

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. Prosisie 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. Prosisie 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 Route 1. Employee and truck traffic are to only utilize the subject access road. As set forth in the rezoning proffer conditions, there is no employee or truck access to Duncan Road with the exception of emergency access which is allowed for public safety purposes only. Additionally, truck traffic is also restricted from accessing the subject property from Blue Tartan Road.

All future transportation related improvements for the access road and within the Route 1 right-of-way and for the new access road will have to meet VDOT design and construction requirements and standards, as indicated in the proffer conditions.

PROFFER STATEMENT

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

Conditions

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

Staff Recommendation:

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

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

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

PLANNING COMMISSION RECOMMENDATION

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. Prosisie 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: _____