



**County of Hanover**

**Board Meeting: December 10, 2014**

**Subject:** Request for Extension - CUP-10-11, BP Winding Brook, L.L.C. and Lewistown Commerce Center, L.L.C. **(South Anna Magisterial District)**

**Summary of Agenda Item:** On December 14, 2011, the Board of Supervisors approved the above referenced Conditional Use Permit for two (2) Destination Commerce Signs in the Winding Brook development along its frontage on Interstate 95. On December 12, 2012, and December 11, 2013, the Board extended the CUP for one year. At the time of original approval, it was determined that the applicants had users that could be defined as destination commerce for at least 100 acres, which is the area required for this type of sign. Destination commerce users are defined in the Sign Ordinance as users whose businesses are regional in scope and unique in character, and draw from areas far beyond the County boundaries and require visibility and access from an interstate highway. Although the original proposed user of the site is no longer locating within Winding Brook, the Owners wish to seek additional users and develop the site as destination commerce. Therefore, the Owners request another extension of the Conditional Use Permit while they focus on bringing destination commerce users to the Winding Brook development. At such time as the Owners request building permits for these signs, they will be required to demonstrate that they meet the Ordinance requirements for Destination Commerce Signs.

The property was inspected by Zoning Compliance, and no violations were identified.

Based on consistency with prior Board actions on similar requests, the Planning Department recommends approval of a one-year extension subject to the original conditions of approval.

**County Administrator's Recommended Board Motion:** Approval of the extension of Conditional Use Permit, CUP-10-11, until December 31, 2015, subject to the original conditions.

# Hanover County, Virginia

## Zoning Map

### Legend

 Roads	 R-3
 Water	 R-4
 Private Road	 R-5
 Parcels	 R-6
 CUP	 B-1
 A-1	 B-2
 AR-1	 B-3
 AR-2	 O-S
 AR-6	 B-O
 RC	 M-1
 RS	 M-2
 R-1	 M-3
 R-2	

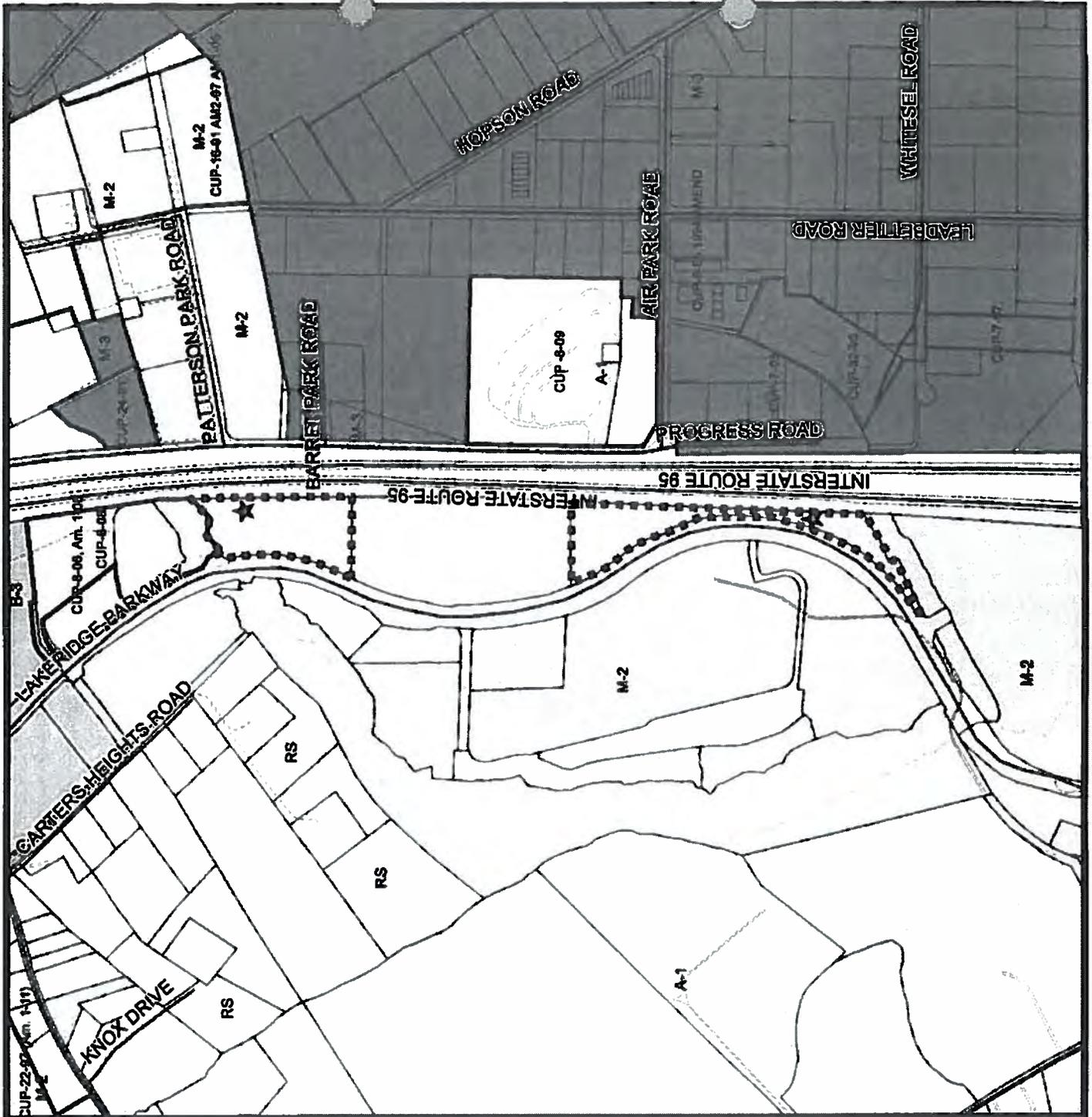
**CUP-10-11**  
BP Winding Brook, LLC/  
Holiday Properties

