

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

CALL TO ORDER

Thomas Distefano, Vice-Chairman, called the Isle of Wight County Planning Commission meeting to order at 6:00 PM on April 22, 2025, in the Board of Supervisors Room at the Isle of Wight County Courthouse, Isle of Wight, Virginia.

INVOCATION

Don Robertson, Assistant County Administrator, delivered the invocation

PLEDGE OF ALLEGIANCE

Vice-Chairman Distefano invited everyone present to join in the Pledge of Allegiance.

ROLL CALL/DETERMINATION OF A QUORUM

PRESENT

Thomas J. Distefano, Vice-Chairman
Brian Carroll
James Ford
Jennifer S. Boykin
George Rawls
Matthew Smith
Keith Johnson

ABSENT

Bobby Bowser, Chairman
Raynard Gibbs

A quorum was determined

ALSO IN ATTENDANCE

Amy Ring, Community Development Director
Bobby Jones, County Attorney
Don Robertson, Assistant County Administrator
Amanda Landrus, Secretary
Sandy Robinson, Planner II
Caleb Kitchen, Planner I

ACTION ON REQUESTS TO WITHDRAW OR TABLE PENDING AGENDA ITEMS

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

APPROVAL OF AGENDA

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

CONSENT AGENDA

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

CITIZENS' COMMENTS

Vice-Chairman Distefano opened the floor for any citizens comments. There being no comment, Vice-Chairman Distefano closed citizens comments.

PUBLIC HEARINGS

Vice-Chairman Distefano called for the first public hearing item:

Application CSUP-25-1 of Isle of Wight County Public Utilities, applicant, and Bennis Church Properties, property owner, for a conditional use permit to construct a major utility consisting of a water tower thirty feet above the prescribed height limit on approximately 1.3 acres located at 19488 Casper Circle on tax map number 32-01-068A in the Rural Agricultural Conservation zoning district.

Caleb Kitchen, project manager, gave the following presentation.

RIVERSIDE ELEVATED WATER TOWER CONDITIONAL USE PERMIT REQUEST CSUP-25-1

PLANNING COMMISSION REGULAR MEETING
APRIL 22, 2025

SITE DESCRIPTION

- ▶ **Tax Map ID#:** 32-01-068A
- ▶ **Location:** 19488 Casper Circle
- ▶ **Current Zoning:** Rural Agricultural Conservation (RAC)
- ▶ **Election District:** D3
- ▶ **Purpose:** To construct a water tower thirty feet above the prescribed height limit.

BACKGROUND

- Resource Extraction
- Portion was rezoned for hospital complex in 2008
- Public Utilities has received \$1.2 million USEPA Grant
- 1.3 acre parcel to be subdivided for water tower
- DHR resource #44IW0113, NRHP status undetermined
- Water tower 165 feet in height

CSUP-25-1 Riverside Water Tank Height CUP Request - Location Map



CSUP-25-1 Riverside Water Tank Height CUP Request - Zoning Map



CSUP-25-1 Riverside Water Tank Height CUP Request - Land Use Map







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

- 1) Will not be detrimental to or endanger public health, safety, and general welfare;
- 2) Will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially impair the use of other property within the immediate proximity;
- 3) 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) Not contrary to 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 living or working in the area or proposed hours of operation;
- 2) Mitigation for traffic conditions, sidewalks, parking facilities, vehicle access, proposed roads, etc.;
- 3) Those to promote orderly growth of the community and the fiscal impact on the County;
- 4) Mitigation for excessive odors, dust, gas, smoke, fumes, vibration, glare, and noise;
- 5) Safeguards for the adequate provision of public services such as police, fire protection, sewage, water, trash and garbage collection and disposal;
- 6) Assurances for adequate project engineering design;
- 7) Protection measures for structures in the vicinity such as schools, houses of worship, theaters, hospitals, and similar places of public use;
- 8) Assurances for consistency with the County's Plans and Ordinances;
- 9) Environmental impact mitigation; and
- 10) Protection for cultural and historic resources.

ZONING ORDINANCE REVIEW

- ▶ **Section 4-2006.A establishes 35 feet height limit in RAC**
- ▶ **Section 5-2000.D.1 provides for exceptions under specific circumstances, to include water towers.**
 - **Exceed limit by 100 feet, any additional height requires a CUP**
- ▶ **165 feet tower height proposed, 30 feet above limit**

COMPREHENSIVE PLAN REVIEW

- ▶ **Future Recommended Land Use Designation for this property is Mixed Use (MU).**
- ▶ **Appropriate uses for the SE land use designation include detached and attached single family residences, multiplexes townhomes, apartment style residences, community amenities, and preserved natural features.**
- ▶ **Non-residential uses may include parks and trails, existing community facilities such as schools, churches, and libraries, and existing or planned office and commercial uses.**

AGENCY REVIEW

- Fire Rescue: No concerns.
- County Museum: DHR Resource #44IW0113, an archeological site largely affected by the nearby sandpit operations but noted as containing points and pottery fragments from the Woodland Period.
- Environmental Planner: Most of the soil is udorthants, loamy sand, where the original soil has been removed, buried, or replaced. Recommend soil report to be submitted.

STAFF ANALYSIS

Strengths:

1. The application is generally consistent with the Comprehensive Plan and can meet all ordinance requirements.
2. The proposed use will serve a critical public service need with construction of the Riverside Smithfield Hospital.

Weaknesses:

1. The proposed height of the water tower may have negative visual impacts to the adjacent St. Lukes Historic Overlay District and the historic resources identified within.

STAFF RECOMMENDATION

Staff recommends approval with the following conditions:

- 1) County Museum Staff conduct a preliminary shovel testing of the site to determine if there is a potential need for any further archeological studies.**
- 2) Submission of a soil report determining the suitability of the soils for this specific land use.**

Vice-Chairman Distefano opened the public hearing and invited the applicant to speak.

Uwe Weindel, Director of Utility Services, stated the applicant knew that water supply and fire protection would be needed for the hospital, so the property was given to the Public Utilities Department along with a 1.6 million dollar proffer. Mr. Weindel stated that they are developing the water storage tank for the future with a 750,000-gallon capacity to meet current domestic demand as well as the fire protection required for the hospital. The water storage tank needs to be 165 feet tall to provide enough pressure to properly function, and the proposed site was the best suited place on the property. Mr. Weindel stated this will be a major construction project and not anticipated to be complete prior to the hospital opening. Mr. Weindel added that temporary fire pumps will be needed in case of an emergency.

