

# Dinwiddie County Planning Commission



## Regular Meeting Agenda September 14, 2016 7:00 PM

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE
3. ROLL CALL
4. APPROVAL OF AGENDA
5. MINUTES

Documents:

[August 10, 2016 Reg Meeting Minutes.pdf](#)

6. CITIZEN COMMENTS
7. SUBDIVISION PLAT REVIEW

PLAT: Aldi VA

Documents:

[Aldi VA Plat Sheet 1 11x17.pdf](#)

[Aldi VA Plat Sheet 2 11x17.pdf](#)

[Aldi VA Plat Sheet 3 11x17.pdf](#)

[Aldi VA Plat Sheet 4 11x17.pdf](#)

[Aldi VA Plat Sheet 5 11x17.pdf](#)

8. PUBLIC HEARING

### A. CASE P-16-7

The applicant, Associated Contracting Services, Inc., is requesting to rezone with proffers property containing approximately 4.138 +/- acres from M-2, Industrial General, to B-2, Business General. The B-2, Business General, zoning classification allows for certain commercial uses pursuant to the Zoning Ordinance allowed density. The property is located on

the north side of Hofheimer Way (Route 775) approximately 1,200 feet east of the Route 1 and Hofheimer Way intersection, and is further defined as Tax Map Parcel No. 21-7-5B. As indicated in the Dinwiddie County Comprehensive Land Use Plan, the subject property is located within the Urban Area, which allows limited commercial and industrial uses for this general area.

Documents:

[P-16-7 Assoc. Contracting Hofh Way PC Staff Report.pdf](#)  
[Rezoning Application.pdf](#)  
[Case No. P-16-7 Location Map.pdf](#)  
[Concept Plan, P-16-7.pdf](#)  
[Proffers, P-16-7.pdf](#)

**9. OLD BUSINESS**

Large Area County Rezoning:

Namozine Road northeast to Sutherland Road and  
West Petersburg area

Comprehensive Plan Update:

Recreation Chapter & Community Facilities Chapter

**10. COMMISSIONERS' COMMENTS**

**11. PLANNING DIRECTOR'S COMMENTS**

**12. ADJOURNMENT**

VIRGINIA: MINUTES OF THE REGULAR MEETING OF THE DINWIDDIE COUNTY PLANNING COMMISSION HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING ON THE 10<sup>th</sup> DAY OF AUGUST 2016 AT 7:00 P.M.

PRESENT:	DR. EVERETTE M. PROSISE	CHAIRMAN	DIST #1
	EDWARD TITMUS III		DIST #2
	JOHN L. HARVELL		DIST #3
	BUTCH W. CUNNINGHAM		DIST #4
	ANTHONY SIMMONS	VICE CHAIRMAN	DIST #5
	SAMUEL W. HAYES	AT-LARGE	DIST #1
	THOMAS E. TUCKER JR.	AT-LARGE	DIST #2
OTHER:	MARK BASSETT	PLANNING DIRECTOR	
	TYLER SOUTHALL	COUNTY ATTORNEY	

---

**IN RE: CALL TO ORDER**

The Chairman called the meeting to order at 7:00 p.m.

**IN RE: PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE**

The Chairman asked everyone to stand for the pledge of allegiance and a moment of silence.

**IN RE: ROLL CALL**

The Chairman asked for the roll to be called and all members were present.

**IN RE: APPROVAL OF AGENDA**

The Chairman asked if there were any corrections or amendments to the agenda. He said if there are none he would entertain a motion to accept the agenda as presented.

Mr. Tucker made a motion that the agenda be accepted as presented. It was seconded by Mr. Titmus and with Mr. Hayes, Mr. Harvell, Mr. Cunningham, Mr. Titmus, Mr. Tucker, Mr. Simmons and Mr. Prosise voting "AYE" the agenda was accepted.

**IN RE: MINUTES**

The Chairman said we have the minutes from the July 13, 2016 workshop meeting before us. He said if there are no corrections he would entertain a motion to accept the minutes as presented.

Mr. Tucker made a motion that the minutes be accepted as presented. It was seconded by Mr. Simmons and with Mr. Titmus, Mr. Hayes, Mr. Tucker, Mr. Cunningham, Mr. Harvell, Mr. Simmons and Mr. Prosise voting "AYE" the minutes were accepted as presented.

The Chairman said we have the minutes from the July 13, 2016 regular meeting before us. He said if there are no corrections he would entertain a motion to accept the minutes as presented.

Mr. Titmus made a motion that the minutes be accepted as presented. It was seconded by Mr. Tucker and with Mr. Titmus, Mr. Hayes, Mr. Tucker, Mr. Cunningham, Mr. Harvell, Mr. Simmons and Mr. Prorise voting "AYE" the minutes were accepted as presented.

**IN RE: CITIZEN COMMENTS**

The Chairman opened the citizen comment portion of the meeting and asked if anyone had signed up to speak. He said since there is no one he was closing the citizen comments portion of the meeting.

**IN RE: PUBLIC HEARING**

**Planning Commission Staff Report**

Case File #: P-16-6  
Applicant: Dinwiddie County  
Rezoning Request: Residential, Limited, R-1 to Business, Limited, B-1  
Property Location: 18710 & 18716 Carson Road  
Tax Map Parcel #'s: 45D-1-6A and 45D-2-6B, 8 & 9  
Property Size: 1.25 +/- acres  
Magisterial District: Rowanty District  
Planning Commission Mtg.: July 13, 2016 and Aug. 10, 2016 (to include Tax Map Parcel 45D-2-6B)

---

**CASE OVERVIEW**

Rezoning case P-16-6 is being reheard to include Tax Map Parcel 45D-2-6B to the overall rezoning of property. The rezoning of property containing approximately 1.25 +/- acres from R-1, Residential Limited, to B-1, Business Limited. The B-1, Business Limited, zoning classification allows for certain commercial uses pursuant to the Zoning Ordinance allowed density. The property is located on the north side of Carson Road (Route 703) approximately 300 feet east of the Route 1 and Carson Road intersection, and is further defined as Tax Map Parcels 45D-1-6A and 45D-2-6B, 8 & 9. As indicated in the Dinwiddie County Comprehensive Land Use Plan, the subject property is located within the Dinwiddie Courthouse portion of the Planned Growth Area, which allows limited commercial uses for this general area.

**ATTACHMENTS**

Rezoning Application as amended to include Tax Map Parcel 45D-2-6B  
Location Map  
Property Pictures

**LAND USE/ZONING ANALYSIS**

The properties in the immediate area surrounding the subject property include a mix of land uses that include institutional uses, which include the existing school office buildings on the subject property and the Dinwiddie Elementary School and Smyrna Baptist Church property to the south across Carson Road; single-family residential uses to the northeast and east; and commercial land uses north and west of the subject property. The commercial property to the north and west is zoned B-1, Business Limited and the residential property to the northeast and east of the subject property is zoned Residential, Limited, R-1. To the south across Carson Road the elementary school property is zoned R-1, Residential Limited, and the Church property is also zoned Residential, Limited, R-1.

The purpose of the Business, Limited, B-1, zoning district is to allow for limited business/commercial development that is compatible with surrounding residential development. The B-1 zoning classification allows for the existing limited governmental office uses on the subject property as well for future limited commercial and office uses to transition into the existing residential development.

The subject property is located within the Dinwiddie Courthouse Planning Area as defined by the Comprehensive Land Use Plan. This Courthouse Planning Area is expected to accommodate public facilities and personal service uses within the general area of the existing County Complex which will allow for expansion of limited, compatible commercial and office uses.

## **OVERVIEW OF IMPACTS**

### *Public Utilities, School System, Public Safety, & Land Use Impacts*

The impacts on the subject property are minimal. The proposed rezoning to B-1, Business, Limited, allows for governmental office uses as well as future commercial and office uses. Water is provided using on-site wells and sewer is provided utilizing the public sewer system in the courthouse area. There is no impact on the public school system as the B-1 District allows for limited commercial and office uses which should be compatible with the school property. The potential impact on public safety will also be minimal and the Public Safety Department's main offices and Station One are located in the courthouse area.

### *Transportation Impacts*

The impacts on the existing transportation network are minimal. The subject property has adequate access to and frontage on Carson Road (Route 703) and Boydton Plank Road (Route 1). The road system in this particular area is adequate to handle the traffic generated by the current uses and any future commercial and/or office uses. Any future commercial and/or office development will require a review and plan to address the impacts on the existing transportation network.