2 Interstate destination  
commerce signs

Zoned M-2  
CPNs: 7769-95-0317 & 7769-02-0131  
South Anna Magisterial District



1 inch = 700 feet  
October 04, 2011



Hanover County Planning Department Application

Request for a Special Exception/ Conditional Use Permit Extension

Case #: CUP-10-11

Please type or print in black ink.

<b>APPLICANT INFORMATION</b>	
Owner/Applicant: <u>Holladay Properties</u>	Telephone No. <u>496-6182</u>
Contact Name: <u>Melanie Stone</u>	Fax No. <u>496-6183</u>
Address: <u>1159 Airpark Rd, Ste 2, Ashland, VA</u> <u>23005</u>	Email Address <u>mstone@holladayproperties.com</u>

**PROPERTY INFORMATION/ EXPLANATION**

GPIN(s)(Tax Parcel #'s) 7788-65-9317 (Loc. 1) and 7788-62-6131 (Loc. 2)

Magisterial District South Anna

Location Description (Street Address, if applicable) Located on west line of I-95 approx. 2,450 feet south of Lewistown Rd (Loc. 1) and 5,450 feet (Loc. 2)

Briefly explain why an extension is necessary:  
An extension is necessary as we continue to focus on bringing other destination commerce end-users to the Winding Brook development. The original proposed user of site is no longer locating within Winding Brook. Owner of 7788-65-9317 (Loc. 1) is Thomlyn, LLC however, Lewistown Commerce Center, LLC (Declarant) retains a signage easement over all "Identification Sign Easement Areas" per the Winding Brook Master Declaration of Easements, Covenants, Conditions +

**SIGNATURE OF APPLICANT** *Restrictions dated 8/12/2008.*

As owner or authorized agent of this property, I hereby certify that this application is complete and accurate to the best of my knowledge, and I authorize County representatives entry onto the property for purposes of reviewing this request.

