

Dinwiddie County Planning Commission



Regular Meeting Agenda November 9, 2016 7:00 PM

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE
3. ROLL CALL
4. APPROVAL OF AGENDA
5. CITIZEN COMMENTS
6. PUBLIC HEARING
 - A. CASE P-16-8

The applicant, Leonard F. Harrison, III, is requesting to rezone with proffers property containing approximately 2.863 +/- acres from R-1, Residential Limited, 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 Boydton Plank Road (Route 1) approximately 700 feet south of the Route 1 and Hofheimer Way intersection, and is further defined as a part of Tax Map Parcel No. 21-112. As indicated in the Dinwiddie County Comprehensive Land Use Plan, the subject property is located within the Urban Area, which allows medium density residential and commercial uses for this general area.

Documents:

[P-16-8 Nov 9 2016 PC Staff Report.pdf](#)
[Rezoning Application P-16-8.pdf](#)
[Case P-16-8 Location Map.pdf](#)
[Proffer Statement.pdf](#)

7. OLD BUSINESS
 - A. UPDATES

Large Area County Rezoning Update: Namozine Road northeast to Sutherland Road area & West Petersburg area
Comprehensive Plan Update: Recreation Chapter & Community Facilities Chapter

8. COMMISSIONERS' COMMENTS

9. PLANNING DIRECTOR'S COMMENTS

10. ADJOURNMENT

Planning Commission Meeting Staff Report

File #: P-16-8
Applicant: Leonard F. Harrison, III
Rezoning Request: Residential, Limited, R-1 to Business, General, B-2
Property Location: north side of Boydton Plank Road (Route 1) approximately 700 feet south of the Route 1 and Hofheimer Way intersection
Tax Map Parcel #'s: Part of 21-112
Property Size: 2.863 acres
Magisterial District: Rohoic District
Planning Commission Mtg.: November 9, 2016

CASE OVERVIEW

The applicant, Leonard F. Harrison, III, is requesting to rezone with proffers property containing approximately 2.863 +/- acres from R-1, Residential Limited, 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 Boydton Plank Road (Route 1) approximately 700 feet south of the Route 1 and Hofheimer Way intersection, and is further defined as a part of Tax Map Parcel No. 21-112. As indicated in the Dinwiddie County Comprehensive Land Use Plan, the subject property is located within the Urban Area, which allows medium density residential and commercial uses for this general area.

ATTACHMENTS

Attachments - Rezoning Application, Location Map, Proffer Statement

LAND USE/ZONING ANALYSIS

The properties in the immediate area surrounding the subject property include a mix of residential and commercial land uses. The rear portion of the subject property is zoned R-1, Residential Limited, which is owned by the applicant, and the adjoining property to the north and east is zoned B-2, Business General. The Church property to the east across Route 1 is zoned B-2, Business General with one property in between the commercially zoned properties zoned A-2, Agricultural General. The property to the immediate south and west of the subject property is zoned R-1, Residential Limited.

The subject and surrounding property is identified in the Route 1 and Route 460 Corridor Enhancement Study, and when the study was adopted it became a part of the Comprehensive Plan. In the Corridor Enhancement Study, the subject property is considered a part of the Visitor Focus Area and commercial/service development is identified for this general area. Additionally, in the Comprehensive Land Use Plan the subject property is located within the Urban Growth Area, which recommends commercial and service development for this general area.

The Business, General, B-2 zoning district is intended for areas within the community that are appropriately located for the conduct of general business to which the public requires direct and frequent access, and given the location of the subject property fronting on Route 1 and located between the Hwy. 460 and Route 1 and the Route 1 and I-85 interchanges as well as being located adjacent to other existing commercial businesses and B-2 zoned property, it is well suited for general business uses requiring frequent vehicular access.

OVERVIEW OF IMPACTS

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

The impacts of the proposed commercial rezoning of the subject property are minimal. Currently, there is no negative impact to the public utility system and future impacts will not require any major utility upgrades. Any future development will be subject to Dinwiddie County Water Authority (DCWA) reviews and utility connection agreements.

