

Issue Analysis Form

Date: December 12, 2017

Item: Sheetz, Inc. Car Wash – Special Exception

Lead Department: Community Development

Contact Person: Douglas Miles, Planning Manager



Description and Current Status

Sheetz, Inc. is requesting a Special Exception to permit a car wash use located at the terminus of Temple Parkway and is within a B-1, General Business Zoning District.

Government Path

Does this require IDA action?

Yes No

Does this require BZA action?

Yes No

Does this require Planning Commission action?

Yes

Special Exception recommended for Approval by 6-0 vote on November 16th

Does this require Board of Supervisors action?

Yes

December 12, 2017

Does this require a Public Hearing?

Yes

No

If so, before what date?

n/a

Fiscal Impact Statement

The proposed car wash use will be a part of a larger retail convenience store with gas sales and drive-thru restaurant and convenience store sales use on this property that will have a positive impact towards the County's food and retail sales tax base amounts.

County Impact

The proposed drive-thru car wash use will provide a service that is currently not offered in the County and it will be a use that is environmentally friendly by recycling the water usage through their PurWater Recovery System that provides a much cleaner effluent.

Notes

n/a

Board of Supervisors
County of Prince George, Virginia

Ordinance

At a regular meeting of the Board of Supervisors of the County of Prince George held in the Boardroom, Third Floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia this 12th day of December, 2017:

Present:

William A. Robertson, Jr., Chairman
Donald Hunter, Vice Chairman
Alan R. Carmichael
T. J. Webb
Hugh G. Mumford

Vote:

SPECIAL EXCEPTION SE-17-06 Request of Sheetz, Inc. pursuant to § 90-393 (30) to permit a car wash use located at the terminus of Temple Parkway and known as Tax Map 220(05)00-001-0 (part of) within a B-1, General Business Zoning District. The comprehensive plan calls for commercial uses.

BE IT ORDAINED by the Board of Supervisors of Prince George County that the Special Exception Application identified as SE-17-06 is granted as an amendment to the official zoning map with the following conditions:

1. The Special Exception is granted for a car wash use to Sheetz, Inc. and it is not transferable and it does not run with the land on Tax Map 220(05)00-001-0 (part of).
2. Any freestanding signage shall be of monument type and approved by the Planning Division during the site plan review process. Portable signs, to include flashing arrow signs, or other attention signage or devices shall not be permitted on the premises.
3. This Special Exception shall become null and void if the car wash use is abandoned for a period of twenty-four (24) consecutive months.
4. This permit may be revoked by the Prince George County Board of Supervisors or its designated agent for failure by the applicant to comply with any of the listed conditions or any provision of Federal, State or Local regulations.

Adopted on December 12, 2017 and becoming effective immediately.

**BOARD OF SUPERVISORS
SPECIAL EXCEPTION REPORT SUMMARY**

CASE NUMBER: SE-17-06

APPLICANT: Sheetz, Inc.

LOCATION: At the terminus of Temple Parkway, south of Temple Avenue

TAX MAP: 220(05)00-001-0 (part of)

REQUEST: Special Exception to permit a car wash

EXISTING ZONING: B-1, General Business Zoning District

EXISTING USE: Vacant

PROPOSED USE: Car wash use

UTILITIES: County Water and Sewer

REAL ESTATE TAXES: Delinquent taxes are not owed to the County

MEETING INFORMATION:

Planning Commission: Thursday, November 16, 2017 at 6:30 p.m.
Recommended Approval 6-0 with conditions

Board of Supervisors: Tuesday, December 12, 2017 at 7:30 p.m.

ATTACHMENTS:

1. Special Exception Application
2. Staff Report and GIS Map
3. Lake Harley Sheetz Layout

PRINCE GEORGE COUNTY, VIRGINIA
BOARD OF SUPERVISORS STAFF REPORT
SPECIAL EXCEPTION SE-17-06 SHEETZ, INC.
PUBLIC HEARING DATE: DECEMBER 12, 2017

Request:

A Special Exception request by Sheetz, Inc. to permit a car wash in a B-1, General Business Zoning District.

Case Summary:

The project will consist of the construction of a Sheetz convenience store, restaurant with a drive-thru, fuel sales and drive-thru car wash with the Special Exception needed for the car wash use. It is important to note that Sheetz incorporates an engineered below grade Retention Interceptor Reclaim Tanking and Plumbing design with an above grade water recovery filtration system into all Sheetz car wash locations to effectively reduce the fresh water usage as well as providing a cleaner effluent to the municipality. The PurWater Recovery System is engineered specifically for the professional vehicle washing industry. This system is designed to operate 24/7 to capture, filter and reuse water from the washing process of automatic car wash systems.

Comprehensive Plan:

The 2014 Comprehensive Plan identifies this area for commercial uses and this request is in compliance with the comprehensive plan for the construction of a new, retail commercial use.

Community Development:

The Community Development and Code Compliance Department has reviewed the request with respect to the Virginia Uniform Statewide Building Code. Construction of all new buildings will require Commercial Building Permits and related trade permits from the Inspections Division.

