

The Poquoson Planning Commission met in a work session on Monday, November 2, 2015 at 7:00 p.m. in the Council Chambers located at 500 City Hall Avenue.

**PRESENT:** Commissioner Bonnie W. Shriver, Chairwoman  
Commissioner William J. Travis, Vice Chairman  
Commissioner Gregory N. Gardy, Member  
Commissioner Richard D. Clifton, Member  
Commissioner Shawn M. Avery, Member  
Commissioner James K. Titlow, Member  
Commissioner Gustavus A. Goddin, Member

Deborah L. Vest, Director of Community Development  
Kevin M. Wyne, Planner  
Victoria H. Diggs, Clerk

Chairwoman Shriver called the work session to order at approximately 7:00 p.m.

**Possible Zoning Ordinance Amendment for commercial structures and/or uses in the B-2 (Business) and GC (General Commercial) Districts**

Deborah L. Vest, Director of Community Development, thanked the Commissioners for their attendance so that a potential Zoning Ordinance amendment could be more thoroughly discussed prior to the public hearing scheduled for December 7, 2015. She reminded the Commission that City Council had asked them to consider an ordinance requiring the Conditional Use Permit process for large scale commercial buildings and/or uses. She pointed out that a threshold of 15,000 square feet for a commercial structure had been suggested by the public as the trigger to initiate this legislative process to include a requirement for specific impact studies to be provided by the developer. Ms. Vest stated that Council's intent was to implement this amendment in the GC (General Commercial) and B-2 (Business) Districts which is primarily found along the Wythe Creek Road and Victory Boulevard corridors. However, she noted that such an amendment would likely impact existing businesses along these two roadways as well as new developments. Again, she pointed out that the purpose of the amendment would be to ensure Council's review and approval of large developments that included submission of appropriate impact studies.

Ms. Vest explained the following studies that may or may not be required in the draft amendment:

- Financial Impact Study - This is already included in the PUD District since large scale residential developments can significantly increase the need for community services, i.e. police, fire, etc.

- Traffic Impact Assessment (TIA) – This requirement is already included in the Zoning Ordinance if deemed necessary by the Community Development Director; however, the Commission may recommend that this requirement become mandatory for all developments.
- Stormwater Study – Federal and State mandates must be fulfilled and adhered to relative to stormwater and this is accomplished at the administrative review and approval process.
- Aesthetics – The gateways to the City should be aesthetically pleasing and the City’s Architectural Review Board (ARB) is responsible to ensure that this occurs.

Mr. Kevin Wyne, Planner, pointed out that in some cases a larger commercial building may be less impactful than a smaller sized building, e.g. a larger professional building versus a fast food restaurant with a drive-thru window. He provided the threshold sizes that trigger the legislative, public hearing process in several other Virginia localities.

Ms. Vest announced that City staff, on behalf of the Planning Commission, had received an email from the owners of the Wythe Creek Road and Poquoson Shopping Centers expressing opposition to a Zoning Ordinance amendment that would require an additional approval or a Conditional Use Permit for developments in excess of a specified size.

During the Commission’s discussion, the following questions/comments were made:

- No more development should occur on Victory Boulevard until it has been improved.
- The use, rather than the size, is the most important feature to regulate.
- A TIA should be performed for all new developments, especially those generating 50+ vehicular trips per day.
- The primary traffic problem on Victory Boulevard is the number of York County residents that utilize this roadway. However, if Poquoson places a moratorium on new businesses, they will still be developed along this corridor in York County for which they City will receive no tax revenues but will experience increased traffic.
- Neither the size nor use of a business should be the determining factor for a CUP but rather the degree of impact which should be accompanied by required mitigation.
- The amendment should not include the few R&D properties along Victory Boulevard as they would generate little traffic or impacts on City services.
- The amendment needs to regulate the large size and intense use businesses and include regulations that will foster and bring good businesses to the City.
- Need to be careful that Poquoson doesn’t develop an unfriendly business atmosphere and reputation.
- To require a TIA for all businesses will give an unfair advantage to the larger businesses since these studies are expensive and the smaller businesses will be unable to afford them.

In response to the Commission's queries, City staff explained that the TIA for the Legacy, although a public document, was not included in the agenda packets for the Commission or Council due to size and the technical nature of the document. Additionally, information pertaining to the TIA was made available to both bodies in a condensed form as a part of the Legacy's staff report. Ms. Vest also pointed out that the Legacy site plan should be submitted for review by late winter or early spring 2016; however, completion of the entire development could take as long as 8-9 years to occur. Mr. Wyne assured the Commission that the City is working closely with York County in pursuing and expediting the needed Victory Boulevard improvements.

At the conclusion of the Commission's discussion, consensus was that City staff should develop a Zoning Ordinance amendment based upon a use's impact to include a specific threshold on traffic, financial impact and need for City services generated by the use that will require associated studies, possible mitigation measures and/or proffers on both residential and commercial developments.

In response to the Commission's recommendations, staff stated that they would draft an amendment for their review and consideration in a public hearing at their December 7, 2015 meeting.

There being no further discussion, the meeting was adjourned at approximately 8:35 p.m.

ADOPTED: \_\_\_\_\_

ATTESTE: \_\_\_\_\_

Victoria H. Diggs, Clerk