There is no impact on the public school system with the proposed rezoning. The potential impact on public safety will be subject to the any changes in the future use of the property, and there are no concerns with developing the commercially. The location of the property is well suited for responding to public safety related calls.

Transportation Impacts

The impacts on the existing transportation network are dependent on the future use of the property. The subject property has direct access to Route 1 and the applicant/owner has indicated that the existing driveway may be utilized as a shared commercial entrance for the existing commercial uses and the future commercial use of the property. The commercial driveway access points and commercial entrance design will be evaluated by VDOT at site plan review. Under current VDOT Code when there is a proposed change in use, the road network in this area will have to be evaluated to see if road improvements such as a taper or a turn lane is warranted to handle the additional traffic generated by the proposed use. The transportation related improvements will have to be designed and planned during the site plan review and approval process.

Staff Recommendation:

Proposed Proffer Conditions:

1. The uses on the Property will be limited to all conforming legal businesses allowed for B-2 business development.
2. The building materials will consist of the following: front will be brick, stone, decorative block, with glass windows.
3. All joining properties will have buffer consisting of privacy fence or trees and shrubs.

The planning staff has reviewed the rezoning request and staff recommends APPROVAL of the request to rezone the subject property to B-2, Business General with proffers given that:

1. The zoning classification requested, B-2, Business General, with proffers is compatible with the surrounding zoning pattern and surrounding land uses;
2. The requested zoning classification conforms to the underlying uses recommended in the Route 1 and Route 460 Corridor Enhancement Study and those uses recommended in the Urban Growth 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, 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-16-8 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: 9-21-16	Case No.: P-16-B
Date Rec'd: 9-27-16	Fee Amount: \$1500
Time Rec'd: 1:30pm	Receipt No: 29172
Pre-Application Conference Date: 9-21-2016	
This application has been amended: YES	NO
Reviewed by: [Signature]	

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

1) LAND USE INFORMATION

(Circle): BO 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: Rezoning Land From R-1 to B-2

Existing Zoning: R-1 Existing Acreage: 12.0
 Proposed Zoning: B-2 Proposed Acreage: 2863
 Total Acreage: 2863

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): Leonard F. Harrison III Home/Cell# 804-731-6454
 Address: 5910 Boydton Plank Rd, N. Dinwiddie Va. 23803 Work# _____
 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): <u>L.F. Harrison III</u> <u>5910 Boydton Plank Rd</u>	Property Owner's Mailing Address (If this address is different from that listed in the Assessor's Office.): <u>5910 Boydton Plank Rd,</u> <u>N. Dinwiddie, Va. 23803</u>
Contact# <u>804-731-6454</u>	Contact# _____
Property Tax Parcel Number(s): <u>21-112</u>	

4.)

SUBJECT PARCEL INFORMATION

General Location of Project: on Boynton Plank access from
Petersburg Trading
5914 Boynton Plank Rd.

Tax Map # 21-112
Subdivision Name: _____
Section: _____ Block _____
Address: 5914 Boynton Plank Rd.
Zoning: R-1 Acreage 12.0
Existing Use: R-1
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.:

Locating a Future Automatic Business &
Display Area For Existing outdoor Business

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.:

Public W + S Avail
Shared Entrance
No Extra Population

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

N/A

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.

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: Sept. 27, 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

L. F. Harrison
 (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.

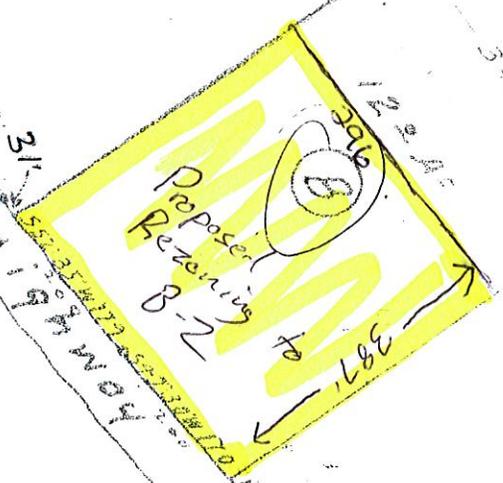
J.F. BLICK

N 35° 10' W 154.6'

