

ACCOMACK COUNTY PLANNING COMMISSION MINUTES OF SEPTEMBER 23, 2014

At a meeting of the Accomack County Planning Commission held on the 23rd day of September 2014, in the Accomack County Administration Building School Board Conference Room, Room #201, Accomac, Virginia.

1. CALL TO ORDER

A. MEMBERS PRESENT AND ABSENT

Planning Commission Members Present:

Mr. David Lumgair, Chairman
Mr. Spiro Papadopoulos, Vice-Chairman
Mr. Bob Hickman
Mr. Alan Silverman
Mr. Steve Corazza
Mr. Pete Onley
Mr. Tony Picardi
Mrs. Angie Wingfield

Planning Commission Members Absent:

Mr. Leander Roberts

Others Present:

Mr. Rich Morrison, Director of Planning and Community Development
Ms. Kristen Tremblay, Assistant Planner
Mrs. Hollis Parks, Administrative Assistant

B. DETERMINATION OF A QUORUM

There being a quorum, Chairman Lumgair called the meeting to order at 7:00 p.m.

2. ADOPTION OF AGENDA

On a motion made by Mr. Picardi and seconded by Mr. Corazza, the Planning Commission voted to adopt the agenda.

3. OLD BUSINESS

A. Atlantic Town Center Development Corporation Conditional Rezoning

Mr. Morrison presented a PowerPoint presentation on the Atlantic Town Center Development Corporation conditional rezoning request. He informed the Planning Commission that since the last meeting on September 10, 2014, Mr. Baumgartner, attorney for the applicant, submitted a letter in response to some of the questions raised at the meeting.

Bob Hickman arrived for the meeting at 7:05 p.m.

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Based on the discussion held by the Planning Commission and the concerns raised at the September 10, 2014 public hearing, Chairman Lumgair requested that the Commission make a decision on whether to move forward with the staff's proposal advanced at the public hearing or to move forward with a denial of the applicant's request to rezone the property.

The Planning Commission began discussing a motion of denial for staff to prepare for the regular meeting scheduled for October 8, 2014. In the Planning Report for the Atlantic Town Center Development Corporation Conditional Rezoning dated September 18, 2014, staff developed points for the Planning Commission to discuss and to possibly include in a motion to the Board of Supervisors (pages 2 and 3 of report).

On a motion made by Mr. Papadopoulos and seconded by Mr. Picardi, the Planning Commission voted to modify the last bullet on page 3 of the report to state the following: "Based on lack of meeting expectations of commencing action and NASA's final input of September 17, 2014, the Planning Commission does not believe that a compelling or reasonable case has been advanced by the application to warrant rezoning the entire property from Agricultural to Residential at this time."

The Planning Commission further agreed to make the motion made by Mr. Papadopoulos the 'primary' motion. Discussion on the remaining points that were developed by staff (secondary motion) began and the points were either removed or prioritized. The complete motion, including prioritized list, will be presented at the October 8, 2014 meeting.

B. Town Center Utility Facility Conditional Use Permit Amendment

The Planning Commission discussed how to move forward with the Town Center Utility Facility Conditional Use Permit Amendment and voiced its support for moving the plant but not for the capacity increase.

Staff will prepare a motion to approve the relocation of the plant and to deny the capacity increase request for the Planning Commission to review and present it at the October 8, 2014 meeting.

The Planning Commission discussed that if a letter is received by the applicant limiting the request to the relocation of the plant, it could agree to recommending approval of just the relocation of the plant (without tying it to anything else) to the Board of Supervisors.

C. Planned Unit Development District Regulations

Mr. Morrison briefly recapped the Planning Commission that the Planned Unit Development District Regulations matter went to the Board of Supervisors in August requesting that it begin the process to consider eliminating the Planned Unit Development District from the Zoning Ordinance. Mr. Morrison further informed the Planning Commission that at the August Board of Supervisors meeting, the Board raised a number of questions concerning the Planning Commission's reasons for considering eliminating the existing PUD regulations from the Ordinance.

The Planning Commission discussed in detail the reasons why it feels that the Planned Unit Development District should be eliminated. Some of the reasons that the Planning Commission feels that the District should be eliminated are as follows:

1. The State required the County to create a Planned Unit Development District due to the County's projected population increase of 10% per year and the population increase did not happen.
2. The Planned Unit Development Ordinance was not adequately reviewed or understood properly at the time of original adoption.
3. The Village Development District was modified to allow for mixed-use developments by way of a Conditional Use Permit, Planned Unit Developments (40 acres or less), and can be done in stages and create the same situation that can be created with the Planned Unit Development District. No capabilities would be taken away by removing the Planned Unit Development District Regulations; the Village Development District is smaller-scale and is more suitable, appropriately-sized, and consistent with Accomack County.
4. The existing Planned Unit Development District Regulations are superfluous (because of reasons stated above), cumbersome, time-consuming, and costly to Accomack County.

The Planning Commission requested that staff prepare some details as to why the Village Development District works the same way as the Planned Unit Development District and present it at the October 8, 2014 meeting.

4. OTHER MATTERS

A. Incorporated Towns

Prior to adjourning the meeting, Mr. Silverman raised the matter of un-incorporating incorporated towns, as he has previously risen before.

The Planning Commission discussed the pros and cons and if the matter is a land-use issue or not. Discussion on census data ensued and staff and the Planning Commission

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agreed that a work session would be held at a future date to be determined to discuss the data.

5. **NEXT MEETING**

The next regular Planning Commission meeting is scheduled for Wednesday, October 8, 2014 at 7:00 p.m. in the Accomack County Board Chambers, Room 104, in Accomac.

6. **ADJOURNMENT**

On a motion made by Mr. Papadopoulos and seconded by Mr. Picardi, the Planning Commission voted to adjourn the meeting.

Chairman Lumgair adjourned the meeting at 8:40 p.m.

David Lumgair, Jr., Chairman

Hollis Parks, Administrative Assistant