

**10B. PUBLIC HEARING
ZONING MAP AMENDMENT
JDW DEVELOPMENT OF VIRGINIA**

This public hearing is held pursuant to Section(s) 15.2-1427 and 15.2-2204 of the Code of Virginia, 1950, as amended to consider a request by John David Williams, JDW Land Development LLC, owner, for a Zoning Map Amendment from A-1, Agricultural, to CB-2, Conditional General Business District, to construct a 3,500 square foot convenience store/restaurant with five (5) fuel pumps, and up to 20,000 square feet of retail uses. The property is a 3.2 acre portion of a 160-acre tract known as Tax Parcel 74-32, located at the intersection of Meherrin Road (SR 35) and Ridley Road (SR 731).

The notice of public hearing was published in the Tidewater News on October 12 and October 19, 2014 as required by law. After conclusion of the public hearing, the Board of Supervisors will consider the comments offered this evening and will proceed to approve, deny or defer action on the request.

MOTION REQUIRED:

If the Board is so inclined, a motion is required to accept the Planning Commission recommendation and approve the requested Zoning Map amendment.

RZA 2014:02

JDW Land Development, LLC, John David Williams, owner

Application Request: Zoning map amendment (Rezoning)

IDENTIFICATION AND LOCATION INFORMATION

Current Comprehensive Plan designation: Single Family Residential, Courtland Planning Area

Current Zoning: A1, Agricultural

Requested Zoning: CB-2, Conditional General Commercial District

Acreage: 3.2 acres +/- of a 160 acre tract

Proposed Use: Various commercial uses, including a 3,500 square foot convenience store/fast food restaurant, five (5) gas pumps (10 fueling stations) and 20,000 square feet of retail

Tax Map No.: Portion of TP 74-32

Location: Intersection of Meherrin Road (SR 35) and Ridley Road (SR 731)

Magisterial District: Newsoms

Voting District: Boykins

Adjacent Zoning: North: A-2, Agricultural, across Southampton Parkway
South: A-1
East: R-1, Residential, across Ridley Road
West: A-2, across Meherrin Road

Adjacent Land Use abutting subject property: North: Residences across Southampton Parkway
South: Agriculture and single family residences
East: Residences along Ridley Road
West: Southampton Middle School, across Meherrin Road

LAND USE ANALYSIS

Overview

This property is at the intersection of Meherrin Road and Ridley Road. It is on the same side of Southampton Parkway as Southampton Middle and High Schools, and has had real estate signs posted for a number of years. While the entire parcel is approximately 164 acres, this request only includes approximately 3.2 acres at the northern end.

The applicant requests the CB-2, Conditional General Commercial zoning district. The B-2 district includes all of the permitted uses in the B-1, Limited Commercial district as well, so the owner provided a list of uses in both the B-1 and B-2 districts that he is deleting from the possible uses. The list includes **deleting** the following B-1 uses:

- (1) Adult establishments
- (6) Billiard parlor or pool hall, electronic game center or similar recreational establishment
- (13) Funeral home or undertaking establishment
- (26) Public or governmental buildings or uses

The following B-2 uses are **deleted** as well:

- (4) Automobile or truck, truck trailer or bus sales, service and repair
- (5) Automobile or truck parts sales, wholesale or retail
- (6) Automobile storage lot, new or used cars
- (7) Automobile used car lot or used truck sales
- (9) Boat and boat trailer sales and storage
- (16) Fortune teller, palmist, astrologer, or similar activity
- (26) Manufactured home sales, display and storage, or sales, rental, display or storage of travel trailers, motor homes, travel vans, etc.
- (27) Monument sales
- (28) Motorcycle or off-road vehicle sales and service
- (29) Muffler sales and installation
- (30) Outdoor sales area or flea market
- (31) Peanut buying station
- (36) Radio and television stations and recording studios
- (38) Rental of luggage trailers
- (43) Wireless communication facilities

The rest of the B-1 and B-2 uses would be permitted, with some of the uses in B-1 and B-2 requiring Conditional Use Permits.

The applicant plans a convenience store/fast food restaurant with fuel pumps as a potential use, as well as other retail uses foreseen in the future. The Zoning Ordinance requires that the site plan for any commercial building over 5,000 square feet or having any drive-in facility, such as a convenience store with gas pumps, undergo site plan review. If the plan provided meets all of the site plan and zoning requirements, the review will be undertaken and approvable administratively.

Site Topography and Characteristics

The property is accessed by Ridley Road just south of the Meherrin Road overpass over Southampton Parkway. Ridley Road is higher than the abutting property. The area between this property and Meherrin Road is not included in this request.

Transportation

The property is served by Ridley Road, which intersects with Meherrin Road at its western end, and Meherrin Road itself. The Plan amendment and zoning map amendment requests from Agricultural to Commercial requires review by the Virginia Department of Transportation (VDOT) so as to ascertain traffic impacts generated by commercial development. VDOT has completed their initial review, and provides the following comments:

- The intersection of Ridley Road and Route 35 should continue manual traffic control for school ingress/egress as signal warrants are not met.
- A full width right turn lane eastbound on Ridley Road into the site is warranted.
- A raised channelized island will be required at the proposed access off Route 35 to prevent left turns into and out of the site.