N. Part of 5350.6'

Field Woods

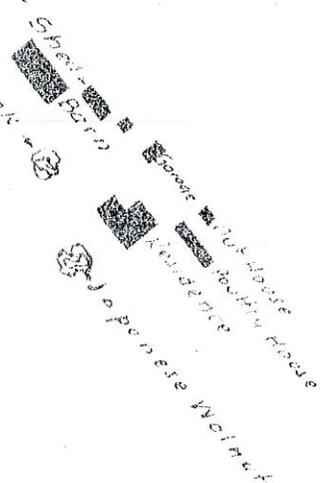
Cleared 27' x 28' Area
To 28' x 28' Area



(A)

Proposed Reversion B-2

No. 1



SHOWING A TRACT OF LAND
SITUATED IN DINWIDDIE COUNTY VIRGINIA
AND BEING PART OF THE
J.F. BLICK-FARM

M A D

4/28/43
J. E. Pugh Reg. Sur

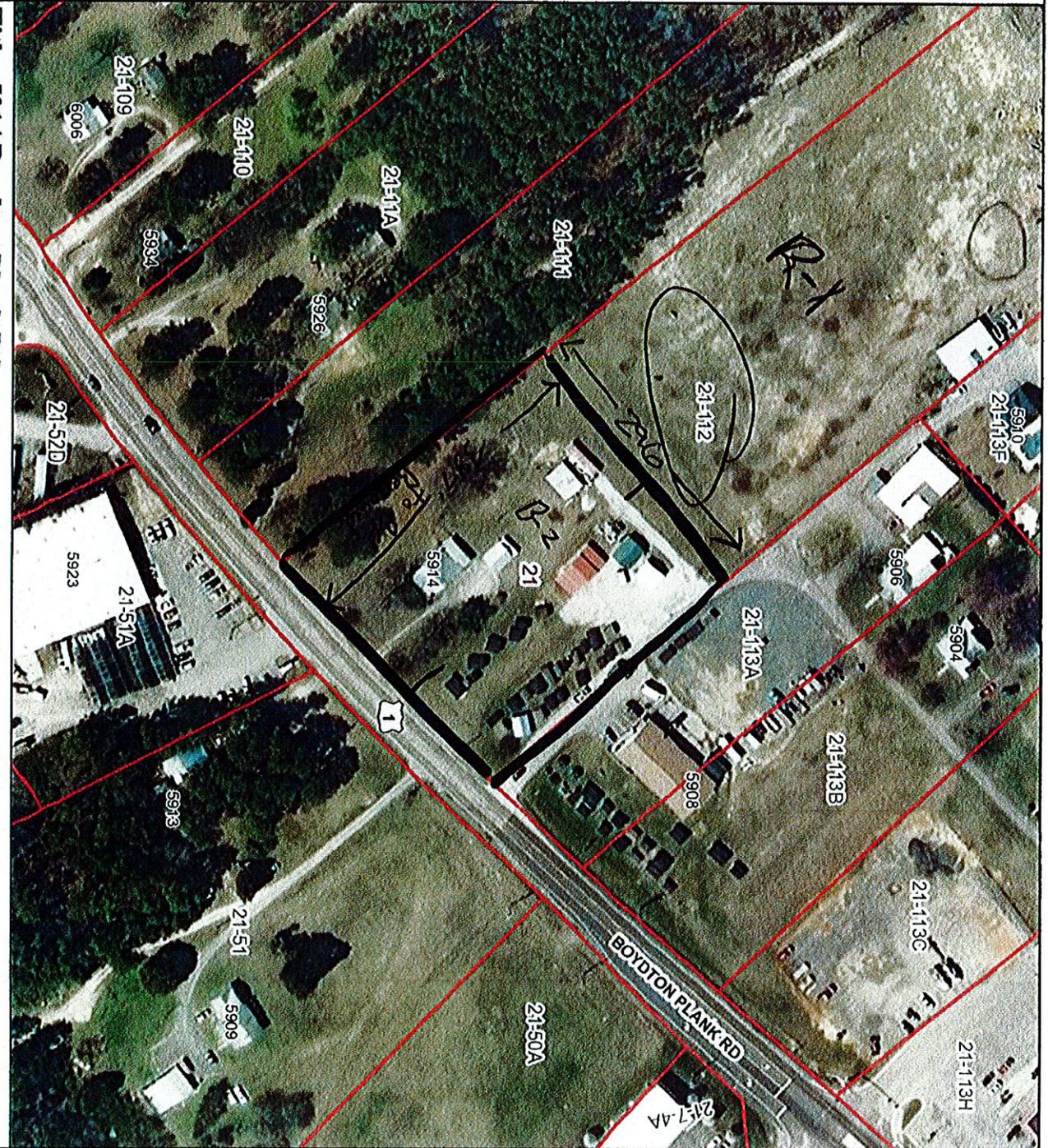
Plot by 68/553

