

County of Dinwiddie

BOARD OF SUPERVISORS

BRENDA EBRON-BONNER
HARRISON A. MOODY
DR. MARK E. MOORE
WILLIAM D. CHAVIS
DANIEL D. LEE



COUNTY ADMINISTRATOR

W. KEVIN MASSENGILL

FOUNDED 1752

Special Meeting
June 28, 2016
7:00 PM

1. ROLL CALL

2. INVOCATION

3. PLEDGE OF ALLEGIANCE

4. AMENDMENTS TO AGENDA

5. ACTION ITEMS:

A. Voting Credentials Form For 2016 NACo Annual Conference

W. Kevin Massengill, County Administrator

Documents: [CredentialsPacket_0 \(1\).pdf](#)

6. PUBLIC HEARING:

A. Case P-16-4, First Management, LC Rezoning Request

Mark Bassett, Planning Director

Documents: [June 28 2016 BOS Mtg Memo Case P-16-4.pdf](#), [P-16-4 BOS Staff Report June 28 2016.pdf](#), [Rezoning Land Use Amendment Application P-16-4.pdf](#), [Conceptual Development Plan.pdf](#), [Statement of Proffers.pdf](#), [Location Map.pdf](#)

7. ADJOURNMENT



MEMORANDUM

ELECTION OF SECOND VICE PRESIDENT

To: County Board Chairpersons, Parish Presidents, Borough Mayors,
County Judges, Elected County Executives and County Clerks
From: Sallie Clark, NACo President
Date: May 20, 2016
Subject: Voting Credentials – 2016 Annual Conference

NACo is preparing for the 81st Annual Conference to be held July 22-25, 2016, in Los Angeles County, Calif. It is important that your county participates in the association's annual election of officers and policy adoption. **In order to participate, a county must have paid its membership dues and have one paid registrant for the conference, according to NACo bylaws.**

Please read the enclosed information carefully. Indicate on the credentials form the name of the county voting delegate and alternate authorized to pick up your county's voting materials.

A checklist is enclosed to assist you in filling out the voting credentials form. Additionally, **the chief elected official of your county must sign the form.** A chief elected official may include the following:

- board chair/president
- mayor
- county judge
- **elected** county executive

*Please fill out this form in advance and mail, fax or scan and e-mail the enclosed form by **FRIDAY, JULY 1.***

If no one from your county is planning to register for the conference, you do not have to turn in the credentials form.

Alex Koroknay-Palicz - Fax (866) 370-9421

Credentials Committee
Attn: Alex Koroknay-Palicz
National Association of Counties
25 Massachusetts Ave, NW, Suite 500
Washington, DC 20001

AKPalicz@naco.org

Membership Coordinator, Alex Koroknay-Palicz, can be reached at 888.407.NACo (6226) x291, his direct line at 202.942.4291 or akpalicz@naco.org. We look forward to seeing you in Los Angeles County!

2016 General Voting Frequently Asked Questions

On what issues or for which candidates do counties/parishes/boroughs vote?

Counties vote on resolutions that set NACo legislative and association policy for the coming year. Delegates also elect NACo officers for the coming year. The position of second vice president is usually the one position that is contested.

How can my county vote?

A county must be a NACo member “in good standing” in order to vote. This means your county’s dues for 2016 must be paid before the voting occurs. **Also, the county must have at least one paid registration for the annual conference and have proper credentials.**

What are credentials?

Credentials attest to a county’s eligibility to vote. Credentials contain information on the number of votes a county is eligible to cast, as well as the identity of the delegate that is authorized to cast the county’s vote.

How is the credentials form distributed?

The form is mailed to the clerk and chief elected official of member counties so that the county can provide the name of the voting delegate to NACo. Conference registrants will receive an e-mail with a link to the credentials form as well. Only counties that have paid their 2016 NACo dues will receive a credentials form. This form is mailed in May. Please return this form by Friday, July 1, 2016.

Why did I receive a credentials form?

You are receiving this form because you are the chief elected official at your county, your county’s clerk, or you registered for the 2016 NACo Annual Conference. If you wish to vote, please bring the credentials form to your chief elected official to fill out and return to us. Please see this packet for more instructions on the form.

My county has misplaced the credentials form. What should I do?

The credentials form will be available in the Elections and Voting Credentials section of the NACo website (www.naco.org/credentials) shortly after it is mailed. After you download, print, and fill out the form correctly, you can return it to NACo. Please call Alex Koroknay-Palicz at 888.407.NACo (6226) x291 if you need assistance.

If my county is not registering for the Annual Conference, does my county have to send in the credentials form?

No. Only counties who register are able to vote. Please do not return the credentials form to the NACo office if your county does not plan to register for the Annual Conference.

What is a voting delegate?

A voting delegate is someone authorized by your county/parish/borough board to pick up a ballot and cast your county’s votes at the annual conference. The delegate must have a paid registration to the conference.

Who may be a voting delegate?

Any elected or appointed official or staff member from your county/parish/borough may be a voting delegate. That decision is up to your county board.

What is an alternate?

An alternate is another elected or appointed official or staff member from the county delegated by the county to pick up and cast its ballot. The alternate must have a paid registration to the conference.

- The delegate OR alternate listed on the credentials form may pick up your county’s ballot.

My county has only one person attending the conference. Does my county have to designate an alternate?

No. It is not necessary to list an alternate if a delegate is named.

Whose ballots may the state associations of counties/parishes/boroughs receive?

Your state association of counties/parishes/boroughs is allowed to pick up any unclaimed ballots from counties/parishes/boroughs that have registered delegates. The pick-up for state associations is Sunday afternoon (2 to 5 pm) during the conference. The state association may then cast those ballots in the election.

My county does not want our state association to pick up our votes. How does my county go about indicating this decision?

You must check the box that says *“If my ballot is not picked up, I DO NOT AUTHORIZE my state association to pick up or cast my county’s vote. I understand that my county’s votes will NOT be cast if I select this option.”*

- Remember that your county’s votes will not be cast at all with this option if your delegate does not pick up the ballot.