A fuller discussion of traffic concerns is provided with the staff report for the Comprehensive Plan Amendment request that precedes this zoning map amendment request.

Environmental

Per the included soils report created from information from the USDA Natural Resources Conservation Service, the property is made up of Uchee loamy sand, 0 to 6 percent slopes. The report notes that soil type is well-drained with no flooding or ponding frequencies, but it is not prime farmland.

Utilities

The property is served by existing overhead power lines. It would be served by a private well. There is a gravity sewer line along Southampton Parkway in front of the schools that crosses under Southampton Parkway and continues north on the west side of Meherrin Road, but whether it is feasible for this property to connect to that line will be determined at the site plan stage. Should development occur prior to any extension of municipal sewer availability, private wastewater facilities will be required.

Community Comments

Six (6) citizens spoke in opposition to the Comprehensive Plan amendment request at the Planning Commission meeting. Those in opposition had concerns about crime that is perceived to impact convenience stores, traffic, and students leaving campus to patronize the store. Four (4) citizens spoke in support of the requested Comprehensive Plan Amendment request. The need for economic development was cited, as well as the appropriateness of the location for commercial enterprises.

CONCLUSION

Strengths of application:

- If the requested Comprehensive Plan amendment is approved, the zoning map amendment would be in compliance with the Commercial Plan designation.
- Non-residential and non-agricultural uses are appropriate at the intersection of major roads, such as this property.
- Commercial development makes a positive contribution to the County's tax base and provides services and goods to the residents in the area. Additionally, construction jobs are created while the project is under construction and permanent jobs are created upon completion.
- The property is not prime farmland per the soils report and a use other than agriculture may be appropriate.
- The applicant has omitted from the potential uses those which may have the greatest deleterious effect on the neighbors, including adult establishments, pool halls, and all types of vehicle sales, repairs, and storage.
- The applicant has provided a conceptual plan that clearly lays out the proposed development.
- A traffic study has been reviewed by VDOT. Improvements to the circulation in the will be required by VDOT, as outlined in the study and above. The traffic will not increase so as to require the installation of a traffic signal per VDOT warrants, and the left turns into and out of the property will be prohibited. The traffic study looked out to the year 2021 and, with this proposed development and expected growth in the area, a traffic signal would not be warranted even at that time.

Weaknesses of application:

- There are existing single family residences eastward on Ridley Road whose residents would be impacted by development if they access their homes from Meherrin Road.
- The addition of non-residential and non-agricultural uses may have visual and noise impacts on Ridley Road residents. Building siting and buffering would seek to mitigate those impacts to the extent possible.
- Drivers may see increased traffic as they drive near the schools in the morning, as the start of the school day is within the AM peak travel time, generally 7-9AM. School dismisses before the PM peak travel time, generally 4-7PM, so increased afternoon peak time traffic is not expected to impact the afternoon dismissal.

PLANNING COMMISSION ACTION

At their September 11, 2014 meeting, the Planning Commission held a public hearing regarding the zoning map amendment request. The

Planning Commission voted 5-3 to make a positive recommendation to the Board of Supervisors:

Chairman Drake: We are going to move right along to the second public hearing. It is a rezoning amendment 2014:05. It is a request by John David Williams, JDW Land Development LLC, owner, for a Zoning Map Amendment from A-1, Agricultural, to CB-2, Conditional General Business District, to construct a 3,500 square foot convenience store/restaurant with five (5) fuel pumps, and up to 20,000 square feet of retail uses. The property is a 3.2 acre portion of a 160 acre tract known as Tax Parcel 74-32, located at the intersection of Meherrin Road (SR 35) and Ridley Road (SR 731).

Chairman Drake called on Mrs. Lewis. Mrs. Beth Lewis states we have done a lot of discussion already but I thought I would provide a little traffic information. The 2013 traffic counts from the VDOT on Meherrin Road between Garris Mill Road, which is south of Highway 58, there are 1,500 vehicle trips a day running past the proposed shared entrance between the school and this convenience store. In comparison, on Highway 58, from the eastern town limits of Capron to Route 35 there are 14,000 vehicle trips a day. That is ten times as many vehicle trips a day on Southampton Parkway than on Meherrin Road. Then when you go to the intersection where the light is at the southern end of Capron, where there is a traffic signal there are 20,000 vehicle trips a day where that traffic signal is. Chairman Drake states Capron or Courtland? Mrs. Beth Lewis states Courtland when you continue east on Highway 58. Chairman Drake states right, okay.

Mrs. Beth Lewis states so when we talk about traffic signals it is kind of important to look at scale. When you are driving down the road sometimes it is hard to tell how many vehicle trips a day there are. On the stretch of Meherrin Road including school traffic there is 1,500 vehicle trips a day, but on Highway 58 there are 14,000 vehicle trips a day between Capron and the overpass. At the intersection where there is a traffic signal, there are 20,000 vehicle trips a day. That is the scale. Commissioner Mann states is that from Route 35 back to Courtland? Mrs. Beth Lewis states that is... Commissioner Mann states that 20,000 is counted from Route 35 back to that stop light in Courtland?

