

Issue Analysis Form

Date: March 26, 2019 – Board of Supervisors

Item: Nathaniel E. Dozier Jr. Rezoning Request

Lead Department: Community Development

Contact Person: Horace Wade, Planner



Description and Current Status

The applicant is proposing to rezone 31 +/- acres from Residential- Agricultural to B-1, General Business with proffered conditions located north of County Drive and west of Wells Station Road at 5200 County Drive and on Tax Map Parcels 340(0A)00-117-0, 340(0A)00-118-0, and 340(0A)00-119-0.

Staff and Planning Commission recommend approval to the Board of Supervisors as the request is consistent with the Comprehensive Plan, and the applicant has addressed traffic, aesthetics, function, and impacts of the proposed development.

Government Path

- | | | |
|---|---|--|
| Does this require IDA action? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Does this require BZA action? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Does this require Planning Commission action? | <input checked="" type="checkbox"/> Yes | January 24, 2019
Recommended for
Approval by 7-0 vote. |
| Does this require Board of Supervisors action? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| Does this require a Public Hearing? | <input checked="" type="checkbox"/> Yes | March 26, 2019 |
| If so, before what date? | n/a | |

Fiscal Impact Statement

The proposed Rezoning request will allow for a Prince George County to continue to add additional tax revenues as businesses locate on the 31 +/- acres.

County Impact

The applicant has proffered several conditions that will minimize impacts due to the development. (i.e. cost of a traffic light if one is warranted by VDOT, \$40,000 for each structure taller than one-story in height to be used for capital expenses to enhance County Fire and EMS apparatus).

Notes

Board of Supervisors
County of Prince George, Virginia

Ordinance

At a regular meeting of the Board of Supervisors of the County of Prince George held in the Boardroom, Third Floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia this 26th day of March 2019:

Present:

Donald R. Hunter, Chairman
Floyd M. Brown, Jr, Vice Chairman
Alan R. Carmichael
Marlene J. Waymack
T. J. Webb

Vote:

REZONING CASE RZ-18-02 Request of Nathaniel E. Dozier Jr. to conditionally rezone 31+/- acres from R-A, Residential—Agricultural to B-1, General Business District to permit certain uses. The Comprehensive Plan indicates that the subject property is appropriate for commercial land uses. The subject property is located at 5200 County Drive and on Tax Map Parcels 340(0A)00-117-0, 340(0A)00-118-0, and 340(0a)00-119-0 and is north of County Drive and west of Wells Station Road.

BE IT ORDAINED by the Board of Supervisors of Prince George County that the Conditional Rezoning Application identified as RZ-18-02 is granted as an amendment to the official zoning map with the following conditions:

The Owner and the Applicant in this case, pursuant to Sections 15.2-2296 and 15.2-2297 of the Code of Virginia (1950 as amended) and Article XVII of the Zoning Ordinance of Prince George County, for themselves and their respective successors or assigns, do hereby proffer that the development of the Property shall be used in strict accordance with the following conditions set forth in this submission, and only if, the request submitted herewith is granted with only those conditions agreed to by the Applicant. In the event this request is denied or approved with conditions not agreed to by the Applicant, the proffered conditions shall immediately be null and void and of no further force or effect.

1. Plan

The Property will be developed in general conformance with the overall conceptual site plan (“the plan”) by Engineering Design Associates dated August 1, 2018 and revised November 20, 2018, although the exact location, size and configuration of any buildings and improvements may differ from the plan if such change is determined by the County to be consistent with the plan.

2. Prohibited Uses

Notwithstanding the fact that such uses are permitted pursuant to Section 90-392 of the Prince George County Zoning Ordinance, the following uses shall be prohibited on the Property:

- a. General Advertising signs (billboards) per §90-392(24)
- b. Cemeteries per §90-392 (37)
- c. Waterfront business activities §90-392(20)
- d. Noncommercial fairgrounds §90-392(39)
- e. Mobile home and recreational vehicle sales, service and repair §90-392(45)

3. TIA

The Property was analyzed under the Dozier Commerce Park Traffic Impact Study (TIA) prepared by Charles Smith, P.E., PTOE, EPR and dated August 2018. The permitted density shall be limited to the equivalent trip generations submitted to the Virginia Department of Transportation (“VDOT”), based on the trips expected from the development. The trip generations were calculated based upon the following uses:

1. Warehouse/Grocery Store – 65,800 square feet
2. Convenience Store w/ or w/o carwash – 12,000 square feet
3. Hotel – Maximum 200 Rooms
4. Urgent Care Facility – 4,800 square feet
5. Office – 46,525 square feet
6. 2 fast food restaurants – 2,800 square feet each
7. High Turnover restaurant – 9,750 square feet
8. Day Care facility – 11,200 square feet
9. Retail – 21,000 square feet
10. Fitness Center – 17,600 square feet
11. Family Fun Center/Trampoline Park – 52,500 square feet

Any additional uses or increased changes in density from those identified above may require a revision to the TIA at the developer’s expense if required by VDOT and/or the County at the time of site plan review.

4. Transportation.

- a. The entrance road will be constructed in general conformance with the attached plan and any related construction conditions imposed by the County or VDOT for acceptance of the roadway into the VDOT Secondary Roadway system.
- b. All road improvements shall be at the cost of the Developer as required by VDOT, which may include an entrance to the Property from Route 460 and potentially a traffic signal at the Route 460 entrance.

- c. If a traffic signal is warranted, based on a VDOT study, a traffic signal shall be installed at the cost of the Developer at the intersection of Route 460 in accordance with applicable VDOT standards and criteria prior to the issuance of the next certificate of occupancy.

5. Cross Access Easements

All road improvements shall be at the cost of the Developer.

- a. A street paved for traffic to circulate internally throughout the Property will be constructed in accordance with VDOT standards. Cross access easements for ingress and egress and parking easements for parking shall be recorded to connect businesses within the Property and to allow for future connections from the adjacent properties.
- b. There will be shared parking in the parking areas among all of the businesses and shall be permitted per Prince George County Zoning Ordinance.

6. Cash Proffers

In accordance with County cash proffer policy, the developer shall pay the County \$40,000 in equal payments of \$10,000 due no later than the date of the issuance of Certificate of Occupancy for each structure taller than one story in height, and for three successive years. The County intends to use such payments for capital expenses to enhance County Fire & EMS apparatus.

7. Signage

Only one (1) freestanding monument project identification sign shall be allowed for this development located on or adjacent to Route 460. This sign shall be located at the entrance of the development, but such sign shall be located outside of the right-of-way and not limit the minimum sight distance. The maximum sign area shall not exceed 400 square feet. This sign shall have space for multiple businesses to be identified on the sign. All other signage in this development shall be of a monument style and/or building mounted signage.