To Petersburg Court House 6.71'

County of Dinwiddie, Virginia

Legend

- County Boundaries
- Tax Map Index
- Parcel Labels
- Parcels

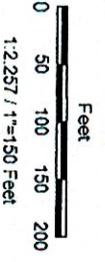


Title: 5914 Boynton Plank Rd

Date: 9/20/2016

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.

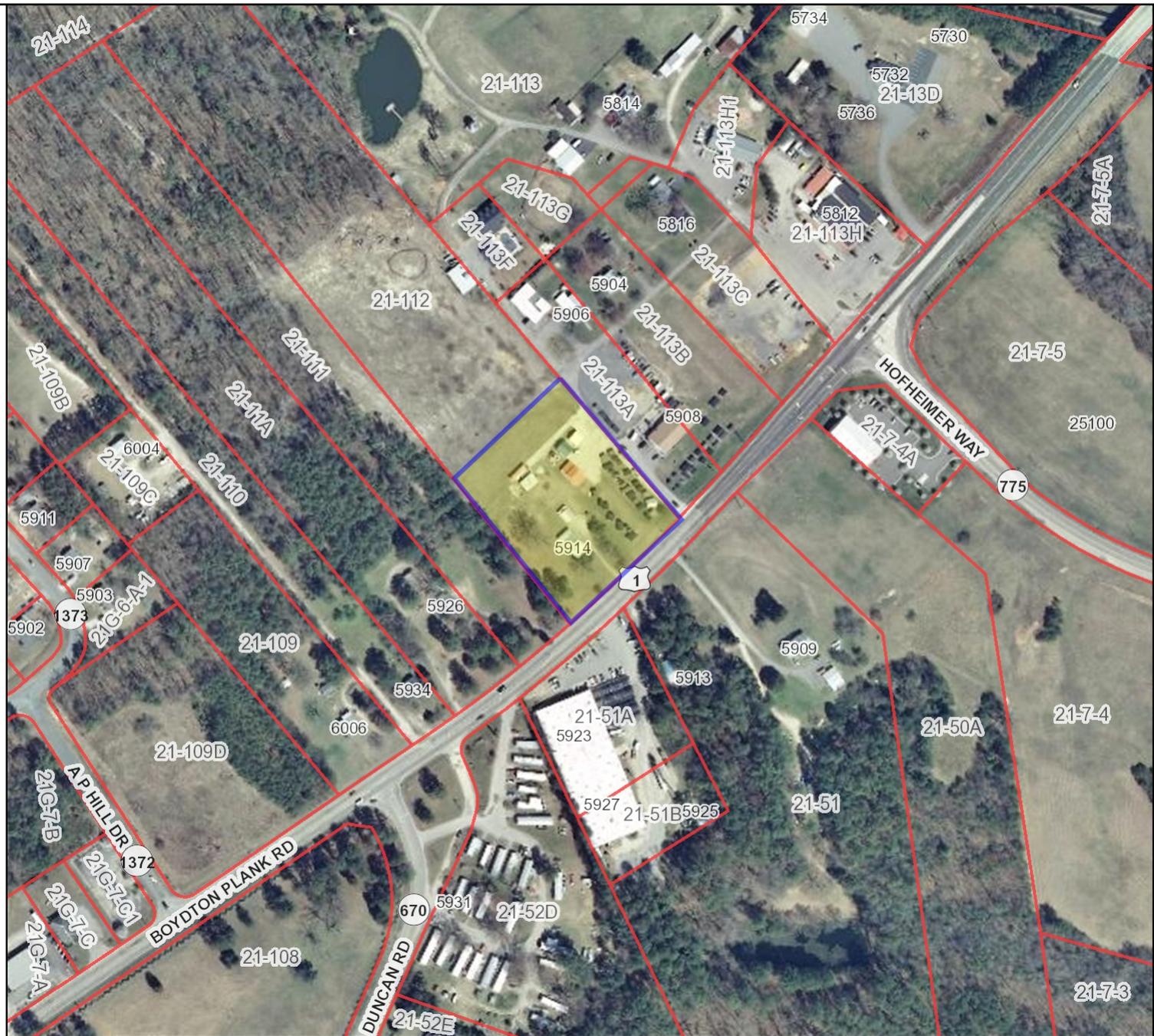
Map Printed from AccoMap
<http://accomap.mapsdirect.net/>