Commissioner Rawls asked how this tank compares to the tank on Brewers Neck.

Mr. Weindel stated the proposed tank will be taller and will have a two-zone system.

With there being no citizen comments on the application, Vice-Chairman Distefano closed the public hearing and called for discussion from the commissioners.

Vice-Chairman Distefano asked if the height for the tank is to provide enough pressure in the event there was a power outage, so the system could generate enough pressure to meet the need without an electric pump.

Mr. Weindel confirmed this was correct, and that a booster pump station will be needed in the future.

Vice-Chairman Distefano asked what maintenance would be required for the access road and tank.

Mr. Weindel stated that the access road is an existing road that was used by heavy equipment for the sand operations and there may be the need for stone to be added in the future for soft areas. He added that staff will visit the site once or twice a week along with the use of electronic data control systems to monitor what is going on with the tank.

Commissioner Carrol asked if this tank would affect the helicopter pad for the hospital.

Mr. Weindel stated they have been working with the hospital directly and have their approval of the location. He added that the tank will have a light on the top because it is over one hundred feet.

Commissioner Ford asked how long the temporary measures will be in place.

Mr. Weindel stated they are hopeful to be able to complete it in a year to a year and a half, but due to suppliers and materials, they are allowing for a five hundred day construction period.

Commissioner Boykin made the motion to recommend approval of the conditional use permit for the water tower with staff's recommendation of the museum staff conducting a shovel test and the submission of a soil report. Commissioner Ford seconded the motion. The motion was adopted with Commissioners Boykin, Distefano, Ford, Rawls, Smith, Johnson and Carroll voting in favor and no commissioners voting against.

The motion passed unanimously, and the item will go to the Board of Supervisors on May 15, 2025.

Vice-Chairman Distefano called for the next public hearing item:

Application REZN-24-11 of Charles S. Brown, Jr. Properties, LLC, and Main Development, LLC, property owners, and Allied Properties, LLC, applicant, to change the zoning district from Conditional Urban Residential and Conditional General Commercial to Conditional Planned Development-Mixed Use of approximately 43 acres with tax map numbers 34-01-050 and 50D located at 15020 Carrollton Blvd. for 147 attached single family homes and 1.5 acres of commercial development.

Amy Ring, Community Development Director, gave the following presentation.

REZN-24-11 Bridge Point Commons Conditional PD-MX Zoning Request



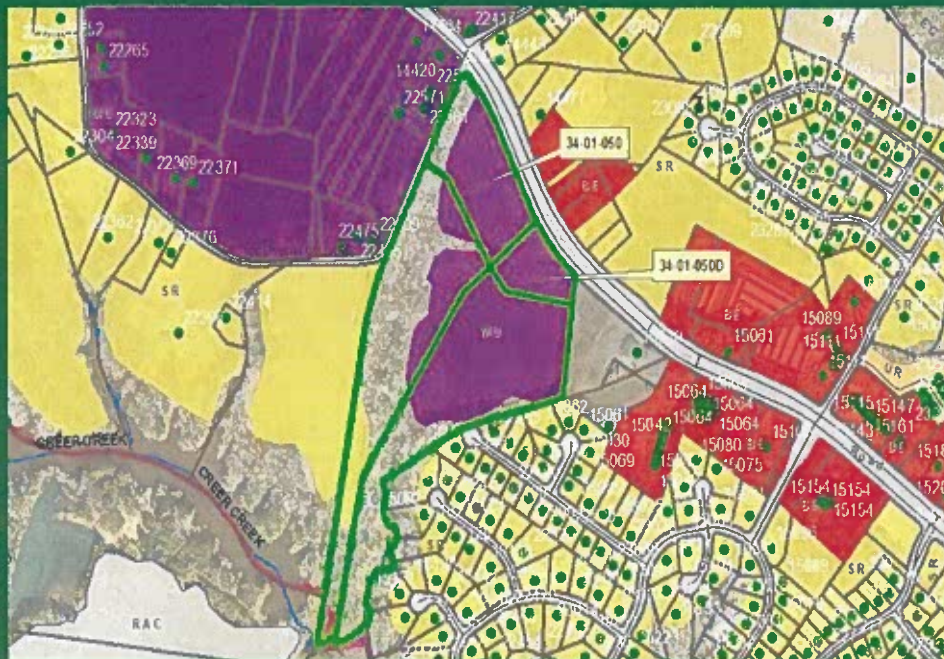
Planning Commission Regular Meeting
April 22, 2025

SITE DESCRIPTION

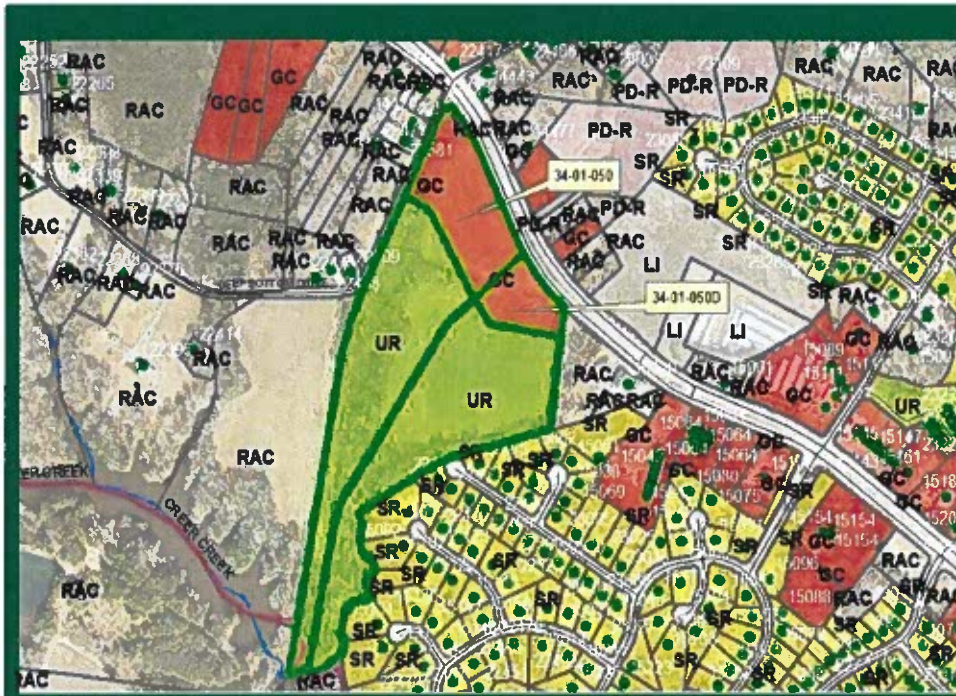
Tax Map ID#:	34-01-050 and 050D
Location :	Southwest corner of Intersection of Deep Bottom Drive (Rte. 662) and Carrollton Boulevard (Rte. 17)
Current Zoning :	Conditional – Urban Residential and Conditional – General Commercial
Election District:	District 4
Request:	To change the zoning district to Conditional Planned Development-Mixed Use (C-PD-MX) to allow for 147 townhomes and 1.5 acres of commercial space (up to 26,136 SF)



