

**PLANNING COMMISSION MEETING
JANUARY 8, 2025
7:00 p.m.**

PRESENT

Chair:	Dianna Carneal
Vice Chair:	Maria Pitts
Commission Members:	David Hammond Timothy Bradshaw
Assistant Town Manager:	James Knighton
Secretary:	Patsy K. Scates

VISITORS:

James Kickler	William "Bill" Croxton
Robert "Tyler" Lowery	Dick Blackwell
Liz Smith	Straton Beamer
Myra "Cupper" Dickerson	

• **CALLED TO ORDER**

Chair Carneal called the meeting to order.

• **AMEND THE AGENDA**

On motion of David Hammond, seconded by Timothy Bradshaw the Commission members voted unanimously to amend the agenda to add public comment period for the citizens after item number three, the reading of the minutes and before the discussion of item number four old business.

Votes were cast as follows:

Maria Pitts:	Aye	David Hammond:	Aye
Dianna Carneal	Aye	Timothy Bradshaw:	Aye

• **MINUTES APPROVED**

On motion of Maria Pitts, seconded by Timothy Bradshaw, the Commission members voted unanimously to approve the October 2, 2024, Planning Commission Meeting Minutes, the November 12, 2024, Joint Public Hearing meeting minutes, the December 4, 2024, Planning Commission meeting minutes, and the December 9, 2024, Planning Commission meeting minutes.

Votes were cast as follows:

Maria Pitts:	Aye	David Hammond:	Aye
Dianna Carneal	Aye	Timothy Bradshaw:	Aye

• **PUBLIC COMMENTS**

Chair Carneal will take public comments regarding the rezoning request for a lot known as tax parcel 32B 1 74 from CG-2 General Commercial to R-4 Multi-Family Residential with the proffers submitted by the applicant to the Town Council. The lot is approximately 13 acres and is located at the corner of Warner St. and Pegram Ln. in the Town of Tappahannock.

Chair Carneal read the guidelines for public comments regarding the rezoning request for a lot known as tax parcel 32B 1 74 from CG-2 General Commercial to R-4 Multi-Family Residential. She allowed three minutes per person.

Chair Carneal recognized James Kickler.

James Kickler is not in favor of the request. He stated he is concerned about how the traffic will increase in the area, he feels the streets are not maintained in his neighborhood, how narrow Warner Street is for the flow of traffic and the affordability of the proposed homes for the citizens of the area.

Bill Croxton stated he will provide a letter from the EDA supporting the project. He feels the homes will attract folks who will spend their money in the Tappahannock area and increase the tax revenue.

Robert Tyler Lowery discussed the drivers who speed in the area, how narrow Warner Street is, and the stop sign and how the intersection of Essex and Warner Street needs improvement. He feels this project will help spearhead the needed improvements regarding the traffic concerns.

Dick Blackwell stated the major concern for the residents seems to be the traffic. He stated his son has done an engineering traffic study. He discussed the Hoskins Creek Townhomes – Traffic Distribution AES Project NO. B3127. (See below)



Hoskins Creek
Townhomes Traffic E

Liz Smith stated that if the population increases then you will need to increase the services and resources needed to support the population. She is concerned about the affordability of the proposed homes and the traffic increase in the area.

Straton Beamer referenced the Tappahannock Zoning Ordinance. She stated the purpose of the zoning is to protect the public to prevent or reduce congestion on public streets and she feels this is the opposite. She asked what happens if the units do not sell and she asked what they are classified as condos, townhomes, etc. She stated the block is zoned commercial and she feels it should stay that way. She discussed the traffic impacts of the proposed units.

Myra “Cupper” Dickerson stated she feels the traffic issues should be address before the development occurs.

Chair Carneal asked for any other public comments.

There were none.

Chair Carneal closed the public comment period of the meeting.