If I do not get my credentials form into the NACo office by July 1, may I become credentialed on site at the conference?

Yes. You may bring the original credentials form signed by your chief elected official or fill out the on-site ballot form. By signing the on-site ballot form you declare that you and the other conference attendees from your county have agreed that you are the voting delegate for your county. You must be registered for the conference to be able to vote.

What would happen if more than one registered attendee from my county fills out the on-site ballot form?

If there is confusion as to who the authorized delegate is, and more than one person claims to be your county’s authorized delegate, officials from your county will need to resolve the dispute by 1 p.m. PDT on Sunday July 24, 2016. Unless the dispute is resolved, your county’s votes will not be counted. To resolve the dispute, all registrants who filled out the on-site ballot form need to agree as to who is authorized to cast their county’s votes and communicate that to Alex Koroknay-Palicz at the credentials desk by 1 p.m. PDT on July 24.

How do I get my ballot?

When you submit your credentials form NACo staff prints out a paper ballot to bring to the NACo Annual Business Meeting. In order to vote you will need to pick up this paper ballot at the NACo Credentials Desk. Your county has until 1 p.m. on Sunday July 24 to come to the Credentials Desk and pick up your ballot. If you do not pick it up by 1 p.m. your state association can then pick up your vote until 5 p.m. unless you check the box on the form to not permit them. If you check that box and do not pick up your own ballot your county WILL NOT be permitted to vote.

What would happen if I’ve picked up my ballot, but I need to leave before the election on Monday?

If you have picked up the ballot for your county but won’t be present to cast it at the NACo Annual Business Meeting on Monday morning, you can give that ballot to a delegate from your same county, from another active member in your state, the head of your state delegation, or your state association president or president’s designee. To do this, you (transferer) and the person you are handing the ballot to (transferee) must sign the Record of Ballot Transfer form on the back of your ballot.

My county won’t be attending this year’s Annual Conference, can we still vote?

Yes. Your county can still have its votes counted without attending the conference, but one person from your county still needs to register. You must have at least one person registered by 12 PM PDT on July 19. If you register, do not plan to attend and wish to vote, you MUST designate your state association president as your delegate on the Credentials Form. Your state association president or his/her designee will pick up and cast your ballot.

How does NACo determine the number of votes each county receives?

The number of votes is determined by the amount of dues a county pays. Dues are based on population. All counties are entitled to at least one vote. Members with more than \$499 in dues are entitled to one additional vote for each additional \$500 in dues or fraction thereof paid in the year the meeting is held.

- Counties with dues of \$400 to \$499 receive one vote.
- Counties with dues of \$500 to \$999 receive two votes, and so on.
- The maximum number of votes a county can receive is 121.

My county has 10 votes. How can our 25 commissioners divide or share the votes?

That is up to your county. NACo has no rule as to how counties decide to allocate their votes. Counties may split their vote amongst the candidates running for second vice president if it is desired.

I've heard the term "unit vote" used. What is that?

Some states, by custom or policy, cast all of their votes as a block or "unit." State associations typically have a meeting before the election to determine how they will handle the voting process.

- Check with your state association regarding the time, date and location of this meeting.
- NACo bylaws permit each county to cast its vote as it chooses. Your county does not have to vote with your state association should you so choose.

When does the voting take place?

This year's election will be held on Monday, July 25, 2016 at 10:30 a.m. at the NACo Annual Business Meeting.

How does the voting occur?

Votes are cast by state, not by state association. Counties from a state sit together as a delegation. The reading clerk will call out states at random. A state appointed representative will approach the microphone and call out that state's vote. This will continue until one of the candidates has a majority of the total number of votes being cast. Voting may still continue after a majority has been reached.

What is a roll call?

Roll call is a way of voting for NACo resolutions to be passed. If a roll call is necessary, the names of the states will be read out in alphabetical order by the reading clerk. A state appointed representative will approach the microphone and call out that state's vote as "yes" or "no." This will continue until all votes have been cast.

What happens if there is a dispute over the election process?

It is rare, but sometimes irregularities occur with how votes are cast or counted, or how the credentialing process is conducted. As a safeguard elections may be challenged during the voting process at the NACo Annual Business Meeting. Challenges are allowed under two circumstances. A voting delegate may challenge the vote for his/her state, and his/her state only. A candidate running to become a NACo officer may challenge the vote of any state. If a challenge is made, the NACo Credentials Committee may audit the ballots of a state delegation to ensure that the number of votes the state is casting matches the number of ballots the state has. The committee may also audit the ballot transfer records on the back of each ballot and the State Voting Totals Form, which is a form states fill out showing the number of votes cast for each candidate.

Credentials Checklist

Please use the following checklist before returning the credentials form.

YES **NO** Has my county/parish/borough paid its 2016 NACo dues?

*If no, please contact NACo's Membership department at 888.407.NACo (6226).
2016 dues must be paid before votes may be cast.*

YES **NO** Has my county/parish/borough registered or at least one person from my county/parish/borough paid the registration fee to attend the conference?

If no, STOP. The county must have at least one paid conference registrant to cast a ballot, according to NACo's bylaws. If no one from your county is registered for the conference, your county may not vote in the election. If your county does not plan on registering for the conference, you do not need to turn this credentials form back in to the NACo office.

If you have answered "YES" to both of the above questions, please continue.

YES **NO** Has my county designated a voting delegate and alternate, if applicable?

Only ONE alternate may be designated per county. If more than one alternate is designated per form, only the first will be counted as the credentialed voting alternate.

YES **NO** Has the chief elected official of my county/parish/borough (board chair, mayor, parish president, elected county executive) signed the credentials form?

