Dinwiddie County Planning Commission

Regular Meeting Agenda
June 8, 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: May 11, 2016 Reg Meeting Minutes.pdf

6. **CITIZEN COMMENTS**
7. **PUBLIC HEARING**

   A. CASE P-16-5

   The applicant, Roslyn Farm Corporation, is requesting to rezone with proffers property containing approximately 5.50 +/- 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 300 feet east of the Route 1 and Hofheimer Way intersection, and is further defined as a portion of Tax Map Parcel No. 21-7-5. As indicated in the Dinwiddie County Comprehensive Land Use Plan, the subject property is located within the Urban Area, which allows limited commercial uses for this general area.

   Documents: P-16-5 Walker Hofh Way PC Staff Report.pdf, Rezoning Application.pdf, Location Map.pdf, Concept Develpment Plan.pdf, Statement of Proffers.pdf

   B. CASE C-16-2

   The applicant, Dennis Harrup III, is seeking a conditional use permit to operate a personal airstrip on the following described property containing approximately 50 acres. The property is located at 19008 Depot Road, McKenney, VA, and is further designated as Tax Map No. 67-28 and is zoned A-2, Agricultural

General, which allows such use upon receiving a conditional use permit. The County's Comprehensive Land Use Plan places this property within the Rural Conservation Area which allows limited commercial, service development at the Ordinance defined density.

Documents: C-16-2 Air Strip Staff Report 6.16.pdf, CUP Application.pdf, C-16-2 Location Map and Proposed Airstrip Location Map.pdf, C-16-2 Property Photographs.pdf

8. NEW BUSINESS

9. COMMISSIONERS' COMMENTS

10. PLANNING DIRECTOR'S COMMENTS

11. 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 11th DAY OF MAY 2016 AT 7:00 P.M.

PRESENT:	DR. EVERETTE PROSISE	CHAIRMAN	DIST #1
	THOMAS TUCKER		AT-LARGE
	BUTCH CUNNINGHAM		DIST #4
	SAMUEL W. HAYES		AT-LARGE
	ANTHONY SIMMONS	VICE CHAIRMAN	DIST #5
ABSENT:	ALVIN BLAHA		DIST #3
	DEAN McCRAY		DIST #2
OTHER:	MARK BASSETT	PLANNING DIRECTOR	
	TYLER SOUTHALL	COUNTY ATTORNEY	
	MORGAN INGRAM	ECONOMIC DEVELOPMENT DIRECTOR	

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 Mr. Blaha and Mr. McCray were not present.

IN RE: APPROVAL OF AGENDA

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

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

The Chairman said that Mr. Frederick Harrison of Brunswick County, was observing the meeting as a part of his Planning Commission Classroom training. The Chairman also said that Mr. Harrison was a member of Brunswick's Board of Supervisors.

IN RE: MINUTES

The Chairman said we have the minutes from the April 20, 2016 regular meeting before us. He said if there are no corrections he would entertain a motion to accept the minutes as presented.

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

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.

RE: PUBLIC HEARING

Planning Commission Staff 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

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 Route1. 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

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-16-4 as presented be recommended for (approval, approval with proffers, or disapproval) to the Board of Supervisors.

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 on 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 Engineer 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. It was seconded by Mr. Tucker and with Mr. Simmons, Mr. Cunningham, Mr. Tucker, Mr. Hayes and Mr. Prosise voting "AYE" P-16-4 was approved.

IN RE: NEW BUSINESS

Mr. Bassett said he just had a few site plans he wanted to show the members that were under review by the Land Development Committee (LDC). Mr. Bassett showed them the site plan for Taco Bell at the intersection of Richie Ave and Route 1. Mr. Bassett showed them the site plan for the Retail project that is proposed to be built at the intersection of Route 1 and Hofheimer Way. Lastly, Mr. Bassett showed them a site plan for the expansion of the existing Star Factory located on Airpark Drive. He said the only other project under review is a sanitary sewer improvement project for Picture Lake Campground.

