

## **PLANNING REPORT**

### **APPLICATION:**

The application of Riverside Pest Control, applicant, and Monster Storage LLC, Owner, for a Conditional Use Permit (CUP) on 1.93 acres of land located on IWIP Road (Rte.10/32) with tax parcel identification number 42-06-009 to allow for business support service.

### **ELECTION DISTRICT:**

Windsor

### **LOCATION:**

The subject parcel is located in the Isle of Wight Industrial Park on the west side of Benns Church Boulevard (Rte.10/32). The parcel sits on the corner of IWIP Road and Commerce Lane. The property is approximately 0.2 miles from Benns Church Boulevard (Rt.10/32). The parcel is surrounded in all directions by industrial uses. It lies across IWIP Road from the current home of Daniels Performance Group.

### **BACKGROUND:**

According to County records, the parcel was created in October 1988. It is currently a part of the Isle of Wight Industrial park. The industrial park was rezoned to include all uses in the Limited Industrial zoning district. The parcel is currently vacant. The applicant approached County staff proposing to locate a pest control business on the property. At that time staff informed the applicant the proposed business would fall under the business support service use type. The applicant submitted an application for a Conditional Use Permit (CUP) in July 2019.

### **DESCRIPTION:**

The applicant is requesting a CUP on 1.93 acres of land to be able to operate a pest control business. The CUP will allow for the business support service use type to operate on the entire acreage. The proposed pest control business is currently operating in Smithfield. According to the conceptual plan, the applicant plans to construct a 3500 square foot building, if the CUP is approved.

### **COMPREHENSIVE LAND USE PLAN:**

The comprehensive plan future recommended land use designation for the property is Rural Agricultural Conservation (RAC). The RAC land use designation is intended to cover the vast majority of the County that is outside the DSDs and encompasses the large areas devoted to agriculture and forest land. Small groupings of scattered residential uses dot the landscape, and there is a tendency for new development to be stripped out along the roads.

Some appropriate uses for the land use designation are agriculture, forest lands, and low-density residential development. Small scale processing of the agricultural and forest products may be accommodated when appropriately sited

The proposed land use is not consistent with the Comprehensive Plan. It should be noted that a revision to the Comprehensive Plan is currently under review.

### **ORDINANCE REVIEW:**

The current zoning designation for this property is Limited Industrial (LI). The intent of the LI zoning district is to provide an environment suitable for industrial activities that do not create appreciable nuisances, hazards or threats to the natural environment or surrounding development. Some appropriate permitted uses are public sports/events facility, recycling center, and major motor vehicle repair.

The business support service use type is a conditional use in the LI zoning districts. Conditional uses are considered generally compatible with the permitted uses in a zoning district subject to any additional criteria to ensure they are not detrimental to surrounding properties.

The applicant has addressed all the information required by the Isle of Wight County Zoning Ordinance for a CUP. Should the CUP be approved, the applicant will be required to submit a Preliminary Site Plan to demonstrate how it meets the requirements of County ordinances.

The Planning Commission and Board of Supervisors shall consider the following criteria before approving a CUP:

1. That the establishment, maintenance, and operation of the conditional use will not be detrimental to or endanger the public health, safety, and general welfare;
2. That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially impair the use of other property within the immediate proximity;
3. That adequate utilities, water, sewer or septic system, access roads, storm drainage and/or other necessary public facilities and improvements have been or will be provided;
4. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion on the public streets;
5. That the proposed conditional use is not contrary to the goals and objectives of the Isle of Wight County Comprehensive Plan;
6. That the conditional use shall, in all other respects, conform to the applicable regulations of the zoning district classification in which it is located and to the special requirements established for the specific use;
7. That the use(s) at the location proposed will not result in a multiplicity or saturation of similar uses in the same general neighborhood of the proposed use.

In addition to the specific standards contained in article V, supplementary use regulations, the other guidelines and criteria described in the Zoning Ordinance, and other relevant consideration, the Board of Supervisors may impose conditions or limitations on any approval, including the posting of performance guarantees. Such conditions may include, but are not necessarily limited to:

1. The number of person living or working in the immediate area and the proposed hours of operation , as may be applicable;
2. Traffic conditions, including facilities for pedestrians, such as sidewalks and parking facilities; the access of vehicles to roads; peak periods of traffic; and proposed roads, but only if construction of such roads will commence within the reasonably foreseeable future;
3. The orderly growth of the neighborhood and community and the fiscal impact on the county;
4. The effect of odors, dust, gas, smoke, fumes, vibration, glare, and noise upon the use of surrounding properties;
5. Facilities for police, fire protection, sewerage, water, trash and garbage collection and disposal, and the ability of the county or persons to supply such services;
6. The degree to which the development is consistent with generally accepted engineering and planning principles and practices;
7. The structures in the vicinity such as schools, houses of worship, theaters, hospitals, and similar places of public use;
8. The purposes set forth in this ordinance, the county's comprehensive plan, and related studies for land use, roads, parks, schools, sewers, water, population, recreation, and the like;
9. The environmental impact, the effect on sensitive natural features, and opportunities for recreation and open space;
10. The preservation of cultural and historic resources or landmarks.

#### **AGENCY REVIEW:**

The application was sent to the following agencies for review and comment. Below is a summary of these comments:

**VDOT:** A commercial entrance in accordance with Appendix F of the VDOT Road Design Manual will be required. Sufficient site distance shall be provided and shown as part of a site plan or permit application. A culvert will be required within the existing ditch lines to maintain roadside drainage. The minimum culvert size within State maintained right of way shall be 15 inches unless otherwise approved by the Department. Pipe sizing calculations should be submitted as part of the site plan. Nine inches of cover over the culvert pipe is required and the culvert pipe should extend a minimum of one foot beyond the toe of the stabilized slope.

**Economic Development:** Economic Development supports the establishment and expansion of businesses in the County. We are in support of Riverside Pest Control's conditional use permit application, which will allow them to grow from a home-based business into a commercial storefront in Isle of Wight Industrial Park.

**Environmental Planner:** Please see attached comments.

**Health Department:** Please see attached comments.

**Inspections:** No concerns.

**Stormwater:** No comments submitted.

#### **STAFF CONCLUSIONS:**

##### **Strengths:**

1. Will allow a vacant lot in the industrial park to be occupied
2. Will allow an existing business in the County to expand
3. Similar to other uses found on neighboring parcels

##### **Weaknesses:**

1. Not consistent with the recommended future land use designation for the property

#### **STAFF RECOMMENDATION:**

Based on the strengths noted, Staff recommends approval of the application as submitted.

#### **ATTACHMENTS:**

Description	Type	Upload Date
<a href="#">Location Map</a>	Backup Material	9/16/2019
<a href="#">Location Closeup</a>	Backup Material	9/16/2019
<a href="#">Land Use Map</a>	Backup Material	9/16/2019
<a href="#">Zoning Map</a>	Backup Material	9/16/2019
<a href="#">Site Images</a>	Backup Material	9/16/2019
<a href="#">Exhibit B</a>	Backup Material	9/16/2019
<a href="#">Agency Review</a>	Backup Material	9/16/2019
<a href="#">Application</a>	Backup Material	9/16/2019
<a href="#">Riverside CUP PC Resolution 092419</a>	Resolution Letter	9/17/2019
<a href="#">Riverside CUP Ordinance 092419</a>	Ordinance	9/17/2019