

Mr. Kidd called the July 11, 2022 meeting of the Botetourt County Planning Commission to order at 6:00 PM, in the Botetourt County Administration Center Auditorium in Daleville, Virginia.

PRESENT: Mr. Steven L. Kidd, Chairman
Mr. Tim Lucas, Vice-Chairman
Mr. Brandon Nicely, Member
Mr. Sam Foster, Member
Mr. Hiawatha Nicely, Jr.
Mr. Matt Schmitt, County Attorney
Mrs. Nicole Pendleton, Director of Community Development
Mr. Drew Pearson, Zoning Administrator
Mr. Jon McCoy, Planner
Mr. Nick Baker, Code Enforcement
Mr. Dalton Kaiser
Mrs. Laura Goad, Administrative Assistant

ALSO PRESENT: Mr. David Moorman, Deputy County Administrator
Ms. Ashley Smith, VDOT

ABSENT: Mr. Billy Martin, Ex-Officio Member

After Mr. Kidd opened the meeting and welcomed those in attendance, he introduced Staff and Planning Commission members, and then read the procedures for the public hearing, noting that anyone wishing to speak should complete a "Request to Speak" form and give it to a Staff member.

Mr. Kidd stated the Board of Supervisors would hear this request on July 26, 2022 at 6:00 PM at the Botetourt County Administration Center.

Mr. Kidd announced that the Planning Commission would meet in the Kroger parking lot for the next field review at 3:15 PM on Thursday, August 4, 2022.

Mr. H. Nicely motioned to approve the May 9, 2022 Planning Commission minutes and June 28, 2022 Planning Commission Joint Work Session minutes as written.

Mr. Lucas seconded the motion, which was approved 4:0:1:0 for the following recorded vote:

YES: Mr. B. Nicely, Mr. H. Nicely, Mr. Kidd, Mr. Lucas
NO: None
ABSTAIN: Mr. Foster
ABSENT: None

Public Hearings

Amsterdam District: DTC South Village, LLC requests a Special Exception Permit, with possible conditions, to increase the maximum building height above 45 feet, in the Traditional Neighborhood Use District in accordance with Sec. 25-583. – *Special exceptions and Chapter 25 Zoning, Article, II. –*

District Regulations, Division 9, Sec.25-207(f).- Maximum height of buildings and structures of the Botetourt County Code. This 1.459-acre lot is located across from the Daleville Town Center Apartments, at the intersection of Town Center Street (Route 1189) and Shenandoah Avenue (Route 1190), Daleville, and is identified on the Real Property Identification Maps of Botetourt County as Section 88(8) Parcel 1.

Mr. Pearson read the legal ad aloud, as he displayed the zoning map on PowerPoint and explained each district. He then displayed the aerial photo, noting the existing parking on the parcel, plus the photo from US 220. Mr. Pearson pointed out that Sec. 25-15 of the ordinance exempted certain things such as height for an elevator shaft. He said this request was to go up to 49 feet, while the SEP allowed up to 60 feet maximum. Mr. Pearson explained the preliminary calculations indicated 46 feet, the request for 49 feet was to be used as a buffer. He reminded those in attendance that the Daleville Town Center apartments had a SEP for 60 feet while he displayed renderings for the three-story, mixed-use building. Mr. Pearson commented that to date there were no public comments, reviewed the following suggested conditions by Staff: 1. The development of the property shall be constructed in substantial conformance with the building sections drawing included with the application, titled "South Village Development, Daleville Town Center", dated April 29, 2022. 2. The development of the property shall be constructed in substantial conformance with the building elevations included with the application dated April 29, 2022. 3. The SEP approval shall not exempt the use from meeting the requirements of the Botetourt County Noise Ordinance.

When Mr. H. Nicely asked about the expected construction start date, Mr. Kelderhouse responded it would be this fall.

Mr. Lucas wanted to know about additional parking.

Mr. Pearson explained there would be additional parking and the applicant would have to go through site plan processes, would have to meet minimum standards, including parking.

Mr. Andy Kelderhouse, President of Fralin & Waldron stated they would start construction in September or October, noting they had to get through the site plan process. He explained they ran into low ceilings on the second and third floors because eight-foot ceilings were not really marketable.

Mr. Kidd opened the public hearing. He asked if anyone wanted to comments because he did not have any request to speak forms.