*If you have answered **yes** to **all** questions, please either fax, mail **or** scan and e-mail the credentials form by Friday, July 1, 2016 to:*

Alex Koroknay-Palicz
Fax # (866) 370-9421

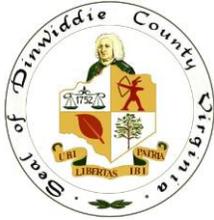
Or:

Credentials Committee
Attn: Alex Koroknay-Palicz
National Association of Counties
25 Massachusetts Ave., NW, Suite 500
Washington, DC 20001

Or:

AKPalicz@naco.org

If you have questions call or e-mail Alex Koroknay-Palicz at 888.407.NACo (6226) or his direct line: (202) 942-4291. E-mail: akpalicz@naco.org



Dinwiddie County Planning Department

14016 Boydton Plank Road - Drawer 70

Dinwiddie, VA 23841

Phone: (804) 469-4500

Fax: (804) 469-5322

MEMORANDUM

To: W. Kevin Massengill, County Administrator and Board of Supervisors

From: Mark Bassett, Planning Director

Date: June 22, 2016

Subject: June 28 Board of Supervisors Public Hearing for Rezoning, P-16-4

Please find the attached Planning Commission meeting summary materials for rezoning application, P-16-4. The applicant, First Management Company, LC, is requesting to rezone with proffers property containing approximately 16.0 +/- acres from R-2, Residential, General, (an approximately 2.125 acre portion of Tax Map Parcel 21-92) and A-2, Agricultural General to M-1, Industrial Limited. The 16.0 +/- acres adjoins the 95 +/- acres that was approved for rezoning from A-2, Agricultural General, to M-1, Industrial Limited, by the Board of Supervisors earlier this year in January. After the Planning Commission heard the rezoning request at their May 11 meeting, the Planning Commission unanimously recommended approval of the rezoning request to the Board of Supervisors by a vote of 5-0.

Planning Commission Meeting Report

File #: P-16-4
Applicant: First Management Company, LC
Rezoning Request: Residential, General, R-2, and Agricultural, General, A-2 to Industrial, Limited, M-1 with Proffers
Property Location: South side of Boydton Plank Rd. (Route 1) across from and slightly west of the Hwy. 460 and Route 1 intersection
Tax Map Parcel Info: Portion of 21-100 & Portion of 21-92 (See Property Map part of Rezoning Application)
Property Size: Approximately 16.0 +/- acres
Magisterial District: Rohoic District
Planning Commission Mtg.: May 11, 2016
Board of Supervisors Mtg.: June 28, 2016

CASE OVERVIEW

The applicant, First Management Company, LC, is requesting to rezone with proffers property containing approximately 16.0 +/- acres from R-2, Residential, General, (an approximately 2.125 acre portion of Tax Map Parcel 21-92) and A-2, Agricultural General to M-1, Industrial Limited. The 16.0 +/- acres adjoins the 95 +/- acres that was approved for rezoning from A-2, Agricultural General, to M-1, Industrial Limited, by the Board of Supervisors earlier this year in January. The M-1, Industrial Limited, zoning classification allows for certain industrial uses pursuant to the Zoning Ordinance allowed density. The property is located on the south side of Boydton Plank Rd. (Route 1) across from and slightly west of the Hwy. 460 and Route 1 intersection, and is further defined as a portion of Tax Map Parcel No. 21-92 and a portion of Tax Map Parcel No. 21-100. As indicated in the Dinwiddie County Comprehensive Land Use Plan, the subject property is located within the Urban Area, which allows limited industrial uses for this general area.

ATTACHMENTS

Rezoning Application, Location Map, Conceptual Development Plan, and Statement of Proffers

LAND USE/ZONING ANALYSIS

The properties in the immediate area surrounding the subject land parcel include commercial and institutional uses to the north along Route 1, open space and forestal land which is part of the applicant's property, which was rezoned to M-1 in January 2016, to the east, low density single-family residential land uses to the southeast, south, and west. The property to the north along Route 1 is zoned B-2, Business General, and A-2, Agricultural General, with the property to the east being the applicant's property that was recently rezoned to M-1, and the property to the south and west being zoned A-2, Agricultural General.

A primary purpose of the Industrial, Limited, M-1, zoning district is to allow for certain industrial related uses to locate in areas adjacent to residentially zoned areas. As such, the proposed proffered use of the subject property limiting the use and structures to storage/warehousing, distribution and offices for the processing and packaging of consumer

products such as food and grocery products, toiletries, soft goods or any other items sold in a retail setting and other associated uses such as parking to include related tractor and trailer unloading, loading, and storage is a compatible use for this low density residential area.

The subject property is located within the Urban Area as defined by the Comprehensive Land Use Plan. This portion of the Urban Area supports limited, light industrial development within this general area of the Route 1 and Hwy. 460 interchange. As previously discussed, the M-1 zoning district and subject proffered uses are compatible with the residential and commercial zoning districts as defined in the Zoning Ordinance.

In addition to the Zoning Ordinance requirements for development in the M-1 Zoning District, the applicant has proffered to maintain the existing vegetative buffers located within 50 feet of the perimeter of the property to provide a natural buffer and screening; maintain site lighting so as to not cast off onto the surrounding property or into the night sky; screen outdoor storage areas and loading areas; and to restrict access to Duncan Road and to restrict truck traffic from utilizing Blue Tartan Road.

OVERVIEW OF IMPACTS

School System, Public Safety, & Public Utilities Impacts

The proposed rezoning to M-1, Industrial, Limited, with proffers limits the permitted use of and structures located on the subject property to storage/warehousing, distribution and offices for the processing and packaging of consumer products such as food and grocery products, toiletries, soft goods or any other items sold in a retail setting and other associated uses such as parking to include related tractor and trailer unloading, loading, and storage which does not have a direct impact on the public school system and school system facilities. The potential impact on public safety will be minimal with the rezoning of the subject property with all proposed buildings having developed fire protections as required by the applicable Fire Code and Building Code. In addition as part of the rezoning, public utilities namely natural gas, public sanitary sewer and water are to be extended down Route 1 from Hofheimer Way to serve the subject property and property in this general area. The aforementioned sewer and water lines are proposed to be upgraded to 24-inch lines which will not only provide the necessary capacity for the subject development but also provide additional capacity to the other property along Route 1 and also surrounding property allowing for these properties to be developed in the future with the proper public infrastructure.