- **OLD BUSINESS**
 - Rezone Request

Assistant Town Manager Knighton stated the next item on the agenda is Old Business- The rezoning request. He stated the only new item was the traffic analysis impact report and the proffer statement provided by the developer. He reported that the proffer statement provided by the applicant is voluntary and he reviewed them. (See below). He stated that if proffers get accepted and the zoning gets rezoned and approved then it will become zoning law. He stated in order to change the proffers then it would require another public hearing. He stated he sent the Virginia Department of Transportation a drawing about turning Warner Street/Pegram into a one-way street as suggested by the applicant and well as changes at the intersection Church Lane, Essex and Warner Street. He stated that he has not heard back from the Virginia Department of Transportation, and they cannot require that from the developer since that property does not touch that intersection. He stated the general development plan was provided to VDOT. He stated there has been some discussion regarding the emergency services accessing the property. He stated he spoke to Kyle Durham, Emergency Services Manager for Essex County, and he does not see an issue preventing the emergency services vehicles to having access to that proposed development. He stated if the rezoning request gets approved then he will submit the site plan to Emergency Services.



HoskinsCreek
Townhomes Proffer

Assistant Town Manager Knighton asked for any questions.

Commission Member Hammond stated he submitted a document with his thoughts on the rezoning request. (See below)

I wanted to present some thoughts and considerations from my point of view as we make decisions on this rezoning request for the property at the corner of Warner Street and Pegram Lane.

- I am glad that there were people that spoke at the public hearing last month. It is important to hear opposition and support of proposed changes. I do think that we have a responsibility to dispel concerns and/or opposition with factual information. I think that sometimes all of us can be guilty of not seeing the large picture until information is provided to bring clarity or other considerations.
- Currently the existing CG-2 zoning would allow general commercial development of this property. For example, if someone wanted to build a hotel overlooking the marsh and creek there would be no zoning change needed, and we would not even be having this discussion.
- The placement of a hotel as in the above example could be a downzoning as mentioned by James Knighton in the packet provided at the joint public hearing on December 9, 2024. For instance, Hampton Inn sits on **1.94 acres and has 87 rooms**. Conversely, the townhouse project would sit on **2.75 acres with 26 units**. One person told me that they felt like the townhouse project is trying to pack 5 pounds

of stuff in a 2-pound sack. Let's consider some numbers and see what scenario is a denser use of the property in question:

- 87 hotel rooms with only 2 people per room would be 174 people. If there were only 1 vehicle per room that would be 87 vehicles. This scenario would require NO rezoning.
 - 26 two-bedroom townhouses with 2 people per bedroom would be 104 people. If every 2 people had a vehicle it would be 52 vehicles.
- We heard concerns about the stressors that this development would place on emergency services. I am a 42 year life member of Tappahannock-Essex Fire Department. I was also a life member of the Tappahannock Rescue Squad prior to Essex County having to assume the role of providing EMS coverage. I am also a retired career firefighter with Henrico County. I see no way that 26 townhomes will stress the emergency services. I spoke with Kyle Durham, emergency services chief for the county, and he does not see where there is going to be any stress on the system caused by the 26 townhouses. Kyle's only expressed need is that of having ample access and egress during emergencies. I feel that this was addressed by Mr. Blackwell at the joint public hearing, as they plan to have a secondary entrance controlled with a Supra or Knox Box system.
- There were concerns about the demands on the school system. I believe that our schools are built to accommodate 1500 students between the 3 buildings. I also believe that the student population is around 1000 students now, therefore space is not an issue. Essex County Schools are most likely struggling to attract and retain personnel. This is not unlike other school systems around the country.
- We heard concerns about stress on the law enforcement agencies. Having knowledge of what types of developments make demands on law enforcement, I do not see 26 townhouses that sell for \$350,000 to \$400,000 making a lot of calls for service. I did not speak with anyone with the town police and this is my own opinion.
- We heard concerns about traffic flow impacts on Warner St, Pegram Lane, and the streets of the Wakefield / Tanyard Farms area. I feel that these are valid concerns by those that spoke. I have always thought that the intersection of Warner St., Essex St., and Church Lane could use some work. I am putting some marked up overviews of those intersections with suggestions as part of this document. These suggestions are a combination of mine and others. These changes are ones that the developer may be willing to pay for if VDOT were ok with them. If a commercial