There being no one else to speak, Mr. Kidd closed the public hearing.

Mr. H. Nicely noted Mr. Kelderhouse and developers had done an outstanding job, and he was fine with request.

Mr. Lucas said he was appreciative of the fact that they asked for a minimal amount.

Mr. H. Nicely motioned to forward the SEP request to increase maximum building above 45 feet, with conditions provided by staff, with a recommendation for conditional approval on the basis that the requirements of Section 25-583 of the Zoning Ordinance have been satisfied.

Mr. Lucas seconded, which was unanimously approved 5:0:0:0, with the following recorded vote:

YES:	Mr. B. Nicely, Mr. H. Nicely, Mr. Kidd, Mr. Foster, Mr. Lucas
NO:	None
ABSTAIN:	None
ABSENT:	None

Mr. Kidd announced the motion carried.

Buchanan District: Paul R. and Diane D. Wolff request a Special Exception Permit for a Private Airport with possible conditions, to operate a personal airplane in the Agricultural (A-1) Use District in accordance with Sec. 25-583. – Special exceptions and Chapter 25 Zoning, and Article, II. – District Regulations, Division 1, Sec. 25-73(1) Airport, private of the Botetourt County Code. This 33.79-acre parcel is located at the intersection of Shiloh Drive (Route 612) and Shiloh Church Road (Route 692) adjacent to the Shiloh Church and Cemetery at 519 Shiloh Drive, Eagle Rock and is identified on the Real Property Identification Maps of Botetourt County as Section 28, Parcel 94.

Chairman Kidd recused himself, and left the area to sit in the audience. Vice-Chair Lucas assumed the chair.

Mr. Jon McCoy read the request aloud. He displayed the zoning map on PowerPoint, then the aerial map as he noted the placement of Shiloh Church, woodland and open fields to the north; a conservation easement and agriculture to the south; woodland and open fields to the east, and open fields, single-family residential to the west. Mr. McCoy stated that aircraft would take off on southern end of the runway, and displayed the concept plan. He noted the proposed by-right use of the hangar and home. Mr. McCoy read the following suggested conditions: 1. There will be no sale of fuel or repair service, nor storage of fuel, except for what is required for personal use. 2. There will be no air shows, rallies, or fly-ins. 3. There will be no commercial operations, such as flying lessons. 4. The airstrip is limited to light, propeller driven aircraft. 5. The SEP approval shall not exempt the use from meeting the requirements of the Botetourt County Noise Ordinance. 6. The airstrip shall be constructed in substantial conformance with the amended site plan titled, "SEP-22-00042-Wolff Private Airport, Concept Site Plan", dated June 8, 2022 included with the original application dated April 26, 2022. Mr. McCoy further stated that VDOT reviewed and had no comments, the Eagle Rock Fire and Rescue was 3.7 miles from this site, and Staff received a few public comments and questions from the public.

Mr. Lucas asked the applicant to come forward.

Dr. Paul Wolff of Roanoke, stated he and his wife purchased this property, and wanted to address two items. He first addressed a letter received, and explained that the described activities were most likely from a nearby flight school that would usually take flight schools students to one of two areas, Smith Mountain Lake or between Fincastle and Buchanan. Dr. Wolff said his neighbors had been incredibly supportive, and noted he would never fly west of Shiloh Drive, and never during church services, funerals or weddings.

Mr. Lucas asked if he had any intention to have friends fly here.

Dr. Wolff responded that he only knew of two people who were capable of landing here, and he wanted to welcome them. He further responded that most of his friends did not have the correct equipment to fly here.

Mr. B. Nicely asked Dr. Wolff how often he would fly.

Dr. Wolff said that on pretty days, such as in the fall, maybe three times per week, other times maybe once per month.

Mr. Foster wanted to know about flight height requirement.

Dr. Wolff replied that he would fly no lower than 1000 feet, and he would not fly over their houses or that close.

Mr. Lucas opened the public hearing.

Mr. Jim Holaday of Eagle Rock, supported Dr. Wolff's request, noting the distance was a short distance of a hayfield, and not two miles of a paved driveway. Concerning noise, Mr. Holaday said they heard shots during hunting season, tractors, etc. and the private airport was not a problem.