8. Storm Water Management

A storm water management facility (SWMF) shall be constructed at the cost of the Developer to serve the Property that will release storm water runoff from a ten (10) year post development storm event at a two (2) year predevelopment rate and at an adequate outfall per VDOT and MS19. The Developer shall be responsible for maintenance of the SWMF and common areas. A Stormwater Management Maintenance Agreement shall be recorded, which shall identify the parties responsible for maintenance and the measures necessary for continued operations. The County shall at no time be responsible for maintaining this SWMF. If the Developer conveys a portion of the Property to any future property owner so that there is more than one property owner of the Property, the Developer shall establish an association for the maintenance of the SWMF and all common areas

in the development. Any and all future property owners of the Property shall be required to be members of the Property Owners Association.

9. Long Term Parking

The Property and private streets shall not be used for any long-term parking or storage of vehicles or containers of any kind, including but not limited to vehicles or containers used for road transportation of goods.

10. Landscape Plan

The developer shall provide and maintain a natural landscape buffer using a combination of evergreen and deciduous shrubs and trees of not less than twenty-five (25) feet adjacent to all residentially zoned properties. The project will take advantage of the existing mature evergreen and deciduous trees on the site and incorporate them into the proposed buffer. If additional trees are required, the height of trees at the time of planting shall be a minimum of six (6) feet with an ultimate height of twelve (12) feet. The height of shrubs at the time of planting shall be a minimum of three (3) feet with an ultimate height of six (6) feet. The placement and design of any additional landscape buffer shall be subject to approval by the Director of Planning. The trees and shrubs shall be native or direct cultivars of native plants (Nativars) to Virginia. The developer shall also submit a general landscape plan as a portion of the site plan and the Director of Planning, or designee, in consultation with the Police Department, shall approve a landscape plan as part of the site plan for the development and may grant minor modifications to the requirements. To ensure survival, the landscaping shall be bonded or a guarantee provided by a nursery for a period of one (1) year after installation.

11. Lighting Plan

All exterior lights shall be installed at the cost of the Developer. The Property Owners Association shall provide for maintenance of street lights. The exact location of the lights will be reviewed and approved through the site plan review process. All exterior lights shall be arranged and installed so that the direct or reflected illumination does not exceed 1.0 foot candles as measured at the lot line of any adjacent property zoned for or used for residential purposes. Lighting fixtures shall be of directional type capable of shielding light emission above the horizontal plane of the light fixture. A photometric detail shall be submitted with the site plan application.

12. Service of Dumpsters

Servicing of any dumpsters shall be prohibited between the hours of 10:00 p.m. and 6:00 a.m. and shall be clearly marked by signage for service trucks.

13. Sidewalks

Pedestrian access will be provided by the Developer with sidewalks on the Property. A five (5) foot sidewalk shall be provided on at least one side of the main entrance road throughout the Property.

14. Utilities

All utilities will be provided underground for this development to include, but not limited to power, telephone, gas and cable television.

15. Noise

The applicant shall take appropriate measures to ensure compliance with the Noise Ordinance of the Code of Prince George, Virginia, as adopted June 14, 2011 or as amended from time to time, as enforced by the Police Department.

16. Property Owners Association

Prior to the issuance of a Certificate of Occupancy for any development within the Property, the developer shall record covenants requiring each site to be under the supervisor or control of a unified, central authority for the life of the project. The covenants shall, at a minimum, provide for the creation of a Property Owners Association, provide for maintenance of individual sites, common areas, open spaces, landscaping, lighting and buffering and providing for minimum development and operational standards for each site. The Property Owner's Association shall include assessments and create a reserve fund for maintenance.

17. Architectural Treatment

- a. Prior to site plan approval, a written graphic description of exterior materials, colors, architectural style and building scale shall be submitted for approval to establish a consistent architectural treatment for the Development.
- b. Throughout the Property, exterior walls shall be clad in fiber-cement siding, brick, stone, cultured stone or stucco or materials having the appearance of such material. Alternative materials may be permitted if approved by the Director of Planning, however, vinyl siding shall not be permitted.
- c. Compatibility must be achieved through the use of similar building massing, materials, scale, colors and other architectural features.

18. Mechanical Equipment

- a. All roof-mounted mechanical equipment must be screened by a parapet wall or other material as may be approved by the Director of Planning, or designee, as part of the site plan process.
- b. All ground-mounted mechanical and electrical equipment must be screened by fences, walls or vegetation and approved by the Director of Planning, or designee, as part of the site plan process.
- c. All junction and accessory boxes must be integrated in the architectural treatment of the building or view minimized by landscaping.

19. If this request is approved with conditions not agreed upon by the Developer, then the proffer and conditions shall be void and of no further force or effect.

Adopted on March 26, 2019 and becoming effective immediately.



REZONING APPLICATION

Department of Community Development and Code Compliance
 6602 Courts Drive
 Prince George, VA 23875
 Planning Division (804) 722-8678
www.princegeorgecountyva.gov

OFFICE USE ONLY

APPLICATION #:

RZ-18-02

DATE SUBMITTED:

SEP 21 2018

(Please fill-in all blanks)

GENERAL PROPERTY INFORMATION

LEGAL OWNER(S) OF PROPERTY REQUESTED TO BE REZONED:

Nathaniel E. Dozier, Jr.

ADDRESS: 11808 Chadwick Lane

TAX MAP OF SUBJECT PARCEL: 340(OA)-00-118 / 340(OA)-00-119 / 340(OA)-00-117

CITY: South Prince George

STATE: VA

ZIP CODE: 23805

DISTRICT: 1

E-MAIL ADDRESS: dozierandassociates@hotmail.com

RECORDED IN THE CIRCUIT COURT CLERK'S OFFICE:

DEED BOOK 06 PAGE 3128 Date DEED RESTRICTIONS: N/A

CURRENT LAND USE: R-A

ACREAGE: 31.23 acres [29.579] Enterprise zone

COMPREHENSIVE PLAN DESIGNATION: Commercial

ZONING CLASSIFICATION

PRESENT ZONING: R-A

PROPOSED ZONING: B-1

REASON(S) FOR REZONING REQUEST, INCLUDING DESCRIPTION OF PROPOSED USE: B-1 w/ special exception for hotel - with or without restaurant. (See attached)

OWNER AGENT/REP

AGENT OR REPRESENTATIVE OF PROPERTY OWNER(S), IF ANY (SPECIFY INTEREST):

NAME: Nathaniel E. Dozier, Jr.

PHONE NUMBER: 804-926-4255

ADDRESS: 11808 Chadwick Lane

CITY: South Prince George

STATE: VA

ZIP CODE: 23805

E-MAIL ADDRESS: dozierandassociates@hotmail.com

PROJECT DESCRIPTION

PROVIDE A GENERAL DESCRIPTION OF THE PROJECT: (Attach a separate letter if necessary)

Letter and conceptual plan attached.

