

Planning Commission Meeting Report

File#: P-22-6
Applicant: David B. Gammon
Rezoning Request: Residential, Limited, R-1 to Residential, General, R-2 with proffers
Property Location: 24224 Cox Rd. (Va. Route 226), North Dinwiddie, Virginia
Tax Map Parcel #: 21-3
Acreage: Approximately 24.73 +/- acres
Magisterial District: Rohoic District
Planning Commission Mtg.: July 13, 2022
Board of Supervisors Mtg.: August 16, 2022 and September 20, 2022

CASE OVERVIEW

The applicant, David B. Gammon, is requesting to rezone with proffers property containing approximately 24.73 +/- acres from R-1, Residential Limited, to R-2, Residential General, to allow for 348 multifamily residential dwelling units at a density of 14.25 units per acre. The R-2 zoning district currently allows for multifamily residential dwellings at a maximum density of 15 units per gross acre with a conditional use permit. The property is located at 24224 Cox Rd. (Va. Route 226), North Dinwiddie, Virginia and is further defined as Tax Map Parcel No. 21-3. As indicated in the Dinwiddie County Comprehensive Land Use Plan, the subject property is located within the Urban Area, which allows for residential uses for this general area.

The proposed market-rate multifamily development will consist of 348 units and per the proffer conditions green space, pool and clubhouse, onsite management, available garage parking, and the three-bedroom apartment units will be limited to 20% of the overall development (69 units).

ATTACHMENTS

- Rezoning Application, Location Map, Proffers (Date Sept. 13, 2002), Proffer Pictures, 348-Unit Apt. Conceptual Site Plan, Traffic Impact Study, VDOT Traffic Study Review Letter, ARCADIS Memorandum DCWA Wastewater Capacity Analysis

LAND USE AND ZONING ANALYSIS

The subject property is located on the north side of Cox Rd. (Route 226) approximately 650 feet from the intersection of Sterling Rd. (Route 603) and Cox Rd. (Route 226), North Dinwiddie. The applicant is requesting the rezoning of approximately 24.37 +/- acres from Residential, Limited, R-1 to Residential, General, R-2 with proffers in order to develop the property for multifamily development. The R-2 zoning district allows up to six dwelling units per gross acre by-right and no more than 15 units per gross acre with a conditional use permit. If the property is rezoned to the R-2 zoning and the property is developed for a single permitted use on a lot, the minimum lot area required is 10,000 square feet, and for lots containing or intended to contain more than a single permitted use served by public water and sewage disposal systems, the minimum lot area shall be as follows: two units, 12,000 square feet; three units, 14,000 square feet; and for each additional lot above three and additional 1,000 square feet is required. The applicant has requested to construct 348 multifamily dwelling units, which equates to a density of approximately 14.15 dwelling units per acre on the subject property.

The surrounding land uses include the railroad right-of-way to the north at the rear of the subject property, which is zoned B-1, Business Limited, and on the other side of the railroad is the Vulcan mine property zoned M-2, Industrial General, with a conditional use permit. To the east the land uses include low-density single-family residential development, Rohoic Farms subdivision, which is zoned R-1, Residential Limited, and Western Heights Baptist Church, which is zoned R-1, Residential Limited. To the south the subject property fronts on Cox Road (Route 226) and across Cox Rd. is vacant property split-zoned B-1, Business Limited, on the front and with R-2, Residential General for the remainder of the property. Bordering the subject property on the west are three single-family residential lots zoned R-1, Residential Limited. Further west is the Somerset manufactured home park that is zoned R-2, Residential General.

The property under review is designated by the Comprehensive Land Use Plan (the “Plan”) as being within the Urban Planning Area. As such, the general area is expected to accommodate future medium to low-density residential development. Chapter XI of the Comprehensive Plan outlines the policies, goals, and objectives of the County, and Housing Goal (1) states “Encourage and develop a mix of housing types to reflect the diversity of the County”. In addition, the Housing Objectives include (a) Develop a mix of housing types in growth areas of the County.; (b) Encourage infill housing.; and (h) Maintain an affordable housing in the County. As previously stated, this general area has low and medium density development; thus, this general area may be considered an area where a diversity of housing types is compatible with the Plan. The proposed development is consistent with the Plan’s Housing goals and objectives for this general area.

