

**Accomack County Department of Planning  
Staff Review: Conditional Use Permit  
October 3, 2006**

**Application Number:** CUP-2006-05

**Applicant's Name:** Wal-Mart Stores East, LP

**Owner's Name:** General Farms & Land Co., Inc.  
Harry T. Parker and Patricia H. Parker

**Date Submitted:** Application, Fee, and 15 Copies of the required Site Plan were submitted August 4, 2006. *Revisions were submitted August 25, 2006. The application was deemed complete September 1, 2006.*

**Adjacent Landowner Notification:** To date, the applicant has not submitted evidence of notification by Certified Mail for the adjacent property owners.

**Location of Property Proposed for Rezoning:** In Accomack County and the Town of Onley, VA, on U.S. Route 13, Lankford Highway.

**Tax Map Numbers:** 93-A-45, 93C1-11-1A2, 93C3-A-2, 93C111-1A1, 93C1-A-132,  
93C1-A-133

**Zoning District Designation:** General Business and Residential

**Proposed Land Use:** Development of a 153,700 square-foot commercial retail facility (Wal-Mart Supercenter) located on five or more acres.

**Zoning District Designation and Current Land Use of Adjacent Parcels:** The site is zoned General Business. The adjacent land use is a mixture of commercial uses, a YMCA, a pre-school, a high school, a middle school, residences, and vacant land.

**Planning Commission Review Date:** October 11, 2006.

**Planning Commission Public Hearing:** To be scheduled.

**Board of Supervisors Public Hearing:** To be scheduled.

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**Project Description:** A Conditional Use Permit is required for the applicant to develop a commercial retail facility (Wal-Mart Supercenter) located on five or more acres. The project site is 28 acres in area and includes a 153,700 square-foot retail facility with parking facilities, stormwater pond, landscape buffers, and access drives onto U.S. Route 13 and Route 609, Redwood Road. The submitted application includes all information required by the Zoning Ordinance, including a Resource Quality Protection Plan and a Traffic Analysis.

**Comprehensive Plan and Zoning:** The Comprehensive Plan's future land use map shows this area as Rural Residential. Approximately 20 acres of the site along U.S.

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Route 13 is zoned General Business. The eight acres to the west across Route 609 is zoned Residential. There is no proposed use for the eight acre Residential parcel. Part of the site is in the Town of Onley and is zoned Commercial. A Conditional Use Permit is required by Accomack County for retail facilities developing five or more acres.

**Transportation/Road Access:** A Traffic Analysis was submitted with the application and was submitted to the Virginia Department of Transportation (VDOT) for review. VDOT's comments are attached. VDOT has many technical concerns about project design, but the general layout provides good traffic circulation and flexibility in using the adjacent road network. Access to the site is off U.S. Route 13, Route 609, Redwood Road, and a proposed new road with a traffic signal, Madigan Way. The new road also serves the existing YMCA and connects back to Route 609. Wal-Mart has proposed relocating the YMCA entrance to provide additional room at the traffic signal. The northern entrance on U.S. Route 13 is located to provide shared access to the vacant land the corner of Route 609 and U.S. Route 13. A total of 761 parking spaces have been provided, which exceeds the 701 spaces required by Accomack County and the Town of Onley. The Eastern Shore Bicycle Plan designates Route 609 (30-foot ROW) for paved shoulders, which requires a 60-foot ROW. Fifteen feet of additional right-of-way is shown on the plans along both sides of Route 609. The Town of Onley, the Town of Onancock, and other groups have requested a separate 30-foot right-of way along Redwood Road to provide a separate bicycle path connecting the Wal-Mart site with the YMCA, Nandua Middle School, and Nandua High School.

**Water and Sewage Treatment:** The project expects to use approximately 5,350 gallons-per-day (gpd) of water and sewer. A new well will provide the water supply. The Accomack County Industrial Development Authority has authorized Wal-Mart to connect to its U.S. Route 13 sewer line and use up to 7,000 gpd of sewer capacity, which will be treated at the Onancock Sewage Treatment Plant.

**Environmental Features:** A Resource Quality Protection Plan was submitted with the application. The site is currently open land with some trees. Site is designated as a Chesapeake Bay Resource Management area, but it drains to the Seaside via Rattrap Creek and Finney Creek. The soils on the main site are Nimmo and Munden, which have high seasonal water tables. The soils on the parcel west of Route 609 are Bojac. The site is located to the west of the ground water recharge spine, which in this area is east of U.S. Route 13. Approximately 1.62 acres of non-tidal wetlands have been identified on the site and verified by the U.S. Army Corps of Engineers. Approximately .84 acres of non-tidal wetlands would be impacted. Specific wetland mitigation measures have not been identified.

The Resource Quality Protection Plan addresses stormwater management as well as erosion and sediment control, however full stormwater management plans and erosion and sediment control plans must be submitted for review and approval before site development. The application was submitted to the Department of Conservation and Recreation (DCR) for review of stormwater management and erosion and sediment control. DCR's comments are attached. DCR's main concern is that, although eight of

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the 28 acres are across Route 609 and are not hydrologically connected to the main site, the entire 28 acres was included in the stormwater and water quality calculations.

**Design, Signs, Landscaping, Lighting, and Parking:** At the request of the Accomack County Board of Supervisors, Wal-Mart submitted a building design with a “Coastal” motif and palette. The proposed signs meet the zoning ordinance requirements. Landscape buffers are proposed along U.S. Route 13 and Route 609. Shielded lighting fixtures have been provided and the number of parking spaces exceeds the zoning ordinance requirements.

**Public Safety:** The site is served by the Onley Volunteer Fire Department. Accomack County’s emergency services response time standard is 20 minutes or less, 90 percent of the time. The Onley Volunteer Fire Department is staffed by volunteers and is located less than one mile from the site. Allowing six minutes for the volunteers to arrive at the station, and at an average response speed of 30 MPH, the estimated response time to the site is less than eight minutes.

The site is also served by the Town of Onley Police Department and the Accomack County Sheriff’s Department. Since the store will be open 24-hours a day, providing adequate police protection in the area may require additional law enforcement personnel.

**Adjacent Landowner Comments:** To date, no adjacent landowner comments have been received. A letter from the Eastern Shore Chamber of Commerce requesting an economic impact study has been received. Letters have been received from the Town of Onley, the Town of Onancock, and other groups requesting support for a separate bicycle path along Redwood Road.

**Staff Comments:** The Comprehensive Plan calls for Rural Residential Land Use in this area. However, the proposed site zoned General Business and Residential. The site is centrally located and is a good location to focus new retail uses in an area with existing development. In addition to its location on U.S. Route 13, the site is connected to a network of secondary roads that connect to Onley and Onancock, as well as southern and northern Accomack. However, concerns about traffic safety, stormwater management, and public safety should be addressed. Since this is a Conditional Use Permit application, Accomack County can require conditions to address traffic safety issues as well as other impacts caused by development of the site. Staff has identified the following issues:

1. VDOT’s comments regarding traffic safety and funding for the traffic signal should be addressed.
2. DCR’s comments regarding stormwater management should be addressed to protect water quality and to prevent on-site and off-site flooding.
3. Accomack County should coordinate with County and Town public safety officials to determine if the proposed development will cause the need for additional police, ambulance, and fire services.