Rezone: 340(OA-00-117-0) - Angelica Toledo property
5200 County Dr.
Disputanta VA. 23842

Fee - \$1260 [1.5 acres] - non enterprise zone
 Enterprise Benefit + 4,141.06
 Zone 5,401.06 Original cost

AFFIDAVIT

A. The undersigned (1) Property Owner or (7) duly authorized agent or representative certifies that this petition and the foregoing answers, statement, and other information herewith submitted are in all respect true and correct to the best of their knowledge and belief.

SIGNED: Notarized by Jamie DATE: 20th AUG 2018
MAILING ADDRESS: 11808 Chadwick Lane
CITY/STATE/ZIP: South Prince George, VA 23805
PHONE NUMBER: (804) 926-4255
E-MAIL ADDRESS: duzierandassociates@hotmail.com

STATE BELOW THE NAME, ADDRESS, AND PHONE NUMBER OF PERSON(S) TO BE CONTACTED REGARDING THIS APPLICATION IF OTHER THAN ABOVE PERSON(S):

NAME: _____
MAILING ADDRESS: _____
CITY/STATE/ZIP: _____
PHONE NUMBER: _____
E-MAIL ADDRESS: _____

STATE OF VIRGINIA

COUNTY OF: PRINCE GEORGE

Subscribed and sworn before me this 20th day of August, 2018.

My Commission expires: 11-30, 2021 Kimberly Murcham



AFFIDAVIT

SPECIFIC LIMITED POWER OF ATTORNEY

I, Angelica L. Toledo, of 5200 County Drive Disputanta, VA 23842, do hereby grant a limited and specific power of attorney to, and by this specific power of attorney do hereby make, constitute, and appoint Mr. Nathaniel E. Dozier, Jr., Chairman of Dozier and Associates, Inc., whose principal office address is P.O. Box 1532 Petersburg, VA 23805 [Telephone No. 804-926-4255], as my true and lawful power of attorney, in my place and stead for the sole purpose of securing commercial zoning [B-1] of my land [Tax Parcel # 340-(OA) 00-117-0] in the Planning and Zoning Department of Prince George County, Virginia to allow for the development of Dozier Commercial Park.

This power of attorney is effective upon execution. This power of attorney may be revoked by Angelica L. Toledo at any time, and shall automatically be revoked upon the final action or withdrawal of the application to which this form applies to or on May 31, 2019, whichever is sooner, however, any person relying on this power of attorney shall have full rights to accept and reply upon the authority of the attorney-in-fact until receipt of actual notice of revocation.

Dated: 8-3-18



Angelica L. Toledo

Commonwealth of Virginia

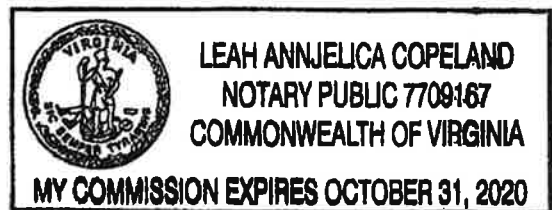
County of Prince George, to wit:

The forgoing instrument was personally signed and acknowledged before me this day August 3, 2018, by the above-named Principal.

Notary Registration No: 7709167, My Commission expires:



Leah Copeland, Notary Public





COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION
RICHMOND DISTRICT
2430 Pine Forest Drive
COLONIAL HEIGHTS, VA 23834
www.VDOT.Virginia.gov

Stephen C. Brich, P.E.
COMMISSIONER

January 10, 2019

Mr. Douglas Miles
Planning Manager
Prince George County
P.O. Box 68
Prince George, VA 23875

**SUBJECT: Nathaniel E. Dozier Jr. RA to B-1 Rezoning, VDOT TIA Review
US 460 County Drive**

Dear Mr. Miles:

The Virginia Department of Transportation, Southern Region Land Development Office has reviewed the Chapter 527 Traffic Impact Analysis (TIA) revisions received on 11-19-18 and finds the amended TIA acceptable.

It should be noted that even though the Manual on Uniform Traffic Control Devices (MUTCD) considered a traffic signal to be warranted at 70% of allowable thresholds for roadways with a speed limit 40 MPH or greater, VDOT policy requires that a traffic signal meet 100% thresholds to warrant a traffic signal. The warrant analysis submitted for total buildout will not warrant a signal per VDOT policy based upon the trip generation data contained in the TIA. Consultants can submit detailed documentation as to why VDOT should consider signal installation using 70 percent thresholds, excluding the MUTCD option that allows consideration of 70 percent thresholds using operating speeds greater than 40 miles per hour or isolated community with population of less than 10,000 inhabitants.