### *Staff Recommendation:*

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

Staff recommends APPROVAL of the request to rezone the subject property based on the following reasons:

1. The zoning classification requested, B-1, Business, Limited, is consistent with the surrounding zoning pattern, and is the appropriate business/commercial zoning classification given the current institutional office uses located on the subject property;
2. The rezoning of the subject property to the B-1 zoning classification will not have an adverse impact on the surrounding properties.
3. The requested zoning classification and uses permitted by right under this classification conform to the underlying uses outlined in the Dinwiddie Courthouse Planning Area in the Comprehensive Land Use Plan for this general area.

## **PLANNING COMMISSION RECOMMENDATION**

Since this is a zoning matter, the standard statement regarding the Planning Commission's recommendation on this zoning matter must be read. In order to assist in this matter, 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-16-6 be recommended for (approval OR disapproval) to the Board of Supervisors.**

The Chairman asked the members if they had any questions for Mr. Bassett. He said since there are no questions he was opening the public hearing portion of the case. He asked if there was anyone signed up to speak. He said since there is no one he was closing the public hearing portion of the case. He asked the Commissioners if they had any additional comments.

Mr. Tucker 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-16-6 be recommended for approval to the Board of Supervisors. BE IT FURTHER RESOLVED that this amendment is hereby initiated by motion of the Planning Commission pursuant of Virginia Code 15.2-2286(A) (7) and Code of Dinwiddie Section 22-5. It was seconded by Mr. Simmons and with Mr. Harvell, Mr. Titmus, Mr. Tucker, Mr. Cunningham, Mr. Hayes, Mr. Simmons and Mr. Prosisie voting "AYE" the rezoning was approved.

**IN RE: NEW BUSINESS – (Comprehensive Plan Update)**

Chapter VII – Community Facilities

Mr. Bassett informed the Commissioners before he started his discussion that the Comprehensive Plan documents in front of them are draft documents. He also told them that staff, relevant to each chapter, is still reviewing and updating the chapters with any current information they have related to each of their sections in the subsequent chapters. He then proceeded to briefly talk about the highlighted points in each chapter. He told the Commissioners that staff is open to any comments or additions that they would like to see included. Those comments and additions would have to be in before our next meeting. He said the reason is because we are trying to get a final draft at the staff level together so we can go to public hearing with these chapters.

Chapter VIII – Recreation

Mr. Bassett said Chapter VIII mainly involves recreation and tourism as described by the County's Recreation and Tourism Department. He said working with the Recreation and Tourism Department staff has tried to broaden the chapter to include new initiatives. The chapter is to include not only active recreation, but passive recreation and tourism activities within the County. The Recreation and Tourism Department has added staff, and they have provided more resources to promote this tourism aspect.

Mr. Cunningham asked Mr. Bassett to include a map insert showing the Broad Band fiber that was installed along Route 1 and Route 460.

Mr. Prosisie asked Mr. Bassett to be sure to include all the private schools located in the various areas within Dinwiddie County.

Mr. Titmus asked Mr. Bassett to do the same for preschools and daycares in the various areas of Dinwiddie County.

Mr. Harvell noted that he is happy to see the Bethel Red Sox Baseball field included in the listing of recreation facilities and noted that it is eight acres in size. He also noted that the ballfield is available for use by the County's Recreation Department and other organizations.

Mr. Bassett reminded the Commissioners that he needed their comments and additions before our next Planning Commission meeting. The reason, again, is staff is trying to get a final draft so we can go to public hearing with these updates to these two Chapters.

**IN RE: COMMISSIONERS' COMMENTS**

Mr. Cunningham informed the Commissioners that he would not be at the September Planning Commission meeting. He will be out of town.

Mr. Hayes said he too will not be at the September Planning Commission meeting. He will be out of town.

Mr. Prorise asked Mr. Bassett if he knew when the Ford manned trash site would be opened.

Mr. Bassett said he is not aware of an exact date. They are still dealing with a few construction/site development matters that need to be addressed.

Mr. Tucker asked Mr. Bassett where in the process are we with the repaving of the Airpark Drive manned trash site.

Mr. Bassett said everything has been approved. VDOT has assigned a UPC number for the project. VDOT's accounting department is set to receive the funding and once VDOT's residency administrator receives final approval to move forward on the project the County will be ready to transfer said monies.

**IN RE: PLANNING DIRECTOR'S COMMENTS**

Mr. Bassett said he has a couple of updates related to the design guidelines committee. I have contacted all of the potential members and all have indicated to him that they would be interested in being a part of the committee. I sent out an email asking each member to give me some days and times when they would be able to meet. The consensus was for early evening meetings. I mentioned to them to pick August 22 or August 29 for our first scheduled meeting.

**IN RE: ADJOURNMENT**

The Chairman said since there are no additional comments or business he would entertain a motion to adjourn. Mr. Cunningham made a motion and Mr. Titmus seconded it and with all other members voting "Aye" the meeting adjourned at 8:15 p.m.

Respectfully submitted,

Mark Bassett  
Planning Director

Signed: \_\_\_\_\_  
Planning Commission Chairman

Dated: \_\_\_\_\_

**OWNER'S CONSENT and DEDICATION**

Know all men by these presents, that the division of land as shown on this plat, containing 92.207 & 35.055 acres more or less, and designated as **ALDI VA** situated in Rohoic District, Dinwiddie County, Virginia, is with the free consent and in accordance with the desires of the undersigned Owner(s) thereof; that all streets, utility easements and drainage easement shown on said plat are hereby dedicated to the public use, and that all lots within the division are subject to certain restrictions, reservations, stipulations and covenants as contained in a writing executed by the undersigned, under date of \_\_\_\_\_, 2016, and recorded in the Clerk's Office of Dinwiddie County, in Deed Book \_\_\_\_\_, Page \_\_\_\_\_.

The said 92.207 acres of land hereby subdivided having been conveyed to First Management Company, L.C. by deed dated December 30, 1991, and of record December 31, 1991 in the Clerk's Office Court of Dinwiddie County, Virginia, in Deed Book 308, at page 167.

The said 35.055 acres of land hereby subdivided having been conveyed to First Management Company, L.C. by deed dated December 9, 2005, and of record December 22, 2005 in the Clerk's Office Court of Dinwiddie County, Virginia, in Deed Book 694, at page 86.

Given our hands this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Owner

CITY/COUNTY OF \_\_\_\_\_  
COMMONWEALTH OF VIRGINIA  
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ BY \_\_\_\_\_

NOTARY PUBLIC  
NOTARY REGISTRATION NUMBER: \_\_\_\_\_  
MY COMMISSION EXPIRES: \_\_\_\_\_

**CERTIFICATE of APPROVAL**

This division, known as **ALDI VA**, is approved by the undersigned in accordance with existing subdivision regulations and may be committed to record.

\_\_\_\_\_  
Date Highway Engineer

\_\_\_\_\_  
Date Dinwiddie Water Authority

\_\_\_\_\_  
Date Board of Supervisor,  
Chairman or Agent

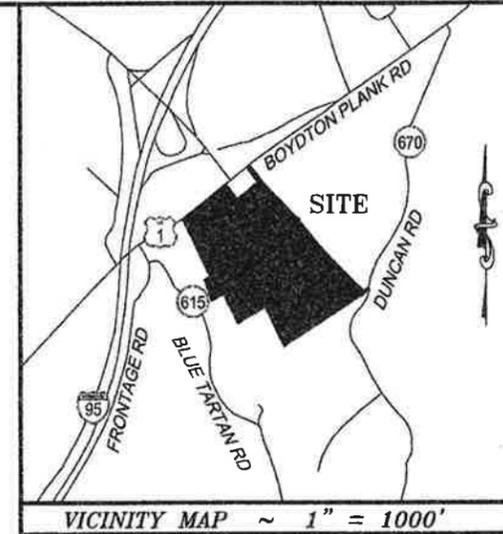
**GENERAL NOTES**

1. Use: Industrial, General
2. Zoning: M-1
3. Tax Map No. 21-92, 21-100 & 21-102
4. Water: County System
5. Sewer: County System
6. Drainage: Road Side Ditches & Curb & Gutter
7. Lot Size: Maximum Lot Size = 80.787 Acres  
Minimum Lot Size = 80.787 Acres
8. Area: Total Area = 127.261 Acres  
Area in Lots = 80.787 Acres  
Area in Right-of-Way = N/A  
Area in Residual = 46.474 acres
9. Number of Lots: 1
10. Building Lines: All building lines are to conform to the Dinwiddie County Zoning Ordinance.
11. Land boundary survey shown is based on a current field survey.
12. Based on graphic determination this property is in Zone "X" of the HUD defined Flood Hazard area as shown on F.E.M.A. Flood Insurance Rate Map, Map No. 51053C0175B, dated June 16, 2011.
13. This plat was prepared with the aid of Commitment No. NCS-790856-PHIL from First American Title Insurance Company dated May 6, 2016.