Mrs. Beth Lewis states it is counted from the overpass to the traffic signal; 20,000 vehicle trips a day. They study roads in segments and that is the segment there. That helps to scale sometimes. This application of course is for a convenience store with fast food and five pumps which are ten fueling stations; none of them to fuel tractor trailers. Of course there will be tractor trailers delivering goods and gasoline, but it is not a truck stop. A Love's truck stop is on 20 acres of land in Franklin. This is 3.2 acres so that kind of helps understand scale as well. Mr. Williams did in his conditions offer to disallow some of the more objectionable uses that could be in the B-2 zoning district such as billiard parlor and pool halls,

funeral homes, adult establishments, auto and truck sales, service, repair, any type of vehicle storage, boat and boat trailer sales and storage, fortune tellers, manufactured home sales, motorcycle sales and repair. Those types of uses he has disallowed in his application. You see on the one sketch off the site, part of Mr. Williams's property but not part of his 3.2 acres, there is 2 acres of wetland area that this development is completely staying out of and that is required by both County regulations and Commonwealth of Virginia regulations. He is leaving that wetland area undisturbed. That will serve as some sort of buffer to the property owners who live further along Ridley Road. I will be glad to answer any questions.

Chairman Drake states are there any questions for Mrs. Lewis? Mr. Williams before I get started just clarify one issue. Is it, just for the record, five fuel pumps or five fuel stations? Mr. Charles Smith states it is ten vehicle positions so two cars can get gas at one time. Chairman Drake states that is fine, just the technicalities to get things clarified; thank you. Any questions before I open the public hearing.

Mr. Bill Day states I have one question. You say right turn in, right turn out on Meherrin Road? Mr. Charles Smith states yes. Mr. Bill Day states is there anything to prevent anybody from going left? Mr. Charles Smith states yes. There is a raised concrete median at the entrance so it will form a sweeping right in, right out direction. If you were trying to turn left, you wouldn't physically be able to get your vehicle in and out of position. You can run your vehicle over the concrete median but other than that you would not be able to get your vehicle onto the pavement. Mrs. Beth Lewis states most of the time those right in rights out are just painted on the driveway but this is going to be raised so you would have to drive over it. Chairman Drake states Mr. Day, there is one at the Food-Lion, up there by the stop light. If you ever noticed that, I think that is what they are talking about.

Commissioner Mann states I have a question for Mrs. Lewis now. On some of the things that were marked out, item number 34 it says private club. Can you mark that out as well? Mrs. Beth Lewis states that is not referring to an adult club. It is more like a meeting place, an assembly hall. Commissioner Mann states so that is the intent of it. Mrs. Beth Lewis states yes that is the intent of it. But, this request and this traffic study and this conceptual plan don't include any of those uses but that is what that type of club means. It is not an adult establishment. Those are listed separately but it does mean like a Lion's Club, VFW, where Fred Flintstone and his buddies use to hang out. Commissioner Mann states well that is what I was worried about an adult type of club.

Chairman Drake states alright any other questions before I open up the public hearing. No comments and the public hearing was opened.

Chairman Drake states I ask that anyone who comes forward please state your name for the record please. I know we have talked about a lot of this already but if you have anything else you want to say this is the time to do it.

Mr. John Burchett addressed the board. Hello, my name is John Burchett. I don't know if we are not supposed to look at common sense but this gentleman's traffic study, he is studying what is there now. The whole idea behind this is out of that 14,000 to 20,000 vehicle coming up and down Highway 58, percentage, I know Mr. Williams hope it is a high percentage, will be turning into Route 35 to go to this convenience store/service station. I have nothing... if this was set somewhere else I wouldn't have anything against it, but the fact is we have a high school across the street. Somebody said something about Emporia and the proximity of the businesses in that strip. I didn't see a school there. You can do what you want to and I am sure you will, but you need to think about our children. To me it is safety when David has an alternative across the road. If it was on the other side, all of the traffic would be going away coming off of Highway 58, away from the school. The children would not be tempted to walk across the highway. I don't care what kind of rules you set for children they are going to do what they want to when they get out of your sight. I hope you all will think about this hard and if you haven't been up there and looked like somebody else said, you need to go up there during the busy time and see what a big influx of vehicles from Highway 58 would do to the basketball games, other games, whatever at night. I just hope you will please think about our children. Thank you. Chairman Drake states thank you Mr. Burchett.

Mr. Beth Lewis states I don't know if anybody read through the whole traffic study, but one of the steps in the traffic study does look at when the project is completely built out and completely in use. They look at what it is today, what it will be in the future if this wasn't built, and what it would be if it was built and fully functioning. So a traffic study is a snapshot in time. It is a range of uses.

Chairman Drake states Mrs. Jarratt you are welcome to come forward. Mrs. Amanda Jarratt addressed the board. Thank you again, my name is Amanda Jarratt. My comments and I won't repeat myself but I wanted to go with what Mrs. Lewis just mentioned. When these traffic studies are prepared and it goes through the process with VDOT, they are not allowed to look at just today's scenario. You are required to look into the future and required to look at the peak hour and peak demand. That is both of what the activity is currently at the school and the peak hour, the highest use of the facility that you are planning to build. That is all required to be considered when they make their final recommendations. My only other comment is safety is critical. I have young children that are in the Southampton County School system but the state and the traffic engineers have guidelines that have been developed overtime and are

constantly tweaked. The 527 plans that are now required has been something that VDOT has evolved with over time so everything that the applicant could do, he has done. I think this application has received serious scrutiny and he has agreed to all of the requirements that they have asked of him. I think if there was some disagreement there that would be a very serious issue. But, everything that they have required, the standards have been set and the regulations have been developed and all that they have asked of him he has agreed to do. I just want to point that out and then I would go exactly with what Mrs. Lewis had said; the study was not done based on a specific snapshot in time today but looking well into the future. Again, thank you for your time. Chairman Drake states thank you Mrs. Jarratt for clarifying that.

