

RESUME

September 10, 2019

RZ-19-02 SI VIRGINIA II, LLC

The applicants are proposing to conditionally rezone 141.79 acres from M-1, Limited Industrial to M-3, Heavy Industrial with conditions to allow the property to be developed for various industrial uses. The Comprehensive Plan indicates the property is suitable for industrial uses.

The applicant seeks to operate two activities on the property. The first activity is a re-melt activity (requiring M-3 Heavy Industrial Zoning) that requires taking scrap aluminum and melting it down to form logs. The second activity (requiring M-1 Light Industrial) is taking the logs to make a different product.

Planning Commission recommended approval 7-0 at their August 22, 2019 meeting.

Please find attached the staff report, maps, application, proffered statement, and draft ordinance for your consideration.

**BOARD OF SUPERVISORS
CONDITIONAL REZONING REPORT SUMMARY**

CASE NUMBER: RZ-19-02
APPLICANT: SI Virginia II, LLC
PROPERTY LOCATION: Across from 6062 Quality Way
TAX MAP: 340(22)00-010-0
PLANNING DISTRICT: Prince George Planning District
EXISTING ZONING: M-1, Limited Industrial District
PROPOSED ZONING: M-3, Heavy Industrial District with conditions
EXISTING USE: Vacant
TAXES: Taxes have been paid as of August 9, 2019
SURROUNDING ZONING:
 NORTH & EAST: R-A, Residential – Agricultural Zoning District
 SOUTH & WEST: M-1, Limited Industrial District

UTILITIES: County water and County wastewater services

MEETING INFORMATION:
 Planning Commission: Thursday, August 22, 2019 at 6:30 p.m.

 Board of Supervisors: Tuesday, September 10, 2019 at 7:30 p.m.

RECOMMENDATION:

Staff recommends approval of the rezoning case subject to the proffered conditions dated July 22, 2019.

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-19-02
SI Virginia II, LLC

Request:

The applicant is requesting to conditionally rezone 141.79± acres from M-1, Limited Industrial to M-3, Heavy Industrial with conditions to allow the property to be developed for various industrial uses.

Comprehensive Plan:

The 2018 Comprehensive Plan identifies this area along Route 460 as appropriate for industrial 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 purpose of the M-3, Heavy Industrial Zoning District within the County Zoning Ordinance is to establish areas where the principal use of land is for heavy industrial operations which create some nuisances that are not properly associated with nor particularly compatible with residential institutional and neighborhood commercial service establishments. The intent of the district is to encourage development for heavy industrial purposes which have the potential to generate negative impacts, such as: potential for air pollution, water quality degradation, loud noise and odor.

The subject property is currently zoned M-1, Limited Industrial 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 industrial land use. The request for M-3, Heavy Industrial 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 on July 22, 2019 and received on July 24, 2019. The applicant proposes to exclude all M-3, Heavy Industrial permitted uses with the exception to 90-542(15) Materials recovery facilities, resource recovery/reclamation operations. In addition, the applicant requests to include uses from the M-1, Limited Industrial 90-442(4) Manufacture, compounding, assembling or treatment of articles of merchandise from previously

prepared materials including bone, cellophane, canvas, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastic, precious or semiprecious metals or stone, shell, straw, textiles, tobacco, wood yarn and paint.

Currently the use from the M-3 district is not a permitted use in the M-3 district. Staff has recommended that the M-1 use, listed in 90-442(4), be added to the M-3, Heavy Industrial District as an ordinance amendment OA-19-02.

The following Departments have comments.

Community Development – Environmental Division:

All wetland area buffers, as delineated and mapped by Timmons Group, must be flagged on-site to ensure no encroachment. Submission of any wetland determination documentation from the U.S. Army Corp of Engineers is required to be submitted to Prince George County during the site approval process.

Engineering and Utilities

This parcel is currently served by the County’s water and wastewater system. The applicant will be required to connect to the County utilities and pay the applicable connection fees.

Virginia Department of Transportation - Petersburg

The rezoning application proposes construction of industrial facilities that will be provided access from SR 732, Quality Way. Quality Way is a secondary roadway with a functional classification of “local”, an annual average daily traffic (ADT) count of 1527 vehicles per day (VPD) and is a State maintained roadway.