Mr. Douglas Miles
January 10, 2019
Page 2 of 2

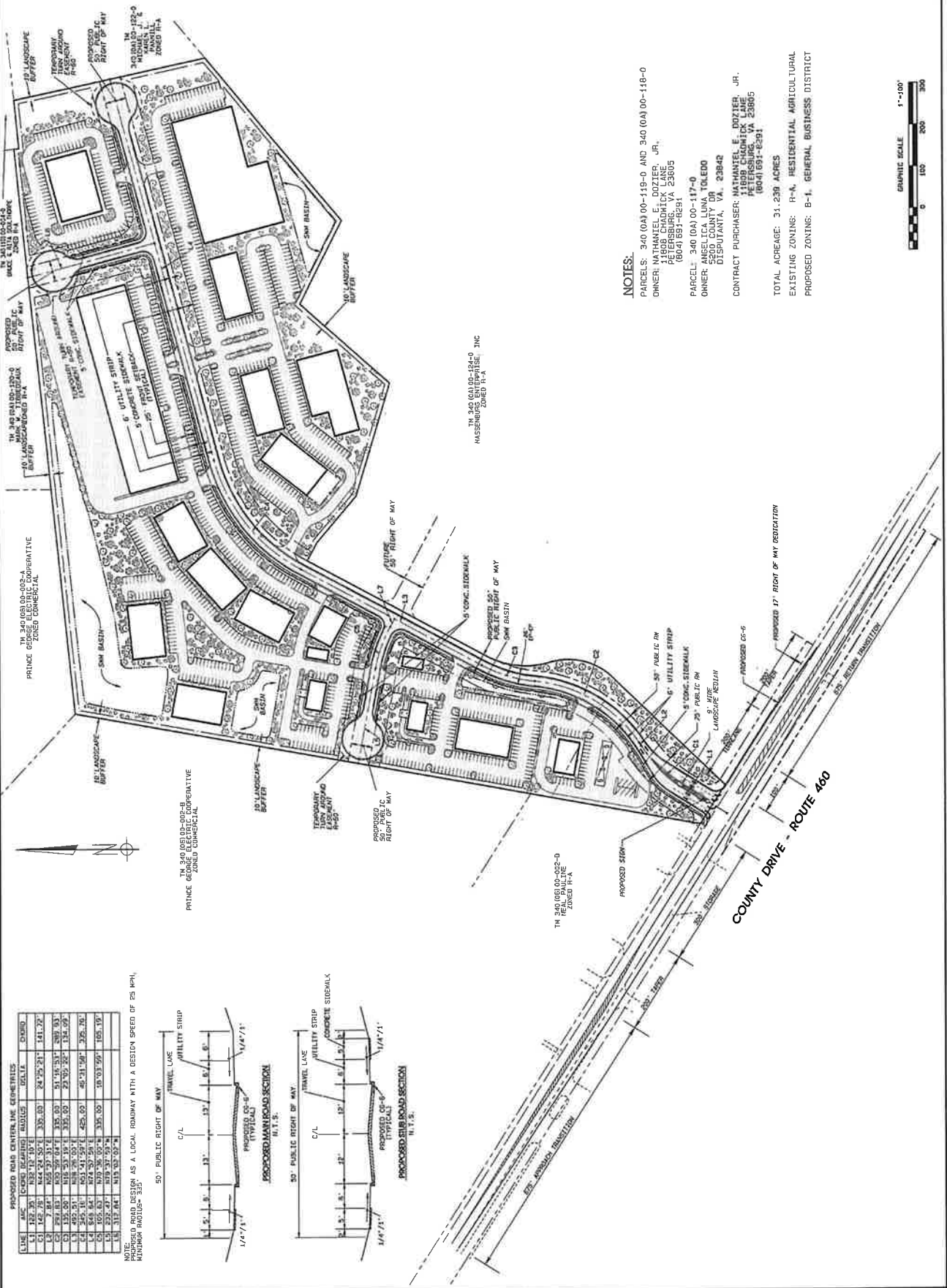
If you have any questions please feel free to contact me at 804-863-4012 or by email,
Paul.Hinson@VDOT.Virginia.gov

Sincerely,

A handwritten signature in blue ink, appearing to read "Paul F. Hinson".

Paul F. Hinson, P.E., LEED AP
Southern Region Land Use Engineer

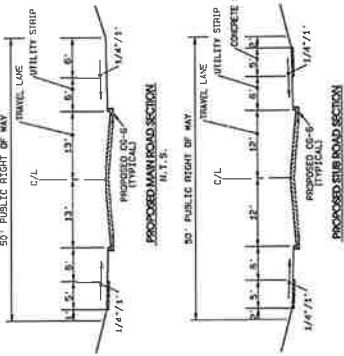
Cc: Crystal Smith, VDOT
Todd Cage, VDOT
Barry Atwater, VDOT



PROPOSED ROAD CENTERLINE GEOMETRICS

LINE	AWC	CHORDS BEHIND	WHEELS	CHORD
1	122.75	122.75	3.00	124.75
2	122.75	122.75	3.00	124.75
3	122.75	122.75	3.00	124.75
4	122.75	122.75	3.00	124.75
5	122.75	122.75	3.00	124.75
6	122.75	122.75	3.00	124.75
7	122.75	122.75	3.00	124.75
8	122.75	122.75	3.00	124.75
9	122.75	122.75	3.00	124.75
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36	122.75	122.75	3.00	124.75
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71	122.75	122.75	3.00	124.75
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74	122.75	122.75	3.00	124.75
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76	122.75	122.75	3.00	124.75
77	122.75	122.75	3.00	124.75
78	122.75	122.75	3.00	124.75
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80	122.75	122.75	3.00	124.75
81	122.75	122.75	3.00	124.75
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83	122.75	122.75	3.00	124.75
84	122.75	122.75	3.00	124.75
85	122.75	122.75	3.00	124.75
86	122.75	122.75	3.00	124.75
87	122.75	122.75	3.00	124.75
88	122.75	122.75	3.00	124.75
89	122.75	122.75	3.00	124.75
90	122.75	122.75	3.00	124.75
91	122.75	122.75	3.00	124.75
92	122.75	122.75	3.00	124.75
93	122.75	122.75	3.00	124.75
94	122.75	122.75	3.00	124.75
95	122.75	122.75	3.00	124.75
96	122.75	122.75	3.00	124.75
97	122.75	122.75	3.00	124.75
98	122.75	122.75	3.00	124.75
99	122.75	122.75	3.00	124.75
100	122.75	122.75	3.00	124.75

NOTED: ROAD DESIGN AS A LOCAL ROADWAY WITH A DESIGN SPEED OF 25 MPH.
MINIMUM RADIUS= 335'



NOTES:

PARCELS: 340 (0A) 00-119-0 AND 340 (0A) 00-118-0
OWNER: NATHANIEL E. DOZIER, JR.
1805 WOOD CHURCH LANE
PETERSBURG, VA 23805
(804) 691-8391

PARCEL: 340 (0A) 00-117-0
OWNER: ANGELICA LUNA TOLEDO
5200 COUNTY DR
DISPUTANTA, VA 23842

CONTRACT PURCHASER: NATHANIEL E. DOZIER, JR.
1805 WOOD CHURCH LANE
PETERSBURG, VA 23805
(804) 691-8391

TOTAL ACREAGE: 31.239 ACRES

EXISTING ZONING: R-1, RESIDENTIAL AGRICULTURAL
PROPOSED ZONING: B-1, GENERAL BUSINESS DISTRICT



Proffered Conditions for Parcels: 340(0A)00-118-0, 340(0A)00-119-0, & 340(0A)00-117-0

Landowner Nathaniel E. Dozier, Jr.

As part of this rezoning request, the applicant proffers the following conditions:

1. Plan

The Property will be developed in general conformance with the overall conceptual site plan (“the plan”) by Engineering Design Associates dated August 1, 2018, although the exact location, size and configuration of any buildings and improvements may differ from the plan if such change is determined by the County to be consistent with the plan.

2. Prohibited Uses

The following land uses shall be excluded from the property:

- a. General Advertising signs (billboards) per §90-39(24)
- b. Cemeteries per §90-392 (37)
- c. Waterfront business activities §90-392(20)
- d. Noncommercial fairgrounds §90-392(39)
- e. Mobile home and recreational vehicle sales, service and repair §90-392(45)

3. TIA

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2. Convenience Store w/ or w/o carwash – 12,000 square feet
3. Hotel – Maximum 200 Rooms
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4. Transportation.

- a. The entrance road will be constructed in general conformance with the attached plan and any related construction conditions imposed by the County or VDOT for acceptance of the roadway into the VDOT Secondary Roadway system.
- b. All road improvements shall be at the cost of the Developer as required by VDOT, which may include an entrance to the Property from Route 460 and potentially a traffic signal at the Route 460 entrance.
- c. If a traffic signal is warranted, based on a VDOT study, a traffic signal shall be installed at the cost of the Developer at the intersection of Route 460 in accordance with applicable VDOT standards and criteria prior to the issuance of the next certificate of occupancy.