Mrs. Beth Lewis states and it also takes into account background growth. They look at the growth of the county and the intersection and they have to build those numbers into it as well. You don't just say that however many cars are there today is however many cars there will be. The growth is built in. Mr. Charles Smith addressed the board. I just want to clarify one thing. The traffic study, for VDOT requirements, we actually did look all the way out to the year 2021. So, that is quite a bit into the future. It is definitely not just what is happening today.

Chairman Drake states thank you. Anyone else would like to come up? Mr. Brian Layne addressed the board. Once again, Brian Layne and I wanted to address a couple of the comments. One reoccurring comment that does come up, Mr. Williams does own property across Highway 58 of course and we did look at that. We had done some planning on that side but in the spirit of the Comprehensive Plan it is industrial use and right now it is zoned agricultural and some residential use I believe, but I think it is all agricultural right now. Mrs. Beth Lewis states the plan has changed. They are six acres both the comprehensive plan and the zoning to an industrial use; just west of the peanut processing facility. The rest is all residential.

Mr. Brian Layne states we did look at some planning on that side. As far as commercial use for a convenience store we had no frontage off of Meherrin Road; very limited frontage. At one time before there was plenty of frontage for a convenience store or any kind of use, but this day in time the only frontage for that property on that side is off of Sunlight Road and we all know the condition of Sunlight. The other comment, we do feel like the school is a concern. The safety is always a concern. It is a concern for everyone on both sides of the coin. That is why we did work with VDOT. That is why we voluntarily want to adhere to every recommendation that we have and it is part of the application. I stated earlier the client, or the applicant, does agree to it and it will be designed that way. It will be a second look. Nothing will get built until a construction plan is submitted and approved so of course it will have to be reviewed under those guidelines. Once again, we are available for any comments or questions.

Chairman Drake states thank you Mr. Lane. Anyone else? If not I will close the public hearing and I will open up for discussion on the request for the rezoning amendment. Any discussion? Any other comments?

Commissioner Tennessee states I would like to comment Mr. Chairman that the traffic is not the only issue for me. It is the school itself and the opportunities that a convenience store at that location would invite. The traffic itself is not the only issue for me. Chairman Drake states when you talk about the school you are talking about the safety of course. Commissioner Tennessee states another thing to is this is an area where you would normally want commercial growth but I don't know of any other corridor like that where a school is sitting at an intersection so it is a little bit different then what you would normally see.

Chairman Drake states it is a unique arrangement, no question. They are almost right across from each other; the entrance to the school and the exit off of Ridley Road of course. Any other comments?

Commissioner Mann states can we look at the traffic impact study on page eight. We keep mentioning that VDOT did a thorough study but if you take notice on page eight in section 3.4 there was no speed study done, there was no crash history near the site done. If you look on page 9 on the backside of that 4.3 it says when the type of development proposed would indicate significant potential for walking, bikes, or transit trips, and you can read the rest of it. But, the explanation given the rural environment, there is not significant potential for walking, biking or transit trips in the area and it says the students are not allowed to leave the campus which limits the potential. But the students are allowed to leave the campus when they go home and after school events. But this report says we are not going to have to worry about students walking across that road. I am very confident in that statement, sure. I wanted to point that out, the way this study looked at it students are not allowed to leave campus and there is no crash history done at this intersection. Chairman Drake states okay, well noted. Commissioner Mann states that is VDOT's words not mine.

Chairman Drake states any other comments. Any other discussion? If not, what do we want to do? Commissioner Edwards made a motion to approve the rezoning request from A-1, Agricultural, to CB-2, Conditional General Business District. Commissioner Chesson seconded the motion. Chairman Drake states we have a motion that has been properly seconded. I will ask again any other discussion. Commissioner Chesson states I guess I will add the reason why I feel like I am doing this, safety is a concern of mine and I don't want my motion to be interpreted any other way. I think we have seen if it becomes a problem just like there was a stoplight there at one point in time at that intersection and we as the people came to VDOT and said we need an overpass. Chairman Drake states we demanded an overpass. Commissioner Chesson states we the people

can go to VDOT and say we need a stoplight. Now, we may not be successful, but I think a stoplight is designed to guide safety. As a school system we can put up an eight foot chain link fence and gate the property in. Now, is that going to stop everybody from running through the driveway and getting to that store, no, but it will sure minimize it if there was a problem with people violating the school policy. But the school policy is not our issue tonight. I think our issue tonight is land use planning and I think the commercial growth around major intersections is why I am in favor of it. Commissioner Edwards states school policy is not in our jurisdiction either. Chairman Drake states okay, any other discussion before we vote.

Commissioner Mann states the planning, if we are not going to look after the future of this county and you say school policy is not our concern...