SITE
LOCATION



FUTURE
RECOMMENDED
LAND USE



ZONING DISTRICT
MAP



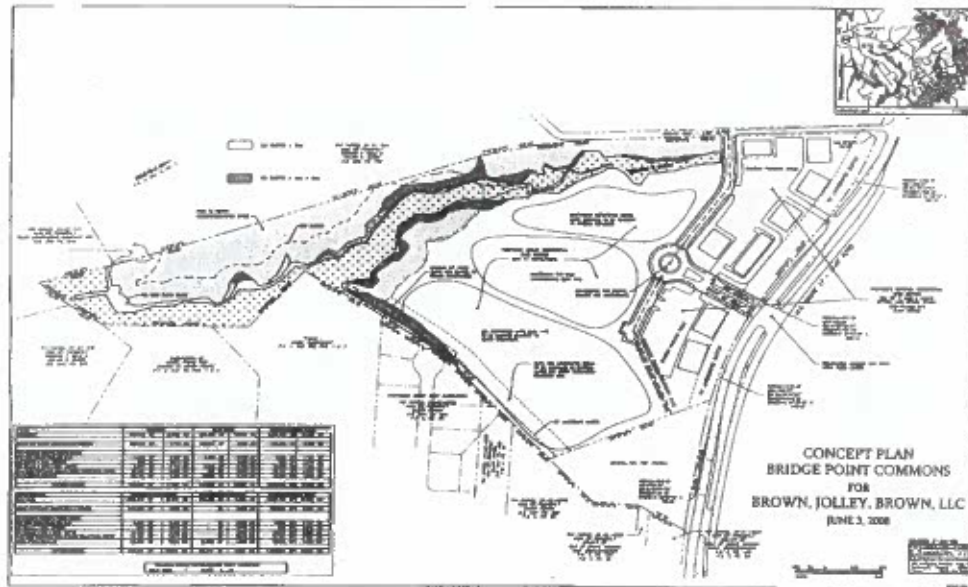


BACKGROUND

- Board of Supervisors approved a change in zoning for the project site for approximately 9.2 acres from RAC to C-GC and approximately 33.3 acres from RAC to C-UR on October 2, 2008
- Allows up to 350 multifamily units and 8.5 acres (75,000 SF) of commercial
- 120 units designated as workforce rental apartments
- 230 units would be owner-occupied condominium units
- Out of the 230 condominiums, up to 17%, or 39 units, could also be workforce units
- 116 of the 230 condominium units designated as age-restricted units

OTHER EXISTING PROFFERED CONDITIONS

- Maximum number of 2 adults and 2 children in each rental unit bedroom
- Prohibition against participation in the Housing Voucher program for forty years
- Cash proffer to the County of \$13,611.00 for each owner-occupied market rate condominium unit
- \$1,470.00 cash proffer for each age-restricted unit
- \$5,790.00 for each workforce unit
- List of prohibited commercial uses
- Cash proffer of \$632.00 per 1000 square feet of gross floor area of each commercial building
- Open space areas, architectural criteria, recreational amenities, and transportation improvements to accommodate the development to include:
 1. Northbound left turn lane extension on Route 17,
 2. A median break to be shared with the Archer's Meade project,
 3. An entrance on Deep Bottom Drive,
 4. Right-of-way dedication for a future connection to Britt Way, and
 5. If VDOT finds that a traffic light is needed within 20 years of the date of approval of the application or within five years of the completion of the Project, whichever comes first, the applicant shall provide, at applicant's cost and at the option and request of the County, a traffic light either at the intersection of Route 17 and Deep Bottom Drive or at the intersection of Route 17 and Bridgepoint Commons' main entrance.



2008
Concept
Plan

Bridge Point Conceptual Master Plan

Isle of Wight, Virginia
January 8, 2025

SITE DATA:

Parcel #	22 85 a.c.
34-01-050	19.78 a.c.
34-01-0500	47.64 a.c.
Total Site Area	21.39 a.c. (see rezoning exhibit)
Net Developable Area	
Current Zoning	UR 11-33.36 a.c. & OC 11-9.28 a.c.
Proposed Zoning	PD-40 Conditional for all 42.84 a.c.
Proposed Residential Development	
Front Setback	18.5'
Side Setback	0' for interior units, 8' for end units
Building Separation	15'
Rear Setback	20'
Minimum Required TO ADI Density	128 units required minimum
(8 units/c. for townhomes mixed UGA)	127 units proposed
Area Devoted to Residential Uses	~40% of site or 19.44 a.c.
Required Parking	2 spaces per dwelling unit
Proposed Commercial Development	
Front Setback	70' along Route 17
Corner Setback	15'
Side Setback	10'
Rear Setback	10' from RPA
Max. Floor Area Ratio	50% of net developable commercial area or 26,136 SF
Area Devoted to Commercial	~10% of site or 1.5 a.c.
Required Parking	In accordance with Sec. 10-10(c) of the Isle of Wight Zoning Ordinance
Total Area Devoted to Open Space	~50% of overall site or 21.70 a.c.
Visual Buffer	70' along Route 17

Note: The 100' Resource Protection Area (RPA) buffer will be included in common open space areas and not within



LPS LAND PLANNING & DESIGN
1000 W. 10TH ST. SUITE 200
NORFOLK, VA 23510-1000
(757) 644-1000

New
Concept
Plan

Bridge Point Open Space Plan

Isle of Wight, Virginia
January 8, 2025

Open Space Calculations:

Overall Site Area	42.84 a.c.
Open Space in Critical Areas	13.81 a.c. or 32.2%
Open Space outside Critical Areas	5.79 a.c. or 13.5%
Total Open Space Proposed	21.70 a.c. or 50.6%

LEGEND:

- Ultimate Open Space
- Park Areas
- Existing Wetlands
- New Ponds
- Trail



LPS LAND PLANNING & DESIGN
1000 W. 10TH ST. SUITE 200
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Open
Space
Plan



Home Models

POTENTIAL IMPACTS

- TIA shows approximately 2,137 daily trips with 243 and 162 trips occurring in the morning and afternoon peak times.
 - Represents reduction in daily trips from 4,801 with 314 during the morning peak hour and 510 during the evening peak hour anticipated from the original proposed development
 - 402 additional daily trips added to Britt Way and Ashby Way
 - Proffered road improvements meet needs of new development according to VDOT & County Transportation
- New project to generate total of 43 students with 13 for Carrollton Elementary, 11 for Westside, 6 for Smithfield Middle, and 13 for Smithfield High School.
 - Based on current program capacity and enrollment from September 2024, schools confirmed there is enough space to accommodate the students currently
 - Reduction from 59 students generated by the existing approved project - 21 elementary school students, fourteen middle school students, and another 24 high school students
- Fire EMS projected 55 additional calls for service with 47 additional EMS calls and eight additional fire service calls. Department states sufficient capacity to serve new project.
- Sheriff's Office has concerns with potential impacts to traffic safety but has sufficient capacity to meet increased demand.

POTENTIAL IMPACTS

- Additional residents will continue to decrease the existing level of service for regional and district parks and community center services and facilities without the addition of new services
 - Proposed development proposes to include five neighborhood pocket parks with amenities such as benches, gazebos, and playground equipment, a walking trail, permanently preserved common open space areas as well as an extension of the multipurpose trail along the Route 17
- Wetlands and RPA buffer at the west side of the site will remain undisturbed to the greatest extent possible and will be located in common open space areas.
 - Impacts to the RPA buffer will be limited to the stormwater BMP outfall pipe
 - Possible impacts to isolated nontidal wetland on northern end for stormwater management
- Previous Phase IA submitted in 2008 identified 32 acres of the site as having a high probability of archeological resources and recommended a full Phase I study. New proffers omit this condition
- FIA estimates total tax revenues over 20 years to be \$11,955,710 and costs for services and facilities to be \$3,211,127 resulting in a factor of revenue versus cost of 3.7
 - Anticipated revenues based on average home price of \$369,000 and the value for the commercial property to be \$1,250,000
 - Commissioner of the Revenue satisfied with the conclusions



CONSISTENCY WITH COUNTY PLANS & ORDINANCES

- Project site designated as Mixed Use (MU) and Environmental Conservation (EC) on the Future Recommended Land Use Map in the County's 2020 Comprehensive Plan
- MU integrates office, residential, commercial, and other uses in one master planned area
 - best located on major transportation routes and should also have access to public water and sewer infrastructure with capacity for more intense development
- MU areas should provide multimodal connections to the community and conserve environmentally sensitive areas
- EC areas should remain largely undeveloped and consist of wetlands, floodplains, forest and some areas of farmland
- Project generally consistent with future recommended land use designations
- Project generally consistent with PD-MX, CBPA, and NDSO zoning district ordinance requirements except for the entrance sign which is not permitted in the required 70 foot setback per Section 4-18005



STRENGTHS & WEAKNESSES

Strengths:

- Proposed project is generally consistent with the future recommended land use designation of Mixed Use and Environmental Conservation.
- Sufficient school, utility, public safety and emergency medical service capacity to serve the additional service demands generated by the project.
- Proffered conditions include road improvements to address traffic impacts generated by the development.
- Conceptual plan is generally consistent with Ordinance requirements.
- Environmentally sensitive areas located in permanently protected common open space areas maintained by the property owner's association.
- Project retains a small portion of nonresidential commercial development which will generate employment opportunities and additional tax revenues.



STRENGTHS & WEAKNESSES

Weaknesses:

- Britt Way and Ashby Way will see an increase in traffic along both residential roads.
- New proffers remove the previous commitment to obtain a Phase I study and follow any recommendations for further study.
- Proposed reduction in commercial space reduces nonresidential revenues, however, there are less traffic impacts as result.
- Although a sign is not permitted within the required 70 foot buffer adjacent to Route 17, one is shown in the Neighborhood Plan book and Master Concept Plan despite staff comments that this is not the appropriate process for this variance request.



RECOMMENDATION

Based on the strengths listed above, staff recommends approval of the project with the proffered conditions except for the entrance sign location.



Site Location



Existing Approved Zoning & Conceptual Plan



Zoned Urban Residential & General Commercial

Proposed Downzoning & Conceptual Plan

Ile of Wight, Virginia
January 8, 2025
Revised April 17, 2025

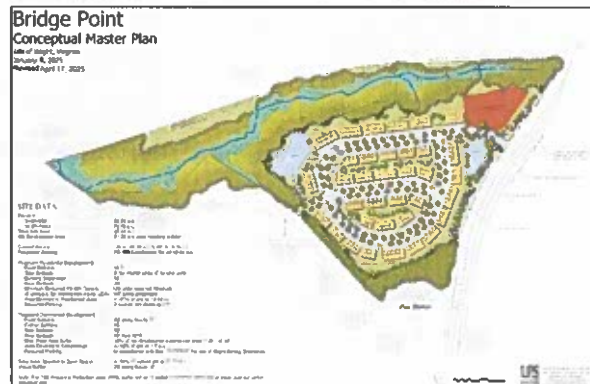
SITE DATA:

Parcel #	22 85 a c
34-01-050	19 70 a c
34-01-050D	21 30 a c
Total Site Area	21 30 a c (see rezoning exhibit)
Net Developable Area	
Current Zoning	URS -- 33 38 a c; 4 OC -- 9 26 a c
Proposed Zoning	PD-403 Conditional for all 42 64 a c
Proposed Residential Development	
Front Setback	16.5'
Side Setback	0' for interior units; 8' for end units
Building Separation	10'
Rear Setback	20'
Minimum Required PD-403 Density	128 units required minimum
(5) units c. for open-market units (UDs)	147 units proposed
Area Devoted to Residential Uses	+40% of site or 19 44 a c
Required Parking	2 spaces per dwelling unit
Proposed Commercial Development	
Front Setback	7W along Route 17
Corner Setback	15'
Side Setback	10'
Rear Setback	10' from RPA
Max. Floor Area Ratio	50% of net developable commercial area or 26 136 SF
Area Devoted to Commercial	+10% of site or 1.5 a c
Required Parking	in accordance with Sec. 10-10C of the Isle of Wight Zoning Ordinance
Total Area Devoted to Open Space	+50% of overall site or 11 70 a c
Visual Buffer	7W along Route 17

Note: The 100' Resource Protection Area (RPA) buffer will be included in common open space areas and not within individual lots.