Generally, the composition of the Residential, General, District, R-2 “is composed of certain medium to high concentration of residential uses, ordinarily located between residential and commercial areas, plus certain open areas where similar development appears likely to occur”. Within this general area, there is anticipated residential development that will occur. The proposed R-2 zoning is an appropriate transitional residential zoning to buffer the B-1, Business, Limited, District zoned property.

OVERVIEW OF DEVELOPMENT IMPACTS

Public Utilities, Public Safety & School System Impacts

The following are the preliminary comments from the Water Authority’s on-call Engineer, ARCADIS, (see ARCADIS Memorandum, Wastewater Capacity Analysis) based on the preliminary site plan for the multifamily zoning.

Planned flows for the wastewater are from the northern portion of the subject property eastward through gravity collection sewers to the Ferndale Wastewater Pump Station (#14) (North of Cox Road, Contract D) and ultimately discharging into the Cattail Run trunk sewer at the Rockdale Road outfall (manhole no. 26). The planned flows from the southern portion of the subject property have been routed into the sewer line at the intersection of Sterling Road and Cox Road, continuing southward through the 8-inch diameter gravity collection sewer (south of Cox Road, Contract E) and discharging into the Cattail Run trunk sewer at the Sterling Road Outfall (manhole no. 44). The unit flow rate used for the study is 300 gallons per day (gpd) per acre. Currently, there is approximately 500,000 gallons per day of overall sewer capacity and the proposed project will utilize 104,400 gallons per day.

The report summary indicates that:

1. Adequate capacity is calculated to currently exist for the addition of up to 213 new multifamily units @ 300 gpd/unit on the northern side of the subject parcel through the Contract D gravity collection sewer infrastructure to the Ferndale Road Pump Station.
2. Adequate capacity is calculated to currently exist for the addition of up to 300 new multifamily units @ 300 gpd/unit on the southern side of the subject parcel through the Contract E gravity collection sewer infrastructure to the Sterling Road outfall on the Cattail Run trunk sewer (manhole no. 44).
3. Adequate capacity is calculated to currently exist in the lower portion of the Cattail Run trunk sewer from the Sterling Road outfall (manhole no. 44) downstream to the metering station near manhole no. 1.
4. Further information is required to verify the catchment areas used in HME's analysis to calculate the contributing sewer flows for predevelopment flows in the Contract D and E gravity collection sewers are accurate.
5. Analysis was not completed to determine if adequate capacity currently exists between the Ferndale Road Pump Station outfall southward through Contract B infrastructure (15-inch diameter gravity collection sewer) to the Rockdale outfall (Cattail Run trunk sewer manhole no. 26).

Public water will be supplied to the project from the proposed primary connection point to the existing 12-inch waterline on Cox Rd. (Route 226) between Chesdin and Sterling Roads. There is also a secondary connection point to the 6-inch waterline on Greenway Road. The developer's engineer provided an estimated average daily demand of 70,000 gallons per day (gpd) with the assumption of 350 planned units at an estimated demand of 200 gpd. Overall water capacity is 1.6 million gallons per day.

The following are the preliminary comments from Public Safety based on the preliminary site plan for the multifamily zoning.

The new complex would primarily be served for both Fire & EMS from Namozine Station 4 located at 3913 Pelham Avenue. The station is located approximately 2.0 miles from the proposed site and is staffed with 24-hour career staff for EMS and with volunteer staffing only for fire responses.

Secondary fire response would come from Ford Station 2 located 11.4 miles west of the proposed complex and Dinwiddie Station 1 located 11.6 miles south of the proposed complex. Mutual aid responses would come from Chesterfield County and the City of Petersburg primarily.

Secondary EMS response would come from Dinwiddie Station 1, located 11.6 miles south of the complex or McKenney Station 3 located 23.1 miles south of the proposed complex. Mutual aid responses would come from Chesterfield County and the City of Petersburg primarily.

It is anticipated that at full build out of 348 units, the proposed complex would generate approximately 40 EMS responses and 10 fire responses per year. It would be anticipated that the bulk of the fire responses would be related to service calls (lift assists, alarms, water leaks, etc.). Each apartment unit will have sprinklers for fire protection.