Commissioner Edwards states no I said it wasn't our... we can't govern school policy. Commissioner Mann states we can't govern it but those students are still our concern. Definitely our concern and we got that overpass because of a crash history. We didn't get that overpass because we went to Richmond and said please put it up. It was a lot of people who lost their lives at that intersection. That is how we got that overpass. So we will get a stoplight when we see a bunch of kids get splattered on that road. If we follow the same way you say we got that overpass. That is how we got that overpass. But we have a motion on the floor.

Chairman Drake states we do and it's difficult. It really is and everybody has made really good valid points and it is a tough call, but I want everybody to voice their concerns. Any other comments before we vote. We do have a motion on the floor. If there is no other discussion I will call for the vote. Commissioner Parker, Edwards, Randall, Harrell, and Chesson voted for the motion. Commissioner Tennessee, Mann, and Day voted against the motion. The motion passed.

Chairman Drake states we are going to recommend to the Board of Supervisors that this request be granted. I want to thank again everyone for attending tonight. I encourage you to all go back to your Board of Supervisor's meeting when this comes up on the agenda. I do appreciate everybody's comments tonight. This has been a due process to everyone and we do appreciate you all being here and commenting tonight.

SUPPORT INFORMATION AND ATTACHMENTS

- 1) Staff Analysis
- 2) Application
- 3) Notification of adjacent landowners
- 4) Site map



Southampton County
Post Office Box 400
Courtland, Virginia 23837
757-653-3015

APPLICATION FOR:

REZONING

COMPREHENSIVE PLAN AMENDMENT

CONDITIONAL USE PERMIT

CONTACT INFORMATION

Applicant or Representative Name: JDW Land Development LLC (John David Williams)

Address: 736 Forest Mills Rd

City, State, Zip: Chesapeake VA

Phone: Day 757-472-8370 Evening _____ Mobile _____

Owner Name: John David Williams

Address: 736 Forest Mills Rd

City, State, Zip: Chesapeake VA 23222

Phone: Day 757-472-8370 Evening SAME Mobile SAME

PROPERTY INFORMATION

Address or Location: Ridley Rd

Tax Parcel Number: portion of 74-32

Total Acreage of Parcel: 1.607

Amount of above acreage to be considered: 8 for Plan, 3.2 for RZA

Current Use of property: agriculture

Rezoning request from A-1 to LB-2

Comprehensive Plan request from Ag to Com

Conditional Use request: Section _____ of the Southampton County Code

Give a brief description of the application request (attach additional sheets if necessary):

Ammend comp plan for 8 acres
Ammend the zoning map for 3.2 Acres

Required Items to be submitted with application:

- Application Form
- Application Fee of \$1,000
- Cover Letter
- Site Plan / Exhibit
- Proffer Statement (if applicable)
- Other (To be determined by agent)

Note: If applicant is anyone other than the fee simple owner, written authorization of the fee simple owner designating the applicant as the authorized agent for all matters concerning this application shall be filed with the agent. A Special Limited Power of Attorney form is available upon request.

The undersigned Owner Applicant authorizes the entry of Southampton County personnel onto the property in order to perform their duties with regard to this request.

June 5 2014
Date

[Signature]
Signature

Signature

OFFICE USE ONLY

Received By: _____

Date: _____

Post Sign By: _____

PC Agenda Date: _____

BOS Agenda Date: _____

- Mail
 - Calendar
 - Contacts
 - Deleted Items (675)
 - Drafts
 - Inbox
 - Junk Email
 - Sent Items
- Click to view all folders
- Manage Folders...

Reply
 Reply All
 Forward
 X
 Junk
 Close

Re: Ridley Rd C Store Traffic Study.pdf

David Williams [affordablecuts1@cox.net]

You replied on 7/9/2014 11:43 AM.

Sent: Wednesday, July 9, 2014 11:28 AM

To: Beth Lewis

Not gonna do anything else just the 3.2 acres and no more

Thanks David

On Jul 9, 2014, at 10:40 AM, Beth Lewis <blewis@franklinva.com> wrote:

> the study seems to only include the 3.2 acres for the zoning map amendment request. Has Chuck spoken to VDOT regarding the other acres for the Comprehensive Plan amendment request?

>

> Beth Lewis, AICP
 > Community Development Deputy Director
 > Franklin Southampton Community Development Department
 > 207 West Second Avenue
 > Franklin, VA 23851

>

> From: David Williams [affordablecuts1@cox.net]
 > Sent: Wednesday, July 9, 2014 10:25 AM
 > To: Beth Lewis
 > Subject: Ridley Rd C Store Traffic Study.pdf



JOW
6/5/2014

John Dalrymple
1/10/14

Sec. 18-192. Permitted uses.