**SURVEYOR'S CERTIFICATE**

I hereby certify that to the best of my knowledge and belief all of the requirements of the Board of Supervisors and Ordinances of the County of Dinwiddie, Virginia, regarding the platting of divisions within the county, have been complied with.  
Given under my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
W. M. Naulty L.S., No. 2067



**ALDI VA**  
ROHOIC DISTRICT  
DINWIDDIE COUNTY, VIRGINIA

Date: August 29, 2016	Scale: 1"=100'
Sheet 1 of 5	J.N.:38481-903
Drawn by: J. Livingston Checked by: W.M. Naulty	
Revised: September 7, 2016	

THIS DRAWING PREPARED AT THE  
TIMMONS OFFICE  
4701 Owens Way, Suite 900 | Prince George, VA 23875  
TEL 804.341.6600 FAX 804.456.1511 www.timmons.com

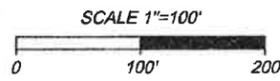
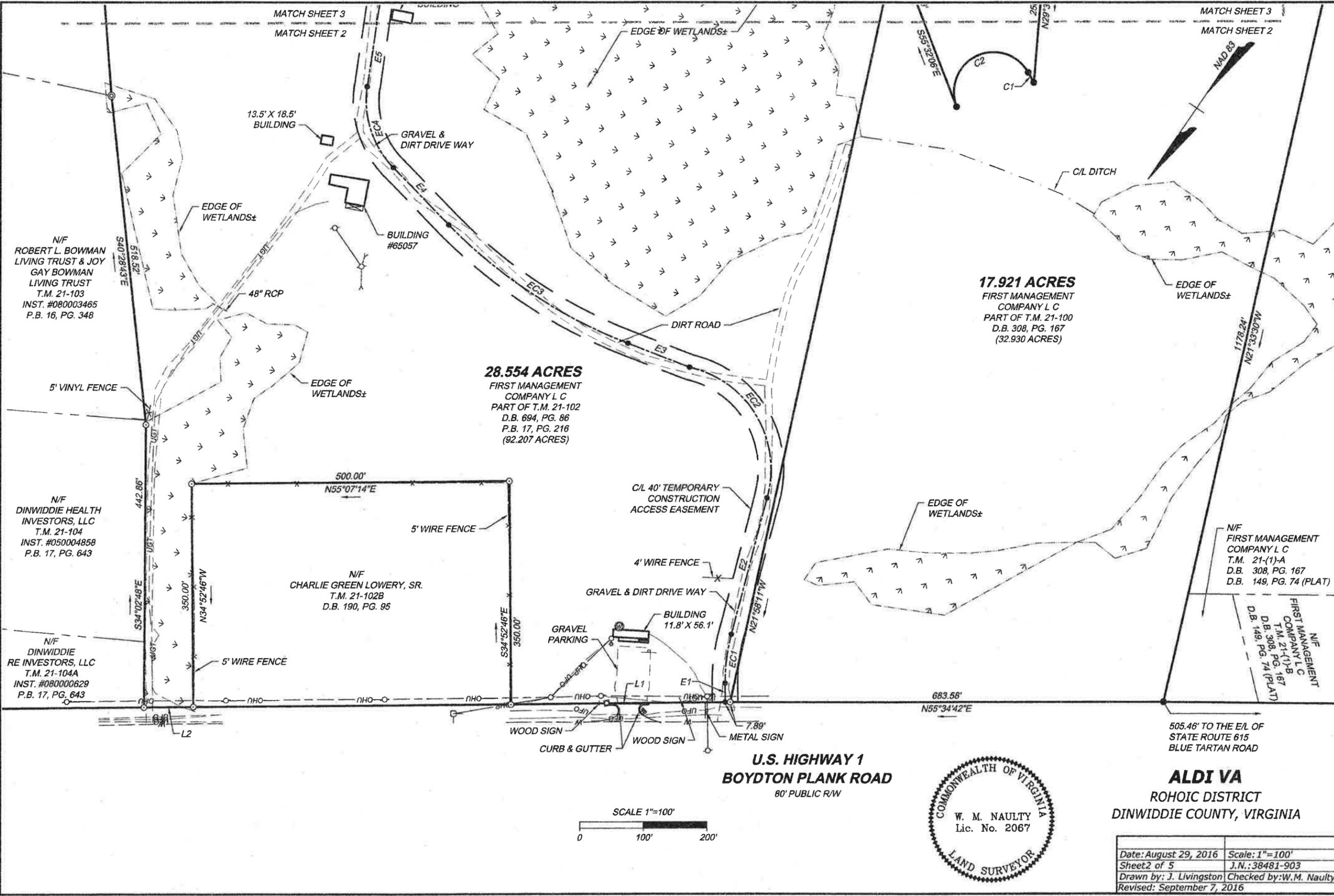
YOUR VISION ACHIEVED THROUGH OURS.

**TIMMONS GROUP**

THIS DRAWING PREPARED AT THE  
**TIMMONS OFFICE**  
 4701 Owens Way, Suite 900 | Prince George, VA 22975  
 TEL 804.541.6600 FAX 804.456.1511 www.timmons.com

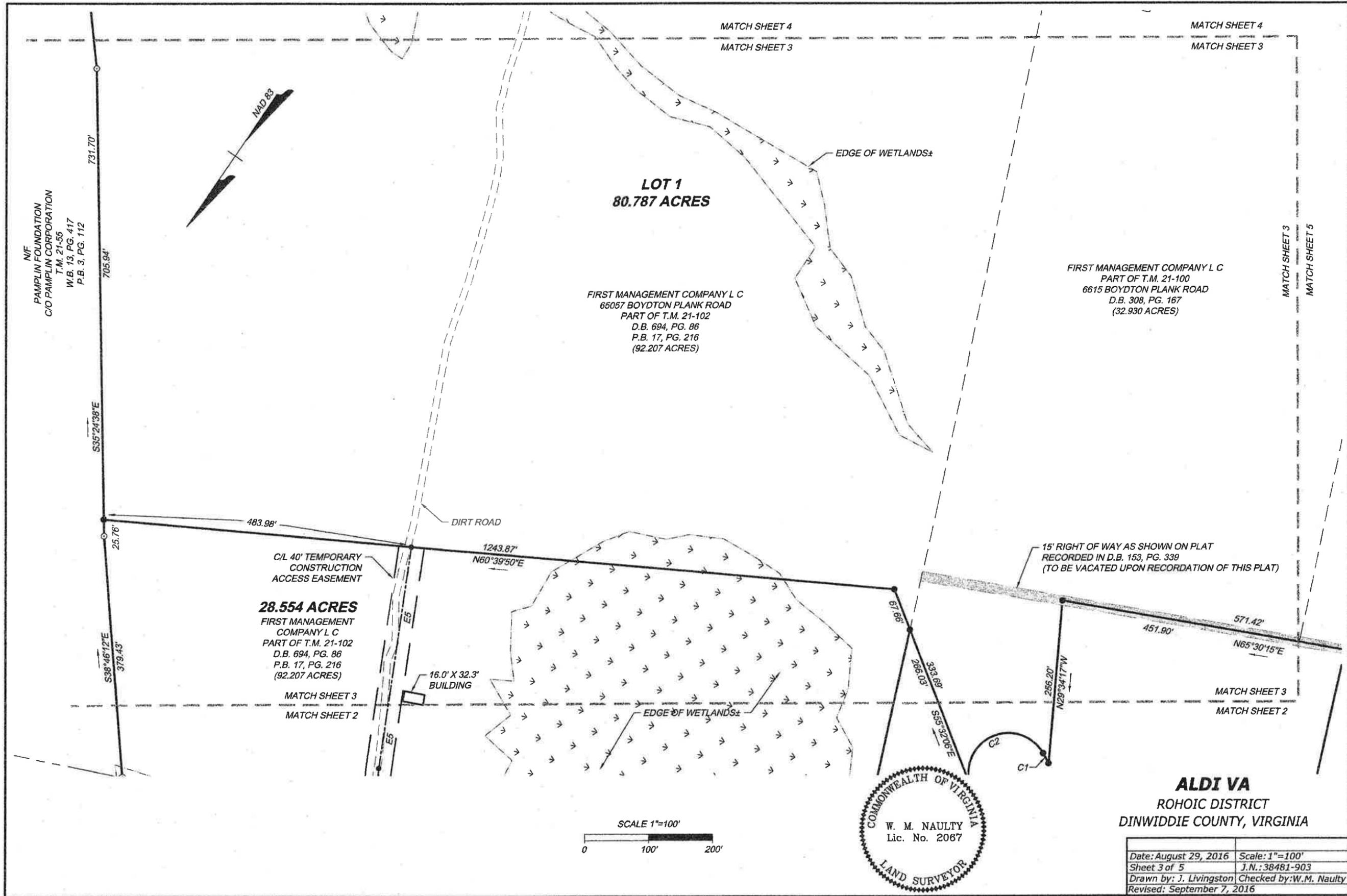
YOUR VISION. ACHIEVED THROUGH OURS.