Differences between the 2008 plan and 2025 plan:

- 203 **fewer** dwelling units
- Half the previous density
- All **for-sale** market rate townhomes
- 50,000 SF **less** of commercial space
- **80% less** daily vehicular trips estimated (4,795 fewer trips)
- **More** green space and protected environmental areas
- Since 2008, the Brewer's Neck & Route 17 intersection improvements were completed, improving flow of traffic on 17.



2005 Ashby Subdivision Plat



Vehicular Travel

- **Residential Use:**
 - Only 71 peak AM trips and 84 peak PM trips
- **Future Commercial Use:**
 - 20 employees estimated – 72 peak AM trips and 22 peak PM trips
- **Proffered Roadway Improvements:**
 - Optimized **signal timing** for Carrollton Blvd/Ashby Way signal
 - **Extend southbound left -turn lane** to provide 200' storage and 200' taper.

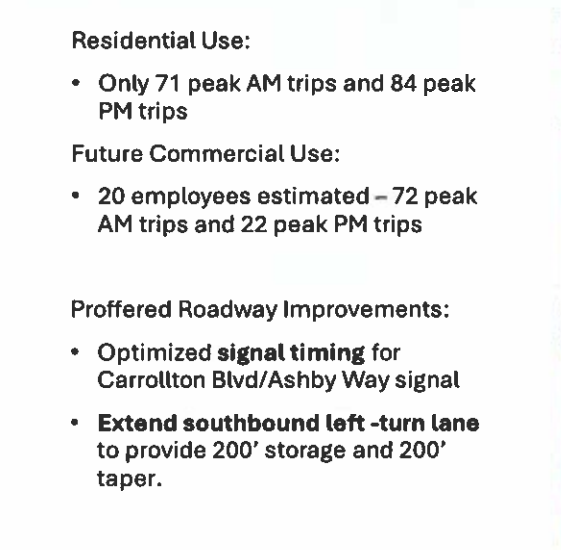
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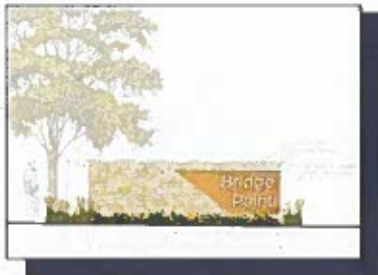
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Bridge Point Open Space Plan Isle of Wight, Virginia January 8, 2025



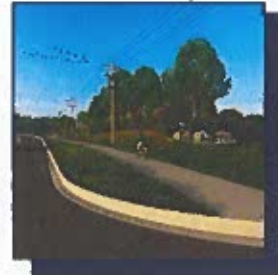
Entry Sign:



Existing Streetscape:



Frontage Improvements:



Building Design Concepts



William Riddick, legal representative representing the applicant, stated that the proposed connection to Britt Way was anticipated in 2006 as shown on the plat. Mr. Riddick stated having

a temporary cul-de-sac is a common planning tool for a future connection. Mr. Riddick also stated that it provides secondary emergency access should another entrance be blocked. Mr. Riddick added that this was a VDOT requirement, and they gave no other option.

Mr. Riddick stated that Virginia Law states that for a cash proffer to be accepted there must be an identified need in the CIP specifically pertaining to the proposed school proffer. Isle of Wight County Schools stated there is a drain on excess capacity, therefore a proffer is legally not allowed to be accepted.

Vice-Chairman Distefano invited the public to speak on this application.

Cassidy Fisher, 22485 Britt Way, asked the Planning Commission to consider the damage and safety concerns that extending Britt Way would cause. Ms. Fisher shared her concerns with the additional cars, pollution, distracted drivers, noise and the lack of sidewalks and stop signs on Britt Way. Ms. Fisher asked to find a solution that does not place undue burden on an established neighborhood.

John Mazur, 22480 Britt Way, asked for alternatives and asked why VDOT is not here to explain. Mr. Mazur shared his concerns with the plan to remove the stoplight and stated the plans contradict each other. Mr. Mazur added that he has concerns with the traffic analysis and stated it had fatal flaws. He also included his safety concerns with the proposal and asks that if this is approved, there should be traffic calming measures required. Mr. Mazur added that the connection on Britt Way stated for Emergency Only and was not approved for this type of connection.

John Springfield, 22491 Sundown Drive, stated he has lived in Ashby since 1994 and has been a wonderful place to raise a family. Mr. Springfield stated he supports smart growth and existing citizens. Mr. Springfield shared his concerns with the Britt Way connection and the traffic and safety concerns it will bring. Mr. Springfield stated he believes this will have a negative impact on property values. He added that he believes the timing on the traffic study occurring in 2020-2022 could have generated incorrect results due to Covid. Mr. Springfield stated the number of proposed U-turns would create safety issues on Route 17.

Charlotte Mathes, 15062 Krisy Court, shared her frustration about Isle of Wight and VDOT's back and forth with responsibility and wished VDOT was present to answer some questions. Ms. Mathes stated that she has concerns about the overcrowding at Westside. Ms. Mathes also shared her concern about the U-turns and young drivers making that U-turn with vehicles at excessive speed on Route 17. She added that continuing development takes away the Isle of Wight County charm and stated that the community does not support this.

Tyler Mueller, 15088 Yarmouth Court, stated he opposed the connection through Britt Way, and added that it is unclear why there cannot be a left turn into the site. Mr. Mueller stated he believes a connection at Deep Bottom should be considered as an alternative.

Kip Redick, 15095 Yarmouth Court, stated that the neighborhood is a safe environment for kids to grow up, and building this road will change this.

