.

NEW BUSINESS

Jeryl Phillips confirmed there was no items under New Business.

COUNTY ATTORNEY'S REPORT

Mandy Rogers confirmed there was no items for the County Attorney's Report.

PLANNING DIRECTOR'S REPORT

Jeryl Phillips stated that based on polling responses received so far from the Planning Commission, October 7 or October 14th seems to be the best date for the Planning Commission retreat and joint discussion with the Board of Supervisors. The Board of Supervisors has also been considering possible dates and consensus is forming for October 14 as the best date for the Board.

Don Robertson stated the Board has not formally set this date and advised there is enough time to set that date at the September meeting.

CLOSED MEETING

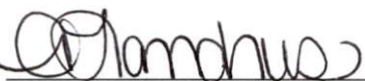
Chairman Carroll confirmed there were no items to discuss in closed meeting.

ADJOURNMENT

There being no further information to discuss, Chairman Carroll adjourned the meeting at 7:18 PM.

Adopted this 27th day of September , 2022.


Chairman, Isle of Wight County Planning Commission

Attest: 
Secretary