**TIMMONS GROUP**



**ALDI VA**  
 ROHOIC DISTRICT  
 DINWIDDIE COUNTY, VIRGINIA

Date: August 29, 2016	Scale: 1"=100'
Sheet 2 of 5	J.N.: 38481-903
Drawn by: J. Livingston	Checked by: W.M. Naulty
Revised: September 7, 2016	



N/F  
PAMPLIN FOUNDATION  
C/O PAMPLIN CORPORATION  
T.M. 21-55  
W.B. 13, PG. 417  
P.B. 3, PG. 112

FIRST MANAGEMENT COMPANY L C  
PART OF T.M. 21-100  
6615 BOYDTON PLANK ROAD  
D.B. 308, PG. 167  
(32.930 ACRES)

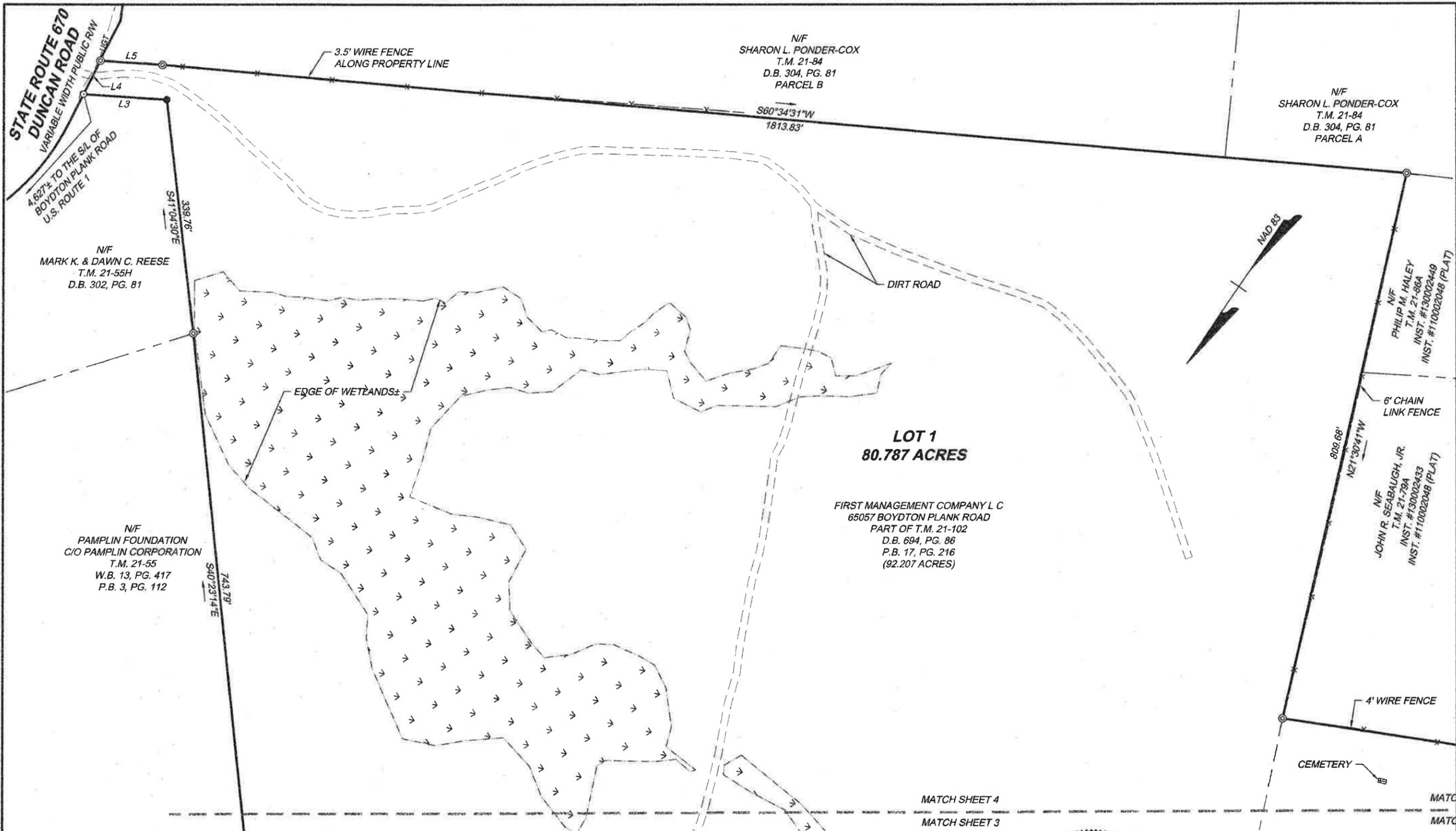
**ALDI VA**  
ROHOIC DISTRICT  
DINWIDDIE COUNTY, VIRGINIA

Date: August 29, 2016	Scale: 1"=100'
Sheet 3 of 5	J.N.: 38481-903
Drawn by: J. Livingston	Checked by: W.M. Naulty
Revised: September 7, 2016	

THIS DRAWING PREPARED AT THE  
OFFICE OF  
4701 Overseas Way, Suite 800 | Prince George, VA 23875  
TEL 804-541-6600 FAX 804-538-1511 www.timmons.com

YOUR VISION ACHIEVED THROUGH OURS.

**TIMMONS GROUP**



N/F  
MARK K. & DAWN C. REESE  
T.M. 21-55H  
D.B. 302, PG. 81

N/F  
PAMPLIN FOUNDATION  
C/O PAMPLIN CORPORATION  
T.M. 21-55  
W.B. 13, PG. 417  
P.B. 3, PG. 112

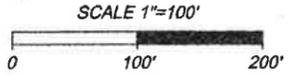
N/F  
SHARON L. PONDER-COX  
T.M. 21-84  
D.B. 304, PG. 81  
PARCEL B

N/F  
SHARON L. PONDER-COX  
T.M. 21-84  
D.B. 304, PG. 81  
PARCEL A

**LOT 1**  
**80.787 ACRES**  
  
FIRST MANAGEMENT COMPANY L C  
65057 BOYDTON PLANK ROAD  
PART OF T.M. 21-102  
D.B. 694, PG. 86  
P.B. 17, PG. 216  
(92.207 ACRES)

N/F  
PHILIP M. HALEY  
T.M. 21-86A  
INST. #130002440  
INST. #110002048 (PLAT)

N/F  
JOHN R. SEABAUGH, JR.  
T.M. 21-79A  
INST. #130002433  
INST. #110002048 (PLAT)



