

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 13th DAY OF JULY 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	
	JAMIE SHERRY	ZONING ADMINISTRATOR/SR. PLANNER	
	TYLER SOUTHALL	COUNTY ATTORNEY	

IN RE: CALL TO ORDER

The Chairman called the meeting to order at 7:06 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. Prosis voting "AYE" the agenda was accepted.

IN RE: MINUTES

The Chairman said we have the minutes from the June 8, 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. Titmus, Mr. Hayes, Mr. Tucker, Mr. Cunningham, Mr. Harvell, Mr. Simmons and Mr. Prosis 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

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-2-8 & 9
Property Size: 1.14 +/- acres
Magisterial District: Rowanty District
Planning Commission Mtg.: July 13, 2016

CASE OVERVIEW

The applicant, Dinwiddie County, is requesting to rezone property containing approximately 1.14 acres from Residential, Limited, R-1 to Business, Limited, B-1. The Business, Limited, B-1 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 at 18710 and 18716 Carson Road, and is further defined as Tax Map Parcels 45D-1-6A and 45D-2-8 & 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 and office uses for this general area.

ATTACHMENTS

Rezoning Application, Location Map and Property Pictures

LAND USE/ZONING ANALYSIS

The properties in the immediate area surrounding the property include a mix of land uses that include institutional, 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 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. On the south across Carson Road the property is zoned the elementary school and Church property is zoned Residential, Limited, R-1.

The purpose of the Business, Limited, B-1, zoning district is 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 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 and 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.

Mr. Tucker said he has a concern about the language used in recommendation three (3) which, says, "Uses permitted by right". Does that mean I can do whatever I want with the property as long as it's within a broad set of guidelines?

Mr. Bassett said what that means is, if someone purchased the property and it carried the B-1 zoning classification, all the uses that are allowed under the B-1 zoning classification would be acceptable.

Mr. Tucker asked if a commercial building was erected, under this B-1 classification, is a site plan required, who reviews the site plan and does anyone suggest alterations to the site plan.

Mr. Bassett said all commercial developments are required to submit a site plan and then it is reviewed by the LDC (Land Development Committee), which consists of the Dinwiddie County Water Authority (DCWA), VDOT, Public Safety including the Fire Marshall, the Building Official, the Environmental Administrator, the Economic Development Manager, the Principal Planner/Zoning Administrator and the Director of Planning. Planning staff reviews the site plan for zoning issues and planning studies related to the project while all the other members address those concerns specific to their Code requirements.

The Chairman said if there are no more questions for Mr. Bassett he was opening the public hearing portion of the case.

Mr. Charles Rainey, P.O. Box 206, Dinwiddie VA said he is in support of the property being rezoned.

Ms. Jeanette Bishop, P. O. Box 52, Dinwiddie VA said she is in support of the property being rezoned

Mr. Samuel Bishop, P. O. Box 52, Dinwiddie VA said he is in support of the property being rezoned

The Chairman said if there is no one else signed up to speak he was closing the public hearing portion of the case. He asked the Commissioners if they had any more questions.

Mr. Bassett informed the Chairman that Mr. Southall had some additional language that he believes should be added to the standard motion statement that is read by the Commissioners upon approval or disapproval.

The Chairman said if there are no more questions from the Commissioners and before he entertains a motion, he was prepared to hear the additional language that Mr. Southall believes should be added to the motion.

Mr. Southall said there are three ways to initiate a change to the zoning map under Code of Virginia Section 15.2-2286(A) (7). The first is upon request of a property owner or contract purchaser, the second is upon motion of the governing body, which would be the Board of Supervisors, and the third is upon motion of the Planning Commission. Most of the cases that come before you are initiated upon request of the property owner so I have added a clause at the end of your motion to make it clear that this request or amendment was upon motion of the Planning Commission. The added clause says, "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.

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. Cunningham and with Mr. Cunningham, Mr. Tucker, Mr. Hayes, Mr. Titmus, Mr. Harvell, Mr. Simmons and Mr. Prosise voting "AYE" the rezoning was approved.

IN RE: NEW BUSINESS

Mr. Prorise said during the workshop we heard that a committee should be appointed to look at overlay districts. I would like to get a recommendation to the County Administrator that the Planning Commission supports the idea of having such a committee. Also, I would like to know if any Commissioner would like to volunteer.