Mr. Tucker asked Mr. Bassett for an update on the resurfacing of Airpark Drive.

Mr. Bassett said staff just received the final construction plans for that project today and if all is well with the plans they should be approved.

Mr. Cunningham said a year or so ago a project (Rohoic Elementary School) came to us and I'm just wondering if that project has been put on hold or is it still going to happen.

Ms. Ingram said as far as the Economic Development Department's been told by the Owner, Scott Ray, that the project is still moving forward. They were looking at maybe doing something different like retail development, but now it has shifted back to the original for locating his company's headquarters from Airpark Drive to the former Rohoic Elementary School property.

IN RE: COMMISSIONERS' COMMENTS

The Chairman said all of our thoughts and prayers go out to Mr. Blaha as he is recovering from surgery.

IN RE: PLANNING DIRECTOR'S COMMENTS

Mr. Bassett said he wanted to mention a couple of things. He told them VDOT is having a citizen information meeting for the Ferndale Road at Cox Road Roundabout and the Route 1 at Cox Road Improvements. It is going to be an update meeting of the progress. It will take place at the Eastside Enhancement Center on May 18 from 5:00 p.m. – 7:00 p.m. Next, Mr. Bassett told them there will be a rezoning request for a part of the Walker property located along Hofheimer Way for the Planning Commission to hear at the June 8 Planning Commission meeting. The specific location of the property is next to the proposed Retail site as discussed during the site plan review project summary. Mr. Bassett then closed out his comments by updating the Planning Commissioners with several projects that were discussed at the May Tri-Cities MPO meeting.

IN RE: ADJOURNMENT

The Chairman said since there are no additional comments and no further business he would entertain a motion to adjourn the meeting. Mr. Tucker made a motion and Mr. Simmons seconded it and with all other members voting "Aye" the meeting adjourned at 8:00 p.m.

Respectfully submitted,

Mark Bassett
Planning Director

Signed: _____

Planning Commission Chairman

Dated: _____

Planning Commission Staff Report

File #:	P-16-5
Applicant:	Roslyn Farm Corporation
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 300 feet east of the Route 1 and Hofheimer Way intersection
Tax Map Parcel Info:	Portion of 21-7-5
Property Size:	Approximately 5.50 +/- acres
Magisterial District:	Rohoic District
Planning Commission Mtg.:	June 8, 2016

CASE OVERVIEW

The applicant, Roslyn Farm Corporation, is requesting to rezone with proffers property containing approximately 5.50 +/- 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 300 feet east of the Route 1 and Hofheimer Way intersection, and is further defined as a portion of Tax Map Parcel No. 21-7-5. As indicated in the Dinwiddie County Comprehensive Land Use Plan, the subject property is located within the Urban Area, which allows limited commercial 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 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. The portion of property located at the southeastern quadrant of the Hofheimer Way and Route 1intersection is under site plan review by the Dinwiddie County Land development Committee (LDC) for a retail development. Northeast of the subject property is the Agri-Nutrients fertilizer plant, which is zoned industrial, and to the east is the driveway/entrance to the aforementioned fertilizer production facility and beyond that is vacant/open space property zoned industrial. To the south of the subject property across Hofheimer way is vacant/open space property zoned industrial, which is additional property owned by the applicant. The requested zoning, B-2, Business General, acts as a transitional Zoning District as the uses and zoning in the area transition from commercial uses to 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.

