

VIRGINIA: The Poquoson Planning Commission met in a regular meeting on Monday, May 19, 2014 at 7:00 p.m. in the Council Chambers located at 500 City Hall Avenue.

PRESENT: Commissioner Bonnie W. Shriver, Chairwoman
 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
 Karen Holloway, Environmental Compliance Officer
 Victoria H. Diggs, Clerk

ABSENT: Commissioner William J. Travis, Vice Chairman
 Commissioner Gregory N. Grady, Member
 Commissioner Richard D. Clifton, 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 Avery, that the minutes of the March 17, 2014 regular session be approved as submitted. Recorded vote on the motion:

YES: Commissioners Avery, Titlow, Goddin and Chairman Shriver.

NO: None.

Commissioner Goddin moved, seconded by Commissioner Avery, that the minutes of the March 17, 2014 work session be approved as submitted. Recorded vote on the motion:

YES: Commissioners Goddin, Titlow, Avery and Chairman Shriver.

NO: None.

AUDIENCE FOR VISITORS

No one in the audience spoke.

PUBLIC HEARINGS

1. ORDINANCES AMENDING ARTICLE 1, GENERAL PROVISIONS, SECTION 1-3. DEFINITIONS OF THE CITY'S ZONING ORDINANCE AND ARTICLE 2. DEFINITIONS OF THE SUBDIVISION ORDINANCE BY ADDING AND AMENDING DEFINITIONS AS APPLICABLE PERTAINING TO LOTS, YARDS AND STREETS.

The proposed amendment to the Zoning and Subdivision Ordinances was advertised for a public hearing in the Daily Press on May 1, 2014 and May 8, 2014 in addition to the City website.

Chairwoman Shriver stated that the presentation and public hearing would encompass both proposed amendments, but the vote would occur separately for each ordinance amendment. Karen Holloway, Environmental Compliance Officer, made a brief presentation on the proposed amendments providing the following information:

- The amendments were created after the definition of *corner lot* was challenged and were introduced to the Commission at the March 17, 2014 meeting.
- It was determined that the needed clarification would require amendments to definitions of *corner lot*, *front yard*, *rear yard* and *side yard* in the Zoning Ordinance.
- A definition for *property line* is also being proposed for inclusion in the Zoning Ordinance.
- The definition for a *corner lot* proposed for the Subdivision Ordinance reflects that which is being proposed for the Zoning Ordinance.

Ms. Holloway presented the following proposed definitions to the Zoning Ordinance:

- Corner Lot – A lot or parcel of land abutting on two or more streets or on two parts of the same street.
- Property Line – A line of record bounding a lot that divides one lot from another lot or from a public or private street or any other public space.
- Front yard – A yard extending across the full width of the lot and lying between the street line or lines adjacent to the lot and the nearest line of the principal building.
- Rear yard – A yard extending across the full width of the lot and lying between the rear property line of the lot and the nearest line of the principal building except that a corner lot shall have no rear yard.
- Side yard – A yard between a property line and the nearest line of the principal building and extending from the front yard to the rear yard except that on a corner lot all yards not adjacent to a street shall be side yards.

She reiterated that staff is also proposing that the *corner lot* definition in the Subdivision Ordinance be amended to mirror that which is proposed for the Zoning Ordinance.

Chairwoman Shriver opened the public hearing; however, there being no speakers the public hearing was closed.

After a brief discussion, Commissioner Avery moved, seconded by Commissioner Goddin, to recommend approval to City Council of the proposed amendment to the Zoning Ordinance. Recorded vote on the motion:

YES: Commissioners Avery, Titlow, Goddin and Chairwoman Shriver

NO: None.

Commissioner Goddin moved, seconded by Commissioner Avery, to recommend approval to City Council of the proposed amendment to the Subdivision Ordinance. Recorded vote on the motion:

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

NO: None.

