

VIRGINIA: The Poquoson Planning Commission met in a regular meeting on Monday, July 20, 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 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

ABSENT: 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 Avery moved, seconded by Commissioner Gardy, that the minutes of the May 18, 2015 regular session be approved as submitted. Recorded vote on the motion:

YES: Commissioners Titlow, Avery, Gardy, Travis and Chairwoman Shriver.

NO: None.

ABSTAIN: Commissioner Goddin.

AUDIENCE FOR VISITORS

No one in the audience spoke.

PUBLIC HEARING

1. A REQUEST BY THE FOUNTAINS OF POQUOSON, LLC, APPLICANT AND PROPERTY OWNER, TO ESTABLISH A BEFORE AND AFTER SCHOOL CARE FACILITY WITH SUMMER CAMP PROGRAMS AND YEAR-ROUND RECREATIONAL ACTIVITIES AT 200 FOUNTAINS LANE, TAX MAP PARCEL NO. 27-10-00-0004, ZONED VC, VILLAGE COMMERCIAL.

This application was advertised for a public hearing in the Daily Press on July 3, 2015 and July 10, 2015. Adjacent property owners were notified of this request by letters mailed on July 1, 2015.

Kevin M. Wyne, Planner, introduced this item for the Commission's consideration as an application for a Conditional Use Permit at 200 Fountains Lane (on Alphas Street) identified as Tax Parcel No. 27-10-4 for the establishment of a before and after school care facility that will consist of a recreational use component. He identified the property as being west of Langley Federal Credit Union, north of the Economic Development Authority's retention pond and south of the Poquoson Common's Shopping Center. Mr. Wyne stated that a Conditional Use Permit was required because the proposed use was not a by-right use specified for the Village Commercial District which traditionally contained eateries and small shops. He presented the following information on the request:

- The requested use would utilize 1,000 square feet of the 2,800 square feet of commercial space included in building one.
- Primary times of activity during the school year would be 6 a.m. to 9 a.m. and 2 p.m. to 6 p.m.
- A summer camp would be held in the facility; however, most activities would take place off-site (field trips).
- There will be no on-site food preparation.
- Occupancy for this use would be limited due to the size of the building.
- The use would offer age appropriate table games (air hockey, pool, ping pong, etc.).
- During weekends and weekdays outside of the typical hours of operation, the space may be rented for special events (i.e. birthday parties).

In conclusion, Mr. Wyne stated that staff recommends the following conditions be applied to the Conditional Use Permit should the Commission recommend its approval:

- The use must comply with all local, state and federal regulations. If at any time this use is operating in violation of any of the regulations set forth by the aforementioned agencies, the City Council may revoke this permit.
- This use permit shall be used solely for the establishment of a before and after school care center/recreational use for school aged children and shall not be interpreted for use of a business that cannot be classified as such, including any other entertainment/amusement use that cannot be considered an accessory of the proposed use as outlined within the submitted

application. Any other use not specifically permitted within the property's zoning district shall require a separate use permit.

- If at any time the specified permitted use on the property is discontinued for a period of two (2) or more years, this permit shall become null and void.

During the brief discussion, the Commission asked if there would be sufficient space in which school buses could turn around in order to transport children to and from the facility. In response, Mr. Wyne stated that buses had access to the site via Alpha Street or Beta Street if necessary. He also pointed out that the street construction of the Fountains was designed to accommodate fire trucks and other large vehicles. As the Commissioners had no further comment, Chairwoman Shriver opened the public hearing.

Ms. Sherry MacPherson, proposed facility manager/owner and Poquoson resident (123 Charles Parish Drive), addressed the Commission in favor of the proposed conditional use. She stated that although there are several good child care facilities in the City, there is a lack of pre-teen, early teen aged supervised care which this facility will offer. She stated that the facility would offer a safe, supervised place in which students can do homework and interact with their peers. Ms. MacPherson further explained that during the summer the attending children would spend very little time in the facility as field trips would be offered almost daily. She stated that she may also offer an occasional "Parent's Night Out" in order for parents to do shopping, dinner, movie, etc.

There being no further speakers, the public hearing was closed.

Vice Chairman Travis moved, seconded by Commissioner Avery, to recommend approval to City Council of the proposed Conditional Use Permit inclusive of staff's suggested conditions.

Recorded vote on the motion:

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

NO: None.

NEW BUSINESS

1. Election of Officers

Victoria Diggs, Clerk, explained the options available to the Commission in order to elect and/or re-elect its officers.

Commissioner Avery moved, seconded by Commissioner Goddin, to re-elect the current slate of officers, i.e. Bonnie Shriver as Chairwoman, William Travis as Vice Chairman, Victoria Diggs as Clerk and Evie Insley as Deputy Clerk. Recorded vote on the motion:

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

NO: None.

COMMUNICATIONS AND CORRESPONDENCE

Deborah L. Vest, Director of Community Development, stated that at this time there were no land use applications for the August meeting. She stated that staff was currently working on several ordinance amendments; however, they may not be brought forward until the September meeting. Ms. Vest also stated that the Conditional Use Permit considered earlier that evening would be heard at a public hearing before City Council on Monday, July 27, 2015. In addition she pointed out that a Council work session would be held at 6:00 p.m. that same evening on the Legacy of Poquoson development to give the developer a chance to present the project's revisions based primarily upon the Commission's comments/concerns. In conclusion, she stated that a public hearing on the Legacy project will be held at Council's August 24, 2015 meeting.

Mr. Wyne congratulated the newly re-elected officers on another year of service to the City.

Both Chairwoman Shriver and Vice Chairman Travis both expressed their appreciation on being re-elected.

ADJOURNMENT

There being no further business, the meeting was adjourned at approximately 7:21 p.m.

Bonnie W. Shriver, Chairwoman

Victoria H. Diggs, Clerk