The application did not include any proposed trip generation numbers, employee numbers or warrant analysis to assist VDOT in determining the need for turn lanes or other potentially needed improvements. The site is proposed to be accessed by two entrances from Quality Way. The entrances will be required to be commercial entrances constructed in accordance with VDOT standards and specifications appropriate for the proposed vehicles utilizing the entrances. Additional information will be required to be submitted at the time of site plan review to allow VDOT to determine the need for turn lanes and other improvements.

VDOT supports proffer #6 requiring a pre-construction road assessment survey, a post-construction inspection and if needed repairs to pre-construction conditions in accordance with VDOT standards and specifications.

Community Development – Inspections Division:

The rezoning application has been evaluated under the provisions of the 2015 Virginia USBC and the 2015 Virginia SFPC. All structures that may be built on the property that exceed 256 square feet will need to be permitted and meet all requirements of the 2015 Virginia USBC.

Police

No comments

Fire and EMS

No Comments

Planning Commission

At the August 22nd Planning Commission meeting, the Planning Commission held a Public Hearing. Derrick Johnson, of Timmons Group, representing the applicant, The Hollingsworth Company, addressed a question from the Commission about the proposed use of the property. Mr. Johnson indicated that company seeking the rezoning we be conducting two separate activities on the property. The first activity is a re-melt activity (requiring M-3 Heavy industry) by taking scrap aluminum and melting it down to form logs. The second activity (requiring M-1 Light Industrial) is taking the logs to make a different product.

Recommendation:

Planning Commission and staff recommend approval of this rezoning request as the request is consistent with the Comprehensive Plan, and the applicant has addressed traffic, aesthetics, function, and impacts of the proposed development, subject to the following conditions:

Conditions for Approval

1. The Project shall be generally developed consistent with that certain conceptual plan entitled "Service Center Metals Micro-Mill XP3" dated March 29, 2019, and prepared by the Hollingsworth Companies Industrial Building Program (the "Conceptual Plan").
2. The applicant shall maintain the existing natural mature tree buffer at the edge of the wetlands as delineated by Timmons Group on the attached drawing "SouthPoint Business Park Lot 10, Figure 4: Wetlands and waters of the U.S. Delineation Map", dated April 3, 2019 which surrounds the north, east and south boundary of the site. The remaining edges of Lot 10 border on the other industrial lots in the SouthPoint Business Park. The placement and design of any additional landscape buffering shall be subject to approval by the Director of Community Development and Code Compliance. The trees and shrubs shall be mostly native or direct cultivars of native plants (Nativars) to Virginia. The Director of Community Development and Code Compliance, in consultation with the Police Department, shall approve a landscape plan as part of the site plan for 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.
3. All areas not occupied by building, structures, driveways, walkways, off street parking facilities or other authorized installations shall be covered with one or more of the following: grass, mulch, shrubbery, plants or trees.
4. Any lighting installed for the Project will not exceed a foot-candle illumination of 1.0 at the perimeter of the site.

5. The Project shall be limited to the following uses in accordance with Section 90-542 Permitted Uses within the M-3 Heavy Industrial District, Paragraph (15) of the Zoning Ordinance:

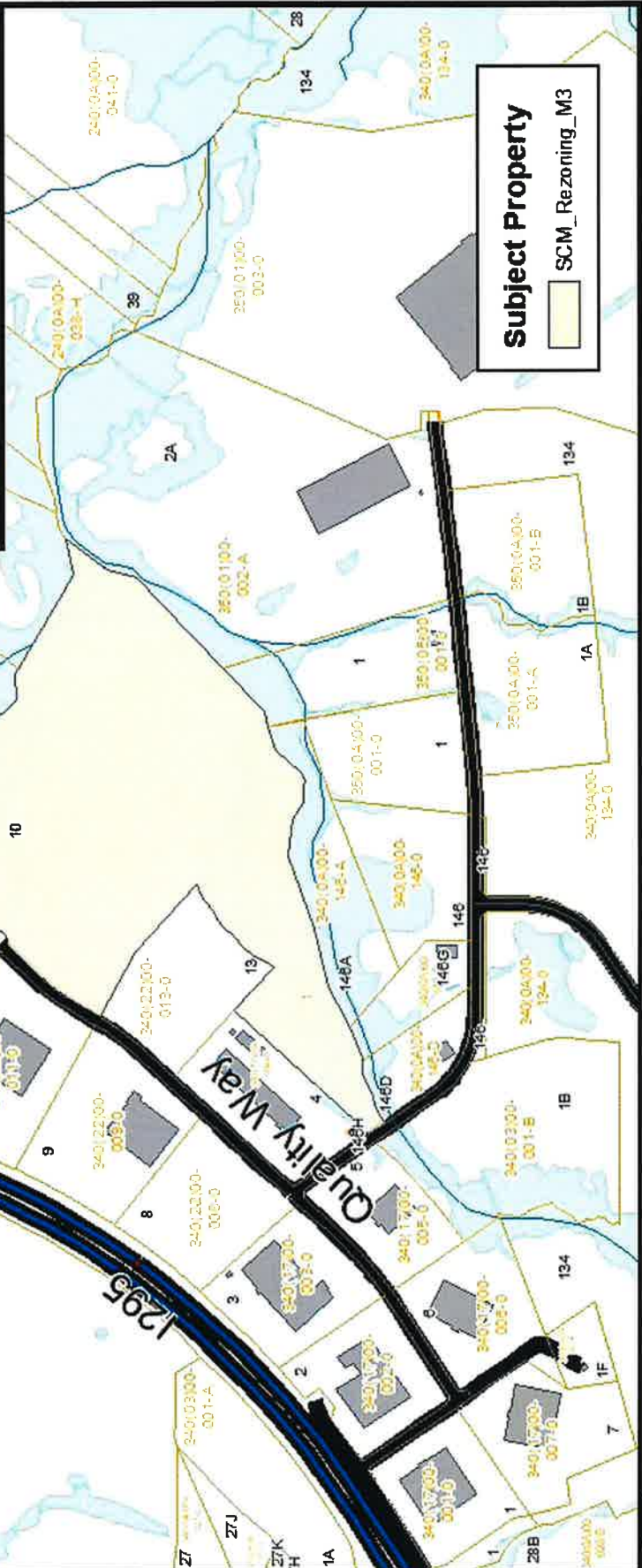
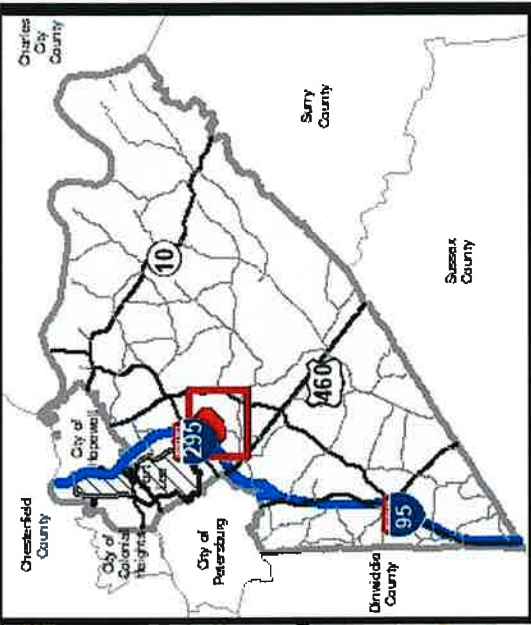
(15) Materials recovery facilities, resource recovery/ reclamation operations, and

In accordance with Section 90-442 – Permitted Uses within the M-1 Limited Industrial District:

(4) Manufacture, compounding, assembling or treatment of articles of merchandise from previously prepared materials including bone, cellophane, canvas, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastic, precious or semiprecious metals or stone, shell, straw, textiles, tobacco, wood, yard and paint. *[Staff is addressing this use being added with Ordinance Amendment OA-19-02.]*

6. The Project personnel will meet with VDOT prior to start of construction activities to walk the roadway that will be used to access the site and document the current condition. Upon completion of the construction, the Project will return the roadway to as found condition prior to the start of construction per the appropriate VDOT specifications.
7. The development of the subject property of this application shall be in accordance with the conditions set forth as proffers and as depicted on the attached Conceptual Plan entitled “Service Center Metals Micro-Mill XP3” dated March 29,2019 and prepared by the Hollingsworth Companies Industrial Building Program. These proffers shall be enforceable in the event of transfer of the property to other parties.