2. ORDINANCE AMENDMENTS TO THE FOLLOWING ARTICLES IN THE CITY'S ZONING ORDINANCE PERTAINING TO REQUIRED BUFFER AREAS IN EACH OF THE SPECIFIED ZONING DISTRICTS:

- **ARTICLE VIII.4. PLANNED UNIT DEVELOPMENT – MIXED USE OVERLAY DISTRICT;**
- **ARTICLE XI. VILLAGE COMMERCIAL;**
- **ARTICLE XI.I. GENERAL COMMERCIAL DISTRICT; AND**
- **ARTICLE XI.II. RESEARCH & DEVELOPMENT/OFFICE.**

The proposed amendments to the Zoning Ordinance were advertised for a public hearing in the Daily Press on May 1, 2014 and May 8, 2014 in addition to the City website.

Chairwoman Shriver explained that all four Article amendments would be included in one public hearing; however, each would be voted on individually. Planner, Kevin Wyne, reminded the Commission that Article VIII.4. Planned Use Development – Mixed Use (PUD-MU) Overlay District had been the focus of their March 17th meeting. He stated that the current PUD-MU Overlay District requires a strict 40-foot buffer around the entire project boundary; however, staff is presenting an amendment allowing for a reduction of the required buffer to 20 feet when adjacent to already developed commercial properties. He stressed that the proposed amendment will not affect those developments adjacent to residentially zoned properties. Lastly, he explained that the proposed ordinance amendment adds the following phrase “unless said adjacent development has been developed for commercial purposes, in such case Council may allow for a buffer reduction of up to 20-feet” immediately at the end of *Section 8.4-5(a) Open Space* of the PUD-MU Overlay District.

After explaining the amendments to the PUD-MU, the Planner introduced the three (3) proposed amendments to the Village Commercial, General Commercial and Research & Development/Office Districts include:

- A reduction to the building setback in the General Commercial (GC) District and Research and Development/Office (R&D/O) District from 60 feet to 45 feet;
- A reduction to the required parking lot setback from 40 feet to 25 feet in the GC and R&D/O Districts; and
- A reduction of the required green area buffer from 40 to 25 feet in the General Commercial GC and R&D/O Districts in addition to the Village Commercial (VC) District.

In conclusion, he stated that the aforementioned amendments would assist in the assemblage of developable acreage containing non-tidal wetlands.

Chairwoman Shriver opened the public hearing with no one speaking. However, the Chairwoman recognized the receipt of two (2) letters which had been delivered to the Commission that day. One (1) letter complimented the Planning Commission's proactive approach in encouraging development throughout the City. The other letter request that the Planning Commission further review the setbacks along the Victory Boulevard corridor to assist in the development of the Big Woods area, after which the public hearing was closed.

Commissioner Goddin moved, seconded by Commissioner Avery, to recommend approval to City Council of the proposed amendment to the Zoning Ordinance, Article VIII.4, Planned Unit Development – Mixed Use Overlay District. Recorded vote on the motion:

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

NO: None.

Subsequent to the Commissioners' discussion with regard to the written request for further consideration and the absence of three of the Commissioners, it was agreed that the proposed amendments to the Village Commercial, General Commercial and Research and Development setbacks should be postponed.

Commissioner Avery moved, seconded by Commissioner Goddin, to postpone consideration of the proposed amendments to Article XI. Village Commercial; Article XI.I. General Commercial District; and Article XI.II. Research & Development/Office. Recorded vote on the motion:

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

NO: None.

NEW BUSINESS

1. Review of Zoning Ordinance Variance Requests

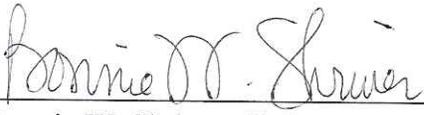
The Commission made no comment.

COMMUNICATIONS AND CORRESPONDENCE

Deborah L. Vest, Director of Community Development, suggested that the Commission meet at 6:30 p.m. at the June 16th meeting for a short work session for the purpose of re-examining the Zoning Ordinance amendments postponed that evening. The Planner, Kevin Wyne, stated that some inconsistencies had been discovered in the City's Zoning Map prompting research to confirm the accurate zoning designation of several properties. He stated that these map changes would also be presented at the next meeting for a public hearing.

ADJOURNMENT

There being no further business, the meeting was adjourned at approximately 7:31 p.m.



Bonnie W. Shriver, Chairwoman



Victoria H. Diggs, Clerk