

VIRGINIA: MINUTES FOR THE REGULAR MEETING OF THE DINWIDDIE COUNTY PLANNING COMMISSION HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING ON THE 12th DAY OF SEPTEMBER 2018 AT 7:00 P.M.

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

IN RE: CALL TO ORDER

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

IN RE: PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

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

IN RE: ROLL CALL

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

IN RE: APPROVAL OF AGENDA

The Chairman asked if there were any additions or corrections to the agenda. Hearing none, he entertained a motion to accept the agenda as presented.

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

IN RE: MINUTES

The Chairman said the members have before them the minutes from the August 8, 2018 regular meeting. He asked if there were any additions or corrections. Hearing that none, he entertained a motion to accept the minutes as presented.

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

RE: CITIZEN COMMENTS

The Chairman opened the citizen comment period and asked if anyone had signed up to speak. Hearing that no one signed up to speak, he closed the citizen comment period. He turned the meeting over to Mr. Bassett for public hearing Case, P-18-2.

Planning Commission Staff Report

File #: P-18-2
Applicants: Gregory and Anita Dommert, Donna H. Ackerman, Jerome K. Rivers, and Charles E. Michalek
Rezoning Request: Residential, Limited, R-1 to Agricultural, General, A-2
Property Location: 6906, 6916, 6922, and 6814 Vaughn Road
Tax Map Parcel #: 22-1-A, 22-1-B, 22-1-C, 22-71 and 22-73B
Property Size: 70.0 +/- acres
Magisterial District: Rohoic District
Planning Commission Mtg.: September 12, 2018

CASE OVERVIEW

The applicants, Gregory and Anita Dommert, Donna H. Ackerman, Jerome K. Rivers, and Charles E. Michalek are requesting to rezone property containing approximately 70.0 +/- acres from R-1, Residential Limited to A-2, Agricultural General, in order to allow for agricultural and agritourism activities. The A-2, Agricultural General zoning classification allows for agriculture and agritourism activities. The property is generally located at 6906, 6922 Vaughan Rd. (Rt. 675) North Dinwiddie, and is further defined as Tax Map Parcel Nos. 22-1-A, 22-1-B, 22-1-C, 22-71 and 22-73B. As indicated in the Dinwiddie County Comprehensive Land Use Plan, the subject property is located within the Urban Area, which allows industrial uses for this general area.

ATTACHMENTS

Rezoning Application, Property Location Map, Property Pictures, VDOT Comment Letter

BACKGROUND INFORMATION

The subject property and the surrounding area, to include property along Vaughan Road (Rt. 675) and Squirrel Level Road (Rt. 613), were part of a mass rezoning of property from Agricultural, general, A-2 to Residential, limited, R-1 in July of 1965. Despite the rezoning, more than 50 years later, a majority of the properties in the area continue to have farming and timber operations and those residential uses are on large lots. The residential lot sizes and uses in the area are more consistent with the Agricultural, general, A-2 zoning district.

Since purchasing the property in 2014, the applicants (the Dommerts) have planted numerous plants and trees in order to establish a fruit, berry and nut orchard. In addition to traditional farming activities, the applicants plan have “pick your own” fruit activities and to coordinate with Virginia State University, Virginia Polytechnic Institute and State University and the Virginia Cooperative Extension to facilitate on-site educational workshops offering instruction on homesteading, holistic gardening, fruit production and regenerative land management. The agritourism activities would be allowed by right in the Agricultural, general, A-2 zoning district which are specifically defined and regulated by the zoning ordinance in Division 2 – Agritourism in Chapter 22 of the Dinwiddie County Code. In addition to the Dommerts the other applicants wish to continue and possibly expand the farming activities on the property.

LAND USE/ZONING ANALYSIS

The adjacent properties to the north, south, east and, west are zoned Residential, limited, R-1 and are comprised of single-family dwellings on large lots, farmland and forestal land uses. As indicated in the Dinwiddie County Comprehensive Land Use Plan, the subject property is located within the Urban Area, which encourages industrial uses for this general area.

Staff believes that the rezoning to Agricultural, general, A-2 is more consistent with the County's long-range plan of encouraging industrial uses because the Residential, limited, R-1 zoning district allows more dense residential development by right. The Agricultural, general, A-2 zoning district would restrict the development to open farm land, larger lot residential development and some commercial uses. The less dense residential development would be more fitting to transition to manufacturing uses if the market conditions change.

OVERVIEW OF DEVELOPMENT IMPACTS

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

This request would have no impact to the public utility system, as the existing utilities are handled on-site. There is no expected impact to the school system, as the rezoning would limit the potential for additional residential uses. The potential impact on public safety will be subject to the type of use that is developed on the property.

Transportation Impacts

Based upon the submitted application and information provided by the applicants, VDOT has determined that the proposed use will require a low volume commercial entrance to serve the proposed use. VDOT has determined that the existing entrance provides the required stopping sight distance and the existing entrance meets VDOT's requirements for a low volume commercial entrance. Any additional uses on the subject property will require evaluation by VDOT.