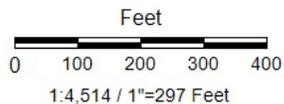
County of Dinwiddie, Virginia

Legend

-  County Boundaries
-  Parcel Labels
-  Parcels



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



Title: Case: P-16-8

Date: 10/19/2016

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Part of Tax Parcel No. 21-112

PROFFERS

THESE PROFFERS are made this 21st day of September, 2016 by Leonard F Harrison III together with its successors and assigns, (the "Owner").

RECITALS

- A. Owner legally possess the tract or parcel of land located in Dinwiddie County, Virginia, (the County) located on the north side of Boydton Plank Road 0. mile south of the intersection of Hofheimer Way and Route 1, North Dinwiddie, Virginia and being a part of Tax Parcel No. 21-112 containing approximately 12.0 acres as more fully shown on that certain plat by J Pugh dated 1943 and titled J E Blick showing a portion of land 349' (the entire front side) wide by 387' deep on the front side of property to be rezoned from R-1 to B-2. Property located on the north side of Boydton Plank Road, in the Rohoic District, Dinwiddie County, Virginia (the "Property").
- B. The Property is within the Urban Area on the County's Comprehensive Plan and is zoned Residential , General, R-1. An application has been made to rezone the Property from Residential, General, R-1 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.

NOW, THEREFORE, for and in consideration of the approval of the requested rezoning, and pursuant to Section 15.2-2298 of the Code of Virginia, 1950, as amended, and the County Zoning Ordinance, Owner agrees that it shall meet and comply with all of the following conditions in developing the Property. If the requested rezoning is not granted

by the County, these proffers shall be null and void. The following proffered conditions
are stated as follows:

CONDITIONS

1. The uses on the Property will be limited to all conforming legal business allowed for B-2 business development.
2. The building materials will consist of ; front will be brick / stone / decorative block with glass windows.
- 3 .All joining properties will have buffer consisting of privacy fence or trees / shrubs

WITNESS the following signature:

BY *[Signature]*
Owner

COMMONWEALTH OF VIRGINIA

County of *Dinwiddie*, to-wit:

The foregoing was acknowledged this *26* day of *September*, 2016 by

Leonard F Harrison III

My commission expires: *01-31-2020*.

Mary Royster Thompson (SEAL)
Notary Public