Mr. Ryan Moran of Eagle Rock, said his family owned land across from the Wolffs, and in next ten years he and his brother planned to run cattle. He noted the Air Force currently flew over this area, and he wanted to verify the Wolff private airport would not affect their hunting by shooting next to an airport.

As Mr. Schmitt said he would have to look into it, Mr. B. Nicely noted two private airports close to his own property commenting that Mr. Moran should be fine to hunt on his own property.

Mr. Kevin Riddle of Eagle Rock, shared what he learned from a similar proposal approximately 15 years ago. He said the airport had started out as an innocent project, needed permission from the county to exist, but the FAA said the airplane had to be 500 feet and up, and there were no limitations once approved, and he had an ongoing problem.

Mr. Lucas asked if anyone else wished to speak.

There being no one else to speak, Mr. Lucas closed the public hearing.

Mr. B. Nicely motioned to forward the SEP request for a private airport, with a recommendation for conditional approval on the basis that the requirements of Section 25-583 of the Zoning Ordinance have been satisfied with the following conditions:

Mr. Lucas and Mr. Foster seconded, which was unanimously approved 4:0:1:0, with the following recorded vote:

YES:	Mr. B. Nicely, Mr. H. Nicely, Mr. Foster, Mr. Lucas
NO:	None
ABSTAIN:	Mr. Kidd
ABSENT:	None

Mr. Lucas announced the motion carried.

Mr. Lucas relinquished the chairmanship and Mr. Kidd resumed his chairmanship duties.

Amsterdam District: Wendover Associates LLC (Roanoke Valley Direct Primary Care, PLLC, lessee) requests a Special Exception Permit for a medical care facility, with possible conditions, in the Business (B-2) Use District in accordance with Sec. 25-583. – Special exceptions and Chapter 25 Zoning, Article, II. – District Regulations, Division 11. Sec. 25-243(16). – Medical Care Facility of the Botetourt County Code. The primary care medical office is proposed within a portion of the existing building on a 2.053-acre lot at 25 Wendover Road, at the intersection of Roanoke Road (US Route 220), and Wendover Road (Route 794), Daleville, identified on the Real Property Identification Maps of Botetourt County as Section 101A(1), Parcel BK1-21A.

Mr. McCoy introduced Mr. Dalton Kaiser, Intern, to the Planning Commission, noting that Mr. Kaiser would present this request.

Mr. Kaiser read the legal ad aloud, and displayed the zoning map. He described the zoning as he highlighted the Business B-2 Use District on the map. Mr. Kaiser stated that the north was zoned B-2 and Residential, R-1 with a vacant single-family dwelling; south was zoned B-2 for Bellacinos Restaurant; west was Business B-2 for First Bank, and east was Residential, R-1. He then displayed the aerial map, discussed the 1,146 square feet to be utilized for the primary care physician office, and pointed out the floodway, VDOT comments, and the following proposed condition agreed to by the applicant. 1. The special exception permit for the Medical Care Facility shall not allow a drug rehabilitation clinic that treats drug addictions.

Mr. Lucas asked if there would be any new entrances and extra parking.

Applicants Dr. Parker Slayton and Ms. Jodi Meyer, spoke on their own behalf. They explained this was a direct primary care model, transparent pricing for visit, approximately five to ten patients per day would be seen, with one to two parking spots used per day. Dr. Slayton stated there would be no drug rehabilitation, noting a special license was required, and he did not want that license.

Mr. H. Nicely asked if there would be any overnight visits. Dr. Slayton said there would be no overnight visits.

Mr. Lucas wanted to know if Dr. Slayton had an affiliation with a hospital.

Dr. Slayton said he did not have an affiliation because he was in private practice.

Mr. Kidd opened the public hearing. No one asked to speak.

There being no one else to speak, Mr. Kidd closed the public hearing.

Mr. B. Nicely stated this was a good location.

Mr. Lucas stated the need for this type of practice because people were looking for better attention.

Mr. H. Nicely motioned to forward the SEP request for a medical care facility, with possible conditions, with a recommendation for conditional approval on the basis that the requirements of Section 25-583 of the Zoning Ordinance have been satisfied with the following conditions:

Mr. B. Nicely seconded, which was unanimously approved 5:0:0:0, with the following recorded vote:

YES: Mr. B. Nicely, Mr. H. Nicely, Mr. Kidd, Mr. Foster, Mr. Lucas
NO: None
ABSTAIN: None
ABSENT: None

Mr. Kidd announced the motion carried.

