



**CITY OF COLONIAL HEIGHTS, VIRGINIA  
MEETING OF THE PLANNING COMMISSION  
MINUTES OF THE REGULAR MEETING OF THE  
PLANNING COMMISSION  
Tuesday, January 2, 2018  
7:00 p.m.**

**I. Call to Order: 7:00 p.m.**

Mr. Townes called the meeting to order at 7:00 p.m.

**II. Roll Call**

Present:

Mr. Green  
Mrs. Hamilton  
Mr. Hartson  
Mrs. Schiff  
Mr. Townes  
Mr. Kohan  
Mr. Kollman

Absent: None

Also Present:

Ms. Hall  
Mr. Cypher  
Mr. Smith  
Mr. Fisher

**III. Determination of Quorum**

A quorum was determined.

**IV. Approval of Agenda**

Mr. Hartson made a motion to approve the agenda as presented, **Mr. Green seconded the motion with all Commissioners in favor.**

**V. Annual Organization Meeting**

- **Election of Chairman and Vice-Chairman**

Mrs. Schiff nominated Mr. Townes as chairman, Mr. Green seconded the motion. Mr. Townes was elected with all Commissioners in favor.

Mr. Townes opened nominations for the Vice-Chairman. Mrs. Schiff nominated Mr. Hartson, seconded by Mr. Green. Mr. Hartson was elected with all Commissioners in favor.

- **Appointment of Secretary**

Mr. Townes appointed Kelly Hall as Secretary.

- **Adoption of Rules**

A motion was made by Mrs. Schiff and seconded by Mr. Green to adopt the rules as presented with all Commissioners in favor.

- **2017 Annual Report**

A motion was made by Mr. Green to acknowledge receipt of the annual report, Mr. Kohan seconded with all Commissioners in favor.

- **Adoption of 2018 Planning Commission Meeting Schedule**

Mr. Hartson noted that the Commission was scheduled to meet on election day and asked to move the scheduled meeting for November to the following day; Wednesday, November 7, 2018. Mr. Green moved to amend the meeting schedule, Mr. Kollman seconded the motion with all Commissioners in favor.

**VI. Approval of Minutes for September 5, 2017 meeting**

Mr. Green moved for approval of the minutes as presented, Mrs. Schiff seconded the motion. All Commissioners were in favor with no additions or deletions.

**VII. Hearing of Citizens Generally**

None

**VIII. Public Hearings**

**A. Planning Commission Resolution 18-1 – recommends Ordinance No. 17-30 to grant a special use permit to Harbor Freight to allow a 277.5 square foot building sign, which is 127.5 square feet larger than the City Code permits; and to allow the sign to be mounted above the roofline on the front elevation of the building located at 820 Southpark Boulevard, also known by parcel identification number 68055900011.**

Ms. Hall stated that there are two recommendations based on separate requests. First, the proposed sign above the roof line is not permitted within any zoning district. The construction of a parapet would accommodate the applicant's request. Staff did not recommend the Special Use Permit, as adjacent commercial spaces comply with the current zoning ordinance and the attached tenant space would also be forced to pursue a special use permit in order to compete. Staff did not see the need to increase the size of the signage.

Mr. Townes asked Commissioners if there were any questions.

Ms. Hall stated the applicant decided to pursue a special use permit because Harbor Freight's branding scheme to do oversized signage to help attract customers is status quo.

Mr. Hartson noticed that the proposed sign was smaller than the previous HHGregg sign.

Ms. Hall stated that the previous tenant occupied the entire building. The building was subdivided into two spaces, dividing the allowable building signage.

Mrs. Schiff moved to deny Resolution 18-1, Mr. Hartson seconded the motion.

Mr. Townes asked for any further discussion and for any further public comment.

Mr. Green asked Staff if the Commission rejected this proposal, that the tenant will no longer move into tenant space.

Ms. Hall stated that the tenant will have the appropriate signage on the side of the building, which has plenty of visibility.

**Vote: 7-0**

**Yes:**

Mr. Green  
Mrs. Hamilton  
Mr. Hartson  
Mr. Kohan  
Mr. Kollman  
Mrs. Schiff  
Mr. Townes

**No:** None

**Abstained:** None

**Motion: UNANIMOUS PASS**

- B. Planning Commission Resolution 18-2 – recommends Ordinance No. 17-31 to grant a special use permit to Lewis and Christy Archileti to allow agricultural use and accessory structures without a primary structure on parcel identification number 67051500002, also known as Lot 2, Pearson, containing 88 ± acres and being zoned planned unit development.**

Ms. Hall stated that the land was not part of the original master plan for Dunlop Farms Planned Unit Development, but was zoned accordingly. The applicant, due to the size of the parcel, is pursuing to change the land use to agricultural, and secondarily, to have accessory structures without the existence of a primary structure.

Mrs. Christy Archileti approached the Commission. She stated that this is a multi-phase project and will work with the City on future goals for their property.

Mr. Townes asked if the Resolution was to grant permission to have livestock.

Ms. Hall stated that the Zoning Ordinance does not supersede the City Code in regards to animals at this location. If approved, the applicant will have to appeal to Council to ask for the number of animals.