In business district B-1, structures to be erected or land to be used shall be for one (1) or more of the following uses:

- (1) Adult establishments, individual or collectively, including adult arcades, adult bookstores, adult cabarets, adult motion picture theaters, adult theaters and massage parlors, with a conditional use permit, provided that such uses shall not be located within two thousand six hundred forty (2,640) lineal feet of any church, school or residence.
- (1) Automobile service stations and self-service stations, as defined, so long as bulk storage of inflammable liquids is underground, but not including major repair and not including storage of wrecked cars or storage or rental of luggage trailers, campers, vans or similar equipment.
- (2) Banks or savings and loan offices.
- (3) Bakeries provided all products produced on the premises shall be sold at retail on the premises.
- (4) Barber shops or beauty parlors.
- (5) Bicycle sales and repair shops.
- (6) Billiard parlor or pool hall, card room, electronic game center or similar recreational establishment, with a conditional use permit.
- (7) Catering or delicatessen business, but not fast food delivery.
- (8) Clinics.
- (8.1) Convenience store, as herein defined, with a maximum of twenty-four (24) fuel dispensing nozzles, none of which may exceed a diameter of five-eighths (5/8) of one inch.
- (9) Dry-cleaning or pressing pickup stations or shops occupying not more than two thousand five hundred (2,500) square feet of floor area and using no cleaning fluid whose base is petroleum or one of its derivatives.
- (10) Facilities and structures necessary for rendering public utility service, including poles, wires, transformers, telephone booths and the like for electrical power distribution and communication service, and underground pipelines or conduits for electrical, gas, sewer or water service, but not including buildings, treatment plants, water storage tanks, pumping or regulator stations, major transmission lines, storage yards and substations which are permitted with a conditional use permit.
- (11) Flower shops and greenhouses incidental thereto.
- (12) Frozen food lockers for individual or family use.
- (13) Funeral home or undertaking establishment.
- (14) Hospital or clinic for small animals, dogs, cats, birds and the like, provided that such hospital or clinic and any treatment rooms, cages, pens or kennels, be maintained within a completely enclosed, soundproof building, and that such hospital or clinic be operated in such a way as to produce no objectionable noise or odors outside its walls.
- (15) Ice distribution stations, automatic, or other drive-in automatic vending machine station. Groups of vending machines shall be contained in a building.
- (16) Institutions, educational or philanthropic, including museums, art galleries and libraries, with a conditional use permit.
- (17) Laundromats or self-service dry-cleaning establishments.
- (18) Laundries occupying not more than two thousand five hundred (2,500) square feet of floor area.
- (19) Laundry and dry-cleaning establishments (combined operation) occupying not more than five thousand (5,000) square feet of floor area and using no cleaning fluid whose base is petroleum or one (1) of its derivatives.
- (20) Nurseries for growing plants, trees and shrubs.
- (21) Nursery schools, kindergartens, child care centers, day nurseries or child day care centers.
- (22) Offices, general business or professional.
- (23) Pet shop or dog beauty parlor, provided that any work rooms, cages, pens or kennels be maintained within a completely enclosed, soundproof building and that such shop or parlor be operated in such a way as to produce no objectionable noise or odors outside its walls.
- (24) Parking lots, parking spaces and parking areas, but not automobile sales or storage lots, used or new automobiles or motorcycle sales or storage.
- (25) Private club, lodge, meeting hall or fraternal organization.

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- (26) Public or governmental buildings and uses, including governmental offices, police stations, fire stations (volunteer or otherwise) parks, parkways and playgrounds, with a conditional use permit.
- (27) Restaurants, drive-in or otherwise.
- (28) Shoe repairing shops occupying not more than two thousand five hundred (2,500) square feet of floor area.
- (29) Shops for the sale, service, or repair of home appliances, watches and clocks, luggage and leather goods, office machines, electrical and television and phonograph and radio equipment, occupying not more than two thousand five hundred (2,500) square feet of floor area.
- (30) Stores or shops for the conduct of retail business, including sale of accessories, antiques, appliances, art or art supplies, beverages (alcoholic or otherwise), carpets, clothing, drugs, fabrics, food, furniture, jewelry, office supplies and stationery, paint, wallpaper, sporting goods and stationery and similar stores and shops.
- (31) Studios or shops for artists, photographers, writers, teachers, jewelers, weavers or other craftsmen, sculptors or musicians.
- (32) Telephone station or booth, including drive-in or talk-from-car stations.
- (33) Temporary stands, or outdoor areas or temporary truck parking, for sale of produce, Christmas trees, wreaths, holly and the like.
- (34) Wireless communication facilities per section 18-427 of this chapter.
(Ord. of 6-18-90, § 19-7.2; Ord. of 12-21-92, § 2; Ord. of 12-21-92, § 2; Ord. of 9-23-02(2))

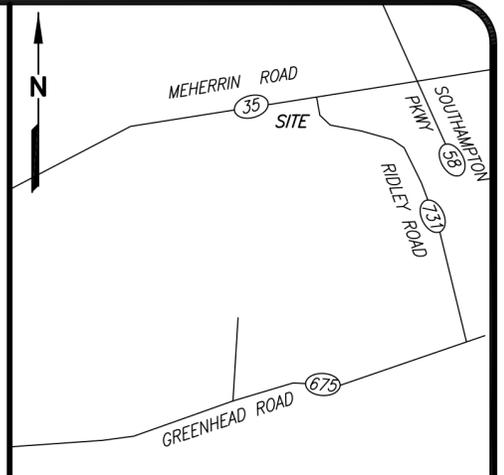
Sec. 18-222. Permitted uses.