Buchanan District: RYT LLC (Muhammad Tahir, contractual purchaser) requests a Special Exception Permit for a convenience store, with possible conditions, in the Business (B-1) Use District in accordance with Sec. 25-583. – Special exceptions and Chapter 25 Zoning, Article, II. – District Regulations, Division 10. Sec. 25-223(1). – Convenience store of the Botetourt County Code. Consideration of the SEP is limited to a 3.14-acre portion of the parcel already within the Business (B-1) Use District and cannot be considered on portions of the parcel located within the Agricultural (A-1) or Forest Conservation (FC) Use Districts. The parcel totals 6.27 acres and is located at 621 and 21 Frontage Road, Buchanan, at the intersection of Greyledge Road (Route 611), and Frontage Road (Route F054), identified on the Real Property Identification Maps of Botetourt County as Section 53, Parcel 16.

Mr. Pearson read the legal ad aloud as he displayed it on PowerPoint, along with the zoning map, while pointing out the B-1, A-1 and FC areas. He stated the 3.14 acres of this property was rezoned to B-1 in 1984. Mr. Pearson mentioned another piece of B-1, a 17-acre parcel rezoned in 1969 with conditional approval for a campground. Mr. Pearson said the rest of the properties were zoned either FC or A-1 with floodplain. He mentioned across interstate was zoned B-2 for Wattstull Inn and Foot of the Mountain Café. Mr. Pearson displayed the ariel map, described the two existing buildings, displayed a photo of existing property, and the most recent survey. He then displayed the concept plan, explaining the applicant expected to service local residents with some interstate traffic. Mr. Pearson noted the floodplain area, the new store building area, two gasoline canopies with four fuel pumps, plus two pumps for low-fuel diesel (not for tractor trailers), pointing out this was not designed to park or fuel tractor trailers, although there was a recreation area for pets, parking for passenger vehicles, a retaining wall, one electric vehicle fuel that staff viewed the same as other fuel. Mr. Pearson explained that the access management plan showed a right taper would be required, VDOT reviewed and would require a land use management plan, and concurred with the engineer's findings. He further explained that two driveways would serve the project, and there would be a stormwater management pond. Mr. Pearson mentioned that the included renderings did not specify materials, and if approved, there would be some safe guards as to building style and colors. He pointed out this property had existing B-1 zoning, that would allow offices, retail stores, shops, restaurants as by-right uses. He also said the applicant was here for the convenience store that served gas. Mr. Pearson said that a restaurant, fast food, and Dollar General store were by-right uses, and this request was more about the gas than anything else. Mr. Pearson stated that Staff received 34 comments, with one in support, and all others opposed, with a number of concerns such as traffic, development on stream contamination, lights, trash, crime, and the viewshed from Foot of the Mountain. He commented that lots of people were against a truck stop. Mr. Pearson stated this was not a truck stop, and there would be no high flow diesel, as he brought up SEP conditions. He further stated that Staff

looked at the purpose, explaining that B-1 provided personal and neighborhood shopping, and that the district was not intended for intensive traffic generators. Mr. Pearson commented that the focus should be on the needs of the adjacent community. He further commented that Staff suggested conditions based on serving the community and not interstate traffic as he read the following conditions aloud: 1. The development of the property shall be constructed in substantial conformance with the concept site plan included in the application, except that no RV or oversized parking spaces shall be allowed, titled Buchanan Convenience Store Concept A, prepared by Engineering Concepts Inc. and dated May 23, 2022. 2. The development of the property shall be constructed in substantial conformance with the building elevations included with the application, titled Muhammad Bilal, Buchanan, Virginia, prepared by Price Buildings Inc and dated March 8, 2022. 3. No window signage shall be permitted. 4. No freestanding pole/pole mounted sign shall be allowed. 5. If the RV or oversized parking spaces are allowed, signage shall be installed in the vicinity of the RV parking spaces that indicates that the parking spaces are for RV parking only. 6. "No parking" signage shall be installed along the drive adjacent to the floodplain. 7. Outdoor lighting shall not exceed 15 feet above grade and shall not exceed 0.20 vertical foot-candles at a height of 5 feet at the property lines, except along Greyledge Road, where the measurement shall be 50 feet from the centerline of the road. Outdoor lighting shall only be allowed within the portion of the parcel that is zoned (B-1). 8. No clearing of vegetation or development shall occur within the regulatory floodplain. 9. The SEP approval shall not exempt the use from meeting the requirements of the Botetourt County Noise Ordinance. 10. All other specifications and general provisions shall be met as required by the Botetourt County Zoning Ordinance and in no instance shall the zoning conditions exempt a project from any local, state or federal development requirement, except where allowed by the zoning ordinance. Mr. Pearson then discussed requirements for substantial conformance, noting the property owner, the engineer, and applicant were all present.

