

**VIRGINIA:** The Poquoson Planning Commission met in a regular meeting on Monday, December 7, 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 James K. Titlow, Member  
Commissioner Gustavus A. Goddin, Member

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

**ABSENT:** Commissioner Shawn M. Avery, Member

### **REGULAR SESSION**

The regular session of the Planning Commission was called to order by Chairwoman Shriver.

### **INVOCATION AND PLEDGE OF ALLEGIANCE**

Chairwoman Shriver led the audience in the invocation and the Pledge of Allegiance.

### **APPROVAL OF THE MINUTES**

Commissioner Goddin moved, seconded by Commissioner Gardy, that the minutes of the October 19, 2015 regular session be approved as submitted. Recorded vote on the motion:

YES: Commissioners Travis, Gardy, Clifton, Titlow, Goddin and Chairwoman Shriver.

NO: None.

Commissioner Goddin moved, seconded by Vice Chairman Travis, that the minutes of the November 2, 2015 work session be approved as submitted. Recorded vote on the motion:

YES: Commissioners Travis, Gardy, Clifton, Titlow, Goddin and Chairwoman Shriver.

NO: None.

Vice Chairman Travis moved, seconded by Commissioner Goddin, that the minutes of the November 16, 2015 work session be approved as submitted. Recorded vote on the motion:

YES: Commissioners Goddin, Titlow, Clifton, Gardy, Travis and Chairwoman Shriver.

NO: None.

Commissioner Clifton moved, seconded by Commissioner Goddin, that the amendment to the May 18, 2015 regular session be approved as submitted. Recorded vote on the motion:

YES: Commissioners Goddin, Titlow, Clifton, and Chairwoman Shriver.

NO: Commissioner Gardy and Vice Chairman Travis.

### **AUDIENCE FOR VISITORS**

No one in the audience spoke.

### **PUBLIC HEARING**

- 1. AN ORDINANCE AMENDING ARTICLE XI.I. GENERAL COMMERCIAL DISTRICT, SECTION 11.1-2, PERMITTED USES, BY REQUIRING APPROVAL OF A CONIDITIONAL USE PERMIT BY CITY COUNCIL FOR HIGH TRAFFIC GENERATING USES TO INCLUDE CERTAIN RETAIL, SERVICE, RESTAURANT, GOVERNMENTAL, MEDICAL, RECREATIONAL AND LODGING USES.**

This application was advertised for a public hearing in the Daily Press on November 22, 2015 and November 29, 2015.

Ms. Deborah Vest, Community Development Director, provided a brief history of the proposed ordinance which had been remanded to the Planning Commission by City Council at its November 9, 2015 meeting. She stated that the proposed amendment to the General Commercial District had been written by City staff at Council's direction in response to citizens' expressed concerns regarding preservation of Victory Boulevard's character. In drafting the language, she explained that uses, allowed by-right in the B-2 District that generate high traffic counts and were perceived by City Council to potentially diminish the integrity of the existing road, were included in the proposed amendment contingent upon submission of a traffic study and an approved Conditional Use Permit. Ms. Vest explained that although the Commission had suggested, at its November 16,

2015 work session, adding a provision that would require all uses that generate a certain amount of vehicular trips per hour be added to the list requiring a Conditional Use Permit, this was not included in the ordinance under consideration. She reminded the Commission of the suggested additional language submitted by Vice Chairman Travis that would require an approved Conditional Use Permit for uses generating 50+ vehicular trips per hour. In conclusion she stated that if the Commission wishes to include language that would address intense traffic generating uses, that they may do so by recommending approval of the remanded draft with an amendment to incorporate this provision.

Chairwoman Shriver opened the public hearing.

Mr. Mark Andrews, 7 Martha Court; Mr. Alan Moody, 207A Browns Neck Road; and Ms. Terry Gooding, 77 Bunting Lane, offered the following comments in support of the proposed ordinance amendment:

- That it supports the City's Comprehensive Plan goals/objectives;
- That it ensures that the list of uses included in the amendment will be considered in a public hearing process before the Planning Commission and City Council;
- That the CRES development brought to light the problem with the existing ordinance which this amendment should properly address; and
- That this amendment will maintain the City's small town atmosphere and minimize negative traffic impacts.

As there were no further speakers, Chairwoman Shriver closed the public hearing,

Victoria H. Diggs, Clerk read aloud an e-mail sent earlier that day to the Commissioners from Brad Brown, representing the Poquoson Shopping Center, LLC, asking the Commission to table action on the draft ordinance until further professional analysis of its economic impact could be completed.

During their discussion, the Commissioners suggested that the number of vehicular trips included in Vice Chairman Travis' suggested amendment to the ordinance be increased from 50 to 75 per hour. The amendment, as suggested by Vice Chairman Travis and modified as noted above, read as follows:

All uses permitted in the B-2 district, subject to the conditions imposed in the B-2 district, with the exception of the uses listed below or any other use projected to result in 75 or more vehicle trips per hour, which are permitted with a Conditional Use Permit issued by City Council. Prior to the review and consideration of a Conditional Use Permit application, the uses identified below or any other use projected to result in 75 or more vehicle trips per hour require the submittal of a traffic impact study prepared by an individual or firm qualified to conduct traffic engineering studies in a

manner and form acceptable to the zoning administrator. Such study shall address projected traffic generation, internal and external traffic, turning movements and distribution at each access point, capacity of surrounding roads, and road access improvements.

Commissioner Goddin moved, seconded by Commissioner Gardy, to recommend approval to City Council of the proposed General Commercial ordinance amendment inclusive of Vice Chairman Travis' suggested amendment to include 75 vehicular trips per hour. Recorded vote on the motion:

YES: Commissioners Travis, Gardy, Clifton, Titlow, Goddin and Chairwoman Shriver.

NO: None.

### **COMMUNICATIONS AND CORRESPONDENCE**

#### 1. Rebroadcast of Planning Commission Meetings.

Due to citizens' requests, Ms. Vest stated that Planning Commission meetings will henceforth be rebroadcast on the same schedule as that of City Council meetings, i.e. the following Wednesday morning at 10:00 a.m. and the following Thursday evening at 6:30 p.m. However, she pointed out that the rebroadcast of Commission meetings in January and February, due to conflicts with holidays, would be rebroadcast the following week on the days and times as previously noted.

#### 2. Government Email Addresses for Commissioners

Chairwoman Shriver informed the Commission that if they want a government email address to utilize for Commission business that it can be arranged by contacting the Clerk, Victoria Diggs. However, Commissioners were assured that if they choose not to do so all emails received on their behalf would be forwarded to their personal email accounts through City staff.

The City staff and the Commissioners wished everyone a Merry Christmas and Happy New Year.

Kevin M. Wyne, Planner, gave a brief overview of his attendance at the Hampton Roads Transportation Planning Organization's Transportation Technical Advisory Committee's Long Range Transportation Plan Subcommittee. He stated that the projected available revenue for highway projects for the 2040 Long Range Transportation Plan was cut \$1.2 billion which could impact the Victory Boulevard widening project. Mr. Wyne promised to keep the Commissioners advised of any further updates.

Victoria H. Diggs, Clerk reminded the Commission that their next regular meeting falls on a holiday so, in accordance with their Bylaws, the next meeting will be held on January 21<sup>st</sup>.

**ADJOURNMENT**

There being no further business, the meeting was adjourned at approximately 7:44 p.m.

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Bonnie W. Shriver, Chairwoman

Victoria H. Diggs, Clerk