Transportation Impacts

The impacts on the existing transportation network are minimal with the trips generated by the proposed use to include 100 truck trips (enclosed tractor trailers) per day and the facility employee trips generated by an estimated 147 employees. The road system in this particular area, namely Route 1 and Hwy. 460, is adequate to handle the employee and truck traffic generated by the proposed use. Route 1 has a shared left and right hand center turn lane at the proposed entrance to the subject property. As part of the proposed development, an access road is proposed to serve the development which will have its entrance on Route 1. Employee and truck traffic are to only utilize the subject access road. As set forth in the rezoning proffer conditions, there is no employee or truck access to Duncan Road with the exception of emergency access which is allowed for public safety purposes only. Additionally, truck traffic is also restricted from accessing the subject property from Blue Tartan Road. All future transportation related improvements for the access road and within the Route 1 right-of-way and

for the new access road will have to meet VDOT design and construction requirements and standards, as indicated in the proffer conditions.

PROFFER STATEMENT

The applicant did submit proffers as part of the rezoning request (see Attachments). The following proffer conditions address current property conditions, potential impacts on the subject property.

Conditions

1. The use of the Property and all structures shall be limited to storage/warehousing, distribution and offices for the processing and packaging of consumer products such as food and grocery products, toiletries, soft goods or any other items sold in a retail setting and other associated uses such as parking to include related tractor and trailer unloading, loading and storage.
2. Future development of the Property will comply with all Virginia Department of Transportation (VDOT) entrance design and construction requirements, including but not limited to driveway entrance alignments, turning lanes and tapers.
3. Truck traffic shall not utilize Blue Tartan Road for egress and ingress to the Property.
4. The Property shall be accessed from Duncan Road for emergency purposes only, and the Duncan Road access point shall be gated and locked with a Knox Box provided for Dinwiddie County Fire and EMS.
5. Site lighting for building security and the loading and parking areas shall be designed to cast inward and downward to the Property to minimize light overflow beyond the Property. The Planning Director or his or her designee shall approve the lighting/photometric plan for site lighting prior to installation.
6. All outdoor storage of product for resale or equipment shall be located in the rear and/or side yards and shall be screened from view from public rights-of-way. Such storage shall be enclosed by an opaque fence, evergreen trees, shrubs, or any combination thereof a minimum of six feet in height. The Planning Director or his or her designee shall approve the enclosure plan and all materials to be used prior to construction. This screening does not apply to vehicles in parking areas or semi-trailers kept on the warehouse premises.
7. Existing vegetative buffers located within 50 feet of the perimeter of the property shall be maintained to provide a natural buffer and screening, and any modification to the existing vegetative buffers shall be submitted to and approved by the Planning Director or his or her designee.

Staff Recommendation:

The planning staff has reviewed the rezoning request and is satisfied that the applicant has addressed the impacts of rezoning the subject property.

Staff recommends approval with proffers of the request to rezone the subject property based on:

1. The zoning classification requested, M-1, Industrial, Limited, with the proffer limiting the use of the property to the proposed uses and additional proffer conditions is compatible with the surrounding zoning pattern.; and
2. The requested zoning classification with the proffered use limitation and additional proffer conditions conforms to the underlying uses outlined in the Urban Area in the Comprehensive Land Use Plan for this general area of the County.

PLANNING COMMISSION RECOMMENDATION

The following comments were made by the Planning Commission, Planning staff, the applicant's agent, Mr. Brian Mitchell, P.E., Townes Site Engineering, and citizens at the May 11, 2016 Planning Commission Public Hearing:

The Chairman asked the members if they had any questions for Mr. Bassett.

Mr. Cunningham asked Mr. Bassett if he could remind him of the ordinance or ordinances pertaining to cemeteries on properties in the County.

Mr. Bassett said as far as this County goes, there are no related laws for cemeteries in Dinwiddie's Code. When a citizen makes an inquiry about cemeteries staff asks them to designate on a plat where the cemetery is located on the property. Staff also reminds them that by State Code they have to allow access to the individuals who have family members buried in the cemetery.

Mr. Tucker asked Mr. Bassett if there has been any conversation with the families affiliated with the cemetery related to its use and available access.

Mr. Bassett said County staff has had lengthy discussions with the owner and the prospect about the cemetery and how they need to handle it. He said he is not sure if the owner or prospect have had any discussions with the families who have loved ones buried in the cemetery.

The Chairman said if there are no more questions for Mr. Bassett would the applicant or his agent like to come forward and add anything at this time.

Mr. Brian Mitchell, Townes Site Engineering, who was representing the applicant, First Management LC, said we certainly ask for your support with this rezoning request. He said the only thing he wanted to point out was the change in the employee parking area. It was moved from the first location to this current location on a portion of the property up for rezoning this evening because of existing wetlands.

The Chairman asked the members if they had any more questions for the applicant or his agent. He said since there are none he was opening the public hearing portion of the meeting. He asked

if there was anyone signed up to speak. He said since there is no one he was closing the public hearing. He said if there are no more questions from the Commissioners he would entertain a motion.

Mr. Cunningham made a motion and read the following: BE IT RESOLVED, that in order to assure compliance with Virginia Code Section 15.2-2286(A) (7) it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice, I move that rezoning P-16-4 as presented be recommended for approval with proffers to the Board of Supervisors, and it was seconded by Mr. Tucker and with Mr. Simmons, Mr. Cunningham, Mr. Tucker, Mr. Hayes and Mr. Prosisie voting "AYE". P-16-4 was recommended to the Board of Supervisors for approval.

BOARD ACTION

Since this is a zoning matter, the standard statement regarding Board action on this zoning matter must be read. In order to assist, staff prepared the following statement:

BE IT RESOLVED, that in order to assure compliance with Virginia Code Section 15.2-2286(A) (7) it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice, I move that rezoning, P-16-4, as presented be (approved, approved with proffers, or disapproved) by the Board of Supervisors.