Mr. H. Nicely wanted to know if this location would service tractor trailers.

Mr. Pearson replied that the regular convenience store did not allow high flow diesel or allow tractor trailer parking, and the site plan was not designed to have any of those functions.

Mr. H. Nicely asked about ingress and egress, and the extent of RV usage, as Mr. Lucas asked how a RV would park there without blocking others.

Mr. Pearson answered that canopies were at a height where a RV could fit, and probably back into the spaces. He said they could certainly maneuver, that tankers could make the movement to drop the gas, but tractor trailers could not park here. Noting the depth here for an RV as he pointed to the concept plan, Mr. Pearson said he did not see an issue of maneuvering, more of an issue of community traffic versus RVs. Mr. Pearson said the RVs could not use drops or power because that was more of campground use; this area would be for parking space only.

Mr. Bobby Wampler of Engineering Concepts Inc., was present to spoke on behalf of Mr. Mohammed Tahir, contractual purchaser. He said he had reviewed public comments.

Mr. Wampler reemphasized the scale of this project. He stated this was 2,000 square feet building where half the lot was zoned for business. By comparison, he commented that Sheetz had 6,000 square feet building plus a car wash on a smaller property, saying that this would be comparable in size to the Exxon beside the Park and Ride. Mr. Wampler said that a tractor trailer could traverse in one entrance, and exit the other access. Mr. Wampler cited the onsite parking requirements noting their first concept included deeper RV parking, with travelers going down I-81 that needed pet areas and fuel. Addressing concerns

about environmental and stormwater, increased flooding, Mr. Wampler stated that everything they would do would reduce runoff, and they would have to have better water quality after Erosion and Sediment Control County staff reviews, plus enforcement staff that would observe construction to ensure requirements were met. He stated they would meet all lighting requirements with dark sky lighting standards; landscaping along roadways would be in accordance with county requirements; they would have over 50 trees along the road frontage, canopy coverage, dumpster screening, with the goal to stay out of the floodplain, and not have a retaining wall, but will have it if needed. He further stated that I-81 would have more noise than anything this store would produce, and they would build in 2022. Mr. Wampler said this would be the most up to date community store in Botetourt to meet current regulations. Due to public comments, Mr. Wampler visited the Foot of the Mountain parking area. He concluded this store would not have much visual impact based on his visit. He stated this property was not on historic registry, although he did not discount that it was important to someone, but it was not a historically registered structure.

Mr. H. Nicely confirmed with Mr. Wampler that the store would have one charging station.

Mr. B. Nicely asked about the location of the septic.

Mr. Wampler responded that a new one will have to be installed, with the anticipation that with two restrooms, it would use less than the house would use.

Mr. Mohammad Tahir, resident of both Rockbridge County and Lynchburg, stated that he operated two gas stations, family oriented, and had worked at this since he was 14 years old. He said this specific store would be a lot harder if it was designed as truck stop, and that it would become a 24-hour station. He further stated this was a convenience store to take care of the community more than travelers. He shared pictures with the Planning Commission of his current gas station that he said was closer to interstate than this one. He explained that grocery and merchandise sales were about 60-65% of total sales. Mr. Tahir explained that most convenience stores were overpriced, and his prices would be competitive with Dollar General, so they would not take advantage of others. Mr. Tahir then shared photos of his stores with the Planning Commission.

Mr. Lucas asked if he traditionally served hot food, as he noted this looked like a Botetourt Stop-In that did not accommodate trucks.