Mr. Fisher stated that under Resolution 18-2, a Special Use Permit only provides relief given as within the Zoning ordinance.

Mr. Hartson asked if wetlands exist on the site and whether this would require an environmental impact statement.

Ms. Hall stated at a minimum, this request requires a minor water quality impact assessment. The site is protected by the Chesapeake Bay Preservation Area; it is entirely in the Resource Management Area (RMA), and a large percentage within the Resource Protection Area (RPA). The staff report does not discuss the number of animals. The Department of Environmental Quality is very active when dealing with development of agricultural use types, and any applicant is required to have an approved nutrient management plan reviewed by the Department of Conservation and Recreation. This is a strictly managed plan typically handled by the State to best meet the needs of the environment. She included Code from adjacent localities to include City of Petersburg's agricultural zoning classification, which does not dictate the number of animals permitted and Prince George County agricultural land zoning, classified A-1, uses animal units per acreage. She lists multiple other examples.

Mr. Green commented that his impression of the report and recommendation, there was a diagram of a future primary building.

Mrs. Archileti confirmed.

Mrs. Hamilton stated that the report states no emergency crews would be able to access that area and asked for clarification that the roadway that leads to 3 acre section would remain that way.

Mrs. Archileti confirmed that she is seeking other measures, such as a dry hydrant and sprinkler systems in buildings. They understand that emergency services cannot reach this area.

Mr. Fisher confirmed that it is his understanding that it is impossible to widen the road because of the wetlands in the area.

Mrs. Archileti stated that she will approach the Army Corps of Engineers in regards to this issue. The applicant is glad that the Commission was willing to hear the case and asked the City to not expect everything to be constructed tomorrow.

Mr. Kohan asked whether outbuildings will have fire insurance.

Mrs. Archileti stated that they have insurance on the land currently.

Ms. Hall continued that this is not an uncommon issue in rural areas, as some parcels cannot receive City services.

Mr. Townes asked for any further discussion and for any further public comment.

Ms. Hall stated that regardless of receiving a special use permit, the applicant has a by-right use to build a primary structure.

Mrs. Schiff moved to deny Resolution 18-2, Mr. Hartson seconded the motion.

**Vote: 5-2**

**Yes:**

Mrs. Hamilton  
Mr. Hartson  
Mr. Kohan  
Mrs. Schiff  
Mr. Townes

**No:**

Mr. Green  
Mr. Kollman

**Abstained: None**

**Motion: PASS**

- C. Planning Commission Resolution 18-3 – recommends approval of Ordinance No. 17-32 to amend the Comprehensive Plan by changing the land use classification on the Land Use and Transportation Plan Map from Residential – Single Family to Transitional Office and to recommend the approval of Ordinance No. 17-33, which rezones from RL – Low Density Residential District to RO – Residential Office District an approximate 0.32 acre parcel known as Lot 6, Block O, Mt. Pleasant Acres, consisting of parcel identification number 6815130006.**

Mr. Fisher stated that this Resolution requires two separate public hearings.

Mr. Spencer approached the Commission. He stated that the area is transitioning to commercial uses, including a bank, gas station, church, and library as adjacent uses. He would like to add a professional office building in the area.

Mr. Kohan asked the applicant how many units is proposed.

Mr. Spencer explained that there would be four units: three in the front of the building and one in the rear.

Mr. Kohan asked about a parking layout plan.

Mr. Spencer stated that there would be 10 parking spaces.

Mr. Green asked if there are any proposed tenants.

Mr. Spencer stated that he did not.

Mr. Hartson stated that he views this proposal as an encroachment and does not consider a church and a library to be the same kind of activity.

Mr. Spencer stated that adjacent buildings also include Home Depot and a utilities building.

Mr. Green stated his initial concern is that this property is between residential properties. He would be more willing to entertain it if the large tract of property on the other side of Conduit Road, was developed and not still attracting homeowners.

Mr. Townes asked for further comments.

Carol Fee, resident of 3005 Conduit Road, is aware the road was widened and traffic has increased. She considers herself in the Mt. Pleasant subdivision and owns the adjacent property in the rear as well. The traffic entering the proposed property must have a turn around. She is concerned that traffic diverted from Temple Avenue roundabout onto Conduit Road includes large volume of buses and vehicles. She cannot imagine additional volume for this business pulling out onto a major street.

Betty Leffler, resident of 3001 Conduit Road, also is concerned of problems with increased traffic and the accidents that have occurred on this block. There are many spaces available for lease in the City that are zoned for commercial uses.

Wayne Browder, resident of 1317 Oakwood Drive, stated that the definition of general office is very broad and asked the Commission to consider what other business office uses could include and its extent. The adjacent credit union and the Sheetz building is zoned differently than the proposed rezoning. He asked the Commission if this was considered spot zoning.

Mr. Townes asked for any further questions.

Mrs. Schiff understands the applicant's position, but feels the need to protect adjacent property owners.

Mrs. Schiff moved to deny Resolution 18-3, Mr. Green seconded the motion.