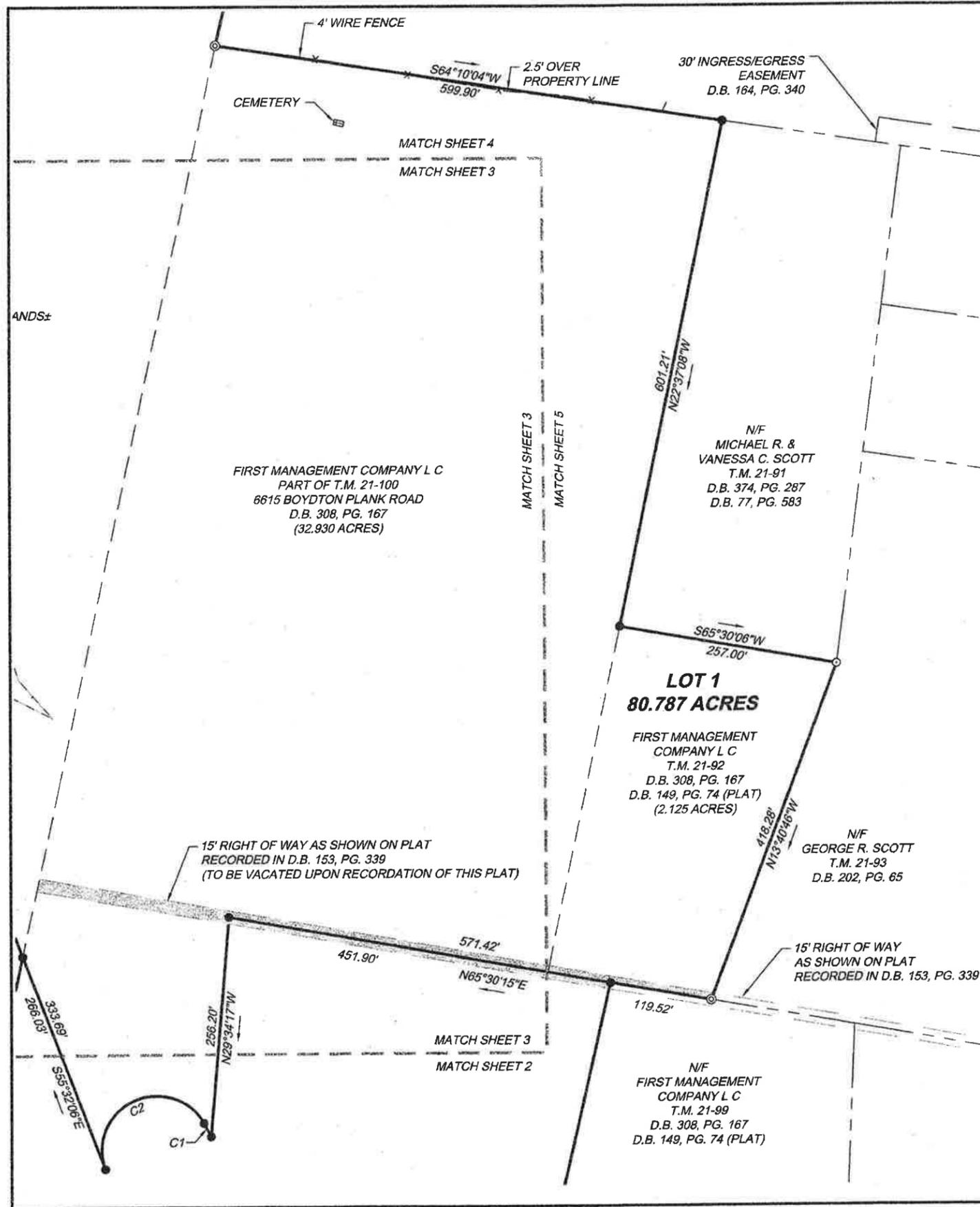
**ALDI VA**  
ROHOIC DISTRICT  
DINWIDDIE COUNTY, VIRGINIA

Date: August 29, 2016	Scale: 1"=100'
Sheet 4 of 5	J.N.:38481-903
Drawn by: J. Livingston	Checked by: W.M. Naulty
Revised: September 7, 2016	

THIS DRAWING PREPARED AT THE  
TIMMONS GROUP OFFICE  
4701 Owens Way, Suite 900 | Prince George, VA 23875  
TEL 804.541.6600 FAX 804.438.1511 www.timmons.com

YOUR VISION ACHIEVED THROUGH OURS.

**TIMMONS GROUP**



**ABBREVIATION LEGEND**

- N/F - NOW OR FORMERLY
- T.M. - TAX MAP
- INST. - INSTRUMENT
- P.B. - PLAT BOOK
- D.B. - DEED BOOK
- W.B. - WILL BOOK
- R/W - RIGHT OF WAY
- PG. - PAGE
- RCP - REINFORCED CONCRETE PIPE
- C/L - CENTERLINE

**SYMBOL LEGEND**

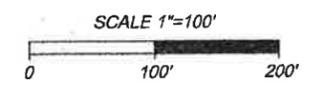
- - ROD FOUND
- ⊙ - PIPE FOUND
- - ROD SET
- ⊞ - HEADSTONE
- ⊕ - UTILITY POLE
- < - GUY
- ⊕ - WATER METER
- ⊕ - WELL CASING
- ⊕ - TELEPHONE PEDESTAL
- ⊕ - TRAFFIC SIGNAL POLE

- OHU --- UNDERGROUND TELEPHONE
- OHP --- UNDERGROUND FIBER OPTIC
- W --- WATER LINE
- UFO --- OVERHEAD POWER
- UGT --- OVERHEAD UTILITIES

T.M. 21-102	ORIGINAL	92.207 ACRES
	LESS	63.653 ACRES
T.M. 21-102	REMAINING	28.554 ACRES

T.M. 21-100	ORIGINAL	32.930 ACRES
	LESS	15.009 ACRES
T.M. 21-100	REMAINING	17.921 ACRES

LOT 1	ORIGINAL	2.125 ACRES
T.M. 21-92	ADD	63.653 ACRES
T.M. 21-100	ADD	15.009 ACRES
T.M. 21-92	REMAINING	80.787 ACRES



CURVE	RADIUS	LENGTH	TANGENT	DELTA	CHORD BEARING	CHORD
C1	460.00'	18.09'	9.04'	2°15'10"	S62°56'07"E	18.09'
C2	63.00'	188.19'	813.96'	171°08'54"	N30°21'51"E	125.62'

CURVE	RADIUS	LENGTH	TANGENT	DELTA	CHORD BEARING	CHORD
EC1	300.00'	77.42'	38.93'	14°47'13"	N27°05'54"W	77.21'
EC2	164.41'	266.58'	172.96'	92°54'05"	S85°06'34"E	238.32'
EC3	800.00'	340.38'	172.80'	24°22'39"	S88°59'31"W	337.81'
EC4	150.00'	138.20'	74.44'	52°47'19"	N52°25'30"W	133.36'

LINE	BEARING	LENGTH
E1	S34°29'30"E	29.58'
E2	S19°42'18"E	221.47'
E3	N76°48'11"E	104.08'
E4	S78°49'09"E	125.48'
E5	S26°01'50"E	350.61'

LINE	BEARING	LENGTH
L1	N55°07'14"E	344.38'
L2	N55°07'14"E	77.00'
L3	N59°25'54"E	120.25'
L4	S8°02'37"E	54.13'
L5	S59°25'54"W	89.73'



**ALDI VA**  
 ROHOIC DISTRICT  
 DINWIDDIE COUNTY, VIRGINIA

Date: August 29, 2016	Scale: 1"=100'
Sheet 5 of 5	J.N.:38481-903
Drawn by: J. Livingston	Checked by: W.M. Naulty
Revised: September 7, 2016	

THIS DRAWING PREPARED AT THE  
**TIMMONS GROUP** OFFICE  
 4701 Owens Way, Suite 900 | P.O. Box 1511 | Richmond, VA 23175  
 TEL 804.541.6600 | FAX 804.438.1511 | www.timmons.com

YOUR VISION ACHIEVED THROUGH OURS.

**TIMMONS GROUP**

# **Planning Commission Staff Report**

File #: P-16-7  
Applicant: Associated Contracting Services, Inc.  
Rezoning Request: Rezone from M-2, Industrial General, to B-2, Business General, with Proffers  
Property Location: North side of Hofheimer Way (Route 775) approximately 1,200 feet east of the Route 1 and Hofheimer Way intersection  
Tax Map Parcel Info: Portion of 21-7-5B  
Property Size: Approximately 4.138 +/- acres  
Magisterial District: Rohoic District  
Planning Commission Mtg.: September 14, 2016

---

## **CASE OVERVIEW**

The applicant, Associated Contracting Services, Inc., is requesting to rezone with proffers property containing approximately 4.138 +/- acres from M-2, Industrial General, to B-2, Business General. The B-2, Business General, zoning classification allows for certain commercial uses pursuant to the Zoning Ordinance allowed density. The property is located on the north side of Hofheimer Way (Route 775) approximately 1,200 feet east of the Route 1 and Hofheimer Way intersection, and is further defined as Tax Map Parcel No. 21-7-5B. As indicated in the Dinwiddie County Comprehensive Land Use Plan, the subject property is located within the Urban Area, which allows limited commercial and industrial uses for this general area.