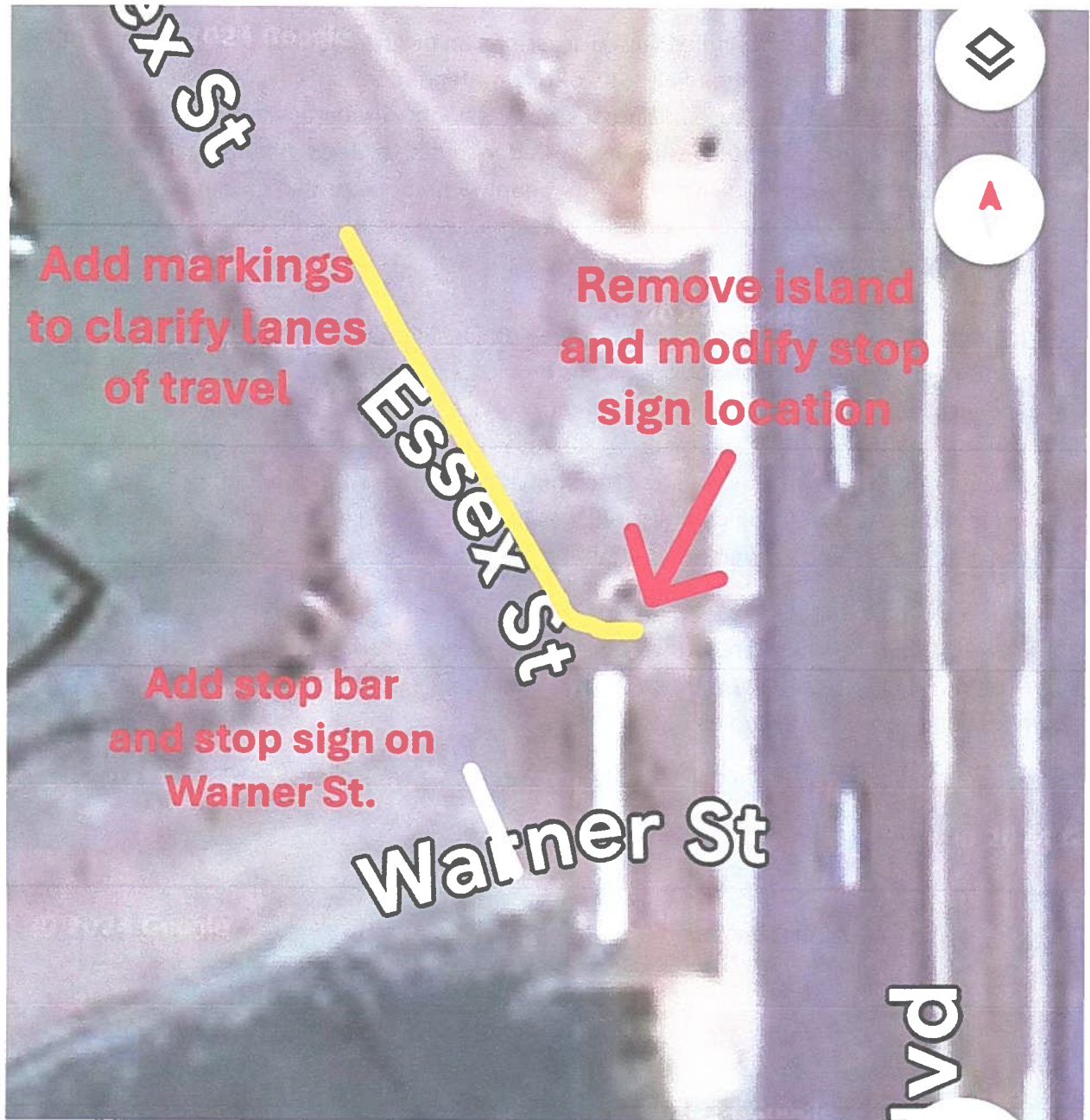
establishment (hotel, restaurant, etc.) was going on that property this would not even be a public hearing discussion point as no rezoning would be needed.

- Townhouses that sell for \$350,000 to \$400,000 will attract a demographic that will spend money in Tappahannock and Essex County. We have locally owned restaurants and shops that need support. The town is even proposing a restaurant at the new park on Hoskins Creek. That restaurant and the new Fitzgeralds would certainly like to attract additional customer base as well.
- Facebook groups are often filled with discussions on businesses that people want to come to Tappahannock. I read all sorts of recommendations such as Chick-Fil-A, TJ Maxx, Kohl's, etc. All of those businesses want residents that are willing to spend money with them before they will even consider coming to Tappahannock. The same Facebook groups are also filled with people who oppose any rezoning that would permit residential development. I feel that the "wants" and "do not wants" are contradictory.
- I feel that as a planning commission we need to consider all of the Pros and Cons of recommendations and base our decisions on factual information. As an example, I know that a concern of stressing emergency services is valid in the mind of someone who spoke out at a meeting, however is it an actual concern when considering factual information and the knowledge of those that are in that profession? As a planning commission, we should feel charged to sort through all of the information and viewpoints.