Staff Recommendation:

The planning staff has reviewed the rezoning request and recommends APPROVAL of the request to rezone the subject property from Residential, limited, R-1 to A-2, Agricultural, general. Staff believes that the rezoning to Agricultural, general, A-2 zoning district is more consistent with the County's long-range plan of encouraging industrial uses in this area, as the density and uses allowed in the Agricultural, general, A-2 are more conducive to a transition to manufacturing uses.

PLANNING COMMISSION RECOMMENDATION

Since this is a zoning matter, the standard statement regarding the Planning Commission's recommendation on this 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-18-2, as presented be recommended for (approval, or disapproval) to the Board of Supervisors.

The Chairman asked if there were any questions for Mr. Bassett.

Mr. Tucker asked if there are multiple applicants for this case.

Mr. Bassett said that is correct.

The Chairman asked if there are any more questions for Mr. Bassett. He said if not would the applicant or his agent like to come forward and add anything.

The applicant Mr. Greg Dommert, 6906 Vaughan Road, North Dinwiddie said he wants to thank the Planning Commission for this opportunity to be heard. The only comment I would like to make tonight is recognize the last living relative of the original owners of the subject property who established the farm back in 1925. Her name is Anna Ridley and she is with us tonight. He said he would answer any questions the Commissioners may have.

The Chairman asked if there are any questions for the applicant.

Mr. Cunningham asked if what Mr. Dommert meant by agritourism is people coming through picking their own fruits, nuts, and vegetables.

Mr. Dommert said that is a part of the Agri-tourism aspect.

Mr. Cunningham asked if he could give a list of things he would be planting.

Mr. Dommert said fruit trees, nut trees, berry bushes and vines are grown on the property for the public to pick on their own.

Mr. Tucker asked if people like himself with arthritis would have an opportunity to walk up and buy items already picked and packaged.

Mr. Dommert said yes you will have the opportunity to walk up and buy items. It won't be when we first open, but eventually it will be a choice.

The Chairman said since there are no more question for the applicant he was opening the public hearing for the case. He asked if there was anyone signed up to speak. He said since there is no one signed up to speak, he was closing the public hearing for the case. He opened the discussion between the Commissioners.

Mr. Prosis said he wants to thank the applicant for recognizing the Rivers' family who started this growing operation. It was not easy then and it is not easy now to successfully run an agricultural operation such as this. I commend the applicant for wanting to continue the operation.

Mr. Harvell said he is glad to see some agriculture come back in that area.

The Chairman said since there are no further questions or comments he would entertain a motion.

Mr. Prosis 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-18-2, as presented be recommended for approval to the Board of Supervisors. It was seconded by Mr. Tucker and with Mr. Titmus, Mr.

Prosise, Mr. Tucker, Mr. Cunningham, Mr. Hayes, Mr. Simmons and Mr. Harvell voting “AYE” Case, P-18-2, was recommend for approval to the Board of Supervisors.

IN RE: COMMISSIONERS’ COMMENTS

Mr. Hayes asked Mr. Bassett if any thought was given to a mass rezoning of the entire area where tonight’s rezoning request is located.

Mr. Bassett said there has not been a mass rezoning request for this area. Board member Chavis would need to get involved concerning that course of action.

Mr. Prosise informed the members that he would not be at next month’s meeting.

Mr. Cunningham asked if there were any cases coming before this Planning Commission next month.

Mr. Bassett said we do not have any cases. We may have some Ordinance text amendments for your consideration.

Mr. Tucker wanted to know if we are going to create something more than bare minimum standards for subdivision lot entrances for the lots fronting on collector roads in the County.

Mr. Bassett said staff is starting to talk about what available practices are there for these types of lots fronting on collector roads. I will be asking for input from the Board of Supervisors as well as you all about this as well.

Mr. Hayes said what he has been talking about is access management. The concern is about things like size and location of turn lanes and entrance spacing based a road’s functional classification.

IN RE: PLANNING DIRECTOR’S COMMENTS

Mr. Bassett said on September 19th the Board of Supervisors will be conducting a CIP meeting from 3:00 p.m. to 4:00 p.m. Mr. Prosise is the Planning Commission’s representative for this meeting. He said the subdivision committee will meet on September 19th from 4:30 p.m. to 6:00 p.m. Mr. Titmus and Mr. Prosise are the Planning Commission’s representatives for the subdivision meeting. Finally, a meeting is being scheduled with the group that is helping staff review the amendment surrounding the definition of subdivisions. Mr. Hayes and Mr. Titmus you are the representatives for this discussion group.

IN RE: ADJOURNMENT

The Chairman said if there is nothing else to be discussed, he would entertain a motion for adjournment. Mr. Prosise made a motion to adjourn and Mr. Simmons seconded it and with all members voting “AYE” the meeting adjourned at 7:45 p.m.

Respectfully submitted,

Mark Bassett
Planning Director

Signed: _____
Planning Commission Chairman

Dated: _____

DRAFT