**Rezoning Case:
RZ-19-02
Along Quality Way & Hardware Drive**

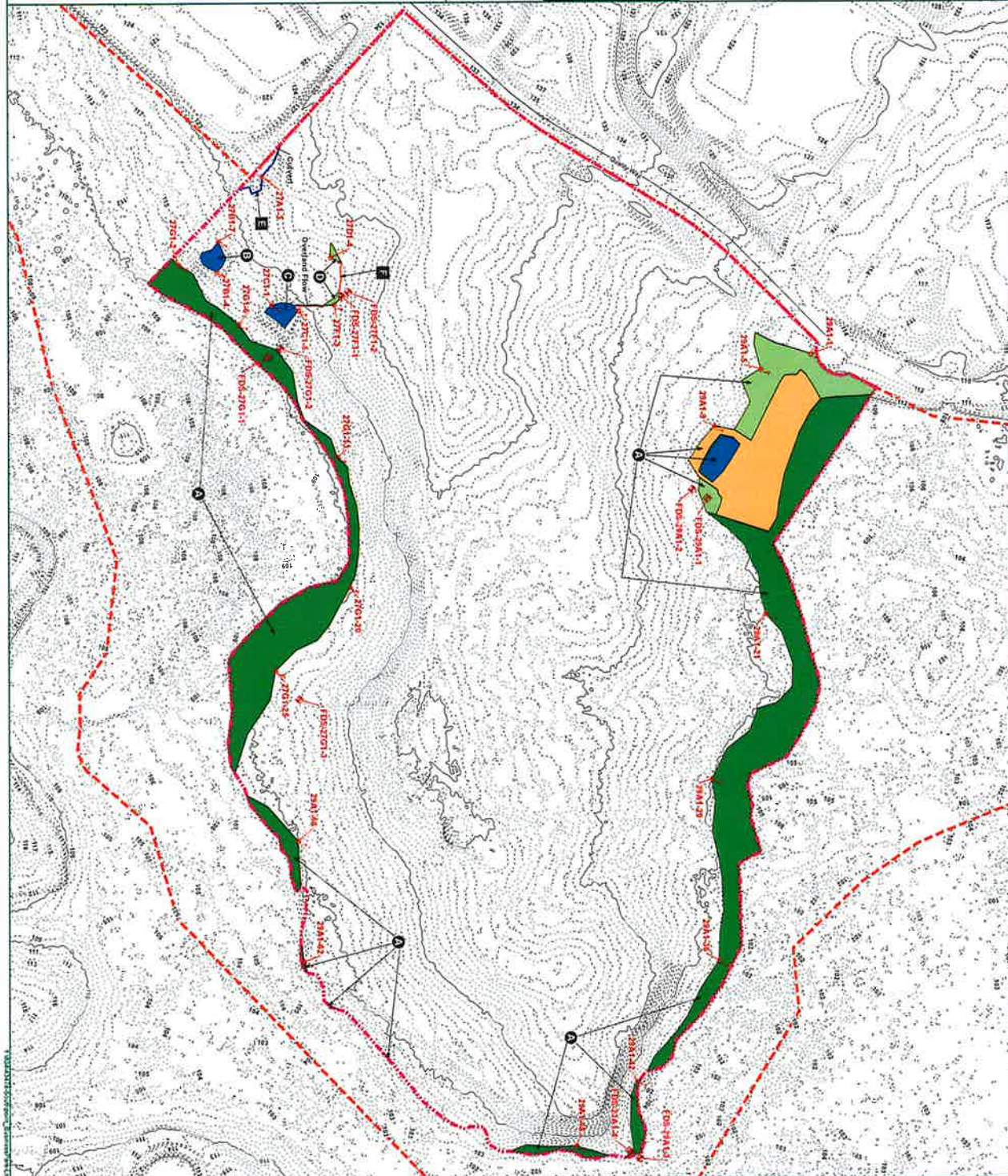




Area	Area (Acres)	Area (Square Feet)	Area (Square Feet)	Area (Square Feet)	Area (Square Feet)	Area (Square Feet)	Area (Square Feet)	Area (Square Feet)	Area (Square Feet)	Area (Square Feet)	Area (Square Feet)
PALESTINE FORESTED (PFO) WETLANDS	155.9	6,674,400	6,674,400	6,674,400	6,674,400	6,674,400	6,674,400	6,674,400	6,674,400	6,674,400	6,674,400
PALESTINE OPEN WATER (POW)	74.9	3,258,360	3,258,360	3,258,360	3,258,360	3,258,360	3,258,360	3,258,360	3,258,360	3,258,360	3,258,360
TOTAL	230.8	9,932,760	9,932,760	9,932,760	9,932,760	9,932,760	9,932,760	9,932,760	9,932,760	9,932,760	9,932,760

Legend

- Project Study Limits - 74.9 Acres
- Lot 10 - 155.9 Acres
- Stream Identifier
- Wetland Identifier
- Flag
- Field Data Station
- Culvert
- Overland Flow
- Intermittent Stream (R4)
- Ephemeral Stream (R6)
- Palestine Emergent (PEM) Wetlands
- Palestine Forested (PFO) Wetlands
- Palestine Scenic-Shrub (PSS) Wetlands
- Palestine Open Water (POW)
- Topographic Contours
- Major - 10 Feet
- Minor - 1 Foot



TIMMONS GROUP
 YOUR VISION ACHIEVED THROUGH OURS.
 1001 Boulder Parkway, Suite 300
 Richmond, VA 23229
 TEL 804.200.9900
 www.timmons.com