5. Cross Access Easements

All road improvements shall be at the cost of the Developer.

- a. A street paved for traffic to circulate internally throughout the Property will be constructed in accordance with VDOT standards. Cross access easements for ingress and egress and parking easements for parking shall be recorded to connect businesses within the Property and to allow for future connections from the adjacent properties.
- b. There will be shared parking in the parking areas among all of the businesses and shall be permitted per Prince George County Zoning Ordinance.

6. Cash Proffers

In accordance with County cash proffer policy, the developer shall pay the County \$40,000 in equal payments of \$10,000 due no later than the date of the issuance of Certificate of Occupancy for each structure taller than one story in height, and for three successive years. The County intends to use such payments for capital expenses to enhance County Fire & EMS apparatus.

7. Signage

Only one (1) freestanding monument project identification sign shall be allowed for this development located on or adjacent to Route 460. This sign shall be located at the entrance of the development, but such sign shall be located outside of the right-of-way and not limit the minimum sight distance. The maximum sign area shall not exceed 400 square feet. This sign shall have space for multiple businesses to be identified on the sign. All other signage in this development shall be of a monument style and/or building mounted signage.

8. Storm Water Management

A storm water management facility (SWMF) shall be constructed at the cost of the Developer to serve the Property that will release storm water runoff from a ten (10) year post development storm event at a two (2) year predevelopment rate and at an adequate outfall per VDOT and MS19. The Developer shall be responsible for maintenance of the SWMF and common areas. A Stormwater Management Maintenance Agreement shall be recorded, which shall identify the parties responsible for maintenance and the measures necessary for continued operations. The County shall at no time be responsible for maintaining this SWMF. If the Developer conveys a portion of the Property to any future property owner so that there is more than one property owner of the Property, the Developer shall establish an association for the maintenance of the

SWMF and all common areas in the development. Any and all future property owners of the Property shall be required to be members of the Property Owners Association.

9. Long Term Parking

The Property and private streets shall not be used for any long-term parking or storage of vehicles or containers of any kind, including but not limited to vehicles or containers used for road transportation of goods.

10. Landscape Plan

The developer shall provide and maintain a natural landscape buffer using a combination of evergreen and deciduous shrubs and trees of not less than twenty-five (25) feet adjacent to all residentially zoned properties. The project will take advantage of the existing mature evergreen and deciduous trees on the site and incorporate them into the proposed buffer. If additional trees are required, the height of trees at the time of planting shall be a minimum of six (6) feet with an ultimate height of twelve (12) feet. The height of shrubs at the time of planting shall be a minimum of three (3) feet with an ultimate height of six (6) feet. The placement and design of any additional landscape buffer shall be subject to approval by the Director of Planning. The trees and shrubs shall be native or direct cultivars of native plants (Nativars) to Virginia. The developer shall also submit a general landscape plan as a portion of the site plan and the Director of Planning, or designee, in consultation with the Police Department, shall approve a landscape plan as part of the site plan for the development and may grant minor modifications to the requirements. To ensure survival, the landscaping shall be bonded or a guarantee provided by a nursery for a period of one (1) year after installation.

11. Lighting Plan

All exterior lights shall be installed at the cost of the Developer. The Property Owners Association shall provide for maintenance of street lights. The exact location of the lights will be reviewed and approved through the site plan review process. All exterior lights shall be arranged and installed so that the direct or reflected illumination does not exceed 1.0 foot candles as measured at the lot line of any adjacent property zoned for or used for residential purposes. Lighting fixtures shall be of directional type capable of shielding light emission above the horizontal plane of the light fixture. A photometric detail shall be submitted with the site plan application.

12. Service of Dumpsters

Servicing of any dumpsters shall be prohibited between the hours of 10:00 p.m. and 6:00 a.m. and shall be clearly marked by signage for service trucks.

13. Sidewalks

Pedestrian access will be provided by the Developer with sidewalks on the Property. A five (5) foot sidewalk shall be provided on at least one side of the main entrance road throughout the Property.

14. Utilities

All utilities will be provided underground for this development to include, but not limited to power, telephone, gas and cable television.

15. Noise

The applicant shall take appropriate measures to ensure compliance with the Noise Ordinance of the Code of Prince George, Virginia, as adopted June 14, 2011 or as amended from time to time, as enforced by the Police Department.

16. Property Owners Association

Prior to the issuance of a Certificate of Occupancy for any development within the Property, the developer shall record covenants requiring each site to be under the supervisor or control of a unified, central authority for the life of the project. The covenants shall, at a minimum, provide for the creation of a Property Owners Association, provide for maintenance of individual sites, common areas, open spaces, landscaping, lighting and buffering and providing for minimum development and operational standards for each site. The Property Owner's Association shall include assessments and create a reserve fund for maintenance.

17. Architectural Treatment

- a. Prior to site plan approval, a written graphic description of exterior materials, colors, architectural style and building scale shall be submitted for approval to establish a consistent architectural treatment for the Development.
- b. Throughout the Property, exterior walls shall be clad in fiber-cement siding, brick, stone, cultured stone or stucco or materials having the appearance of such material. Alternative materials may be permitted if approved by the Director of Planning, however, vinyl siding shall not be permitted.
- c. Compatibility must be achieved through the use of similar building massing, materials, scale, colors and other architectural features.

18. Mechanical Equipment

- a. All roof-mounted mechanical equipment must be screened by a parapet wall or other material as may be approved by the Director of Planning, or designee, as part of the site plan process.
- b. All ground-mounted mechanical and electrical equipment must be screened by fences, walls or vegetation and approved by the Director of Planning, or designee, as part of the site plan process.
- c. All junction and accessory boxes must be integrated in the architectural treatment of the building or view minimized by landscaping.

19. If this request is approved with conditions not agreed upon by the Developer, then the proffer and conditions shall be void and of no further force or effect.