DINWIDDIE COUNTY PLANNING & ZONING DEPARTMENT

LAND USE AMENDMENT APPLICATION



Dinwiddie County
 Planning Department
 P. O. Drawer 70
 Dinwiddie, Virginia 23841
 (804) 469-4500 ext. 2117
 (804) 469-5322 /fax

Rec'd M.S. Case No.: P-16-4
 Date Rec'd 4-18-16 Fee Amount: N/A Enterprise Zone
 Time Rec'd 9:00 AM Receipt No: N/A
 Pre-Application Conference Date: Multiple Meetings
 This application has been amended: YES NO
 Reviewed by: M.S.

*Information must be typed or printed and completed in full.
 Attach additional pages where necessary.*

1) LAND USE INFORMATION	
(Circle): BOS / PC / BZA	New/Renewal Previous/Renewed Case#: <u>P-16-4</u>
Amend Previous Case: Y / N Land Use Taxation: Y / N	
Application Type: (Circle One): <input type="checkbox"/> Variance <input type="checkbox"/> Administrative Variance <input type="checkbox"/> Conditional Use Permit <input checked="" type="checkbox"/> Rezoning <input type="checkbox"/> Street Vacation <input type="checkbox"/> Special Exception <input type="checkbox"/> Amendment	
Description of Request: _____	
Existing Zoning: <u>A-2 & R-2</u>	Existing Acreage: <u>44.71 AC</u>
Proposed Zoning: <u>M-1</u>	Proposed Acreage: <u>16 +/- AC</u>
	Total Acreage: <u>16 +/- AC</u>
Water (Circle One): Public	Well
Sewer (Circle One): Public	On-site Well and Septic
Attached: (circle): Miscellaneous Information/Master Plan/Textual Statement/Proffered Conditions	
2) APPLICANT/AGENT INFORMATION	
Applicant(s): <u>First Management Company, L C</u> Home/Cell# _____	
Address: <u>P. O. Box 1838 Petersburg, VA 23805</u> Work# <u>804-862-9889</u>	
Agent(s): _____ Home/Cell# _____	
Address: _____ Work# _____	
<input checked="" type="checkbox"/> Property Owner <input type="checkbox"/> Contract Purchaser <input type="checkbox"/> Other: _____	
3) PROPERTY OWNER INFORMATION	
Property Owner's Name and address (see note on last page): <u>First Management Company, L C</u>	Property Owner's Mailing Address (If this address is different from that listed in the Assessor's Office.): _____
Contact# <u>804-862-9889</u>	_____
Property Tax Parcel Number: <u>21-92 part of, 21-100 part of</u>	Phone# _____

4.)

SUBJECT PARCEL INFORMATION

General Location of Project: __The parcels are located on the south side of the intersection of Boydton Plank Road (Route 1) and Hwy 460 and slightly to the west.

Tax Map # 21-100 (part of) _____
Subdivision Name: _____
Section: _____ Block _____
Address: _____
Zoning: A-2 Acreage 44.71 AC ____
Existing Use: Vacant _____
Conditions: _____

Tax Map # 21-92 (part of) _____
Subdivision Name: _____
Section: _____ Block _____
Address: _____
Zoning: A-2 & R-2 Acreage: 44.71 AC ____
Existing Use: Vacant _____
Conditions: _____

Tax Map # _____
Subdivision Name: _____
Section: _____ Block _____
Address: _____
Zoning: _____ Acreage _____
Existing Use: _____
Conditions: _____

Tax Map # _____
Subdivision Name: _____
Section: _____ Block _____
Address: _____
Zoning: _____ Acreage: _____
Existing Use: _____
Conditions: _____

1. Explain fully the proposed use, type of development, operation program, reason for this request, etc.:

Rezoning the subject properties to M-1 to allow for light manufacturing and distribution/warehousing uses.

2. State how this request will not be materially detrimental to adjacent property, the surrounding neighborhood or county in general. Include, where applicable, information concerning: Use of public utilities; effect of request on public schools; effect on traffic, to include means of access to nearest public road; effect on existing and future area development; etc.:

The subject property will be developed under the Zoning Ordinance standards and more specifically the standards for M-1. All road, water and sewer system improvements will meet or exceed VDOT, County and Dinwiddie County Water Authority (DCWA) requirements, standards, and specifications.

3. List case numbers and explain any existing use permit, special exception, conditional use or variance previously granted on the parcels in question:

P-16-1 This rezoning included a portion of Parcel 21-100 that was rezoned to M-1.

4. If requesting a variance or special exception, explain the unique physical hardship or extraordinary situation that is justification for the request:

N/A

5. Complete names and address (including Zip codes) of all owners adjacent, across the road or highway from the property and across any railroad right-of-way, creek, river, from such property must be obtained by the applicant from the Commissioner of the Revenue, Pamplin Administration Building. If such property lies in another county or city, the respective jurisdiction will provide this information to the applicant. Applications with incomplete parcel information will not be accepted.