SOUTHPOINT BUSINESS PARK - LOT 10
 PRINCE GEORGE COUNTY, VIRGINIA

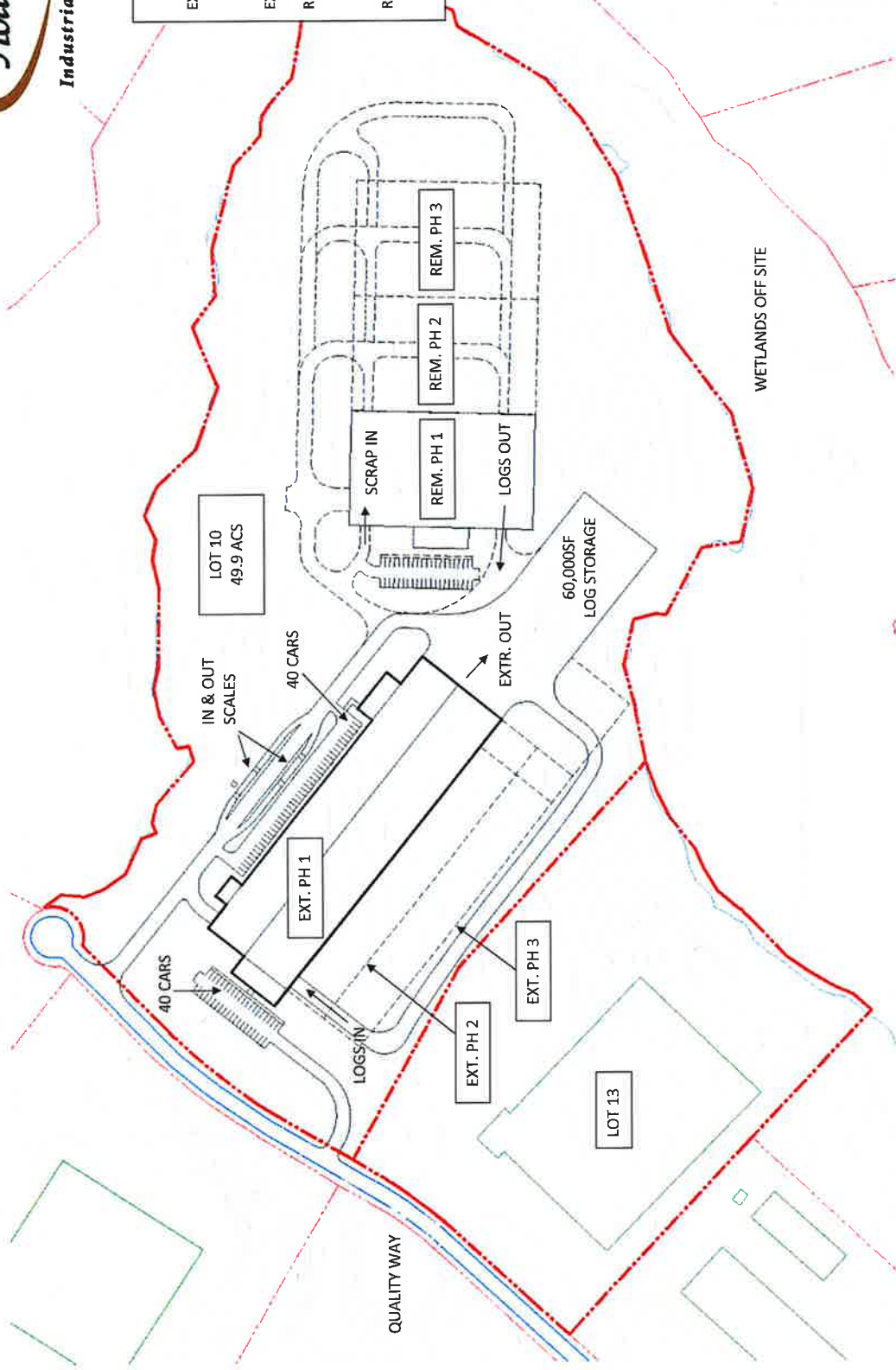
DATE: 04/12
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 PROJECT NO: [Number]
 SHEET NO: [Number]

FIGURE 4: WETLANDS AND WATERS OF THE U.S. DELINEATION MAP

SCALE: 1" = 100'

1:100,000

MICRO-MILL STATISTICS	
EXTRUSION PLANT	
PHASE 1	176,325 SF
PHASE 2	75,000 SF
PHASE 3	75,000 SF
EXTRUSION TTL.	326,325 SF
REMELT PLANT	
PHASE 1	105,000 SF
PHASE 2	100,000 SF
PHASE 3	100,000 SF
REMELT TTL.	305,000 SF





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 #:

R2-19-02

DATE SUBMITTED:

RECEIVED
JUN 13 2019

(Please fill-in all blanks)

GENERAL PROPERTY INFORMATION

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

SI Virginia II, LLC

ADDRESS:

1 Rocky Top Lane

TAX MAP OF SUBJECT PARCEL:

340 (22) 00-010-0

CITY:

Clinton

STATE:

TN

ZIP CODE:

37716

DISTRICT:

Prince George

E-MAIL ADDRESS:

brenda@brendastarwaltcpa.com

RECORDED IN THE CIRCUIT COURT CLERK'S OFFICE:

DEED BOOK 1900 PAGE 1405 Date 5-22-19 DEED RESTRICTIONS:

CURRENT LAND USE:

Greenfield

ACREAGE:

159.15

COMPREHENSIVE PLAN DESIGNATION:

ZONING CLASSIFICATION

PRESENT ZONING:

M1

PROPOSED ZONING:

extension + remodel
M3 profes of limited usage

REASON(S) FOR REZONING REQUEST, INCLUDING DESCRIPTION OF PROPOSED USE:

Proposed facility for Service Center Metals Micro-Mill

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

OWNER AGENT/REP

NAME:

Tom Wortham

PHONE NUMBER:

865-457-3701

ADDRESS:

2 Centre Plaza

CITY:

Clinton

STATE:

TN

ZIP CODE:

37716

E-MAIL ADDRESS:

twortham@hollingsworthcos.com

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

Aluminum extension + remodel operation

PROJECT DESCRIPTION

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.