Thank you for taking the time to read my views on this rezoning request. I know that I am only one of four on the planning commission, and ultimately, I will be supportive of what the commission chooses as a whole.

Sincerely,

David M. Hammond



NOTE: Removing the island and modifying the stop sign location will allow easier access to Warner St. by fire apparatus, especially ladder trucks.



Note: Conversion to one way between Lewis St. and Warner St. with a stop sign at Warner St.

Assistant Town Manager Knighton stated he would like to clarify the comments made cannot be required by the developer and it would be required to have approval from VDOT.

Assistant Town Manager Knighton stated action would be required from the Planning Commission tonight.

- **MOTION TO RECOMMEND APPROVAL**

On motion of David Hammond, seconded by Timothy Bradshaw, the Commission voted to recommend approval of the rezoning request for a lot known as tax parcel 32B 1 74 from CG-2 General Commercial to R-4 Multi-Family Residential with the proffers submitted by the applicant to the Town Council. The lot is approximately 13 acres and is located at the corner of Warner St. and Pegram Ln. in the Town of Tappahannock.

Votes were cast as follows:

Maria Pitts:	Nay	David Hammond:	Aye
Dianna Carneal:	Nay	Timothy Bradshaw:	Aye

- **The motion failed to pass.**

Assistant Town Manager Knighton stated we are in a unique situation because of the resignation of a commission member and he does not have an applicant waiting to join. He stated he would make the council members aware that the motion was made for approval with the proffers submitted by the applicant to the Town Council, but it was a two-to-two vote. (two in favor and two not in favor).

Vice Chair Pitts denied motion for the approval of the rezoning request because of the traffic impacts on the area.

Assistant Town Manager Knighton stated the property is currently zoned commercial so if the property is sold and wanted to be used for commercial use then it would not be required to come before anyone for approval.

Chair Carneal denied the motion for approval of the rezoning request because of the traffic impact on the area as well and she feels that there is a need for housing in other areas of the Town. She feels the rezoning would be beneficial because it would keep a hotel from building on the property but once it is rezoned it cannot be changed.

There was some discussion.

- *Food Truck*

Assistant Town Manager Knighton provided the commission members with a document from

the Berkley Group in reference to Food Trucks and the document shows a comparison different counties and cities that have Food truck regulations and some regulations that the Town could adopt.

Assistant Town Manager Knighton asked for any questions.

Commission Member Hammond stated on Page 8 of 10 under see below:

ARTICLE XI. - SUPPLEMENTARY USE REGULATIONS

Section 22-XXX

Restaurant, mobile

The operation of a Restaurant, mobile shall be allowed in conjunction with a Special Event

Permit in all Residential R-1, R-2, R-3, R-4, MH1 or Industrial zoning Districts, and shall be permitted by right in CC-1 Central Commercial and CG-2 General Commercial Districts subject to the following:

- (a) A copy of a valid health permit from the Virginia Department of Health stating that food truck operation meets all applicable standards. A valid health permit must be maintained for the duration of the permit. Verification of operation permit from the Local or State Fire Marshal.
- (b) Written documentation of the consent of the owner(s) of the property or properties on which the food truck will be operated.
- (c) A sketch to be approved by the Zoning Administrator for each property, illustrating access to the site, all parking areas, routes for ingress and egress, placement of the Restaurant, food truck, distance from the property lines, garbage receptacles and any other feature associated with the Restaurant, food truck
- (d) Provide a valid driver's license and DMV registration for the mobile unit and operator.
- (e) Alcoholic Beverage Control Board (if applicable) License at time of application, and should be displayed in conformance with Virginia State Code Title 4.1. Alcoholic Beverage and Cannabis Control Subtitle I. Alcoholic Beverage Control Act
- (f) Parking and Circulation Requirements
 1. Food trucks shall not park, with the intent of vending, in designated handicapped parking spaces. Food trucks shall not obstruct pedestrian or bicycle access or passage, impede traffic or parking lot circulation or create safety or visibility problems for vehicles and pedestrians.