Site Plan Approval from the Planning Division will be required and we met with the applicant and their civil engineer on September 21st to determine the proper on-site circulation patterns with the car wash drive-thru, restaurant drive-thru, fuel sales area, parking area and commercial fuel and store product deliveries performed by tractor trailers all being able to move around the site.

County Utilities:

The applicant discussed with the Utilities Operations Manager the forecasted water and sewer usage and tap fees for the Sheetz car wash use and retail store and restaurant uses on site. The PurWater Recovery System will capture, filter and reuse the car wash water (County water) and the system will provide a cleaner effluent (County sewer) going into the sewer system.

VDOT – Petersburg Residency Office:

The Virginia Department of Transportation (VDOT) does not have any concerns with the proposed on-site, car wash use request. They have been working on the overall Lake Harley

Right In and Right Out (RIRO) entrance from Temple Avenue that will serve the Sheetz property and the overall connection to Puddledock Road at the intersection of Waterside Road that serves the Lowe's store and that is currently moving towards Site Plan approval at this time by the County and VDOT. The developer of Lake Harley is currently the property owner and is working with VDOT to complete the necessary road work to operate the Sheetz retail business.

Recommendation:

The Planning Commission and Staff recommends Approval of the car wash use provided that the impact upon the surrounding property owners is minimal and has proposed recommended conditions to ensure that this use complies with other Federal, State and County Code requirements:

1. This Special Exception is granted for a car wash use to Sheetz Inc. and it is not transferable and it does not run with the land on Tax Map 220(05)00-001-0 (part of).
2. Any freestanding signage shall be of monument type and approved by the Planning Division during the site plan review process. Portable signs, to include flashing arrow signs, or other attention signage or devices shall not be permitted on the premises.
3. This Special Exception shall become null and void if the car wash use is abandoned for a period of twenty-four (24) consecutive months.
4. This Special Exception may be revoked by Prince George County or by its designated agent for failure by the applicant to comply with any of the listed conditions or any provision of federal, state or local regulations.



County of Prince George, Virginia

"A global community where families thrive and businesses prosper"

December 6, 2017

BOARD OF SUPERVISORS - NOTICE OF PUBLIC HEARING

Dear owner, agent or occupant of each parcel involved that is abutting property and property immediately across the street or the road from the property affected:

This is notification that the Prince George County Board of Supervisors will hold a public hearing on **Tuesday, December 12, 2017 beginning at 7:30 p.m.** in the Public Meeting Room, on the third floor of the County Administration Building, 6602 Courts Drive, Prince George, Virginia, to consider the following request that involves the Prince George County Zoning Ordinance:

SPECIAL EXCEPTION SE-17-06 Request of Sheetz, Inc. pursuant to § 90-393 (30) to permit a car wash use located at the terminus of Temple Parkway and known as Tax Map 220(05)00-001-0 (part of) within a B-1, General Business Zoning District. The comprehensive plan calls for commercial uses.

A copy of the related materials may be examined in Planning and Zoning within the County Administration Building or 804.722.8678 and the department is open from 8:30 am to 5:00 pm Monday - Friday. All interested persons shall have the opportunity to be heard at said public hearing. We have attached a copy of the general location of the request site for your use.

Sincerely,

Douglas Miles

Douglas Miles, CZA
Planning Manager / Zoning Administrator

Attachment



APPLICATION FOR SPECIAL EXCEPTION - CONDITIONAL USE PERMIT

Department of Community Development and Code Compliance
6602 Courts Drive
Prince George, VA 23875
Planning Division (804) 722-8600
www.princegeorgecountyva.gov

OFFICE USE ONLY
APPLICATION #: SE-17-06
DATE SUBMITTED: 10/24/17
ZONING ORDINANCE SECTION: 90-393(30)

RECEIVED

OCT 24 2017

(PLEASE FILL-IN ALL BLANKS)

BY: _____

GENERAL PROPERTY INFORMATION

LEGAL OWNER(S) OF PROPERTY REQUESTED FOR PERMIT:

Lake Harley, LLC

ADDRESS:

P.O. Box 5657

CITY: Winston Salem	STATE: NC	ZIP CODE: 27113	PHONE NUMBER: 804-337-8000
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E-MAIL ADDRESS:
guy@colonialhd.com

TAX MAP OF SUBJECT PARCEL:
220(05)00-001-0

RECORDED IN THE CIRCUIT COURT CLERK'S OFFICE:

DEED BOOK 04 PAGE 362 Date 7/21/04 DEED RESTRICTIONS:

ACREAGE: 10.19	PARTIAL PARCEL: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	SUBDIVISION: Whitehall Tact
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PRESENT USE:
Commercial Vacant

ZONING CLASSIFICATION

LAND USE CLASSIFICATION: Commercial	PRESENT ZONING: B-1
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OWNER AGENT/REP

AGENT OR REPRESENTATIVE OF PROPERTY OWNER(S), IF ANY (SPECIFY INTEREST):

Sheetz, Inc. will be the lease Tenant to the Landlord GemCap Holdings, LLC

NAME: Sheetz, Inc.