Dinwiddie County Sheriff's Department

We did meet with Mr. Gammon in reference to the proposed apartment complex on Cox Road. We discussed the possible need for a fence around the perimeter, not to keep the residents of the apartment complex in, but to keep foot traffic coming from across the railroad tracks. I think the fence would cut down on potential crime where subjects could break in to vehicles or commit other crimes and have a quick escape route away from the area. Dennis Hale, Chief Fire and EMS, ran some preliminary numbers for calls for service for police, fire and EMS over the past three years and to date for 2022 at Rohoic Woods. I provided them to Mr. Gammon.

| Year | Fire | EMS | Law |
|------|------|-----|---------------------|
| 2019 | 6 | 22 | 129 |
| 2020 | 3 | 19 | 122 |
| 2021 | 19 | 43 | 146 |
| 2022 | 17 | 17 | 33 - as of May 2022 |

The percentage of calls at Rohoic Woods versus the rest of the county is very low. Most of the calls for service at Rohoic Woods have been to unlock cars, domestic disputes or loud music complaints.

We are aware that there will be increased traffic and increased calls for service if the apartment complex comes through. This will be the same for the apartments that are proposed near the Aldi Distribution Center. We will deal with these incidents as they arise and as the county grows, it is inevitable that we will have to ask for funding for more deputies.

The following are the preliminary comments from Dinwiddie County Public Schools based on the preliminary site plan for the multifamily zoning.

For related impacts on the public school system, students who would reside in the Cox Road complex would be zoned for Sutherland Elementary School, Dinwiddie Middle School, and Dinwiddie High School. While the middle and high schools could absorb the additional students, Sutherland may require additional planning. In addition to the 500+ students who are enrolled at the school, we do house a number of programs at the school that require the use of entire classrooms for small numbers of students. The capacity at Sutherland is 600 students; however, because of the special programming, the current enrollment of 510 makes adding additional classrooms difficult. The school system fully supports the 348 multi-family dwelling units and stands ready to do whatever is necessary to ensure the students housed there can be accommodated at Sutherland Elementary School, without adding portable classroom structures. For information, the Rohoic Woods apartments located on Duncan Road currently has 27 elementary students, 20 middle school students, and 31 high school students. Rohoic Woods is a 240-unit apartment development on 19.84 acres with 36 one-bedroom units, 132 two-bedroom units, 48 three-bedroom units, 12 two-bedroom townhomes, and 12 three-bedroom townhomes.

For estimating the number of students that the proposed 348-unit multifamily development consisting of would generate, the ratio of 0.32 students per unit is used. Given this ratio of students per unit, it is estimated that 38 students would be attending Sutherland Elementary School, 31 students would be attending Dinwiddie Middle School, and 42 students would be attending Dinwiddie High School. As Dr. Weston, Superintendent of Dinwiddie Public Schools, indicated the capacity at Sutherland Elementary school is 600 students and the current enrollment is estimated at 511 students; Dinwiddie Middle School has a capacity of 1200 students and the current enrollment is estimated at 935 students;

and Dinwiddie High School has a capacity of 1600 students and the current enrollment is estimated at 1236 students. There is existing capacity at the schools in the attendance area to accommodate the students generated by the proposed development.

Note: The following is additional information provided to Planning staff from Dr. Weston after the July 13, 2022 Planning Commission meeting:

In addition to the comments provided relative to the schools, I would also like to include that we have a large number of employees who are in need of affordable housing. Many teachers are forced to live in surrounding communities making the retention of those individuals difficult, especially when they pass several school divisions on their way to work. Having access to affordable housing would make Dinwiddie County Schools even more marketable.

Transportation Impacts

The rezoning request does not require a Chapter 527 TIA, and County Planning staff required a traffic impact study based on a scoping document under County and VDOT review. New traffic counts were conducted on Tuesday, May 3, 2022 from 7:00 – 9:00 AM and 4:00 PM – 6:00 PM at the Cox Rd. and Sterling Rd. intersection and the traffic count on this section of Route 226 are approximately 4,000 average daily trips. Intersection capacity analyses were performed for existing conditions (2022), future conditions without development (2024), and future conditions with development (2024) during the weekday AM and PM peak hour traffic conditions at the study intersections. Future traffic conditions were estimated based on anticipated background growth and the proposed development plan. The study included looking at Cox Road at Sterling Road and Cox Road at the proposed site driveway entrance.