Signature *Melanie Stone* Date 10/9/14

Print Name Melanie Stone

**ATTACHMENTS**

a. Extension Fee - Special Exception \$20.00  
Conditional Use Permit \$700.00 —

b. For applications for mobile homes needed in a medical hardship case, provide an updated note from a medical doctor verifying that for health reasons a person must be located in close proximity to others who can provide care.

c. Other information needed to support your request

**PAID**  
10/20/14

**RECEIVED**  
OCT 20 2014  
HANOVER COUNTY  
PLANNING OFFICE

**BOARD OF SUPERVISORS**

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**JOHN E. GORDON, JR.**  
SOUTH ANNA DISTRICT

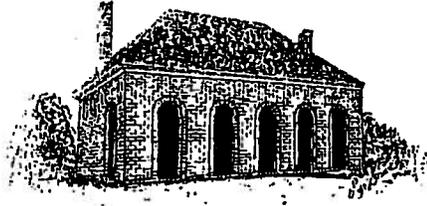
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COUNTY ADMINISTRATOR



HANOVER COURTHOUSE

**HANOVER COUNTY**

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December 14, 2011

**PLANNING DEPARTMENT**

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PRINCIPAL PLANNER

**MARY B. PENNOCK**  
PRINCIPAL PLANNER

P. O. BOX 470  
HANOVER, VIRGINIA 23069

PHONE 804-365-6171  
FAX: 804-365-6232

BP Winding Brook, LLC/Holladay Properties  
c/o Kay Pangraze  
11159 Air Park Road, Suite 2  
Ashland, VA 23005

RE: Approval of CUP-10-11, BP Winding Brook, LLC/Holladay Properties, and Lewistown  
Commerce Center, LLC

Dear Ms. Pangraze:

At their meeting of December 14, 2011, the Hanover County Board of Supervisors, on a motion by Mr. Gordon, seconded by Mr. Wade, voted to **APPROVE** the above-captioned request for a Conditional Use Permit to permit two (2) freestanding destination commerce signs on GPIN(s) 7788-65-9317 (Location 1) and 7788-62-6131 (Location 2), consisting of 11.4 acres (subject GPINs) (the area of the Conditional Use Permit will be limited to 0.53 acres), subject to the following conditions:

1. The two subject destination commerce signs shall be designed, located and constructed in substantial conformity with the sketch plans and elevations set titled, "~~Proposed LED Signage for Winding Brook,~~" prepared by ~~StudioProgetti, Craig Realty Group and Holladay Properties,~~ dated November 21, 2011.
2. Construction of either of the two destination commerce signs shall not begin prior to issuance of building permits for the construction of the "outlets" site within the Winding Brook development.
3. Use of either destination commerce sign for advertisement of the "outlets" may commence only after approval of the first framing inspection of the "outlets" structures by the Building Inspection Department.

BP Winding Brook, LLC/Holladay Properties  
c/o Kay Pangraze  
Page 2  
December 14, 2011

4. Prior to issuance of building permits for either sign, the owners shall submit evidence to the Planning Department that the signs are exempt from the Virginia Department of Transportation's outdoor advertising permit regulations.
5. Within 5 days of the date that each sign is constructed to its greatest height, the owners shall file Form 7460-2, Part II, with the Federal Aviation Administration, and provide a copy of the form and all supporting documentation to the Hanover County Department of Public Works.
6. At the time a building permit application is submitted for either sign, the sign owner shall submit to the Planning Department a maintenance plan, which shall include the schedule required to keep the signs in general conformity with the approved elevations.
7. All development and use of the Property shall comply with all federal, State and local statutes, ordinances and regulations.

The Conditional Use Permit shall lapse after the expiration of one (1) year if no substantial construction or change of use has taken place in accordance with the plans for which the Conditional Use was approved.

Prior to initiating the new use on this property, you must obtain Site Plan approval. The Planning staff will be glad to assist you in this process.

Should you require any additional information or assistance concerning this matter, please do not hesitate to contact Gretchen W. Biernot, Applicant Liaison, or me at (804) 365-6171.

Sincerely,



David P. Maloney, AICP  
Acting Director of Planning

CDC/sm/hte

cc: The Honorable John E. Gordon, Jr.  
Sherri A. Carneal  
Richard Paul  
Melanie Stone, Holladay Properties

W. Randolph Johnson, Jr.  
Kevin Nelson  
Gretchen W. Biernot