Property Owner Name	Property Owner Mailing Address	Tax Parcel #
First Management Company LC	P. O. Box 1838 Petersburg, VA 23805	21-102
Charlie Lowery, Sr.	6421 Boydton Plank Road Petersburg, VA 23803	21-102B
Dinwiddie RE Investors LLC	4423 Pheasant Ridge Road STE 301 Roanoke, VA 23014	21-104A
Dinwiddie Health Investors LLC	5372 Fallswater Lane STE 200 Roanoke, VA 24017	21-104
Robert L Bowman Living Trust & Joy Bowman Living Trust	6219 Boydton Plank Road Petersburg, VA 23803	21-103
Pamplin Foundation	C/O Pamplin Corporation 805 SW Broadway STE 2400 Portland, OR 97205	21-55
Mark & Dawn Reese	6818 Duncan Road Petersburg, VA 23803	21-55H
Sharon Ponder Cox	7002 Duncan Road North Dinwiddie, VA 23803	21-84
Philip M. Haley	P. O. Box 1601 Hopewell, VA 23860	21-86A
John Seabaugh, Jr.	7103 Blue Tartan Road Petersburg, VA 23803	21-79A
Michael & Vanessa Scott	7009 Blue Tartan Road Petersburg, VA 23803	21-91
George R. Scott ET UX	6823 Blue Tartan Road Petersburg, VA 23803	21-93
First Management Company LC	P. O. Box 1838 Petersburg, VA 23805	21-99
First Management Company LC	P. O. Box 1838 Petersburg, VA 23805	21-92
Dinwiddie Chapel Management LLC	P. O. Box 1168 Petersburg, VA 23804	21-134
West End Baptist Church Trustees	C/O Kenneth Wright 6506 Boydton Plank Road Petersburg, VA 23803	21-132
East Coast Oil Corporation	C/O Kelly Anderson 7102 Commerce Way Brentwood, TN 37027	21-102A
Giuseppe Buffa LLC	19215 Waterford Drive Sutherland, VA 23885	21-8-3
Pamplin Foundation	C/O Pamplin Corporation 805 SW Broadway STE 2400 Portland, OR 97205	21-56
First Management Company LC	P. O. Box 1838 Petersburg, VA 23805	21-B

6. The required fee must accompany this application. A fee schedule is available from the Planning Department, 14016 Boydton Plank Road, Pamplin Administration Building, Dinwiddie Virginia. Checks must be made payable to: "Treasurer, County of Dinwiddie".
7. Enclosed with the application, a copy of the appropriate county tax map with the property marked (provided at pre-application conference) and, if available, a surveyed plat of the entire parcel.
8. Enclose with this application any required plans or plats (plans must be folded).
9. I/We hereby certify that to the best of my/our knowledge all the above statements and the statements contained in any exhibits transmitted are true and that the adjacent property owners listed herewith are the owners of record as of the date of the application:

Date: April 5, 2016

SIGNATURE OF AGENT* *Brian C. Mitchell*
 (Name of person other than, but acting for, the property owner and responsible for this application.)

AGENT'S NAME _____
 (Typed or printed)

SIGNATURE OF APPLICANT** *John Madigan*
 (Same name as used in Item 2, Page 1)

APPLICANT'S NAME _____
 (Typed or printed)

I authorize you, the merchant, to initiate an electronic debit to my account for the amount rendered on this check plus the legal limit returned check fee if the item is dishonored. The use of a check for payment is my acceptance of this policy. Signature _____

Notes: Incomplete application will not be accepted. Any request that requires plans must be accompanied by those plans at the time submission of the application.

*Agent must file power of attorney from the property owner(s) giving the agent authority to submit this application.

** If the applicant is not the owner of the property, the applicant must file power of attorney from the property owner(s) giving the applicant authority to submit this application.

(1)
N/F
CHARLIE GREEN-LOWERY, SR.
T.M. 21-102B
D.B. 190, PG. 95

(2)
N/F
DINWIDDIE RE INVESTORS, LLC
T.M. 21-104A
INST. #080200629
P.B. 17, PG. 643

(3)
N/F
DINWIDDIE HEALTH INVESTORS, LLC
T.M. 21-104
INST. #050004858
P.B. 17, PG. 843

(4)
N/F
ROBERT L. BOWMAN LIVING TRUST & JOY GAY BOWMAN LIVING TRUST
T.M. 21-103
INST. #080003465
P.B. 16, PG. 348

(5)
N/F
PHILIP M. HALEY
T.M. 21-86A
INST. #130002449
INST. #10002048 (PLAT)

(6)
N/F
JOHN R. SEBALUGH, JR.
T.M. 21-79A
INST. #130002433
INST. #10002048 (PLAT)