Date 1-9-19

Acknowledgment for Individual: Nathaniel E Dozier

Commonwealth of Virginia County of Petersburg

The foregoing instrument was acknowledged before me 9th this Jan. 19 (date) by (name of person acknowledged). Nathaniel E Dozier

Seal Kimberly Mula-Burckham (Signature of Person Taking Acknowledgment) (Title or Rank)
(Serial Number, if any) Notary's Registration Number: 7579724



**PLANNING COMMISSION
CONDITIONAL REZONING REPORT SUMMARY**

CASE NUMBER: RZ-18-02
APPLICANT: Nathaniel E. Dozier Jr.
PROPERTY LOCATION: 5200 County Drive

TAX MAPS: 340(OA)00-117-0; 118-0; and 119-0
PLANING DISTRICT: Prince George Planning District
EXISTING ZONING: R-A Residential Agricultural District
PROPOSED ZONING: B-1, General Business District with conditions
EXISTING USE: Residential and Vacant
TAXES: Taxes have been paid on all three parcels
SURROUNDING ZONING:
NORTH, SOUTH, & EAST: R-A, Residential – Agricultural Zoning District
WEST: B-1, General Business with proffered conditions

UTILITIES: County water and County wastewater services

MEETING INFORMATION:
Planning Commission: Thursday, October 25, 2018 at 6:30 p.m.
Deferred by Planning Commission until January 24, 2019 (90 days)
Thursday, January 24, 2019 at 6:30 p.m.
Recommended Approval 7-0 with Proffered Conditions dated January 9, 2019

Board of Supervisors: March 12, 2019 at 6:00 p.m.
Worksession

Public Hearing: March 26, 2019 at 7:30 p.m.

RECOMMENDATION:

Staff and Planning Commission recommended approval to the Board of Supervisors at their January 24, 2019 meeting for the request of Nathaniel E. Dozier Jr. to conditionally rezoning 31+/- acres north of County Drive and west of Wells Station Road from R-A, Residential—Agricultural to B-1, General Business District to permit certain uses located at 5200 County Drive and on Tax Map Parcels 340(OA)00-117-0, 340(OA)00-118-0, and 340(OA)00-119-0 subject to the conditions of the Proffered Conditions dated January 9, 2019, as the request is consistent with the Comprehensive Plan, and the applicant has addressed traffic, aesthetics, function, and impacts of the proposed development.

ATTACHMENTS:

1. Rezoning Case Staff Report and a GIS Map of the Surrounding Properties
2. Rezoning Application
3. Proffered Statement

PRINCE GEORGE COUNTY, VIRGINIA
BOARD OF SUPERVISORS STAFF REPORT
CONDITIONAL REZONING – RZ-18-02
NATHANIEL E. DOZIER JR.

WORK SESSION: MARCH 12, 2019
PUBLIC HEARING DATE: MARCH 26, 2019

Request:

The applicant is requesting to conditionally rezone 31± acres from R-A, Residential – Agricultural to B-1, General Business to allow the property to be developed for various commercial uses.

Comprehensive Plan:

The 2018 Comprehensive Plan identifies this area along Route 460 as appropriate for commercial land uses. The area is largely within the County's Enterprise Zone. The request is consistent with the Comprehensive Plan.

Community Development – Planning Division:

The County Zoning Ordinance under the B-1, General Business Zoning District permitted uses, allows for land uses such as: retail stores and shops, office buildings, and restaurants.

The subject property is currently zoned R-A, Residential Agricultural and is located in the Prince George Planning Area (PGPA). New Development within the PGPA is required to be connected to utility services, which ensures that new development does not run the risk of septic or well failure, and bears the financial cost of extending services to the development site to the developer. The future land use plan calls for commercial land use. The request for B-1, General Business Zoning District is consistent with the comprehensive plan.

In addition to a development project being consistent with the Future Land Use portion of the Comprehensive Plan, the development project must also be consistent with the Transportation portion of the Plan. The Transportation Plan requires applicants with development projects seeking rezoning or special exceptions that generate over 250 trips per day to submit a traffic impact study to evaluate any expected needs relative to transportation. This transportation requirement was coordinated with the Virginia Department of Transportation (VDOT).

§ 90-782 of the Prince George County Zoning Ordinance states that the owner of the property may voluntarily proffer in writing, items for which are deemed, by the owner, appropriate for particular zoning case conditions that for the rezoning give rise for the need for the rezoning, have a reasonable relation to the rezoning, and be in conformity with the comprehensive plan.

The applicant has submitted a textual statement signed and received on January 9, 2019. The applicant proposes to exclude certain uses, such as: general advertising signs (billboards), cemeteries, waterfront business activities, noncommercial fairgrounds, and mobile home and recreational vehicle sales, service and repair. In addition, the applicant addresses impacts to aesthetics, traffic, and impact to the surrounding area.

Site Design Requirements:

Twenty-five (25) feet of landscape buffer is required next to all residential property. All exterior lights must be arranged and installed so that illumination does not impact the adjacent residential property, per site plan. Architectural Compatibility for the overall site is to be achieved through graphic description of exterior materials, colors, architectural style and building scale. All mechanical equipment must be screened or integrated in the architectural treatment of the building. A five (5) foot sidewalk will be provided on one side of the main entrance throughout the property, and all utilities will be underground.

Community Development – Environmental Division:

There is a small portion of land that appears to be wetlands on parcel 340(OA)00-119-0 that would need to be confirmed. The conceptual plan shows a Bioretention Basin to be placed in the area. Specifics for the site will be addressed through site plan.

Engineering and Utilities

The development must be served by public water and sewer and met all County design standards and specifications.

Virginia Department of Health - Petersburg

The proposed property is located in an area that is served by public sewer and public water as verified by Prince George Utilities. Therefore, VDH has no comment on the ability of the public water and sewer authority's capacity to accommodate the increased flow demand.

VDH has not received plans for any proposal regarding food preparations as they relate to facilities involved in this project. Therefore, VDH cannot provide comment at this time. At such time that a proposal is submitted, our comments will be limited to the approval or denial of the project based on the proposal's ability to meet the requirements of the current VDH rules and regulations governing its use.

Virginia Department of Transportation - Petersburg

The proposed development will generate in excess of 5,000 vehicle trips per day (VPD) and requires the submission of a Traffic Impact Analysis (TIA) prepared in accordance with VDOT's Chapter 527 regulations. A pre-scoping meeting was held with the applicant, Prince George County and VDOT to discuss the roadway intersections, trip distributions and study parameters to be included in the TIA. The Virginia Department of Transportation, Southern Region Land Development Office has reviewed the Chapter 527 Traffic Impact Analysis dated August 2018 received at the Petersburg Residency on September 6, 2018 and the rezoning application dated September 21, 2019 received at the Petersburg Residency on October 1, 2018 and has the following comments:

1. VDOT requested in the scoping form that the applicant identify whether the proposed main road shown on the Overall Conceptual Plan was proposed to be constructed to VDOT standards for eventually acceptance into the State system for maintenance. The TIA did not identify whether the roads were proposed to be State maintained, but this information was relayed to VDOT in a subsequent meeting with the applicant and his engineer. It was stated that the intent was for main road to be constructed to VDOT standards for eventually acceptance as a State maintained road. Any roadway to be

accepted into the State system of maintenance would have to be constructed in accordance with VDOT's *Secondary Street Acceptance Requirements 2011 Edition* (SSAR) and Chapter 92 Secondary Street Acceptance Requirements. The roadway as proposed in the Overall Conceptual Plan included with the TIA would not meet VDOT's connectivity requirements for State acceptance. For roadways with expected trip generation in excess of 2,000 VPD, an additional external connection is required for each 2,000 VPD or portion of each over and above the initial 2,000 VPD. With an anticipated trip generation in excess of 6,107 VPD, five external street connections will be required in order for the roadway to meet the connectivity requirement and qualify for State acceptance and maintenance. One of the five connections must be to a publicly maintained roadway. The remaining external connections may be satisfied by providing "stub out" connections in accordance with the SSAR. An exception would be required from the District Engineer to waive any of the five required connections. It is also required that at least three separate owners own portions of the retail property for a roadway to be accepted into the State system of maintenance unless an exception is approved by the District Engineer.

