

ACCOMACK COUNTY PLANNING COMMISSION MINUTES OF DECEMBER 12, 2012

Virginia: At a meeting of the Accomack County Planning Commission held on the 12th day of December 2012, in the Accomack County Administration Building Board Chambers, Room #104, in Accomac.

1. CALL TO ORDER

A. MEMBERS PRESENT AND ABSENT

Planning Commission Members Present:

Mr. Phil Hickman, Chairman
Mr. George Parker, Vice-Chairman
Mr. Leander Roberts, Jr.
Mr. Spiro Papadopoulos
Mr. Bob Hickman
Mr. Alan Silverman
Mr. Pete Onley
Mr. David Lumgair, Jr.

Planning Commission Members Absent:

Mr. Tony Picardi

Others Present:

Mr. Rich Morrison, Director of Planning and Community Development
Mr. Rob Testerman, Land Use Planner
Ms. Hollis Fate, Administrative Assistant

B. DETERMINATION OF A QUORUM

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

2. ADOPTION OF AGENDA

On a motion made by Mr. Lumgair and seconded by Mr. Parker, the Planning Commission voted unanimously to adopt the agenda with the following modification: Conduct the Capital Improvement Plan (CIP) and Proposed Park Site Comprehensive Plan Conformance Review agenda items prior to Old Business.

3. PUBLIC COMMENT PERIOD (Not a public hearing)

Chairman Hickman opened the floor for public comment period and the following person(s) signed up to speak:

▪ **Bedford Rogers**

Mr. Rogers, on behalf of the Concerned Citizens for Improvements, Inc., signed up to speak to the Planning Commission about the Comprehensive Plan update. Mr. Rogers

ACCOMACK COUNTY PLANNING COMMISSION MINUTES OF DECEMBER 12, 2012

requested that the Planning Commission consider including the plans for a convention center/hotel complex development in the Painter area into the Comprehensive Plan update and also requested the Planning Commission to consider writing a moral letter of support for the development.

The Planning Commission requested that staff email the Concerned Citizens for Improvements, Inc. business plans to the Planning Commission members and place Mr. Rogers on the January 9, 2013 agenda.

Chairman Hickman closed the public comment period.

4. MINUTES

A. **November 14, 2012**

It was brought to staff's attention that Mr. Papadopoulos' name was spelled incorrectly under Call to Order.

On a motion made by Mr. Parker and seconded by Mr. Bob Hickman, the Planning Commission voted unanimously to approve the minutes of the November 14, 2012 regular meeting, with the above noted change made.

B. **November 27, 2012**

It was brought to staff's attention that the month in the title was incorrect.

On a motion made by Mr. Bob Hickman and seconded by Mr. Papadopoulos, the Planning Commission voted unanimously to approve the minutes of the November 27, 2012 work session, with the above noted change made.

5. NEW BUSINESS (Part I)

A. **Capital Improvement Plan (CIP)**

The Director of Finance, Mike Mason, presented a document identifying all of the new proposed projects to be included in the CIP to the Planning Commission for review and discussion. Mr. Mason informed the Planning Commission that he would present the full CIP document at the next Planning Commission meeting, which is scheduled for January 9, 2013.

6. 7:30 PUBLIC HEARING

A. **Wal-Mart Conditional Use Permit Amendment**

Mr. Testerman informed the Planning Commission that the applicant is seeking approval to place a "Subway" sign on the north side of the Wal-Mart Supercenter building to advertise for the Subway restaurant located within. However, due to the

ACCOMACK COUNTY PLANNING COMMISSION MINUTES OF DECEMBER 12, 2012

language in the original Conditions of Approval for Wal-Mart Supercenter, an amendment to the Conditional Use Permit is needed. The applicant was also required to obtain zoning approval from the Town of Onley, which has been completed, because the proposed sign location is within the town's limits.

The Planning Commission questioned whose responsibility it is to remove the sign and restore the building to its original state if the Subway restaurant goes out of business or vacates the premises.