Commission Member Hammond asked under b and c. (see highlighted). He asked if the same food truck is going back to the same establishment multiple times, is the food truck required to submit a letter each time or are they required to submit a letter at the time they purchase a business license.

Assistant Town Manager Knighton reported if a food truck vendor would like to submit a letter that states they will be at this location on these dates that is acceptable. He stated currently there are no restrictions on the books so he is trying to prevent a mobile food truck sitting at the same location every day for

weeks or months and not following the same protocol such as a site plan requirement that a brick and mortar restaurant would be required.

Commission Member Hammond asked under Signage where it states:

Signage that is permanently affixed to the food truck and **one sandwich board sign not located within the right of way** shall be permitted; however, flags, banners, flashing signs or other decorative appurtenances, whether attached or detached, shall not be allowed. He asked if this rule was for only food trucks.

Assistant Town Manager Knighton reported the sign ordinance is left up to the interpretation by the zoning administrator. He stated the sign ordinance will be addressed in Fiscal year 2025.

Commission Member Hammond stated that under (k) Other number

2. Unless otherwise approved by the Zoning Administrator, mobile food vending vehicles/carts shall be removed from any site when the on-premises establishment closes for the day.

Commission Member Hammond asked if a business was holding a two-day event would the food truck be allowed to stay overnight.

Assistant Town Manager Knighton stated that he does not see the difference between one day or five days and he feels that is something the commission members should discuss because it is hard to regulate.

Commission Member Hammond stated that under (K) other number 3

3. One 10 foot by 10 foot tent and one table, that fits underneath the tent may be utilized in conjunction with the food truck.

Commission Member Hammond asked Mr. Knighton if he sees an issue with number three.

Assistant Town Manager Knighton feels a food truck vendor means the customer gets their food to go. He does not like the idea of “hanging out”. He stated the intent of the number three of was a table with condiments and napkins not a place to sit.

Commission Member Pitts agreed she did not like the idea of providing a place to sit and eat because it could take away from the business if the wrong crowd is present.

There was some discussion.

Assistant Town Manager Knighton asked the commission members to be ready to discuss the Food Truck Ordinance at the February 5, 2025, Planning Commission Meeting.

- **NEW BUSINESS**

- *Annual Report*

Assistant Town Manager Knighton provided the commission members with a draft annual report. He asked the commission members to review and advise him of any changes and to be ready to take action on the annual report at the February 5, 2025, Planning Commission Meeting.

Assistant Town Manager Knighton reviewed the annual report.

- **COMMENT TIME**

- *Staff Comment*

Assistant Town Manager Knighton reminded the commission members of the Joint Public Hearing meeting scheduled for January 13, 2025, at 7:00 p.m. pertaining to Short Term Rental regulations. Assistant Town Manager Knighton stated the commission members received the documents for the Short-Term Rental discussion tonight pertaining to the zoning ordinance. He stated the Town is working with Summit Design reviewing the zoning ordinance.

There was some discussion.

- *Commission Comment*

Commission Member Bradshaw asked if the commission members could discuss the Short-Term Rental item that is on the agenda for the Joint Public Hearing to make sure everyone is in an agreement.

Assistant Town Manager Knighton cautioned the commission members discussing the matter. He stated in a previous meeting it was discussed and the commission approved of the document that was presented, and no changes had been proposed or made.

Commission Member Pitts asked about the avenues the Town was taking to find another volunteer to fill the vacant planning commission member spot. She asked if it could be added to the water bill or the news letter.

Assistant Town Manager Knighton stated that the vacant position was posted on the Town's Facebook page, and he is hoping for some interest. He encouraged the commission members if they had any one that would be interested ask them to reach out to Town Staff.

There was some discussion.

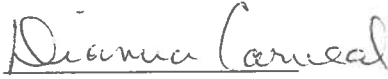
- **ADJOURNED**

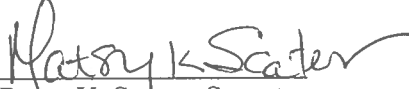
On motion of David Hammond, seconded by Timothy Bradshaw, the commission members voted unanimously to adjourn the meeting at 8:30 p.m.

Votes were cast as follows:

Maria Pitts: Aye
Dianna Carneal: Aye

David Hammond: Aye
Timothy Bradshaw: Aye


Dianna Carneal, Chair


Patsy K. Scates, Secretary