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 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 (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-16-5 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 5-12-16 **Case No.:** P-16-5
Date Rec'd " **Fee Amount:** Enterprise Zone
Time Rec'd 11:00 a.m. **Receipt No:** _____
Pre-Application Conference Date: Multiple
This application has been amended: YES (NO)
Reviewed by: Mark Bassett

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#: _____

Amend Previous Case: Y / N
Land Use Taxation: Y / N

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

Description of Request: Rezone Portion of Property that is currently zoned M-2 to B-2 zoning for office/retail development

Existing Zoning: M-2/B-2
Proposed Zoning: B-2

Existing Acreage: 9.08
Proposed Acreage: ~~9.08~~ 5.355 +/-
Total Acreage: ~~9.08~~ 5.355 +/-

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): Roslyn Farm Corporation Home/Cell# _____
Address: P.O. Box 727 Colonial Heights, Virginia 23834 Work# 804.526.0820
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
P.O. Box 727, Colonial Heights, VA 23834
Contact# 804.526.0820

Property Tax Parcel Number: 21-7-5

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

_____

Phone# _____

4.) SUBJECT PARCEL INFORMATION

General Location of Project: North side of Hofheimer Way Near Route 1

Tax Map # 21-7-5 (a part of)
Subdivision Name: _____
Section: _____ Block _____
Address: _____
Zoning: _____ Acreage 9.08
Existing Use: B-2/M-2
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: _____

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.:**

Office/Retail park development with multi-tenant buildings and parking for general business/office use.

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.:**

Surrounding properties are area and regional businesses.

Assessable public utilities available along Hofheimer Way

No effect on public schools due to business zoning.

Hofheimer Way was constructed for Industrial and Business use. Minimal effect on traffic.

Increase tax base and improve availability of businesses locating within Dinwiddie County.

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

None currently available.

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 #
Agri-Nutrients Associates, LLC	23011 Airpark Drive Petersburg, Virginia 23803	21-7-5A
CJBRNM, LLC	25101 Hofheimer Way, Petersburg, Virginia 23803	21-7-4A
Roslyn Farm Corporation	P.O. Box 727 Colonial Heights, Virginia 23834	21-7-4, 21-7-5B

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: MAY 11, 20 16

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 NICHOLAS G. WALKER
(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.