Mr. Titmus said he would volunteer to be on the committee.

Mr. Titmus made a motion recommending the Planning Commission support the plan of staff moving forward in putting together an overlay committee. The committee will look at overlay districts, buildings that fall within overlay districts, landscaping and other various matters pertaining to future businesses and the sites for those businesses. This committee will also make regular updates to the Planning Commission. Finally this committee will put together a list of the committee personal be presented to the Board of Supervisors for approval. It was seconded by Mr. Tucker and with Cunningham, Mr. Tucker, Mr. Hayes, Mr. Titmus, Mr. Harvell, Mr. Simmons and Mr. Prorise voting "AYE" the recommendation to the overlay committee together was approved.

IN RE: PLANNING DIRECTOR'S COMMENTS

Mr. Bassett said he was continuing with his comments from the workshop. He appreciated everyone's feedback concerning design guidelines.

He said concerning the Comprehensive Plan we are currently working through the mapping and would like to, in the near future, start talking about future land use. We then can begin looking at scheduling public input meeting on future land use for the Comprehensive Plan. He said we have two chapters that are drafted and complete. Those chapters need to be presented to you for final recommendation so they can go to the Board of Supervisors to be adopted. The two chapters are the Community Facilities chapter and the Recreation chapter.

He said concerning our large area County rezonings we have been kind of hit and miss. There are two main ones, the first being North East from Namozine Road to Sutherland Road, which is currently zoned R-R. Mr. Moody, the Board of Supervisor member for that area, would like to see the Planning Commission look at rezoning that area to A-2, Agricultural General. That would be in compliance with our current Comprehensive Plan. The West Petersburg area would be our second large area rezoning. There has been discussion about utilizing our new R-U, Residential Urban district zoning for that area. It allows for 5,000 square foot lot sizes. We've always felt like this RU zoning would be appropriate for that area and after having some initial informal discussions with Ms. Ebron-Bonner and some West Petersburg residents they seem to be in favor of the R-U rezoning.

He said the next item is the Fort Pickett Land Use Study. Staff has spoken to you and the Board of Supervisors a couple of years ago about it and now Fort Pickett would like to move forward with the study. The Department of Defense has asked that Dinwiddie County be the sponsoring agency for the study. That means all the funding for and all the meeting surrounding the study would have to come through Dinwiddie County. The Board of Supervisors have agreed that Dinwiddie would be the sponsoring agency.

He said the last item involves something we have discussed before. We will be making application for the HB2 (Smart Scale Transportation Project) funding for studies surrounding some type of widening of Route 1 from Exit 63B to the West Petersburg City limits. We are also requesting RSTP funds, as a part of the Tri Cities study area for that area as well.

He said lastly you also have before you a violations handout from our Code Compliance Department. Ms. Sherry and Mr. Harris have been working very hard at trying to bring some citizens in compliance with tall grass and inoperable vehicles. It is a very busy time of year for them involving those matters. Also for your information, Mr. Harris has indicated to staff that he leaving the County on August 31st. The Code Compliance Officer position will be advertised in the near future.

IN RE: COMMISSIONERS' COMMENTS

Mr. Cunningham asked Mr. Bassett if we had any cases coming to the Planning Commission is August.

Mr. Bassett said we have a rezoning case for the Courthouse area and possibly a rezoning case for Hofheimer Way.

Mr. Titmus said we don't need to reinvent the wheel as it relates to design guidelines. We should look at other overlay district plans and then take from them what we want.

Mr. Prorise said he has been on the Planning Commission for several years now and he has never felt ignored or unappreciated by the County or by staff and that is much appreciated. It is nice to have a workshop meeting like we had. It is nice to be in the loop to the extent that we can be and I thank Tammie and Morgan for that. I think the citizens of the County ought to be extremely pleased with the team we have to help run this County.

Mr. Harvell thanked the Planning Commission for their reception. He said is very excited about being a Planning Commissioner and sharing in the development initiatives in Dinwiddie County. He said he knows the Bishop's very well and respects their integrity. He thanked the Commissioners for accepting him as the newest Planning Commission member.

IN RE: ADJOURMENT

The Chairman said since there are no additional comments and no further business he would entertain a motion to adjourn the meeting. 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: _____