ADDRESS: 5700 Sixth Avenue

CITY: Altoona	STATE: PA	ZIP CODE: 16602	PHONE NUMBER: 919-437-9859
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E-MAIL: tanastas@sheetz.com

PROJECT DESCRIPTION

PROVIDE A GENERAL DESCRIPTION OF THE PROJECT: (ATTACH A SEPARATE LETTER IF NECESSARY)

Construction of a Sheetz convenience store, restaurant, drive thru, fuel sales, and car wash. Application applies to the car wash use.

Sheetz incorporates an engineered below grade Retention Interceptor Reclaim Tanking and Plumbing design with an above grade water recovery filtration system into all Sheetz car wash locations to effectively reduce the fresh water requirement/usage as well as provide a cleaner effluent to the municipality.

The PurWater™ Recovery System is engineered specifically for the professional vehicle washing industry. The PurWater™ system is designed to operate 24/7 to capture, filter and reuse wash water from the vehicle washing process of automatic carwash systems.

AFFIDAVIT

A. The undersigned (1) Property Owner or (7) duly authorized agent or representative certifies that this petition and the foregoing answers, statement, and other information herewith submitted are in all respect true and correct to the best of their knowledge and belief.

SIGNED: [Signature] DATE: 10/20/2017
MAILING ADDRESS: 210 W. 4TH STREET, SUITE 200
CITY/STATE/ZIP: WINSTON-SALEM, NC 27101
PHONE NUMBER: 336-724-0153
E-MAIL ADDRESS: GEORGE@GEMCAPCOMPANIES.COM

STATE BELOW THE NAME, ADDRESS, AND PHONE NUMBER OF PERSON(S) TO BE CONTACTED REGARDING THIS APPLICATION IF OTHER THAN ABOVE PERSON(S):

NAME: Tom Anastasi, Sheetz, Inc.
MAILING ADDRESS: 5700 Sixth Avenue
CITY/STATE/ZIP: Altoona, PA 16602
PHONE NUMBER: 919-437-9859
E-MAIL ADDRESS: tanastas@sheetz.com

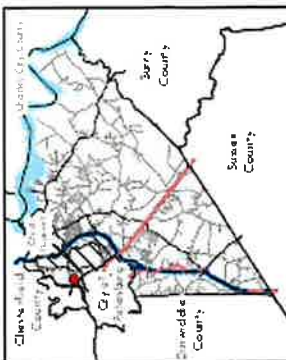


AFFIDAVIT

STATE OF ~~VIRGINIA~~ North Carolina
COUNTY OF: ~~PRINCE GEORGE~~ Forsyth
Subscribed and sworn before me this 20 day of October, 2017.

[Signature]
Notary Public
My Commission expires: October 30, 2017

County of Prince George



Legend

- Taxparcels
- Access Easements
- Wetlands

Notes



The information contained in this data should not be used as a "legal description". Map information is believed to be accurate, but accuracy is not guaranteed.
 Copyright, 2014 County of Prince George, VA



Map Scale 1: 1,484
 7/20/2017



***Community Development &
Code Compliance***



*Julie C. Walton, Director
Douglas Miles, Planning Manager*

County of Prince George, Virginia

"A global community where families thrive and businesses prosper"

August 29, 2017

Kilpatrick, Townsend & Stockton LLP
1001 West Fourth Street
Winston-Salem, NC 27101-2400
Attn: Barbara A. Walker, Paralegal

Lake Harley LLC
Post Office Box 5657
Winston-Salem, NC 27113
Attn: Guy Bertram, Partner

RE: Tax Map 220(05)00-001-0 Prince George, VA 23875 / Zoned B-1, General Business District

You have asked us to confirm certain matters regarding the zoning for a proposed Sheetz retail store with gas sales located on the above referenced property. The subject property is located in the B-1, General Business Zoning District and it permits by right under 90-392 (1) Retail stores and shops. A Special Exception is required under 90-393 (30) Carwashes to permit a carwash use through the Public Hearing process. Retail stores shall provide one (1) parking space for each 500 square feet of retail store space in the building. Convenience stores shall also provide one (1) space at each gas pump dispenser in lieu of additional parking spaces under 90-862.2 Off Street Parking requirements. There are no other rezoning, special exception, conditional use, variance or appeal cases pending and no code compliance or zoning violations on the subject property based upon our office records.

You are hereby advised that you have thirty (30) days from the date of this letter in which to appeal this decision to the Board of Zoning Appeals, in accordance with 15.2-2311 of the Code of Virginia and 90-990 of the County of Prince George Zoning Ordinance, or this decision shall be final and it shall be unappealable. Such appeal must be in writing and it must be filed with the Secretary to the Board of Zoning Appeals. An appeal shall indicate in specific terms the grounds for the appeal and it must be accompanied by a filing fee of three hundred fifty (\$350.00) dollars. Please be advised that this letter is being provided to the property owner, as required by Virginia State Code, as an official letter written by the Zoning Administrator.

Sincerely,

Douglas Miles

Douglas Miles, CZA
Planning Manager / Zoning Administrator
Secretary to the Board of Zoning Appeals