Angela Slaughter, 22473 Sundown Drive, shared her concerns with the U-turns on Route 17, and the unforeseen event that the James River Bridge has become a chosen alternate route and the safety issues this will cause.

Kevin Cargill, 15211 Ashby Way West, stated that Britt Way is a violation of the covenants and restrictions, because of a subdivision that was not allowed. Any further development of Britt Way would be a further violation of that covenants. Mr. Cargill stated that Ashby West has a provision in their covenants that allowed for the expansion of Ashby West within 15 years of the filing in 2008, meaning that it expired 2 years ago. Mr. Cargill added that the removal of the stoplight would prevent residents from exiting out of Ashby.

David Turpin, 15156 Yarmouth Court, stated that he appreciates the reduction of the units and supports the design. Mr. Turpin stated that just because you can do something by right or law doesn't mean you should do it. Mr. Turpin asked the Planning Commission for an alternative to the traffic coming through the Ashby neighborhood. Mr. Turpin added that the emergency vehicles would have to come through the Ashby due to the logistics with the right-in only turn.

Ralph Scichilone, 15250 Ashby Way West, stated he moved from Northern Virginia for less development. Mr. Scichilone said his main concern was with the need for a U-turn. He stated the large emergency vehicles making a U-turn will cause safety concerns especially with the number of red light runners.

Lemon Pierce, 22304 Deep Bottom Drive, stated his family has been on Deep Bottom Drive since the early 1900's, and there is an established community on Deep Bottom Drive as well. He added that Deep Bottom has no sidewalks, and children and elderly have to walk on the road. Mr. Pierce stated he wishes to be a good citizen and wants the safest alternative for this plan to be accomplished.

Angela Gibson, 22520 Britt Way, thanked the developer for the updated plan but shared her concern with the proposed Britt Way connection. Ms. Gibson stated that she was told that the cul-de-sac was there due to the wetlands. She added that she has a concern with the HOA managing the environmentally sensitive areas. Ms. Gibson shared that the Britt Way cut through is for emergency use only. Ms. Gibson read a letter from her son, that also resides at 22520 Britt Way, that echoed the concerns that were previously shared this evening with the connection to Britt Way and on-street parking concerns.

Pete Pruitt, 22510 Britt Way, stated he opposes the connection to Britt Way. Mr. Pruitt stated that the street is not built for two-way traffic. He added that the road is in current need of repair now. Mr. Pruitt stated that the houses on Deep Bottom Way are set back further from the road, allowing for improvements to be made.

Nancy Burton, 15136 Evening Court, stated that the new neighborhood would have 147 houses and would require two exits, but Ashby has 135 houses and has only one exit. There being no further citizen comment Vice-Chairman Distefano closed the public hearing and asked the applicant, if they had a response.

Christina Early, representing Allied Properties, 236 Bay Colony Drive, Virginia Beach, stated that the applicant did not want to access Britt Way and stated the two access points are a VDOT requirement. Ms. Early stated they are not allowed two access points on Route 17, because it is a

limited access highway and was not in 2008 with the original rezoning. She added that VDOT has future plans to make Deep Bottom a dead end, so this would not facilitate an access point.

Amy Bocchicchio, representing Land Planning Solutions, stated she is thankful for the input from the community members. She stated again that this is a downzoning, and if this application is denied, the previously approved plan can move forward with development without any input from current neighbors. Ms. Bocchicchio stated VDOT currently maintains the roads in Ashby and will also maintain the proposed new roads. She added that they are hopeful for a traffic plan that not only benefits the Ashby residents but also the entire Route 17 corridor. She stated they are open for a meeting with VDOT, if that will be beneficial. Ms. Bocchicchio stated that school reports show a decrease in attendance, and a proffer for schools is not required.

Commissioner Boykin asked if the 2008 site plan is the only one on file with the county.

Ms. Ring stated the approved proffer concept plan is the only one on file.

Commissioner Boykin stated that the one that was shared by the applicant from 2007 showed an entry from Britt Way.

Ms. Ring stated that she was not able to find the one shown tonight in the files, and stated she would need to go back through the meeting minutes to see if this one was presented at any time.

Vice-Chairman Distefano stated that the proffers address this connection as an emergency access.

Ms. Ring confirmed this to be correct and read the approved proffers related to adjacent road connections. Article 3 item B on page 5 states "The Applicant shall provide a right-of-way reservation sufficient for the County to construct a future connecting roadway from the private internal streets of the project to Britt Way in the adjacent residential subdivision (Ashby) to the south. Upon the County's request, the Applicant shall deed the right-of-way for the connecting roadway to the County at no charge. Should the County so request, the Applicant shall provide an easement to the County to construct an emergency vehicle access to the adjacent Carrollton Fire Station."

Commissioner Boykin stated that Article D states there shall be a buffer from the Carrollton Fire Station property line west to the Britt Way cul-de-sac which leads her to believe this was for an emergency access plan.

Ms. Ring stated that the buffer is referring to a landscape buffer, which could include an emergency access with a lockbox on it.

Commissioner Rawls asked if this development is only allowed a right in/right out onto Route 17, how would this affect Archers Meade with the crossover with a stop light.

Bobby Jones stated Archers Meade is abandoning their right to have a cross-over.

Ms. Ring stated Archers Meade would be right in/right out as well. This changed in 2022 when they proffered to close the median.

Vice-Chairman Distefano asked what the challenges would be to connect to Deep Bottom Way.

Ms. Ring stated that between 2008 and 2021 VDOT conducted the Route 17 Arterial Preservation Study, and the preferred scenario included a displaced left and a future closure of Deep Bottom Drive that was approved by VDOT. The study and recommendations were presented and accepted by the Board in 2022.

Commissioner Carroll asked how the Traffic Impact Analysis affects the already approved plan.

Ms. Ring stated the existing plan could be pursued by right with the submittal of a preliminary plat, construction plans and a final plat for review and approval.

Commissioner Johnson asked if the light at Ashby is still being considered for removal.

Ms. Ring stated the light removal was recommended to facilitate traffic flow on Route 17 in the Arterial Preservation Study. An alternative intersection design was recommended in its place. Ms. Ring added that this is not a consideration in this plan or the County's immediate future road improvement plans.

Commissioner Smith asked if they are allowed to put a light at the entrance.

Ms. Ring stated to be allowed to have a light they must meet the traffic signal warrant analysis. VDOT could consider whether one was needed at that time, but the light would go against the Route 17 Arterial Preservation Study Plan.