Dinwiddie County, VA

Legend

Road Labels

County Boundaries

Addresses

Parcel Labels

Parcels

Title: Roslyn Farm Corp. Rezoning

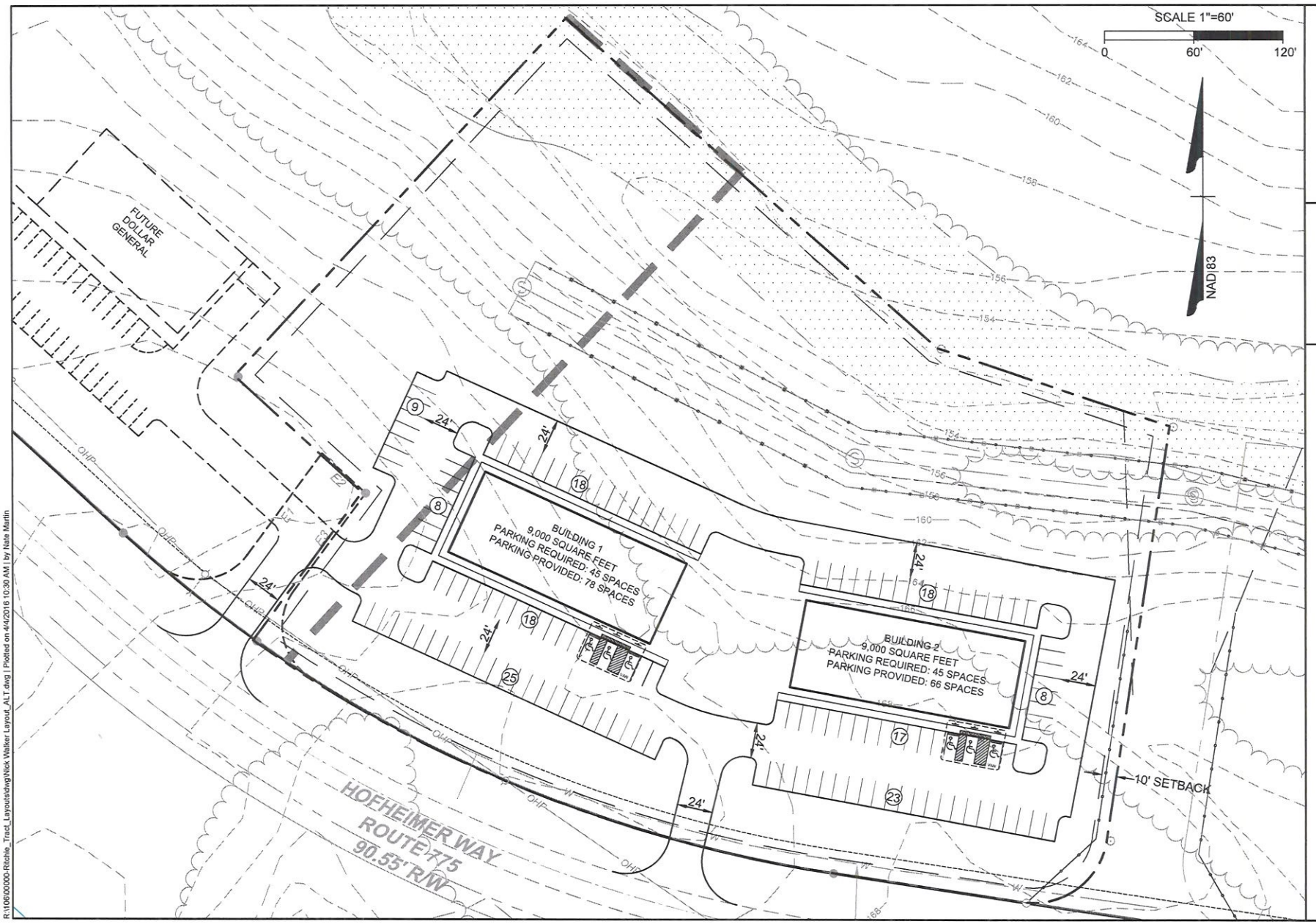
Date: 5/24/2016

Feet

0 100 200 300 400

1:4,800 / 1"=400 Feet

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 Dinwiddie County is not responsible for its accuracy or how current it may be.



R:\106500000-Ritchie_Tract_Layouts\dwg\Nick Walker Layout_ALT.dwg | Plotted on 4/4/2016 10:30 AM | by Nate Martin

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.

TIMMONS GROUP

REVISION DESCRIPTION	DATE

DATE	4-4-2016
DRAWN BY	N. MARTIN
DESIGNED BY	D. JOHNSON
CHECKED BY	D. JOHNSON
SCALE	1" = 60'

RITCHIE TRACT LAYOUTS

DINWIDDIE COUNTY - VA

NICK WALKER SCHEMATIC LAYOUT

JOB NO. 00000

SHEET NO. 1

These plans and associated documents are the exclusive property of TIMMONS GROUP and may not be reproduced in whole or in part and shall not be used for any purpose whatsoever, inclusive, but not limited to construction, bidding, and/or construction staking without the express written consent of TIMMONS GROUP.

Part of Tax Parcel No. 21-7-5

PROFFERS

THESE PROFFERS are made this 9th day of May, 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 0.052 mile east of the intersection of Hofheimer Way and Route 1, being a part of Tax Parcel No. 21-7-5 and shown on that certain plat by Timmons Group, dated March 10, 2016 and titled "Ritchie Industrial Park Plat showing 5.355 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, 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.

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 9 day of May, 2016, by Robert C. Walker, President of Roslyn Farm Corporation, a Virginia corporation, on behalf of the corporation.