## **ATTACHMENTS**

Rezoning Application, Location Map, Concept Plan, and Statement of Proffers

## **LAND USE/ZONING ANALYSIS**

The properties in the immediate area surrounding the subject property include commercial land uses to the west and north along Route 1 and at both southern quadrants at the intersection of Hofheimer Way and Route 1, which property is zoned business/commercial. There is an approved site plan for a retail development for the portion of property located at the southeastern quadrant of the Hofheimer Way and Route 1 intersection, and the property to the immediate west was recently rezoned to B-2, Business General, with proffers. North of the subject property is the Agri-Nutrients fertilizer plant, which is zoned industrial, and to the west is the driveway/entrance at Hofheimer Way for the aforementioned fertilizer production facility. To the east of the subject property is the historic Banks House, which is part of Pamplin Park. To the south across Hofheimer Way is undeveloped property which is zoned M-1, Industrial Limited, and this property is owned by Roslyn Farm Corporation. The requested zoning, B-2, Business General, acts as a transitional Zoning District as the uses and zoning in the area transition from commercial to the existing Pamplin Park Banks house property and the existing industrial uses in this general area along Hofheimer Way.

In addition to the Zoning Ordinance requirements for development in the B-2 Business General, Zoning District, the applicant has proffered to limit the uses on the subject property to general retail and office uses, and hotels and motels; to limit the architectural materials used in constructing the building(s) on the property to the exterior finish of any building(s) shall be as follows: brick, vinyl and/or wood on the front; brick, vinyl, wood and/or stucco on the sides, and brick, vinyl, wood, stucco and/or metal on the rear.

The exterior of any accessory building or structure shall be compatible in architectural style, material and color with the principal building(s); and to maintain site lighting so as to not cast off onto the surrounding property or into the night sky. Rezoning the property with the aforementioned proffer conditions is compatible with the surrounding Zoning pattern.

The subject property is located within the Urban Area as defined by the Comprehensive Land Use Plan. This portion of the Urban Area indicates that limited commercial and industrial development is appropriate within this general area of the Route 1 and Hofheimer Way intersection. As such, the requested B-2, Business General, District with the proffered uses is compatible with the surrounding commercial and industrial zoning districts as defined in the Zoning Ordinance.

## **OVERVIEW OF IMPACTS**

### *Public Safety, & Public Utilities Impacts*

With the proposed rezoning to B-2, Business General with proffers which limit the permitted uses on the subject property the potential impact on public safety will be minimal with the rezoning of the subject property with the proposed building(s) 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 accessible along Hofheimer Way to serve the subject property and property in this general area.

### *Transportation Impacts*

The impacts on the existing transportation network are minimal with the trips generated by the proposed use. The road system in this particular area, namely Route 1 and Hofheimer Way, is adequate to handle the employee and truck traffic generated by the proposed use. When the subject property is developed, all future transportation related improvements for access to the subject property will have to meet VDOT entrance design and construction requirements and standards as part of the site plan review process.

## **PROFFER STATEMENT**

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

### Conditions

1. The uses on the Property shall be limited to general retail and office uses, except that the Property also may be used for hotels and motels. The Property will not be developed for the following uses: a discotheque, dance hall or night club; a massage parlor; or any establishment selling or exhibiting paraphernalia for use with illicit drugs; any establishment selling or exhibiting materials or devices which are adjudicated to be pornographic by a court of competent jurisdiction; and any adult bookstore, adult video store or adult movie theatre.
2. The exterior finish of any building(s) shall be as follows: brick, vinyl and/or wood on the front; brick, vinyl, wood and/or stucco on the sides, and brick, vinyl, wood, stucco and/or metal on the rear. The exterior of any accessory building or structure shall be compatible in architectural style, material and color with the principal building(s).
3. Except for the lighting inside building(s), any lighting installed on the Property shall be directed downward and inward to the site to avoid casting lighting on adjacent properties or into the night sky.

**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 to Business General, B-2, based on:

1. The zoning classification requested, B-2, Business General, with the proffers limiting the use of the property to the conditioned 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**

Since this is a zoning matter, the standard statement regarding the Planning Commission's recommendation 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-16-7 as presented be recommended for (approval, approval with proffers, or disapproval) to 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 7-8-16 Case No.: P-16-7  
Date Rec'd " Fee Amount: 1,500.00  
Time Rec'd PM Receipt No: \_\_\_\_\_  
Pre-Application Conference Date: \_\_\_\_\_  
This application has been amended: YES \_\_\_\_\_ NO   
Reviewed by: MB

Information must be typed or printed and completed in full.  
Attach additional page(s) where necessary.

### 1) LAND USE INFORMATION

(Circle): BOS / PC / BZA New/Renewal Amend Previous Case: Y /  N  
Previous/Renewed Case#: \_\_\_\_\_ Land Use Taxation: Y /  N

Application Type: (Circle One):  Variance  Administrative Variance  Conditional Use Permit  
 Rezoning  Street Vacation  Special Exception  
 Amendment

Description of Request: Request to rezone this parcel from M-2 Industrial General to B-2 Business General.

Existing Zoning: M-2 Existing Acreage: 4.138  
Proposed Zoning: B-2 Proposed Acreage: 4.138  
Total Acreage: 4.138

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): Associated Contracting Services, Inc., Attn: James K. Jolley Home/Cell# 757-235-4500  
Address: 3303 Airline Blvd, Suite 1F Portsmouth VA 23701 Work# 757-465-1440  
Agent(s): \_\_\_\_\_ Home/Cell# \_\_\_\_\_  
Address: \_\_\_\_\_ Work# \_\_\_\_\_

Property Owner  Contract Purchaser  Other: \_\_\_\_\_

### 3) PROPERTY OWNER INFORMATION

Property Owner's Name and address (see note on last page):  
Roslyn Farm Corporation PO Box 727  
320C Charles Dimmock Parkway, Suite 1 Colonial Heights, VA 23834  
Contact# 804-526--0820  
Property Tax Parcel Number(s): 21-7-5B

Property Owner's Mailing Address (If this address is different from that listed in the Assessor's Office.):  
\_\_\_\_\_  
\_\_\_\_\_  
Contact# \_\_\_\_\_

4.)

**SUBJECT PARCEL INFORMATION**

**General Location of Project:** North side of Hofheimer Way, near the Intersection of with Boydton Plank Road,  
US Route 1.

**Tax Map #** 21-7-5B  
Subdivision Name: \_\_\_\_\_  
Section: \_\_\_\_\_ Block \_\_\_\_\_  
Address: \_\_\_\_\_  
Zoning: \_\_\_\_\_ Acreage 4.138  
Existing Use: M-2  
Conditions: Vacant Land

**Tax Map #** \_\_\_\_\_  
Subdivision Name: \_\_\_\_\_  
Section: \_\_\_\_\_ Block \_\_\_\_\_  
Address: \_\_\_\_\_  
Zoning: \_\_\_\_\_ Acreage: \_\_\_\_\_  
Existing Use: \_\_\_\_\_  
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.:**

Proposed use of property will be development of a single story building for lease as office and administrative use, with on site parking and stormwater management to serve the development.

**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.:**

Proposed Use as Office will not be detrimental. This will be a change of use from Light Industrial to the lesser use of B-2 Business General to allow office use. Adequate parking will be provided on site, access will be to Hofheimer Way via previously designated entrance location. Adequate Public Utilities are in place to serve this facility.

No additional students will be added to the school system.

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

None.

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

Not Applicable.

