

ACCOMACK COUNTY PLANNING COMMISSION MINUTES OF MARCH 11, 2015

At a meeting of the Accomack County Planning Commission held on the 11th day of March 2015, in the Accomack County Administration Building Board Chambers, Room #104, in 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. Leander Roberts
Mr. Bob Hickman
Mr. Lynn Gayle
Mr. Steve Corazza
Mr. Pete Onley
Mr. Roy Custis
Mrs. Angie Wingfield

Planning Commission Members Absent:

None

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

Mr. Papadopoulos requested to amend the agenda to receive an update from staff on the Joint Land Use Study (JLUS) if time permitted.

On a motion made by Mr. Papadopoulos, the Planning Commission voted to adopt the agenda as amended.

3. PUBLIC COMMENT PERIOD (Not a public hearing)

Chairman Lumgair read the rules governing public comment period and then opened the floor for the public to speak.

The following persons signed up or requested to speak in opposition of the Susan Linton Conditional Rezoning (Mappsville Dollar General) application:

- Tommy Hines, Accomac

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- Bruce Matthews, Gargatha (Owner of Matthews Market in Mappsville)
- Jean Taylor, Mappsville (Route 13/Davis Drive)
- Frank Russell, Parksley
- James Boyd, Mappsville (Davis Drive)
- Alan Hamilton, Townsend (Northampton County)
- Charles Etheridge, Gargatha

The following persons requested to speak on behalf of the Susan Linton Conditional Rezoning (Mappsville Dollar General) application and in response to the comments made in opposition to the application:

- Shay Davis, Representative of Applicant
- Derrick Goddard, Representative of Applicant

Chairman Lumgair closed the public comment period.

The Susan Linton Conditional Rezoning (Mappsville Dollar General) agenda item will be discussed following the public hearing.

4. 7:30 P.M. PUBLIC HEARING

A. Riverside Shore Memorial Hospital Conditional Use Permit Amendment

Ms. Tremblay presented a brief PowerPoint presentation on the Riverside Shore Memorial Hospital Conditional Use Permit Amendment. She informed the Planning Commission that the Hospital is requesting an amendment to reduce the number of floors from three to two, split the medical office building into two buildings, and to reduce the number of parking spaces.

Chairman Lumgair opened the public hearing to afford interested persons the opportunity to be heard or to present written comments regarding the Riverside Shore Memorial Hospital Conditional Use Permit Amendment. No one signed up or requested to speak.

Chairman Lumgair closed the public hearing.

Mr. Gayle moved, seconded by Mr. Papadopoulos, to recommend approval of the Riverside Shore Memorial Hospital Conditional Use Permit Amendment to the Board of Supervisors with the following motion:

The Planning Commission recommends approval of the request made by Shore Health Services, Inc. d/b/a Riverside Shore Memorial Hospital on tax map #'s 93-A-94 & 93-A-96 to amend the previously-approved Conditional Use Permit issued on October 17, 2012 for development as depicted on Site and Utility Plan Amendment C02A stamp dated on January 20, 2015. The Planning Commission

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also recommends that the most recently submitted site plan entitled Site and Utility Plan Amendment C02A stamp dated January 20, 2015 and CUP Amendment Exhibit EX1 and Rendered Landscape Plan 1 replace sheets C01-C06 dated July 3, 2012 and last revised on October 5, 2012 and a rendered landscape plan last revised on September 5, 2012. All conditions of the original approval remain in effect.

The following reasons are offered to support its recommendation:

1. The requested amendment is for minor site plan changes.
2. The Virginia Department of Transportation has recommended approval and finds that no portions of the previously approved plan that affect Virginia Department of Transportation rights of way are affected by the proposed changes.

5. MINUTES

A. February 11, 2015

Mrs. Parks, Administrative Assistant, pointed out that the meeting date in the header and in the introduction of the document provided in the packet was incorrect and that it has been corrected since the packet was delivered to the Planning Commission.

Mr. Hickman also noted that on page 7 of the minutes under "Next Meeting," the month for the next regular meeting was incorrect; it should be March, not February.

On a motion made by Mr. Roberts and seconded by Mr. Corazza, the Planning Commission voted to approve the minutes of February 11, 2015 with the corrections to the dates made.

B. February 24, 2015

Mr. Roberts moved, seconded by Mr. Onley, to approve the minutes of the February 24, 2015 work session. The motion passed with Mr. Custis abstaining.

6. OLD BUSINESS

A. Susan Linton Conditional Rezoning (Mappsville Dollar General)

Mr. Morrison briefly spoke to the Planning Commission regarding the Susan Linton Conditional Rezoning (Mappsville Dollar General) application. He stated that staff has prepared two motions for the Planning Commission to consider and make a recommendation to the Board of Supervisors if it is ready to do so.

Chairman Lumgair announced that the Planning Commission received a letter from the Economic Development Authority (EDA) supporting business growth on Route 13 and supporting the efforts by Dollar General to construct a new store in Mappsville.