ROBIN STELL MORGAN NOTARY REG. #216057 PUBLIC COMMONWEALTH OF VIRGINIA

Robin Stell Morgan
Robin Stell Morgan
Notary Public
notary expires: February 28, 2018

Planning Commission Staff Report

File #:	C-16-2
Applicant:	Dennis Harrup III
CUP Request:	To construct and operate a private airstrip
Property Location:	19008 Depot Road, McKenney, VA
Tax Map Parcel #:	67-28
Property Size: approx.	50 acres
Current Zoning:	Agricultural, General, A-2
Magisterial District:	Sapony
Planning Commission Mtg.:	June 8, 2016

CUP REQUEST

The applicant, Dennis Harrup, is seeking a conditional use permit to construct and operate a private airstrip on his property. The property is located at 19008 Depot Road, McKenney, VA and is further designated as Tax Map No. 67-28. The subject property contains approximately 50 acres; however, the applicant also owns the parcel to north and the parcel to the south of the subject property. In total, he owns approximately 180 contiguous acres. The property is zoned A-2, Agricultural General, which allows this use upon receiving a conditional use permit. The County's Comprehensive Land Use Plan places this property within the Rural Conservation Area which is expected to develop as low density residential, agricultural, and natural conservations areas.

RELATED ATTACHMENTS

- CUP Application
- Location Map and Proposed Airstrip Location Map
- Property Photographs

OVERVIEW OF PROPOSED PRIVATE AIRSTRIP

The applicant is a professional pilot who wants to construct and operate a private airstrip on his property to allow him to cut back on his commute and spend more time with his family. The proposed private airstrip will be located on Tax Map Parcel No. 67-28, addressed as 19008 Depot Road, and is also identified as Hollywood Farm. The applicant operates a small business at the Dinwiddie Airport, but indicates the airstrip would be for personal use only.

ZONING ANALYSIS

All adjacent properties are zoned Agricultural, General, A-2. The applicant owns the parcels to north and to the south, which are currently vacant. With the exception of Lew Jones Village, a residential subdivision zoned Residential, limited, R-1, located at the corner of Depot Road and Lew Jones Road, most of the surrounding properties are large properties that consist of single-family dwellings, farmland and forestal land uses. The proposed airstrip will be located on Tax Map Parcel 67-28, running east to west between the house and the pond (see attached picture).

Section 22-71, Permitted Uses, (17) allows for airports with a conditional use permit. As designated by the Comprehensive Land Use Plan, the subject property is within the Rural Conservation Area. As such, the Comprehensive Plan states that this general area is expected to develop as low density residential, agricultural, and natural conservations areas.

OVERVIEW OF IMPACTS

The applicant is required to register the airstrip with the Federal Aviation Administration (FAA) and the Virginia Department of Aviation (VDA) prior to constructing the airstrip. The state application requires documentation of local government approval of the proposed facility. This conditional use permit would act as local approval. Through the state and federal processes, the applicant will be required to submit the particulars of the airstrip, but there is no state or federal minimum requirement for airstrip length, width or setback from a property line or a road.

Discussion with Dinwiddie County Airport staff indicates the airstrip will not impact airport operations. In addition, the Virginia Department of Transportation (VDOT) indicated there would be no impacts on traffic and will not require the airstrip to be setback off the road. The airstrip is more than five miles away from both the Dinwiddie County Airport (approximately 15 miles) and the Fort Pickett landing field (approximately 10 miles), so a state license is not required.

Public Utilities, School System, & Public Safety Impacts

The existing utilities are handled on-site and there is no expected impact to the school system, as related to the airstrip. Along with the FAA and VDA regulations, any public safety or community issues related with the proposed use are minimized by the proposed conditions associated with this permit.

Transportation Impacts

VDOT has reviewed the request and there do not appear to be any impacts on the transportation network. The airstrip is for personal use only and would not generate any additional traffic.

SITE AND USE ANALYSIS

Staff feels that the request to construct and operate a private airstrip on the subject property is an appropriate use of the property, and given the configuration of the surrounding land uses and given the surrounding zoning pattern the use is appropriately located.