Mr. Testerman assured that Planning Commission that the condition could state that it is Wal-Mart's responsibility.

On a motion made by Mr. Roberts and seconded by Mr. Bob Hickman, the Planning Commission voted unanimously to recommend approval for the amendment to Wal-Mart Supercenter's Conditional Use Permit that would allow the placement of a 19-square foot "Subway" sign on the front of the building to the Board of Supervisors with the condition that Wal-Mart is responsible for removing the Subway sign and restoring the building to its original condition should the Subway restaurant go out of business or vacate the premises.

7. NEW BUSINESS (Part II)

A. **Proposed Park Site Comprehensive Plan Conformance Review**

Mr. Testerman gave a brief presentation regarding the conformance review.

Mr. Morrison also spoke to and informed the Planning Commission that this conformance review was for the Wallops Park property exchange as part of the deed restriction removal. The proposed replacement park is the former J. Franklin Jones Lumber Company located on Joynes Neck Road, in Accomac.

The Planning Commission was informed that the 5-acre area of land in close proximity to the large, steel building has been identified for the property exchange and is intended for recreational use.

The Planning Commission asked questions about future development of the southern portion of the site and Mr. Morrison informed the Planning Commission that future development has not been determined but it is anticipated that the southern portion of the property will be used for County offices (and related) use.

Mr. Phil Hickman moved, seconded by Mr. Silverman that the northern portion of the proposed replacement park site, intended for recreational use, is in

conformance with the Comprehensive Plan and that the southern portion of the property is appropriate for County office (and related) use.

Vote (6-2):

Ayes: Roberts, Bob Hickman, Silverman, Phil Hickman, Onley, Lumgair

Nays: Papadopoulos, Parker

Absent: Picardi

B. Draft 2013 Planning Commission Meeting Schedule

It was discussed and decided that work sessions would not be held during the months of July and August.

On a motion made by Mr. Parker and seconded by Mr. Papadopoulos, the Planning Commission voted unanimously to approve the 2013 Planning Commission Meeting Schedule with work sessions in July and August being removed.

8. OLD BUSINESS

A. Comprehensive Plan Update

Mr. Morrison presented the very brief draft Chapter 6: Future Land Use introduction text that staff prepared to the Planning Commission. Mr. Morrison informed the Planning Commission that staff ran out of time to prepare a detailed draft but will do so in the near future and send it to the Commission for review and feedback.

In addition to the draft text, Mr. Testerman updated the Comprehensive Plan Update memorandum addressed to the Board of Supervisors and presented it to the Planning Commission for review.

The Planning Commission discussed the memorandum, requested that the bulleted items contain more detail, and made minor edits to the language.

9. OTHER MATTERS

A. Northern Accomack Market Study Update

Mr. Morrison informed the Planning Commission that the Northern Accomack Market Study should be complete in about a week and once received, will be emailed to the Planning Commission.

B. Joint Land Use Study Project (JLUS) Manager Update

Mr. Morrison informed the Planning Commission that the Joint Land Use Study Project Manager position has been advertised and applications are being accepted until Friday, December 21, 2012.

ACCOMACK COUNTY PLANNING COMMISSION MINUTES OF DECEMBER 12, 2012

C. Town Center Planned Unit Development (PUD) Update

Mr. Morrison informed the Planning Commission that both staff and the hired consultant have reviewed the application for completeness and both have found items to be missing or incomplete. Staff has informed the applicant of this matter and has told the applicant what is needed to complete the application.

10. NEXT MEETING

The next regular Planning Commission meeting is scheduled for Wednesday, January 9, 2013 at 7:00 p.m. in the Accomack County Board Chambers, Room 104, in Accomac.

11. ADJOURNMENT

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

Chairman Hickman adjourned the meeting at 8:55 p.m.

E. Phillip Hickman, Chairman

Hollis Fate, Administrative Assistant