Cox Road (Route 226) is a minor arterial with a 2019 VDOT AADT of 9,800 vehicle trips per day (vpd) and a speed limit of 45 mph. Sterling Road (Route 603) is a major collector with a 2019 VDOT AADT of 1,700 vehicles per day and a posted speed limit of 35 mph. Existing and future turning movements (2024) at the intersection of Cox and Sterling Roads operate at an acceptable level of service and all movements operate at LOS B or better with 95th percentile queue lengths of one vehicle or less.

Future conditions with the proposed development (2024) indicate that 348 multifamily units generate 139 (33 in and 106 out) AM peak hour trips and 177 (111 in and 66 out) PM peak hour trips with a weekday total number of trips equaling 2,346. The capacity analysis indicate that the study intersections operate at an acceptable level of service (LOS). All traffic movements remain at LOS B or better, with the exception of the northbound Sterling Road approach, which becomes LOS C. the threshold for LOS C is 15 seconds and the northbound delay is projected to be 15.2 seconds in the PM peak hour (an increase of 2.2 seconds). To note all movements have 95th percentile queue lengths of two vehicles or less.

The turn lane warrant analysis indicates that a westbound right turn taper is warranted at the site driveway entrance during the PM peak hour only. An eastbound left turn lane is not warranted at the site driveway entrance.

Related vehicular crash data for the area indicates that over the past six years there were five reported crashes nearby.

The VDOT review letter for the traffic impact study is attached to the staff report.

Applicant's Voluntary Proffer Conditions (dated September 13, 2022)

The applicant submitted the following voluntary proffer conditions as part of the rezoning request:

1. Number of Dwelling Units. The total number of multifamily dwelling units on the Property shall not exceed 348 dwelling units. The Property is defined as the 24.73-acre site.
2. Size of Dwelling Units. No dwelling units constructed on the Property shall contain more than three (3) bedrooms. The percentage of three (3) bedroom dwelling units shall not exceed more than 20% of the total number of dwelling units or 69 three (3) bedroom dwelling units.
3. Site Density. The number of multifamily dwelling units shall not exceed a density of 14.5 units per gross acre of the 24.73 site acreage, except that no density requirement may be enforced if the property is subdivided for phasing purposes so long as the maximum number of units on the overall 24.73-acre site (the Property) does not exceed 348 dwelling units.
4. Conceptual Layout Plan. The Property shall generally be developed as shown on the conceptual site plan exhibit "Overall Layout" dated June 30, 2022, as attached. Modifications made to the conceptual site plan may be allowed or modifications as needed to satisfy VDOT, COE/DEQ, County Health Department, DCWA, County Planning Director and Zoning Administrator or other regulatory agencies without further review by the Planning Commission or Board of Supervisors, but with modifications approved by the Planning Director.
5. Pedestrian Connectivity. Sidewalks and walkways shall be generally provided internal within the Property, including along internal driveways that provide general circulation, to provide connectivity among parking areas, residences, and amenities.
6. Landscaping. Landscaping shall be provided around the perimeter of all buildings, between buildings and driveways, within medians and within common areas not occupied by recreational facilities or other structures. Landscaping shall be designed to minimize the predominance of building mass and paved areas, define private spaces and enhance the residential character of the project. The exact numbers, spacing, arrangement and species of plant materials, including any trees along the project's frontage on Cox Road and along internal driveways, shall be approved pursuant to a landscape plan at the time of site plan review. Foundation planting beds shall be incorporated within such landscape plan along the façades of buildings which face public streets and internal driveways and shall (i) have a width of at least four feet from the building foundation except where sidewalk or hardscape features prohibit; (ii) be defined with a trenched edge or suitable landscape edging material; and (iii) include medium shrubs spaced a maximum of six (6) feet apart or an alternate plant variety approved at the time of site plan review.
7. Sod and Irrigation. Sod and irrigation shall be required for the Property's frontage on Cox Road directly in front of buildings and within focal points, except where such areas have been improved with hardscape, planting beds, in front of or around Stormwater Management Ponds or other areas where grass is not grown or where irrigation is not allowed within easements.