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The Planning Commission began its deliberation of the request, some comments made in favor of the request and some against it. Some of the things noted and/or emphasized were the traffic and traffic safety, the affects to the existing Matthews Market store, the Comprehensive Plan (public input), zoning, and the need for a deceleration lane.

The applicant committed to putting in a deceleration lane on Route 13 if VDOT would allow for it.

Mr. Hickman moved, seconded by Mr. Roberts, to recommend approval of the Susan Linton Conditional Rezoning (Mappsville Dollar General) application using the approval motion recommended by staff, striking ‘finding of fact’ number 7 from the list. The motion to approve (with number 7 removed) is as follows:

After careful consideration, the Planning Commission recommends approval of the requested conditional rezoning to the Board of Supervisors as depicted in the site plan package entitled “Conditional Rezoning” developed by Blue Ridge Environmental Consultants, P.A. (which consists of sheet ZC100 dated March 2, 2015) for tax map numbers 55A-A-72, 55A-A-72A, and 55A-A-73 from R (Residential) to GB (General Business) with proffers in general accord to those outlined in a document prepared by Blue Ridge Environmental Consultants, submitted March 4, 2015.

Additionally, the Planning Commission would like the Board of Supervisors to be aware that particular concerns about the proposal have been raised including traffic safety and the potentially negative economic impacts that a Dollar General may have on the existing Matthews Market in Mappsville.

The Planning Commission offers the following findings of fact and rationale to support its decision:

- 1. Currently, there is a commercial presence in the vicinity of the site including a grocery store, restaurant, hair salon, retail shop and auto repair shop. A new retail business is not out of character with the existing conditions.**
- 2. The existing ‘on the ground’ conditions along Route 13 in Mappsville represent a departure from the Agriculture designation of the Future Land Use Plan. The Planning Commission intends on revisiting the Mappsville Future Land Use designation in the near future.**

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3. **The Comprehensive Plan stresses access management along Route 13. When the application was originally presented to the Planning Commission, the Commission determined that the proposal did not satisfy Comprehensive Plan objectives. The applicant responded to the Planning Commission's concern by utilizing the side street for access and limiting the Route 13 curb-cut to a right-in and right-out. Both techniques are recognized access management techniques. The proposed exceeds current VDOT access management requirements.**
4. **The Comprehensive Plan suggests that conditions proffered by the applicant be sufficient to mitigate some of the impacts caused by the development to a reasonable degree. The Planning Commission finds that the proffers of conditions provides additional protection and adequately mitigate several impacts that have been identified by the public.**
5. **The Comprehensive Plan generally suggests that development should occur in existing towns and villages, not in the more rural parts of the County. Although Mappsville is not specifically identified by the Comprehensive Plan as an area where growth is to be encouraged, it has similar characteristics to those areas that the plan does identify (i.e. Route 13, lower speeds such as 45 miles per hour, mixed commercial and residential land uses, etc.). The Planning Commission finds that a retail store of this size with proffered conditions is in-keeping with the Comprehensive Plan guidance to direct growth in towns and villages.**
6. **That Route 13/Lankford Highway is a proper place for commercial growth in Accomack County.**

Mr. Papadopoulos stated reasons why he wouldn't support the motion.

Chairman Lumgair called for the question on the motion made by Mr. Hickman and seconded by Mr. Roberts.

The motion carried with a 6-3 vote:

Ayes: Roberts, Hickman, Lumgair, Corazza, Onley, Wingfield

Nays: Papadopoulos, Gayle, Custis

B. Planning Commission 2015 Projected Workload Items and JLUS Update

Chairman Lumgair opened the floor for discussion on the projected workload items list for 2015.

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After discussion of the list and an update from Mr. Morrison on the Joint Land Use Study, the Planning Commission decided on the following for the Projected Workload Items List:

- Add Route 13 Discussion to the list
- Remove the Comprehensive Plan Re-Opener from June – August
- Remove the Joint Land Use Study Review from April

On a motion made by Mr. Papadopoulos and seconded by Mr. Hickman, the Planning Commission voted to approve the revised 2015 Workload Items List and to send it to the Board of Supervisors with a cover letter from the Commission.

7. **NEW BUSINESS**

There was no new business to conduct.

8. **OTHER MATTERS**

A. Subdivision Agent Report

Chairman Lumgair noted that there was a Subdivision Agent Report from January 16 – February 15, 2015 attached in the packet for informational purposes.

9. **NEXT MEETING**

There is a Planning Commission work session scheduled for Tuesday, March 24, 2015 at 7:00 p.m. in the School Board Conference Room, Room, 201, in Accomac.

The next regular Planning Commission meeting is scheduled for Wednesday, April 8, 2015 at 7:00 p.m. in the Accomack County Board Chambers, Room 104, in Accomac.

10. **ADJOURNMENT**

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

The meeting was adjourned at 8:40 p.m.

David Lumgair, Jr., Chairman

Hollis Parks, Administrative Assistant