(7)
N/F
MICHAEL R. & VANESSA C. SCOTT
T.M. 21-91
D.B. 374, PG. 287
D.B. 77, PG. 583

(8)
N/F
GEORGE R. SCOTT
T.M. 21-93
D.B. 202, PG. 65

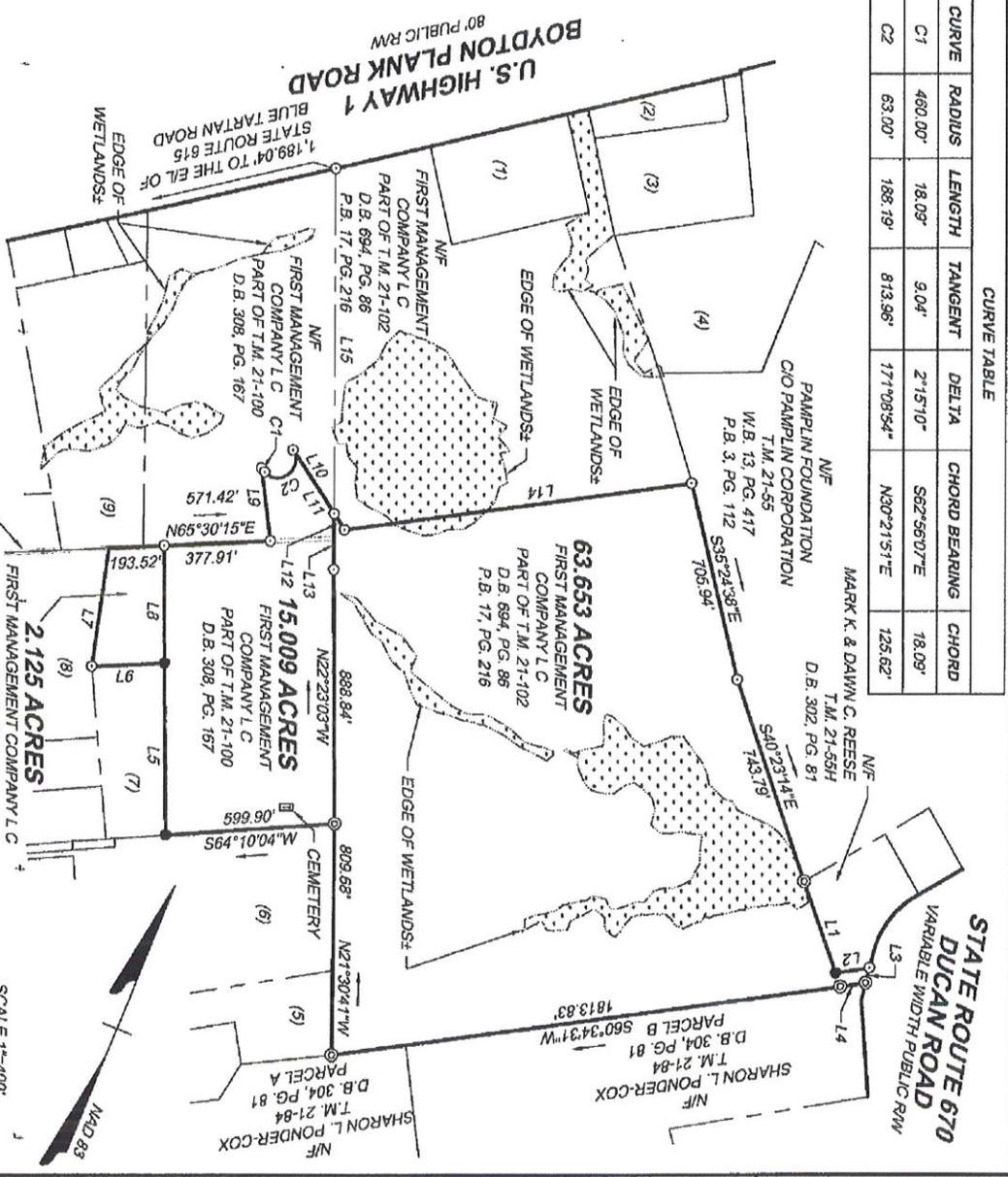
(9)
N/F
FIRST MANAGEMENT COMPANY L.C
T.M. 21-99
D.B. 308, PG. 167
D.B. 149, PG. 74 (PLAT)

LINE	BEARING	LENGTH
L1	S41°04'30"E	339.76'
L2	N59°25'54"E	120.25'
L3	S8°02'37"E	54.13'
L4	S59°25'54"W	89.73'
L5	N22°31'08"W	801.21'
L6	S65°30'06"W	257.00'
L7	N13°40'46"W	418.28'
L8	N22°24'11"W	471.11'
L9	N29°34'17"W	256.20'
L10	S55°32'06"E	333.69'
L11	S55°32'06"E	286.03'
L12	S55°32'06"E	67.66'
L13	N21°58'11"W	195.08'
L14	N60°39'50"E	1243.87'
L15	N21°58'11"W	1210.30'

CURVE	RADIUS	LENGTH	TANGENT	DELTA	CHORD BEARING	CHORD
C1	480.00'	18.09'	5.04'	2°15'10"	S62°56'07"E	18.09'
C2	63.00'	188.19'	813.96'	177°08'54"	N30°21'51"E	125.62'

63.653 ACRES, 15.009 ACRES & 2.125 ACRES FOR A TOTAL OF 80.787 ACRES OF LAND LOCATED SOUTH OF U.S. HIGHWAY 1 & ON THE WEST SIDE OF STATE ROUTE 670 STATE ROUTE 630

EXHIBIT PLAT SHOWING
ROHOIC DISTRICT
DINWIDDIE COUNTY, VIRGINIA



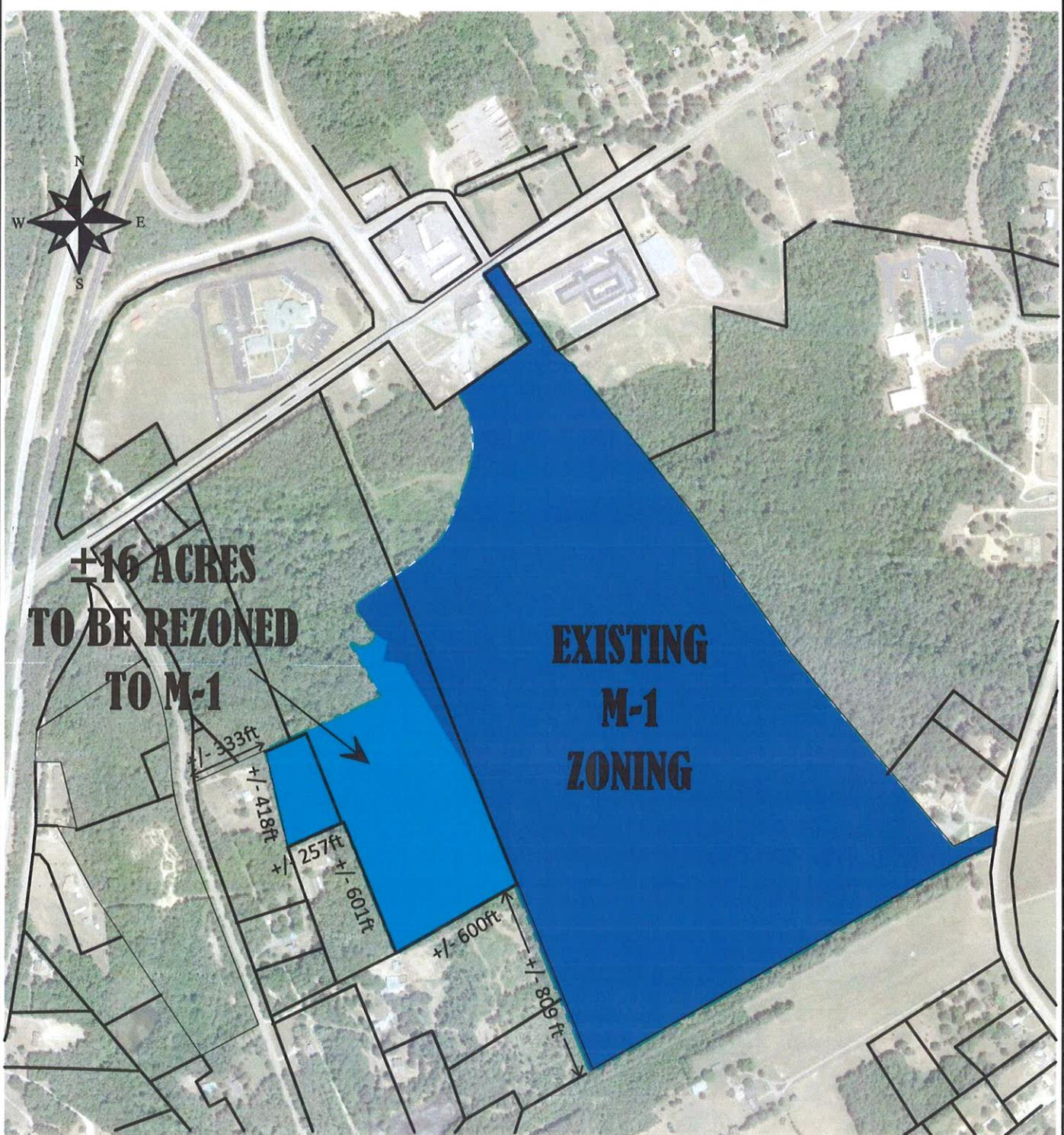
15' RIGHT OF WAY
AS SHOWN ON PLAT
RECORDED IN D.B. 153, PG. 339