2. The proposed entrance roadway will be required to meet VDOT's Access Management Regulations. US 460, County Drive is classified as a Principal Arterial with a posted speed limit of 50 MPH. Full access entrances and intersections are required to be a minimum of 750' from other full access commercial entrances and intersections. The proposed entrance road intersection with US 460, County Drive does not meet the spacing requirements from the commercial entrance to the trailer park to the east and an existing commercial entrance to the west. An Access Management Exception will be required to construct the entrance in its proposed location.
3. It is anticipated that the proposed main road will be functionally classified as a "local" roadway. Local roadways are not subject to VDOT's Access Management Regulations. The commercial parcel access locations as shown on the Overall Conceptual Plan appear to meet VDOT criteria for a local road. If the roadway is functionally classified as a "collector" road or higher, the roadway would be subject to VDOT's Access Management Regulations and the proposed entrances to the commercial areas may require modifications.
4. The Overall Conceptual Plan does not show a sidewalk along the proposed access road, but inclusion of a sidewalk along the access road is discussed in the proffers. Sidewalks must meet ADA requirements and be completely contained within the proposed ROW to be accepted into the State system of maintenance.
5. The Overall Conceptual Plan did not include any centerline geometries for the proposed road and VDOT cannot determine based upon the plan whether the roadway geometry meets VDOT standards.
6. Page 13 of the TIA noted existence of a trip generation table (Table 5-1) but was not included. We assume Table 5-1 should contain the same data included in Appendix A. The TIA also does not mention the source of derived trip generation data. VDOT requires calculations from ITE Trip Generation 10th Edition and this source needs documentation within the report.
7. Capacity analyses for various build scenarios do not indicate heavy truck percentages assigned to turning movements in and out on Route 460 at the site driveway. Given a warehouse land use component, delivery vehicles servicing restaurants and trucks already using Route 460, we expect some heavy truck usage.

8. Although various LOS/Delay/Queue summary tables show queue length results for various traffic movements, Synchro worksheets do not show 95th percentile queues for signalized intersection analyses, nor does the study include SimTraffic analyses. We require this information to verify that auxiliary turn lanes can accommodate expected traffic at Route 460 and Bull Hill Road/Rives Road and when warranted, proposed signal operation at the site entrance.
9. EPR conducted signal warrant analyses for Phase 2 build in 2024 and justified signalization at 100 percent and 70 percent thresholds. However, these analyses assumed all side street approach traffic using one lane. Given two planned approach lanes, EPR should perform warrant analyses excluding all right turns and the right turn lane. Analyses should therefore assume one minor street approach lane using only left turn volumes at 100 percent thresholds, with 70 percent thresholds at the consultant's discretion. Lesser thresholds appear in the MUTCD as a "may" condition but does not mandate utilization with higher speeds and/or isolated community population. We will only consider Warrant 1 (Eight-Hour Volume) and Warrant 2 (Four-Hour Volume) as all other MUTCD criteria do not apply under proposed conditions.
10. The proffers do not discuss if a traffic signal is warranted at the intersection of US 460 and the access road who will responsible for the cost to design and construct the traffic signal.

VDOT update – received January 10, 2019

The Virginia Department of Transportation, Southern Region Land Development Office has reviewed the Chapter 527 Traffic Impact Analysis (TIA) revisions on November, 19, 2018 and finds the amended TIA acceptable.

It should be noted that even though the Manual on Uniform Traffic Control Devices (MUTCD) considered a traffic signal be warranted at 70% of allowable thresholds for roadways with a speed limit 40 MPH or greater, the VDOT policy requires that a traffic signal meet 100% thresholds to warrant a traffic signal. The warrant analysis submitted for total buildout will not warrant a signal per VDOT policy based upon the trip generation data contained in the TIA. Consultants can submit detailed documentation as to why VDOT should consider signal installation using 70 percent thresholds, excluding the MUTCD option that allows consideration of 70 percent thresholds using operating speeds greater than 40 miles per hour of isolated community with population of less than 10,000 inhabitants.

The applicant has proffered that if a traffic signal is warranted, based on a VDOT study, a traffic signal shall be installed at the cost of the developer.

Community Development – Inspections Division:

No comments

Police

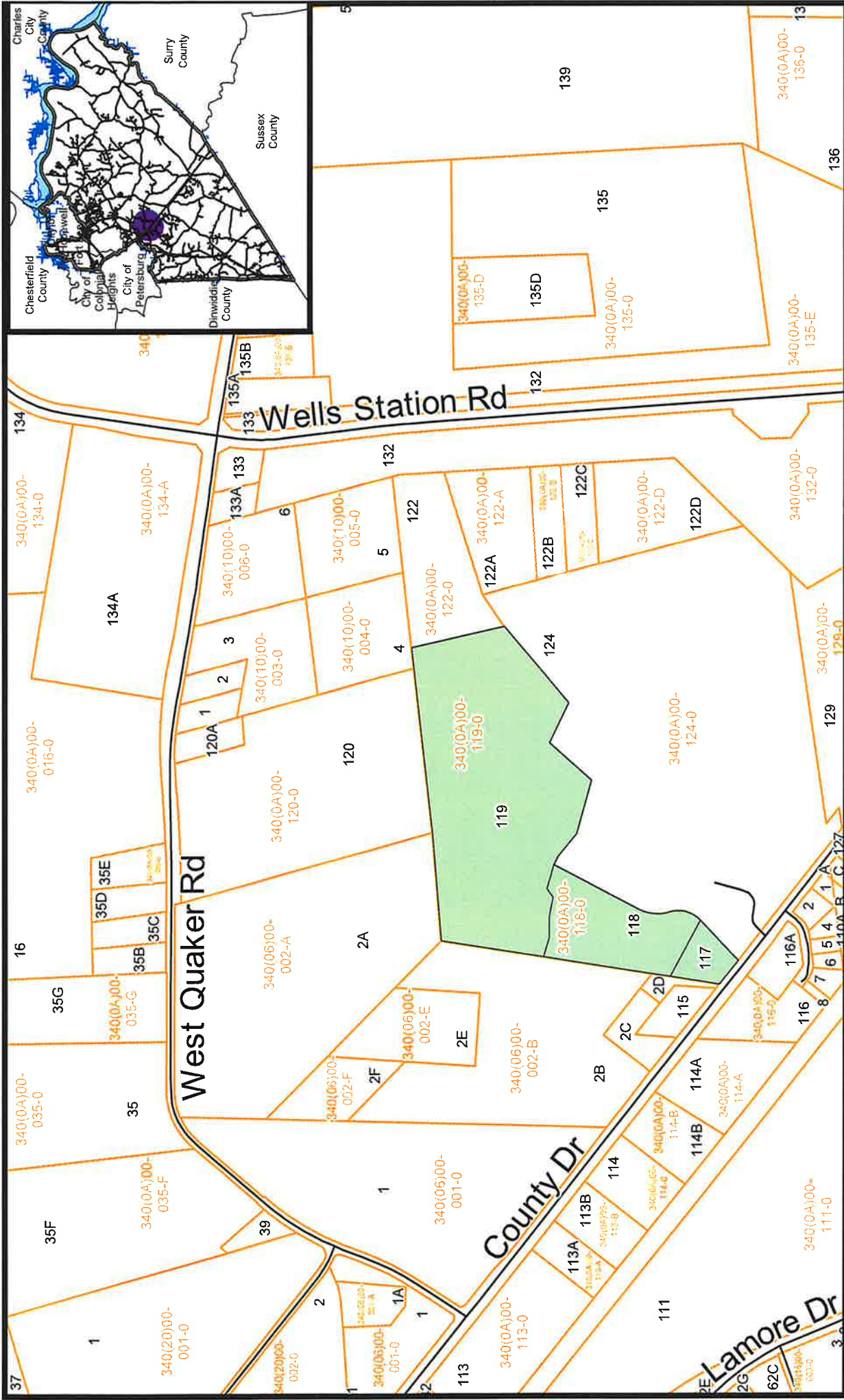
No comments

Fire and EMS

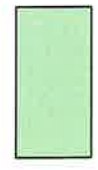
The applicant has addressed potential impacts to Fire and EMS by proffering \$40,000 for each structure taller than one-story in height, payable over three (3) years to be used for capital expenses to enhance County Fire and EMS apparatus.

Planning Commission Recommendation:

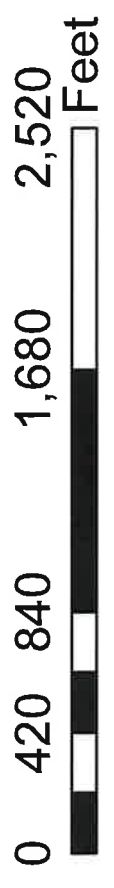
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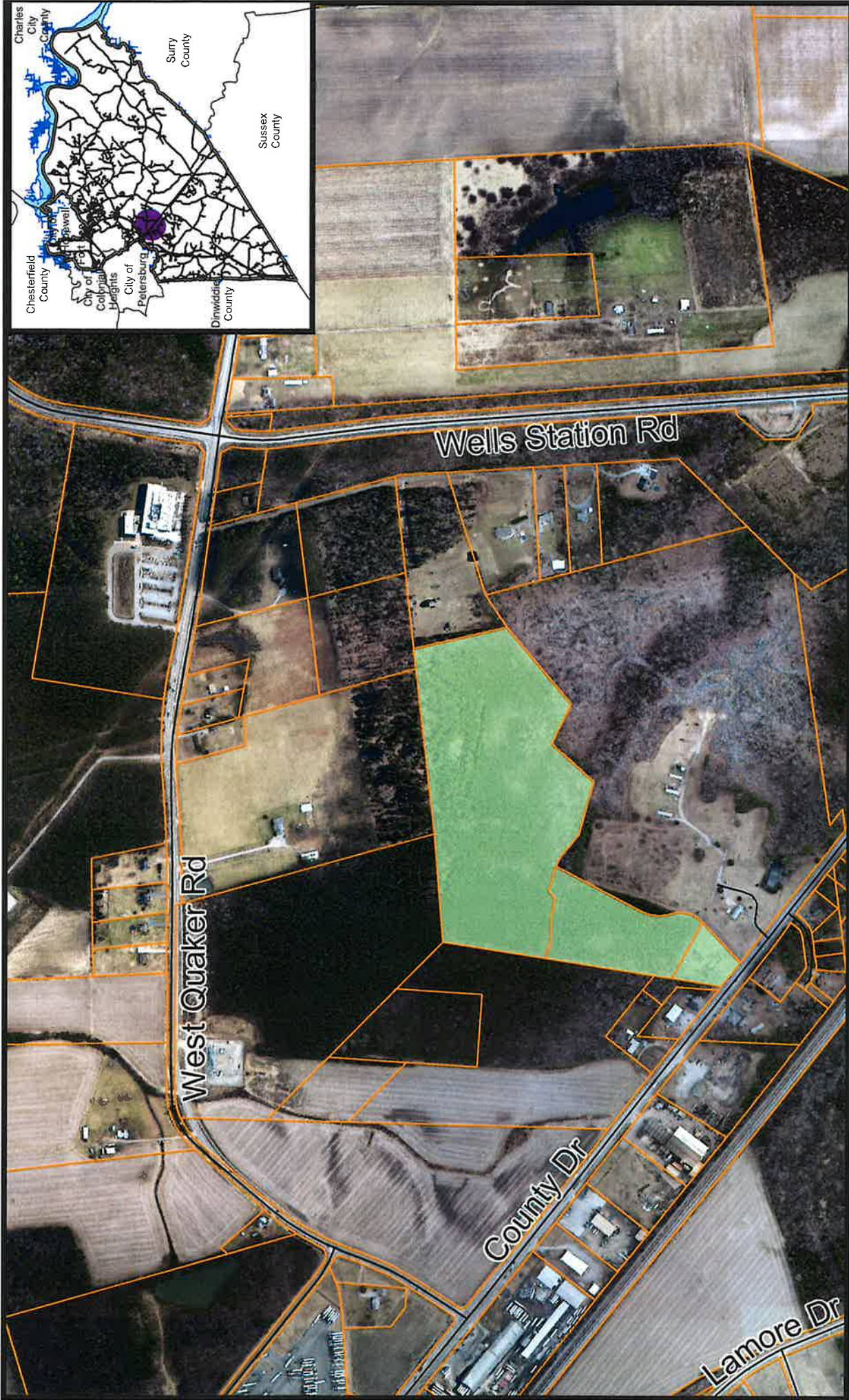


Rezoning Case RZ-18-02



Subject Property





Rezoning Case RZ-18-02



Subject Property