Commissioner Johnson stated that the traffic study looks to be incomplete and should consider the type of roads, how roads are used, on-street parking, sidewalks, children's activity and other hazards.

Commissioner Carroll stated that he has concerns with the schools' comments and would like more information from VDOT. His greatest concern is the clarity of the connection to Britt Way.

Commissioner Rawls stated he would like an update from schools.

Commissioner Smith stated he would like more information from VDOT.

Commissioner Boykin asked if this is not approved, what is the chance that Deep Bottom would be used.

Ms. Ring stated the proffered master plan shows connection to Deep Bottom, so it could be used.

Vice-Chairman Distefano stated he needs clarity on the proposed connection on Deep Bottom and Britt Way.

Commissioner Ford asked for specificity and clarity from VDOT and the schools and stated this application should be tabled until additional research is done.

Commissioner Ford made the motion to table this application until the questions to VDOT and the schools are answered. Commissioner Carroll seconded the motion. The motion was adopted.

with Commissioners Boykin, Distefano, Ford, Rawls, Smith, Johnson and Carroll voting in favor and no commissioners voting against.(7-0)

The motion passed and the application is tabled pending more information.

OLD BUSINESS

No old business items.

NEW BUSINESS

Vice-Chairman Distefano called for the following new business item:

Sign Exception Request for signs installed at GO Car Wash as shown on the Sign Design Schematic dated July 11, 2023, located at 14237 Lori Ann Way, Carrollton, on property with tax map number 34-01-070F in the Conditional-General Commercial Zoning District.

Sandy Robinson, project manager, gave the following presentation.

EXC-25-1 GO Car Wash Sign Exception Request



**Planning Commission Regular Meeting
April 22, 2025**

SITE DESCRIPTION

Tax Map ID#:	34-01-070F
Location :	14237 Lori Ann Way
Current Zoning :	Conditional General Commercial (C-GC)
Election District:	D2
Request:	Exception to allow installed signs as shown on sign design schematic

BACKGROUND

Applicant applied for sign zoning and building permits on August 20, 2024. The planner reviewed zoning and rejected application August 23, 2024, noting the following deficiencies:

- The monument sign did not show a setback to Lori Ann Way,
- The monument sign exceeded the maximum height requirement of six feet,
- The sign face background was not a neutral color and did not meet the construction material standards; and
- One wall sign is allowed per road frontage (on the east and south sides of the building) facing Lori Ann Way, and signs facing Route 17 were not allowed as the lot did not have road frontage along that road.

No further communication received from the applicant following the rejection.

BACKGROUND CONTINUED

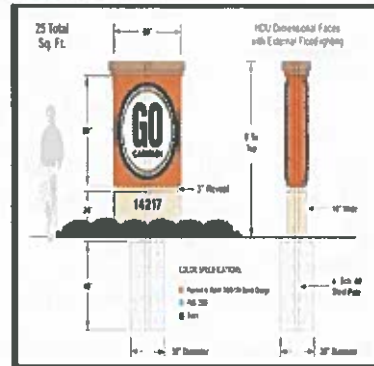
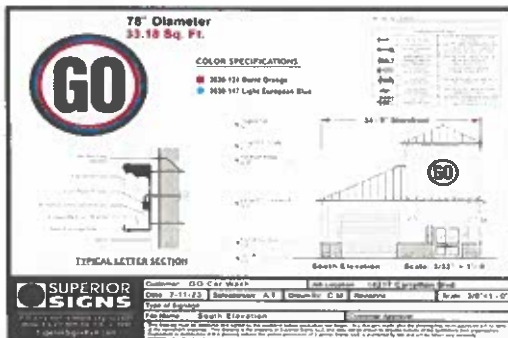
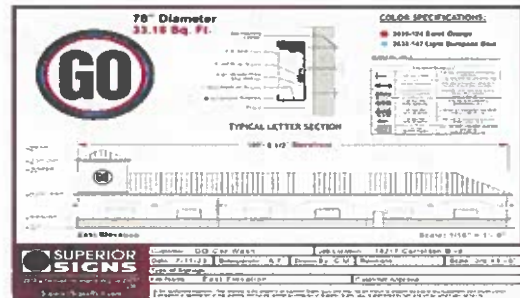
- Zoning and Building permits were issued on August 26, 2024, in error despite the planner's rejection.
- Staff noticed signs were installed March 2025 and upon investigation, it was discovered the zoning permit was issued.
- Applicant stated that he was not aware of the rejection and assumed that the permit was valid.
- Applicant advised that signs have to be removed or an exception would be necessary, since staff has no administrative authority to approve signs that do not meet the ordinance.

EXCEPTION DESCRIPTION

The sign contractor, Superior Signs, installed three wall signs and one monument sign. These signs do not meet all the requirements of Section 9-1106.B and 9-1006.C of the Zoning Ordinance. Exceptions for the installed signs are being requested as follows:

1. One 79.6 square foot channel letter wall sign and one 19.6 square foot logo wall sign on the west side of the building (totaling 99.2 square feet) facing the property with storm water pond adjacent to Route 17;
2. One monument sign that is 25 square feet and eight feet in height with a proposed setback of seven feet from Lori Ann Way.
3. Sign colors are mostly black and orange, aside from the business logo, which are not subtle, earth tone and neutral as required by the Ordinance. The sign itself does not match the colors, materials, and design submitted to the County; and
4. Sign is constructed out of aluminum and acrylic instead of masonry, wood, high density urethane (HDU), or composite panel made from natural and recycled materials which are designed to simulate wood as required by the Ordinance.

EXC-25-1 GO Car Wash Location Map



CRITERIA FOR GRANTING AN EXCEPTION

Section 9-1012 outlines the following criteria for granting a sign exception:

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

ANALYSIS

Staff analyzed the application documents and identified the following strength and weaknesses:

Strength:

Staff has discussed taking into consideration that the channel letters and logo on the west elevation of the structure does face Carrollton Blvd. even though the parcel does not front on Carrollton Blvd. The parcel that fronts on the street is occupied by a stormwater pond for the development.

Weaknesses:

- The monument sign exceeds the height requirement by two feet.
- The monument sign does not meet the minimum setback of fifteen feet from Lori Ann Way for a sign of 25 square feet.
- The free-standing sign does not meet the construction standard requirements in the Ordinance nor does it match what was submitted and ultimately approved by the County in error following the planner's rejection.
- The free-standing sign is not consistent with the design and character of other businesses in the vicinity nor with the Newport Development Service Overlay district.