**Vote:** 7-0

**Yes:**

Mr. Green  
Mrs. Hamilton  
Mr. Hartson  
Mr. Kohan  
Mr. Kollman  
Mrs. Schiff  
Mr. Townes

**No:** None

**Abstained:** None

**Motion: UNANIMOUS PASS**

Mr. Townes asked for discussion and for any further public comment on the second portion of the resolution.

Mr. Green moved to deny Resolution 18-3, Mrs. Schiff seconded the motion.

**Vote:** 7-0

**Yes:**

Mr. Green  
Mrs. Hamilton  
Mr. Hartson  
Mr. Kohan  
Mr. Kollman  
Mrs. Schiff  
Mr. Townes

**No:** None

**Abstained:** None

**Motion: UNANIMOUS PASS**

**IX. Plans of Development - Site Plan /Subdivision**

**A. Preliminary Plan of Development/Site Plan – PD 18-1 Sedona Taphouse Proposed Lot 4 Dominion Southpark**

Mr. Josh Ingram, representing Townes PC, approached the Commission.

Mr. Hartson questioned the determined required parking.

Mr. Ingram was informed of the correct calculation of proposed parking stalls and has contacted the owner to revise the positioning of the building. The parking stalls will conform to the zoning ordinance, which will be a similar layout to what is presented.

Mr. Kohan asked if the new orientation will fit on the property.

Mr. Ingram stated that the overall footprint will not change in size.

Mr. Townes asked whether there would be an impact difference by changing the orientation.

Joe Boisseau approached the Commission. He does not foresee an impact difference in location of fire access. There are no current fire hydrants located on the site plan, so that is based on the location of the water line.

Ms. Hall asked if a change in the configuration of the building would change access of the private road.

Mr. Ingram stated that the road has been recorded as a private ingress/egress easement. It should not change the location of that access road. From an aesthetic standpoint, the parking configuration will have a similar pattern.

Mr. Green asked about parking north of the building.

Mr. Ingram stated that is parking for the neighboring building.

Mr. Kohan asked the direction of the front entrance.

Mr. Ingram stated that the building will face west.

Mr. Green moved to approve PD 18-1, Mrs. Schiff seconded the motion.

**Vote: 6-0**

**Yes:**

Mr. Green  
Mrs. Hamilton  
Mr. Hartson  
Mr. Kohan  
Mr. Kollman  
Mrs. Schiff

**No:** None

**Abstained:** Mr. Townes

**Motion: PASS**

**B. Preliminary Plan of Development/Site Plan – PD 18-2 Duck’s Locksmith  
Lot 8 – Snead Avenue**

Mr. Hartson did not have concerns for this development as it is similar use to neighboring parcels.

Ms. Hall stated that this property is in the Boulevard Design Overlay district within the Government Center section. The requirements were reported to the Commission.

Mr. Green stated that it will help the appearance of Snead Avenue.

Mr. Green moved to approve PD 18-2, Mr. Hartson seconded the motion.

**Vote: 6-0**

**Yes:**

Mr. Green  
Mrs. Hamilton  
Mr. Hartson  
Mr. Kohan  
Mr. Kollman  
Mrs. Schiff



**No:** None

**Abstained:** Mr. Townes

**Motion: PASS**

**X. Old Business**

None

**XI. New Business/Reports**

**Reports**

**1. Chairman – Mr. Townes**

None

**2. Acting Director of Planning and Community Development – Ms. Hall**

None

**3. City Engineer or Designee – Mr. Cypher**

Mr. Hartson provided comments in writing to VDOT, that he believes the roundabout is improperly marked. Mr. Green further commented that the signage directs traffic to a future lane that prior to development of the old Courthouse site.

Mrs. Hamilton asked about the real estate tax abatement.

Mr. Smith stated that after a presentation to Council about updating the appearances of residential structures, the City Assessor evaluates the increase of square footage of a building to accommodate an increase in value, which may not coincide with an improvement of appearance.

Mr. Townes stated that the program was initially presented to the Commission was a viable program.

Mr. Green suggested a joint meeting between City Council and Planning Commission. He suggested that the Council will appreciate the credibility of the Commission.

**4. Others, as necessary or appropriate**

**a. City Manager – Mr. Smith**

Mr. Smith reported that the Council discussion of alcohol on city property supported a methodology of a Staff committee to review applications that come before the City. The discussions would include the available locations and set of guidelines that staff would use to evaluate the applications. The guidelines would include police security, liability insurance, and scale of events.

Mr. Townes asked about timeframe.

Mr. Fisher stated the ordinance is to be reviewed in February.

Mr. Kohan asked about the timeframe of hiring a Director of Planning and Community

Development.

Mr. Smith stated that his office has done initial reviews, but do not have set of finalists as of yet.

**b. City Attorney – Mr. Fisher**

Mr. Fisher gave an update of the property acquisition of Dupuy Avenue modernization project as complete with the exception of two properties. Lakeview Avenue modernization is a newer project, and the City has reached voluntary agreements with all but one property owner.

**XII. Adjournment**

Mr. Kohan moved to adjourn the meeting with all Commissioners in favor. The meeting was adjourned at 8:17 p.m.



Kelly Hall  
Secretary



Charles E. Townes  
Chairman