In business district B-2, structures to be erected or land to be used shall be for one (1) or more of the following uses:

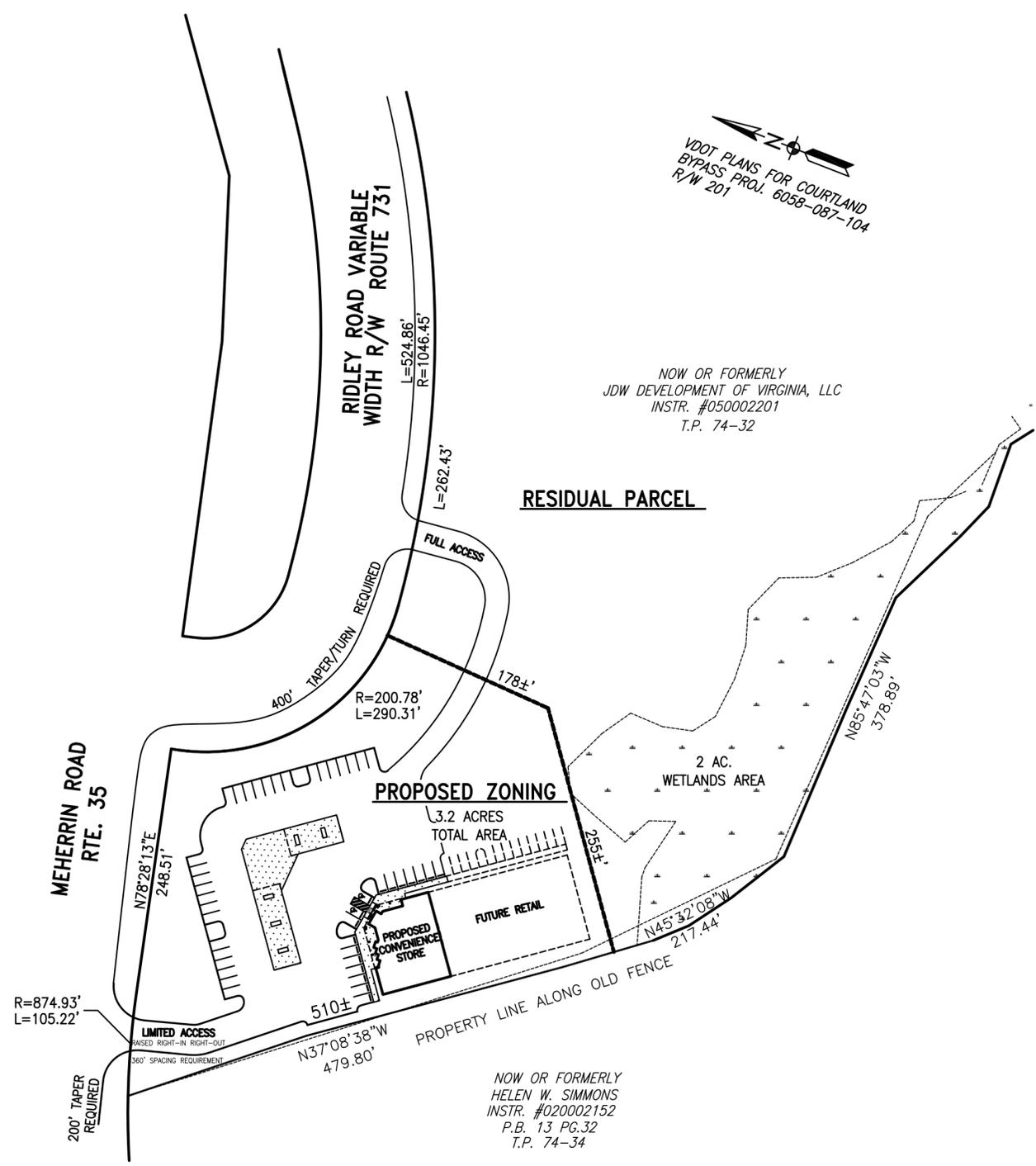
- (1) Any use permitted in the B-1 local business district, but subject to the development standards of the B-2 district.
- (2) Animal hospital or kennel with any open pens at least two hundred (200) feet from any residential district.
 - (2.1) Auction barn, with a conditional use permit.
- (3) Automobile service station, so long as bulk storage of inflammable liquids is underground.
- (4) Automobile or truck, truck trailer or bus sales, service and repair including body or fender repair, but not auto salvage or junk, and any major repair or storage of equipment or materials or damaged vehicles shall be inside a completely enclosed building.
- (5) Automobile or truck parts sales, wholesale or retail, but not storage or sale of junk.
- (6) Automobile storage lot, new or used cars, but not storage or sale of junk.
- (7) Automobile used car lot, or used truck sales.
- (8) Bakeries, wholesale or retail.
- (9) Boat and boat trailer sales and storage.
- (10) Bottling works, dyeing and cleaning works, linen service, or laundry, furniture refinishing, plumbing, electrical and heating shop, painting shop, upholstering shop not involving furniture manufacture, shoe repair, tinsmithing shop, tire sales and service (including vulcanizing and recapping, but no manufacturing), appliance repairs, and general service and repair establishments, similar in character to those listed in this item, no limit on floor area but provided that no outside storage of material is permitted except as provided in this section.
- (11) Car wash or automobile laundry, automatic or otherwise, providing reservoir space for not less than ten (10) vehicles for each washing lane of an employee-operated facility.
 - (11.1) Convenience store, as herein defined, with more than twenty-four (24) fuel dispensing nozzles or with any one nozzle exceeding a diameter of five-eighths (5/8) of one inch, with a conditional use permit.
- (12) Exterminating establishment.
- (13) Facilities and structures necessary for rendering public utility service, including poles, wires, transformers, telephone booths and the like for electrical power distribution and communication service, and underground pipelines or conduits for electrical, gas, sewer, or water service, but not including buildings, treatment plants, water storage tanks, pumping or regulator stations, major transmission lines, storage yards and substations which are permitted with a conditional use permit.