Planning Staff Recommendation:

Planning staff reviewed the request for the conditional use permit and is satisfied that the impacts of constructing and operating a private airstrip on the subject property will be minimized based on adherence to the proposed conditions.

Staff's recommendation of APPROVAL of the conditional use permit to allow for the construction and operation of a private airstrip is subject to the following conditions:

C-16-2 Conditions:

1. The airstrip shall be used for personal use only and commercial activities shall not be permitted on the subject property in conjunction with the airstrip;
2. No lighting of the airstrip shall be permitted and landing and takeoffs shall be limited to daylight hours only;
3. Approval and registration with the Federal Aviation Administration and the Virginia Department of Aviation, and approval from the Dinwiddie Airport shall be required and must be kept current;

4. All maintenance, repair, and mechanical work, except that of an emergency nature, shall be performed in an enclosed building and there shall be no outside storage of airplane parts or inoperable planes;
5. Any airplane fuel stored on the property shall not be within seventy-five (75) feet of any property line and must meet any state or federal regulation for such storage;
6. No more than twenty (20) takeoffs and landings shall be allowed per month; and
7. Any hanger constructed on the property shall be located not less than seventy-five (75) feet to any property line.

PLANNING COMMISSION RECOMMENDATION

Since this is a zoning matter, the standard statement regarding the Planning Commission 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 conditional use permit, C-16-2, as presented for a private airstrip be recommended for (approval, approval with conditions, OR disapproval) to the Board of Supervisors.

paid 3-30-16
credit card payment
8/15

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 3/30/16 **Case No.:** C-16-2
Date Rec'd 3/30/16 **Fee Amount:** $1500.00
Time Rec'd NOON **Receipt No:** 28737
Pre-Application Conference Date: 3-30-16
This application has been amended: (YES) NO
Reviewed by:

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#: _____

Amend Previous Case: Y / N
Land Use Taxation: Y / N

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

Description of Request: Permit for private airstrip

Existing Zoning: AG
Proposed Zoning: _____

Existing Acreage: 50.0
Proposed Acreage: _____
Total Acreage: _____

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): Dennis Harrup III Home/Cell# 804-514-6101
Address: 8131 Seaview Dr Chesterfield VA 23838
Work# 804 861 9915
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):
Harrup Real Estate LLC
the _____
Contact# 804-514-6101

Property Owner's Mailing Address (If this address is different from that listed in Assessor's Office.):
_____

Property Tax Parcel Number: 67-28

Phone# _____

4.) SUBJECT PARCEL INFORMATION

General Location of Project: _19008 Depot Rd McKenney VA

Tax Map # _67-28
Subdivision Name: ___NA
Section: _____Block_____
Address: _____
Zoning: _____Acreage__50.0
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: _____

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.:**

I am an airline pilot and long operator of an aviation business in Dinwiddie County. I learned to fly here in 1986 as a teenager and have been incorporated here since 1991. My schedule keeps me away for many days and this landing strip will allow me to be home for more hours/days during the month as I can fly from my home to my job saving 4-6 nights more a month with my family.

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.:**

This property is in the flight path final approach course of the Dinwiddie County Airport, so low flying planes are common around it. I would also be very limited in its amount of use. Less than 20 takeoffs per month.

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

There are many farms with private airstrips in the county and surrounding counties including Chesterfield and Blackstone