RECOMMENDATION

Based on the weaknesses listed above, staff recommends denial of the exception request for the free-standing sign and approval of the exception request for the wall sign on the west side of the building.

Commissioner Boykin asked if this was submitted online using the new permitting system and asked how the rejection comments were missed.

Sandy Robinson stated Superior Signs did not receive rejection comments. She stated staff did not see the rejection comments, when they issued the permit. Ms. Robinson stated that as soon as the signs went up, she called the company to inform them of the mistake. She added that the free-standing sign shown in the packet that was submitted and approved by building inspections does not match what was installed.

Commissioner Carroll asked if the dimensions match.

Ms. Robinson stated to her knowledge the dimensions are the same. Ms. Robinson added that after further review of the signs, they all meet the ordinance guidelines except for the free-standing monument sign. She stated this situation is complicated, the sign plans that were submitted for review did not meet the ordinance and were rejected but ultimately received permits by mistake. They also do not match the signs that were installed. She added that the signs that were installed do not meet the ordinance either.

Commissioner Rawls asked if staff knows how this mistake was made, and if it is corrected so it does not happen again.

Commissioner Ford stated that mistakes happen, and we hope that it does not happen again.

Amy Ring stated that processes have been put in place so that she receives the first initial review to prevent it from going any further, if the plans do not meet the ordinance.

Ms. Robinson stated the sign that was submitted for review would be approvable, if it was further from the road, smaller sized, and if the background of the sign was neutral or white.

Ms. Ring stated this sign is particularly critical, because it is not only in the NDSO (Newport Development Service Overlay) district but it also has to meet the Crossings Development standards.

Commissioner Boykin asked if the rejection comments were sent electronically.

Ms. Robinson stated she does not send rejection comments.

Ms. Ring stated the rejection comments should be sent out by email.

Commissioner Rawls asked that when something is rejected, is there a signal for a permit to not be issued.

Ms. Ring stated there should have, but unfortunately, that was overlooked.

Commissioner Rawls asked if the sign company was the applicant for the sign.

Ms. Robinson confirmed that the sign company was the applicant for the sign.

Commissioner Johnson asked about the blue color in the Royal Farms sign.

Ms. Ring stated that the blue they used what in the Sherman Williams historic pallet.

Commissioner Boykin asked if the sign color is for this development only.

Ms. Ring stated anything in the NDSO would be required to meet this color requirement.

Commissioner Boykin asked if the applicant is willing to paint the black part a neutral color.

Jeff Lee, Superior Signs, stated it is never a good idea to build a sign without a permit. Mr. Lee stated that they can do things cosmetically to correct the sign, remove the sign, or cut it down. He added that it would be helpful if the industry knew what the color standards were.

Commissioner Smith stated he would suggest staff to work with the applicant to agree upon a cost-effective way to address the color pallet.

Vice-Chairman Distefano asked if there have been any complaints about this sign.

Ms. Ring confirmed there have been no complaints.

Commissioner Ford asked staff if there is a suggested remedy to correct the sign.

Ms. Ring said there is only so much you can do when the sign is too large, too close to the road wrong material and the wrong color. Ms. Ring reminded the Planning Commission that the proposed sign does not match what was constructed for the size and the material.

Mr. Lee questioned the material requirement stating his company does not use HDU in house.

Ms. Ring showed the plans that were submitted that noted HDU as the material proposed.

Mr. Lee stated that it was a mistake in his plans and should not have stated that.

Commissioner Boykin shared her concern with setting a precedent for approving this exception.

Mr. Lee stated that with an HDU sign, you cannot have a center pole, and the plans clearly state HDU as the material, the center pole is also shown. He stated there would not be a way to use the existing frame to switch out the sign to HDU.

Bobby Jones stated if the commission and the board request the material to be changed, he suggested for the height to be adjusted as well.

Commissioner Boykin stated that instead of a neutral color for the base and top of the sign for it to be painted to the colors of the building.

Vice-Chairman Distefano stated he did not find the sign offensive, but his concern is following the regulations as closely as possible.

Commissioner Boykin made the motion to approve the exception, if the black portion of the frame is painted the cream color to match the building, and the top of the sign to be painted with the green color to match the roof of the building. Commissioner Rawls seconded the motion. The motion was adopted with Commissioners Boykin, Distefano, Ford, Rawls, Smith, Johnson and Carroll voting in favor and no commissioners voting against.(7-0)

The motion passed unanimously, and the item will go to the Board of Supervisors on May 15, 2025.

COUNTY ATTORNEYS REPORT

Bobby Jones stated that with residential proffers the state code drives the proffer issue. He added that Virginia is a Dillion Rule state meaning we can only do what the state allows us to do. Mr. Jones added that the applicant is required to complete a Traffic Impact Analysis and Financial Impact Study at their expense and submit them to the County for review. The County then submits these reports to VDOT or EMS to validate the information provided.

Mr. Jones stated that there are two types of capacity issues with schools, including the physical facility and operational capacity. If the schools say they can make do with the existing facilities, cash proffers cannot be collected. He gave the scenario that if a school capacity report states they can accommodate 99 additional children, and a proposed development would generate 100 children, they could offer a cash proffer for only one child.

Mr. Jones stated that in 2019, school buses, furniture and other capital expenses that would go into building a new school were proposed to be added to the list of items that could be recovered by cash proffers but got denied. Mr. Jones stated that if an application is denied, and the developer alleges the application was denied because of not providing proffers, the court will require the application to be approved.

PLANNING DIRECTORS REPORT

Amy Ring stated she sent out an email earlier today in regard to the American Planning Association of Virginia Annual Conference and asked for the Commissioners to let her or Amanda know, if they would like to attend.

Ms. Ring also stated the Board of Supervisors approved the industrial and utility cabinet setback ordinance revisions at their last meeting. Ms. Ring added that the sign ordinance survey closes May 1st, and she will report back with the data collected along with any proposed sign revisions.

There being no further information to discuss, Vice-Chairman Distefano adjourned the meeting at 9:32 PM.

Adopted this 27 day of May, 2025



Bobby Bowser, Chairman, Isle of Wight County Planning Commission

Attest: 
Amanda Landrus, Secretary