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- (14) Farm supply and service establishments, implement sales, rental and service, feed and seed store, including custom milling of grain and feed, milk depots and creameries, fertilizer storage in bags or bulk storage of liquid or dry fertilizer in tanks or in a completely enclosed building.
- (15) Firewood operation as defined, with a conditional use permit.
- (16) Fortune teller, palmist, astrologist, numerologist, clairvoyant, craniologist, phrenologist, card reader, spiritual reader or similar activity.
- (17) Garages, parking, storage or repair.
- (18) General advertising sign limited in area to two hundred (200) square feet as a special exception.
- (19) Greenhouses, commercial, wholesale or retail.
- (20) Hotel, motel, motor lodge or tourist home.
- (21) Ice storage and distributing station of not more than five (5) tons capacity.
- (22) Janitorial service establishment.
- (23) Lawnmower, yard and garden equipment, rental, sales and service.
- (24) Lumber and building materials store, wholesale or retail, but not a lumber yard.
- (25) Material storage or sales yards, in connection with a permitted use where storage is incidental to the approved occupancy of a building, provided all products and materials used or stored are enclosed by a masonry wall, screening, fence, or hedge, not less than six (6) feet in height. Storage of all materials and equipment shall not exceed the height of the wall. Storage of cars and trucks used in connection with the permitted trade or business is permitted within the walls or screen, but not including storage of heavy equipment, such as road-building or excavating equipment.
- (26) Manufactured home sales, display and storage, or sales, rental, display and storage of travel trailers, motor homes, travel vans, and campers provided that all units shall be in useable condition, none shall be placed in a required front yard, the minimum parcel area shall be one-half acre, the storage area shall be separated from the display area by a continuous visual screen with a minimum height of eight (8) feet, such screen consisting of a compact evergreen hedge or foliage screening or louvered fence or wall, and the entire area shall be similarly screened from any contiguous residential district.
- (27) Monument sales establishments with incidental processing to order, but not including the shaping of headstones.
- (28) Motorcycle or off-road vehicle sales and service.
- (29) Muffler sales and installation.
- (30) Outdoor sales area or flea market, with a conditional use permit.
- (31) Peanut buying station.
- (32) Plumbing and electrical supplies, wholesale or retail.
- (33) Printing, publishing and engraving establishments, photographic processing or blueprinting.
- (34) Private club, lodge, meeting or assembly hall or fraternal organization or sorority.
- (35) Public or governmental buildings and uses, including governmental offices, libraries, schools, fire stations (volunteer or otherwise), parks, parkways and playgrounds, with a conditional use permit.
- (36) Radio and television stations and studios or recording studios, but not towers more than one hundred twenty-five (125) feet in height except with a conditional use permit.
- (37) Recreation facilities, indoor or outdoor, including theaters, bowling alleys, dance halls subject to applicable county regulations, skating rinks (ice skating or roller skating), swimming pools, miniature golf, billiard or pool parlors, game centers, indoor or outdoor tennis, indoor model racing tracks and similar activities.
- (38) Rental of luggage trailers but not including truck trailer bodies except campers and travel trailers.
- (39) Sign fabricating and painting shop.
- (40) Taxidermists.
- (41) Tire sales and installation.
- (42) Wholesale brokerage or storage establishments with floor area devoted to storage or warehousing limited to twenty thousand (20,000) square feet.
- (43) Wireless communication facilities per section 18-427 of this chapter.



LOCATION MAP
SCALE: 1"=2000'



SITE STATISTICS

TAX PARCEL: PORTION T.P. 74-32 OWNED BY JDW DEVELOPMENT OF VIRGINIA, LLC.
 TOTAL SITE AREA: 3.2 ACS (PROPOSED ZONING)
 SITE ADDRESS: MEHERRIN ROAD (RTE. 35)
 PROPOSED USE: COMMERCIAL / RETAIL ESTABLISHMENT



PROPOSED ZONING EXHIBIT		
PORTION OF PROPOERTY BELONGING TO JDW DEVELOPMENT OF VIRGINIA, LLC		
PORTION OF T.P. 74-32 SOUTHAMPTON COUNTY, VIRGINIA		
DRAWN: BJJ	DATE: 3/21/14	REVISION:
COMP:	SCALE: 1"=100'	4/1/14 - SPACING REVS.
CHECKED:	PRELIMINARY PLAN	7/14/14 - AREA REVS.
		8/12/14 - AREA REVS.

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Phone: 757.686.3345 Fax: 757.686.3348

REF:	SHEET NO. 1
PROPOSED LOT	SHEET: 1 of 1