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

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: March 30, 20 16

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 **Dennis Harrup III**

_____

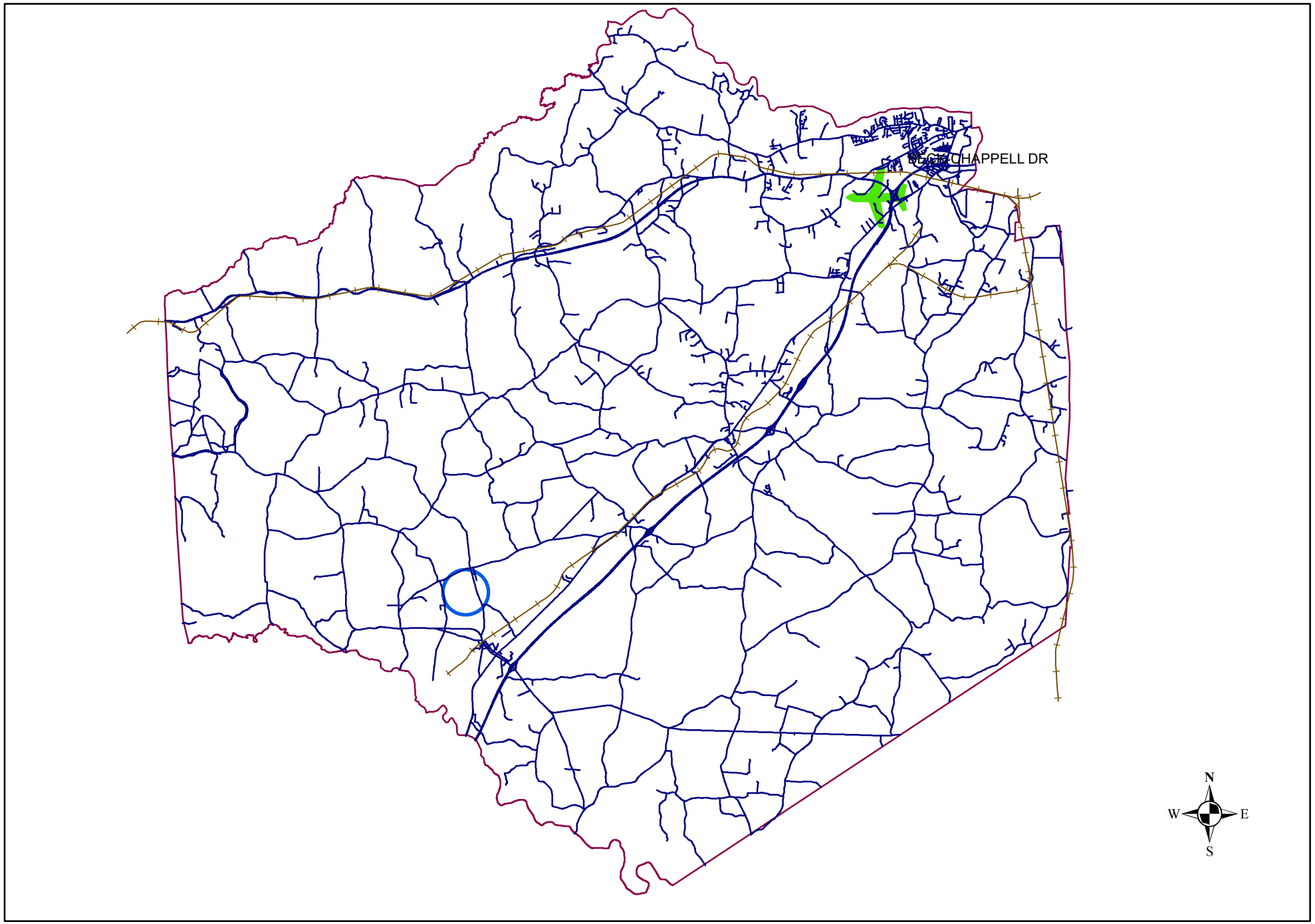
(Typed or printed)

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.



Location Map

C-16-2 Dennis Harrup proposed Airstrip

C-16-2 Dennis Harrup proposed Private Airstrip

Approximate Airstirip Location

Subject Property

N
W E
S

C-16-2 – Dennis Harrup for a Private Airstrip

C-16-2 – Dennis Harrup for a Private Airstrip

C-16-2 – Dennis Harrup for a Private Airstrip

C-16-2 – Dennis Harrup for a Private Airstrip