Mr. Tahir confirmed he would serve hot food, as he spoke of the potential recreational vehicle market, and how they designed the diesel canopy so the recreational vehicles would not stay on property long. He noted that Penske and U-Haul type trucks accounted for 40% of diesel sales, and he wanted to accommodate them, because they would be in and out. Mr. Tahir said if granted, this would be a help for people, and none of this would be long stay parking.

Mr. Lucas commented that recreational vehicle/campers did not just run on diesel, because some had trucks pulling them.

Mr. Tahir mentioned they would either park in spaces or park behind the building.

Mr. Kidd asked Mr. Tahir to speak about fuel tanks.

Mr. Tahir responded they would use double walled, fiberglass underground fuel tanks with tank sensor system automatic alarms. He further responded that the Department of Environmental Quality required one report per month, and his stores completed four reports per month to make sure there were no problems underground, under the pumps.

Mr. Kidd asked about this location relative to the KOA, and signage.

Mr. Tahir explained that KOA was on the other side and he would be on the south side. Regarding signs, Mr. Tahir said they would have a monument style sign with billboard digits, no LED lights and they would meet the ordinance. He further explained the store would be pretty visible, and they were flexible about changing what they could and could not have.

Mr. H. Nicely wanted to know if the store hours would be open 24/7.

Mr. Tahir replied that in the beginning, store hours would be from 6:00 AM until midnight depending on seasons. He further replied would definitely be open 18 hours year 'round, depending on business, but once they were open for 24 hours, they would stay at 24 hours.

Mr. Kidd announced a brief recess at 7:38 PM, before opening the public hearing.

The Planning Commission reconvened at 7:47 PM.

Mr. Kidd opened the public hearing.

Mr. Michael Grimm of Buchanan, stated he lived about four miles from this site. Opposed to this request, he cited serious concerns of stormwater, majority of site being in the floodplain, that flowed into Purgatory Creek, then the James River, and the Chesapeake Bay Watershed. He brought up questions about construction with big underground rock ledge to require excavation, blasting or hammer work, impact for local water supplies, as well as traffic, ingress/egress of Frontage/Arcadia roads, the exit ramp south bound side, and light pollution.

Mr. John Manspile of Buchanan, spoke against this request due to sight distance and visibility on Greyledge, noting the septic system for the log house was next to a limestone ledge, the big spring on the right was fed by pipe under and all the way across. He also said there was a cemetery with 40-60 people buried near the pet area and property line. Mr. Manspile explained that VDOT had been looking for archeological artifacts, and noted lots of glass that was actually slag from Greyledge. He questioned the site distance and how to get septic system installed when there were lots of underground rocks big as automobiles in there.

Mr. Charles York, of Buchanan opposed this request based on of traffic safety concerns, and the wrong speed limit used for traffic calculations. He stated that a 55 mph and not 35 mph should have been used. He asked what would happen when they start digging and find out they can't do this.

Mr. Kidd asked Mr. Wampler to address the questions raised, beginning with stormwater.

Mr. Wampler addressed citizen concerns. Mr. Wampler pointed to the initial stormwater area, which would appear as an open dry basic. He said that during dry normal weather people could expect to see a

grassed, compression area that would be mowed, and during storm events, the stormwater area would catch the water and release it at a rate that would be less than today.

Because of the difference in elevation on the site, Mr. Kidd brought up the rock present at the site during a visit today, and asked Mr. Wampler to address that, as well as a big spring mentioned by Mr. Manspile, and any surveys about the rock.

Mr. Wampler responded that Botetourt was in a limestone region, and their plans contained a typical note about; he confirmed that there were no design regulations, and they would catch the spring water and pipe it out as they were able. Mr. Wampler stated there were no geotechnical points to show the location of rock, but they were aware of the rock.

Mr. Kidd questioned Mr. Wampler about lighting, sight distance, septic, and the possibility of a cemetery.

Concerning lighting, Mr. Wampler said in addition to SEP conditions and the lighting ordinance, they would have full cutoff optics and dark sky compliant fixtures, and that lights under canopies would help that. He also stated that for the sight distance, they would look at the two entrances, and if they erred on the speed limit, that would increase sight distance by about 80 feet. Mr. Wampler said this would go through further VDOT review. Mr. Wampler said he was unaware of a cemetery until he read the public comments. Regarding placing septic within an area of rock, Mr. Wampler stated there were many options and tools, and ECI had done a number of nontraditional septic systems. He further stated that would be the next part of due diligence for Mr. Tahir. Mr. Wampler noted that Mr. Tahir might find this would not be feasible, but needed to take this a step at a time.