**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.**



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: July 7, 2016

**SIGNATURE OF AGENT\*** \_\_\_\_\_  
 (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\*\***  \_\_\_\_\_  
 (Same name as used in Item 2, Page 1)

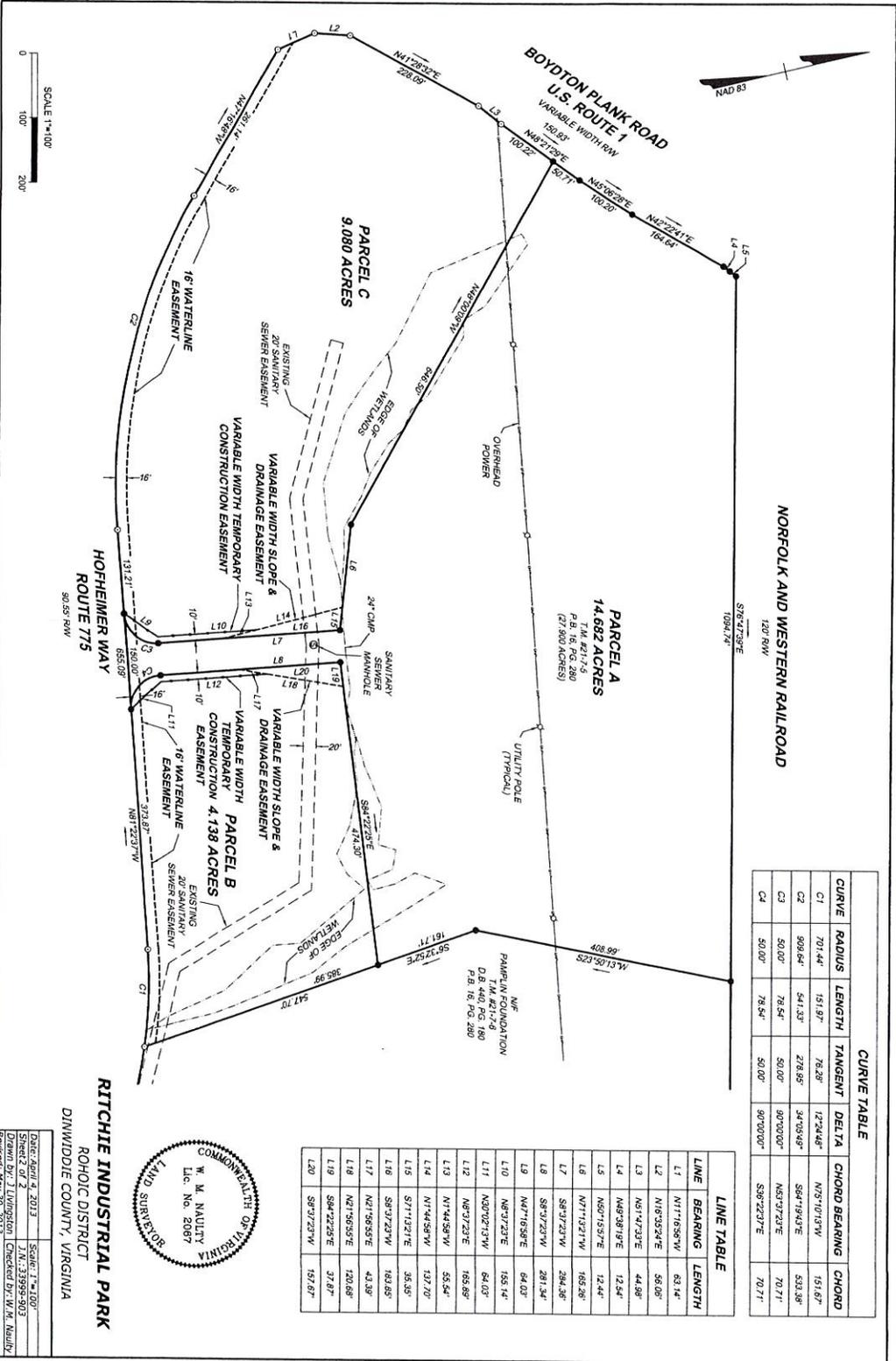
**APPLICANT'S NAME** \_\_\_\_\_  
 (Typed or printed)

**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.



**CURVE TABLE**

CURVE	RADIUS	LENGTH	TANGENT	DELTA	CHORD BEARING	CHORD
C1	701.44'	151.97'	78.29'	127°24.48'	N75°10'13"W	151.67'
C2	909.64'	541.33'	278.95'	34°03'48"	S84°19'43"E	533.38'
C3	50.00'	78.54'	50.00'	90°00'00"	N63°37'37"E	70.71'
C4	50.00'	78.54'	50.00'	90°00'00"	S85°22'27"E	70.71'

**LINE TABLE**

LINE	BEARING	LENGTH
L1	N1°14'59"W	63.14'
L2	N16°33'54"E	56.09'
L3	N61°14'33"E	44.39'
L4	N89°38'19"E	12.54'
L5	N50°15'57"E	12.44'
L6	N71°13'21"W	165.26'
L7	S81°37'23"W	284.38'
L8	S81°37'23"W	281.134'
L9	N47°16'59"E	64.03'
L10	N83°37'23"E	165.14'
L11	N30°02'14"W	64.03'
L12	N83°37'23"E	165.69'
L13	N1°44'58"W	55.54'
L14	N1°44'58"W	127.70'
L15	S71°12'21"E	35.53'
L16	S81°37'23"W	163.95'
L17	N61°16'55"E	43.39'
L18	N21°56'55"E	102.66'
L19	S84°22'23"E	37.87'
L20	S81°37'23"W	167.67'

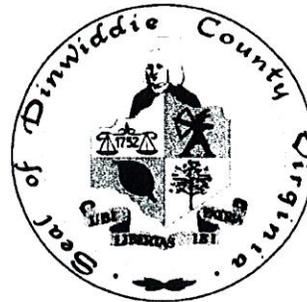


**RTICHE INDUSTRIAL PARK**  
ROHOIC DISTRICT  
DINWIDDIE COUNTY, VIRGINIA

DATE: April 4, 2013  
SHEET: 2 OF 2  
DRAWN BY: J. Livingston  
CHECKED BY: W. M. Naulity  
REVISION: Nov. 30, 2013

SCALE: 1"=100'  
T.N.: 33959-503

**DINWIDDIE COUNTY PLANNING  
&  
ZONING DEPARTMENT  
SPECIAL LIMITED POWER OF  
ATTORNEY APPLICATION**



Planning Department – Post Office Drawer 70 – Dinwiddie, Virginia 23841  
Phone (804) 469-4500 ext. 2117 Fax (804) 469-5322

Know all men by these presents: That I (We)

(Name): Roslyn Farm Corporation (Telephone): 804.526.0820  
(Address): P.O. Box 727 Colonial Heights, Virginia 23834

The owner(s) of all those tracts or parcels of land ("Property") conveyed to me (us), by deed recorded in the Clerk's Office of the Circuit Court of the County of Dinwiddie, Virginia, by

Instrument No. \_\_\_\_\_, on Page \_\_\_\_\_, and is described as Tax Map Parcel #. 21-7-5B do hereby make, constitute and appoint

(Name): Associated Contracting Services, Inc. (Telephone): 757-465-1440  
(Address): 3303 Airline Blvd. Suite 1F Portsmouth, Virginia. 23701

To act as my true and lawful attorney-in-fact and in my (our) name, place and stead with full power and authority I (we) would have if acting personally to file planning applications for my (our) above described Property, to include (put a checkmark next to the appropriate action that applies(y):

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Rezoning Request (including proffers) | <input checked="" type="checkbox"/> Building Permit(s)       |   |
| <input type="checkbox"/> Conditional Use Permit                | <input type="checkbox"/> Subdivision Exception               |   |
| <input type="checkbox"/> Preliminary Subdivision Plat          | <input checked="" type="checkbox"/> Site Plan of Development | <input type="checkbox"/> Landscape Plan       |
| <input type="checkbox"/> Final Subdivision Plat                | <input checked="" type="checkbox"/> Site Plan Modification   | <input type="checkbox"/> Lighting Plan        |
| <input type="checkbox"/> Subdivision Construction Plans        | <input type="checkbox"/> Variance Request                    | <input type="checkbox"/> Transfer of Approval |

My attorney-in-fact shall have the authority to offer proffered conditions and to make amendments to previously approved proffered conditions except as follows:

Not Authorized, proffered conditions must be approved by Roslyn Farm Corporation

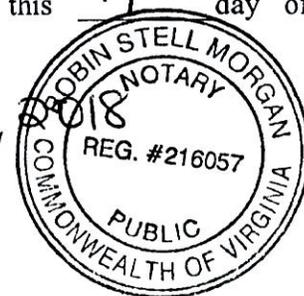
This authorization shall expire one year from the day it is signed, or unto it is otherwise rescinded or modified in witness thereof, I (we) have hereto set my (our) hand and seal this 7 day of JULY, 2016.

Signature(s) \_\_\_\_\_  
State of Virginia/City/County of Colonial Heights, To-wit:

I Robin Stell Morgan, a Notary Public in and for the jurisdiction aforesaid, certify that the person(s) who signed to the foregoing instrument and who is (are) known to me, personally appeared before me and has acknowledged the same before me in the jurisdiction aforesaid this 7 day of July, 2016.