8. Site Lighting/Light Poles. Light poles on the Property shall have a maximum height of twenty (20) feet. Sidewalks, walkways and other pedestrian areas shall be lit by pedestrian-style lights in accordance with a lighting plan to be approved at the time of site plan review. Except for the lighting inside buildings, 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.
9. HVAC Screening. Ground-level HVAC equipment shall be screened from view from public streets in a manner approved at the time of site plan review.
10. Building Height. All principal and accessory buildings shall have no more than three (3) stories.
11. Garage doors. Any garages shall be in general conformance with the architectural appearance as approved at the time of site plan review. Enhanced features shall include a minimum of one of the following: raised panels, decorative panels, arches, hinge straps or other architectural features on the exterior that enhance the entry (i.e., decorative lintels, shed roof overhangs, arches, columns, keystones, eyebrows, etc.). Flat panel garage doors are prohibited.
12. Utilities. The public water and wastewater systems shall be used for domestic purposes and shall be subject to all design and construction requirements/design and construction standards of the Dinwiddie County Water Authority (DCWA).
13. Right-of-Way. The Owner shall be responsible for the dedication of a portion of Owner's property to the Virginia Department of Transportation (VDOT) or Dinwiddie County, as it may be applicable, for public ingress and egress to the Property.
14. Building Elevations and Architecture. Development of the Property shall be in general conformance with the architectural appearance shown on the photos made a part of the zoning proffers with approved modifications by the Planning Director.
15. Building Materials. Permitted materials for building exteriors shall be limited to a combination of brick, brick veneer, glass, stone or cultured stone, architectural masonry, cementitious siding, high-grade vinyl (a minimum of .042 nominal thickness as evidenced by manufacturer's printed literature), engineered wood (e.g. LP Smartside), architectural-grade metal panels, insulated panels, textured concrete tilt-up panels, tile, concrete tile, or a combination of any of the foregoing or other materials comparable in quality as approved by the Planning Director. Architectural treatments, such as windows, doors, cornices, accent bands, trim, etc. shall be constructed of metal, fiberglass, E.I.F.S., stucco, vinyl or other materials comparable in quality as approved by the Planning Director. A minimum of fifteen percent (15%) in the aggregate for each building of the exterior portions of the building wall surfaces facing any public road, excluding windows, doors, breezeways, gables and architectural design features, shall be constructed of brick, brick veneer, stone, stone veneer, textured concrete tilt-up panels, tile, concrete tile, cementitious siding, and any other masonry material or combination thereof. No more than thirty-five percent (35%) of the exterior portions of a building's wall surface, excluding windows, doors, breezeways, gables, trim and architectural design features, shall be constructed of high-grade vinyl. No building shall be covered with or have exposed to view any painted or unfinished concrete block, or industrial-grade metal, unless otherwise specifically approved at the time of site plan review. Any sloped roofs shall be constructed of

textured fiberglass shingles, architectural asphalt shingles, cedar shakes, composition shingles, metal or other materials comparable in quality as approved by the Planning Director.