D.B. 308, PG. 167
T.M. 21-92
D.B. 149, PG. 74 (PLAT)

DATE: March 31, 2016
SHEET 1 OF 1
DRAWN BY: JMW

SCALE: 1"=400'
J.N.: 37316-903
CHECK BY: JMW

DATE: March 31, 2016	SCALE: 1"=400'
SHEET 1 OF 1	J.N.: 37316-903
DRAWN BY: JMW	CHECK BY: JMW



**±16 ACRES
TO BE REZONED
TO M-1**

**EXISTING
M-1
ZONING**

+/- 333ft
+/- 418ft
+/- 257ft
+/- 601ft
+/- 600ft
+/- 809ft

PROPERTY BOUNDARIES SHOWN
ARE PER DINWIDDIE COUNTY GIS
DIMENSIONS SHOWN ARE APPROXIMATE

PATTON COMMERCE PARK ZONING EXHIBIT

04/05/2016 SCALE = 1"=600'

Tax Parcel Nos. Part of 21-92 & 21-100

PROFFERS

THESE PROFFERS are made this 29th day of April, 2016 by First Management Company, L.C., together with its successors and assigns, (the "Owner").

RECITALS

- A. Owner legally possesses the tracts or parcels of land located in Dinwiddie County, Virginia, (the "County") located on the south side of Boydton Plank Road ("Route 1") across from the intersection of Route 1 and Hwy. 460, North Dinwiddie, Virginia and being a part of Tax Parcel Nos. 21-92 & 21-100 containing approximately 16+/- acres as more fully shown on Exhibit A (the "Property").
- B. The Property is within the Urban Area on the County's Comprehensive Plan and is zoned Agricultural, General, A-2 and Residential, General, R-2. An application has been made to rezone the Property from Agricultural, General, A-2 and Residential, General, R-2 to Industrial, Limited, M-1.
- C. The Owner desires to offer to the County certain conditions on the development of the Property not generally applicable to land zoned Industrial, Limited, M-1.

NOW, THEREFORE, for and in consideration of the approval of the requested rezoning, and pursuant to Section 15.2-2298 of the Code of Virginia, 1950, as amended, and the County Zoning Ordinance, Owner agrees that it shall meet and comply with all of the following conditions in developing the Property. If the requested rezoning is not granted by the County, these proffers shall be null and void. The following proffered conditions are stated as follows:

Conditions

1. The use of the Property and all structures shall be limited to storage/warehousing, distribution and offices for the processing and packaging of consumer products such as food and grocery products, toiletries, soft goods or any other items sold in a retail setting and other associated uses such as parking to include related tractor and trailer unloading, loading and storage.
2. Future development of the Property will comply with all Virginia Department of Transportation (VDOT) entrance design and construction requirements, including but not limited to driveway entrance alignments, turning lanes and tapers.
3. Truck traffic shall not utilize Blue Tartan Road for egress and ingress to the Property.
4. The Property shall be accessed from Duncan Road for emergency purposes only, and the Duncan Road access point shall be gated and locked with a Knox Box provided for Dinwiddie County Fire and EMS.
5. Site lighting for building security and the loading and parking areas shall be designed to cast inward and downward to the Property to minimize light overflow beyond the Property. The Planning Director or his or her designee shall approve the lighting/photometric plan for site lighting prior to installation.
6. All outdoor storage of product for resale or equipment shall be located in the rear and/or side yards and shall be screened from view from public rights-of-way. Such storage shall be enclosed by an opaque fence, evergreen trees, shrubs, or any combination thereof a minimum of six feet in height. The Planning Director or his or her designee shall approve the enclosure plan and all materials to be used prior to construction. This screening does not apply to vehicles in parking areas or semi-trailers kept on the warehouse premises.
7. Existing vegetative buffers located within 50 feet of the perimeter of the property shall be maintained to provide a natural buffer and screening, and any modification to the existing vegetative buffers shall be submitted to and approved by the Planning Director or his or her designee.

WITNESS the following signature:

First Management Company, L.C.

BY 
J. Dale Patton,

Managing Member of First Management Company, L.C.

COMMONWEALTH OF VIRGINIA

County of Petersburg, to-wit:

The foregoing was acknowledged this 3rd day of May, 2016 by

Brian Mitchell, Attorney-in-fact for First Management Company, L.C.

My commission expires: 5/31/2019.

Elaina M. Taylor (SEAL)
Notary Public
7130560