My commission expires: February 28, 2018

Robin Stell Morgan  
Notary Public



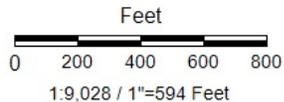
# County of Dinwiddie, Virginia

## Legend

-  County Boundaries
-  Parcel Labels
-  Parcels



Map Printed from AccoMap  
<http://acomack.mapsdirect.net/>



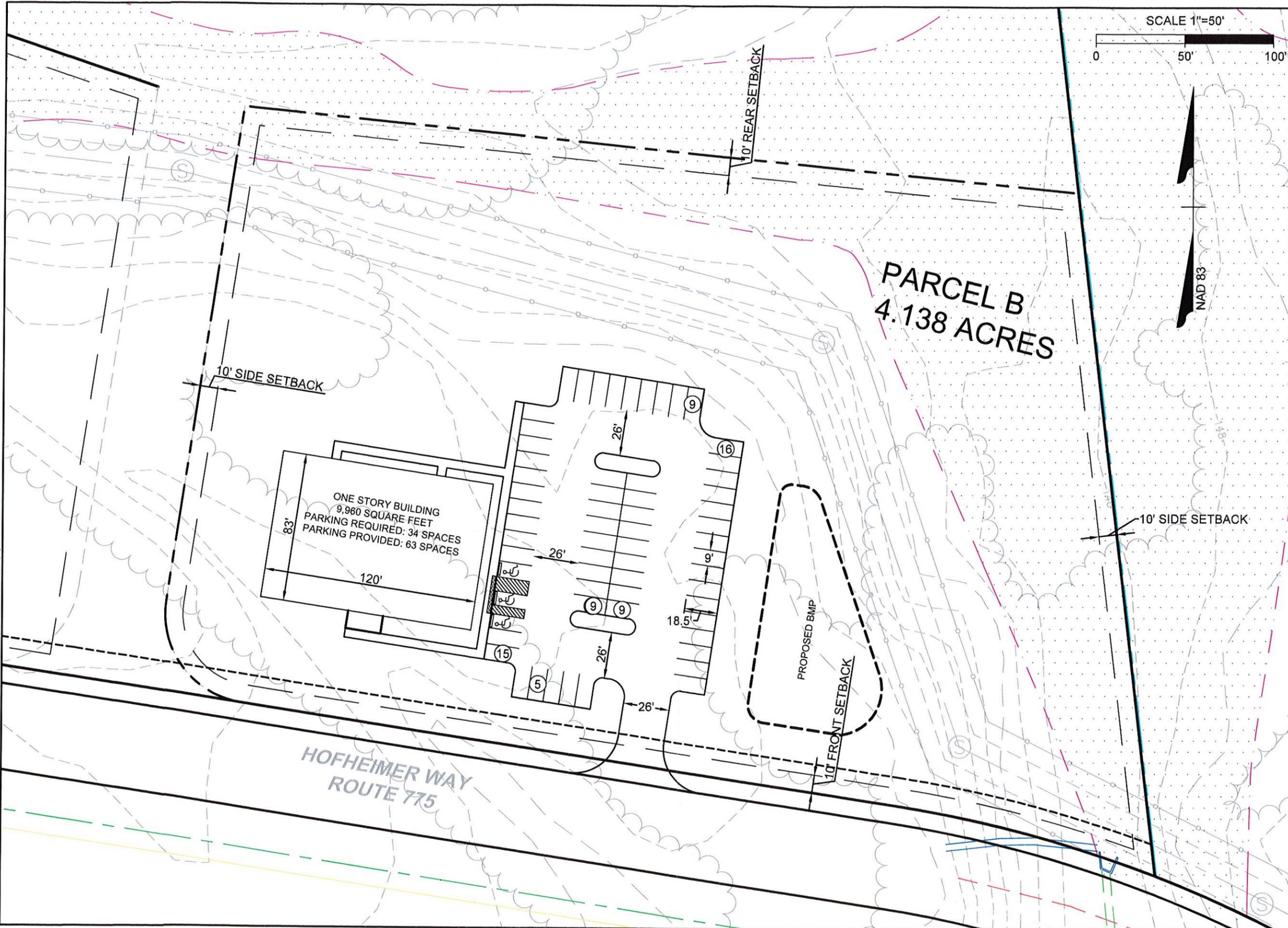
**Title: Case No. P-16-7**

**Date: 9/7/2016**

*DISCLAIMER: This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records, information, and data obtained from various sources, and County of Dinwiddie is not responsible for its accuracy or how current it may be.*



R:\10610000-Ritchie\_Tract\_Layouts\dwg\Parole Office for Gary Haste.dwg | Plotted on 7/6/2016 3:14 PM | by Derrick Johnson



# TIMMONS GROUP

THIS DRAWING PREPARED AT THE  
**TRI-CITIES OFFICE**  
4260 Crossings Blvd | Prince George, VA 23875  
TEL 804.458.8685 FAX 804.751.0798 www.timmons.com

YOUR VISION ACHIEVED THROUGH OURS.

DATE	OWNER REVISIONS	REVISION DESCRIPTION
6/29/16		

DATE	5-9-2016
DRAWN BY	N. MARTIN
DESIGNED BY	D. JOHNSON
CHECKED BY	D. JOHNSON
SCALE	1" = 50'

JOB NO.	-
SHEET NO.	1.0

CONCEPT FOR TAX PARCEL 21-7-5B  
DINWIDDIE COUNTY - VA  
SCHEMATIC LAYOUT

This drawing is the property of TIMMONS GROUP and may not be reproduced in whole or in part and shall not be used for any purpose whatsoever, including, but not limited to, construction, without the written consent of TIMMONS GROUP.

Part of Tax Parcel No. 21-7-5B

#### PROFFERS

THESE PROFFERS are made this 7th day of July, 2016, by ROSLYN FARM CORPORATION, a Virginia corporation, together with its successors and assigns, (the "Owner").

#### RECITALS

- A. The Owner owns that certain parcel of land located in Dinwiddie County, Virginia (the County), lying on the north side of Hofheimer Way 0.22 mile east of the intersection of Hofheimer Way and Route 1, being Tax Parcel No. 21-7-5B, and shown as Parcel B on that certain plat by Timmons Group, Revision dated May 30, 2013 and titled "Ritchie Industrial Park" showing 4.138 acres, to be rezoned from M-2 to B-2 (the "Property"). A copy of the plat is attached hereto and made a part hereof.
- B. The Property is in the Urban Area on the County's Comprehensive Plan and an application has been made to rezone the Property from Industrial, General, M-2, to Business, General, B-2, with proffers.
- C. The Owner desires to offer to the County certain conditions on the development of the Property not generally applicable to land zoned Business, General, B-2.

#### CONDITIONS

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, the Owner agrees that, if the requested rezoning is granted by the County, the Owner shall meet and comply with all of the following conditions in developing the Property:

1. The uses on the Property shall be limited to general retail and office uses, except that the Property also may be used for hotels and motels. The property will not be developed for the following uses: a discotheque, dance hall or night club; a

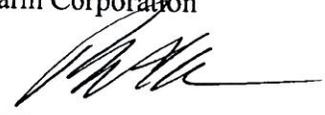
massage parlor; any establishment selling or exhibiting paraphernalia for use with illicit drugs; any establishment selling or exhibiting materials or devices which are adjudicated to be pornographic by a court of competent jurisdiction; and any adult bookstore, adult video store or adult movie theater.

2. The exterior finish of any building(s) shall be as follows; brick, vinyl and/or wood on the front; brick, vinyl, and/or stucco on the sides; and brick, vinyl, wood, stucco and/or metal on the rear. The exterior of any accessory building or structure shall be compatible in architectural style, material and color with the principal building(s).
3. Except for the lighting inside building(s), any lighting installed on the Property shall be directed downward and inward to the site to avoid casting lighting on adjacent properties or into the night sky.

WITNESS the following signature:

Roslyn Farm Corporation

By

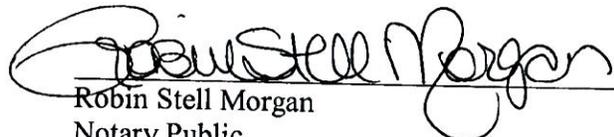
  
Robert C. Walker  
President

COMMONWEALTH OF VIRGINIA

CITY OF COLONIAL HEIGHTS, to-wit:

The foregoing instrument was acknowledged before me this 7 day of July, 2016, by Robert C. Walker, President of Roslyn Farm Corporation, a Virginia corporation, on behalf of the corporation.



  
Robin Stell Morgan  
Notary Public  
my commission expires:  
February 28, 2018