16. Site Amenities. As part of the apartment development, a resident clubhouse totaling a minimum of 3,000 square feet and other recreational amenities to include hardscaped areas, a pool having a minimum size of 2,000 square feet, and patio/courtyard shall be provided. Prior to the issuance of a certificate of occupancy (C.O.) (whether temporary or final) for the 150th dwelling unit, the clubhouse, pool, and patio/courtyard shall be constructed and operational.
17. Site Fencing. Black vinyl coated chain-link fence, a minimum of 6 feet in height, shall be provided along the north, east, and west property lines of the apartment development. Fencing may be located internal to any buffers, tree save areas, and/or phasing lines. The portion of the fencing along the property line between the apartment development and Rohoic Farms subdivision shall be an opaque wood or opaque vinyl fence a minimum of 6 feet in height with a neutral color such as brown, tan, or green. Garages along exterior of the apartment development may serve as a barrier in lieu of fencing. Decorative fencing, a minimum of 4 feet in height, shall be provided along the frontage of Cox Road (Route 226) directly in front of buildings, the remainder of the frontage shall be black vinyl coated chain-link fence or other materials comparable in quality as approved by the Planning Director, a minimum of 6 feet tall.
18. Site Access. The Property and apartment development shall only be accessed from Cox Road (Route 226). One secondary emergency-only access driveway from Greenway Road (Route 1343) to the Property and the apartment development shall be allowed. At the entrance to the emergency driveway, there shall be a gate with a lock that is acceptable to Dinwiddie County Public Safety Fire and EMS. The gate shall be closed and locked at all times except for emergency personnel usage and for brief periods of time not to exceed three hours when maintenance to the gate is necessary. The emergency gate shall include privacy screening and/or solid board material.
19. Buffer Areas. A 50-foot landscaped buffer shall be provided along the eastern property line of the Property. A 10-foot landscaped buffer shall be provided along the northern and western property line of the Property. Except for site grading cut and fill slopes, utility easements, emergency access, maintenance and removal of diseased and dying or invasive vegetation, the 50-foot landscaped/wooded buffer shall be left in an undisturbed state. Where clearing and grading does occur within the 50-foot buffer, a single row of evergreen trees, a minimum of 6 feet in height, shall be planted a minimum of 10 feet on center, except within easements and/or fill slopes of dams where prohibited.
20. Construction Access. With the exception of connection to existing utilities, construction access to the Property and apartment development shall only be from Cox Road (Route 226).
21. Site Construction Activities. No construction shall be allowed on Sundays at any time, except to address the direct physical effects of a declared federal, state, or local disaster.
22. Road Improvements. Prior to the issuance of a final certificate of occupancy (C.O.) for the 150th dwelling unit, the following improvements to Cox Rd. (Route 226) shall be constructed by the Owners: (1) A westbound right turn lane and taper, with minimum lengths of 100ft taper and 100ft storage, shall be required to be installed on Cox Road (Route 226) at the project's entrance onto Cox Road. (2) An eastbound left turn lane and taper, with minimum lengths of

50ft taper and 50ft storage, shall be required on Cox Road (Route 226) at the project's entrance onto Cox Road, if during site plan review it is determined that said improvements can be constructed without requiring acquisition of "offsite" Right of Way from adjoining property owners. If it is determined that said eastbound left turn lane and taper cannot be constructed without requiring acquisition of "offsite" Right of Way from adjoining property owners, the obligation to provide said left turn lane and taper improvements shall not be required.

23. Onsite Parking. A minimum of two (2) parking spaces per dwelling unit shall be provided on site. Garage parking spaces shall count toward the total number of required parking spaces.
24. Playground Area. As part of the overall apartment development, a playground area with playground equipment shall be provided on site. Prior to the issuance of a certificate of occupancy (C.O.) (whether temporary or final) for the 150th dwelling unit, the playground area shall be constructed and the playground equipment shall be installed.
25. Trash Dumpsters. Trash dumpsters shall be provided on site and shall be enclosed, except for handicap opening access, within an opaque vinyl or wooden fence or brick wall of a sufficient height to screen the dumpsters from view at grade level.
26. Emergency Entry to Apartment Units. The owner shall create an emergency entry system for the apartment dwelling units which shall be coordinated between the owner and Dinwiddie County Emergency Services and Public Safety to provide emergency access to each individual apartment unit.
27. Conflict Provision. In the event of a conflict between the provisions of these proffers and any conditional use permit, the most stringent provision for the owner shall apply.

Staff Recommendation

Staff recommends APPROVAL of the request to rezone the subject property given that:

1. The zoning classification requested, R-2, Residential General, with proffers is compatible with the surrounding zoning pattern and surrounding land uses; and
2. The requested zoning classification, R-2, Residential General, conforms to the underlying uses recommended for this general area as set forth in the Urban Planning Area of the Comprehensive Land Use Plan.

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-22-6, as presented be recommended for (approval, approval with proffers, or disapproval) to the Board of Supervisors.

BOARD OF SUPERVISORS ACTION

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-22-6 as presented, be (approved with proffers OR disapproved) by the Board of Supervisors.

After hearing the staff report for the rezoning case, the Planning Commission then heard the staff report for the conditional use permit. The applicant's presentation for the rezoning and conditional use permit are outlined in the staff report for the conditional use permit. The Planning Commission's recommendations to the Board of Supervisors for the rezoning and conditional use permit cases are outlined in conditional use permit staff report.