Mr. Kidd asked Ms. Smith about the speed limit, and if she had anything to add, such as safety issues or traffic concerns.

Ms. Smith responded that the speed limit was 55 miles per hour, and made comments general in nature. She stated this project still needed to go through a full site plan review, and if the site plan did not meet sight distance requirements for 55 miles per hour, there were mitigation ways to help the situation, VDOT was required to give access to the property, and they could work with them on sign placement, and as Mr. Wampler said, they still need to verify those things.

Mr. Kidd asked Ms. Smith if they could include on any kiosk interstate signs that the diesel pumps were only for cars.

Ms. Smith answered that the program was called, "Virginia Logos", where they applied and paid fees, through a different department. She said there are certain signs on there and she was not sure how it was designated, because the program was not run through the local office. In response to someone that mentioned the exit ramp at Arcadia or Frontage Road, Ms. Smith stated that VDOT could not require this project to do any improvements because it's not along that frontage. She further stated that would apply to any business at this particular property.

There being no one else to speak, Mr. Kidd closed the public hearing.

Mr. Pearson requested to ask a question, which Mr. Kidd permitted.

Mr. Pearson noted that earlier in the process, the applicant had black and white renderings on the building itself, and had recently updated them to color renderings. He further noted the actual language in the suggested conditions referenced the black and white renderings from Price Buildings. Mr. Pearson said the color renderings were prepared by Balzer on June 29, 2022 and requested that if approved, Staff would correct that language prior to the Board of Supervisors public hearing.

Mr. Kidd stated that he wanted to hear other members' thoughts.

Referring to most of the concerns by people, Mr. Lucas stated that any business at this location would have to go through proper channels anyway. He further stated that lots of control went into stormwater control, he did not know what they would have to do if they found a cemetery, and rock ledges might be cost prohibitive.

Mr. H. Nicely stated the applicant would have to make that determination.

Mr. Lucas brought up the need to make sure to look at the 35 versus 55 speed limit, and if there was some way to add VDOT signage to indicate there was no high flow.

Mr. B. Nicely stated the property was B-1, and something would get built there eventually. He further stated that the applicants had done their homework, worked hard on this with a buffer to the back, also saying the Interstate was noisy anyway, there was not a noise issue, and the ordinance would handle lighting.

Mr. Foster stated of the issues are more concern to the owner, and he no problem with it.

Mr. Kidd stated the only issue he had was with the condition that would not allow recreation vehicle and oversize parking. He further stated he did not like the term oversize, and he thought condition #5 needed to be removed due to a nearby campground within five to seven miles. Would like to add a condition for signage to discourage or eliminate truck traffic, thinking trucks on interstate can get fuel.

Mrs. Pendleton offered that if agreeable, staff would work with VDOT to determine any opportunities available and present to board as recommendation from the Planning Commission.

Mr. Kidd motioned to forward the SEP request for a convenience store by RYT LLC in the Business (B-1) Use District, with possible conditions, with a recommendation of approval with conditions, except for removing the Recreation Vehicle condition and directing staff to evaluate signage on the interstate to identify that fuel was "auto only", but otherwise as included in the background report by Staff, on the basis that the requirements of Section 25-583 of the Zoning Ordinance have been satisfied.

Mr. H. Nicely seconded, which was unanimously approved 5:0:0:0, with the following recorded vote:

YES:	Mr. B. Nicely, Mr. H. Nicely, Mr. Kidd, Mr. Foster, Mr. Lucas
NO:	None
ABSTAIN:	None
ABSENT:	None

Mr. Kidd announced the motion carried unanimously.

Other business

There was no other business.

Adjournment

There being no other business, on motion by Mr. H. Nicely at 8:16 PM, seconded by Mr. Foster, which was approved 5:0:0:0, the Planning Commission adjourned with the following recorded vote:

YES:	Mr. B. Nicely, Mr. H. Nicely, Mr. Kidd, Mr. Foster, Mr. Lucas
NO:	None
ABSTAIN:	None
ABSENT:	None