NAME: Brenda Starwalt
SIGNED: Brenda Starwalt DATE: 6-12-19
MAILING ADDRESS: 1 Rocky Top Ln
CITY/STATE/ZIP: Clinton TN 37716
PHONE NUMBER: 865 441 8712
E-MAIL ADDRESS: brenda@brendastarwaltcpa.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: Tom Wortham
MAILING ADDRESS: 2 Centre Plaza
CITY/STATE/ZIP: Clinton TN 37716
PHONE NUMBER: 865-457-3701
E-MAIL ADDRESS: twortham@hollingsworthcos.com

.....

STATE OF VIRGINIA TN

COUNTY OF: PRINCE-GEORGE Anderson

Subscribed and sworn before me this 12 day of June, 2019.

[Signature]
Notary Public

My Commission expires: 2-29, 2020



AFFIDAVIT

I hereby acknowledge that the Rezoning of the Subject Property gives rise to the need for these conditions.

Brenda S. Starwalt

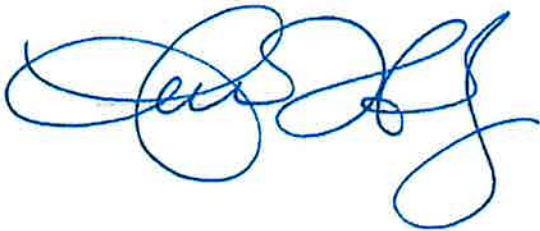
Property Owner Signature

Date: 6 11 17

Brenda S. Starwalt, President of SI Virginia II, LLC

Type or print name

I Amanda W. Hensley a Notary for the State of Tennessee,
City of ~~Knoxville~~ Clinton do verify that the foregoing instrument was signed before me this the
11 day of June, 2019.



2-29-20
My commission expires



STATEMENT OF PROFFER

Pursuant to Section 15.2-2296 of the Code of Virginia and Article XVII of the Prince George County Zoning Ordinance, SI Virginia II, LLC does hereby voluntarily proffer, as the owner of the property (the "Property") respectively, which is the subject of this rezoning request, that the development of the Property shall be in strict accordance with the following conditions set forth in this submission:

We present the following proffers for the SCM Compact Remelt Plant Project on Tax Map Parcel 340 (22) 00-010-0 part of:

- 1). The Project shall be generally developed consistent with that certain conceptual plan entitled "Service Center Metals Micro-Mill XP3" dated March 29, 2019, and prepared by the Hollingsworth Companies Industrial Building Program (the "Conceptual Plan");
- 2). The applicant shall maintain the existing natural mature tree buffer at the edge of the wetlands as delineated by Timmons Group on the attached drawing "SouthPoint Business Park Lot 10, Figure 4: Wetlands and waters of the U.S. Delineation Map", dated 04/03/2019 which surrounds the north, east and South boundary of the site. The remaining edges of Lot 10 border on other industrial lots in the SouthPoint Business Park. The placement and design of any additional landscape buffering shall be subject to approval by the Director of Community Development and Code Compliance. The trees and shrubs shall be mostly native or direct cultivars of native plants (Nativars) to Virginia. The Director of Community Development and Code Compliance, 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.
- 3). All areas not occupied by building, structures, driveways, walkways, off street parking facilities or other authorized installations shall be covered with one or more of the following: grass, mulch, shrubbery, plants or trees.
- 4). Any lighting installed for the Project will not exceed a foot-candle illumination of 1.0 at the perimeter of the site.
- 5). The Project shall be limited to the following uses in accordance with Section 90-542 Permitted Uses within the M-3 Heavy Industrial District, Paragraph (15) of the Zoning Ordinance:

(15) Materials recovery facilities, resource recovery/reclamation operations, and

In accordance with Sec. 90-442. - Permitted Uses within the M-1 Limited Industrial District:

(4) Manufacture, compounding, assembling or treatment of articles of merchandise from previously prepared materials including bone, cellophane, canvas, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastic, precious or semiprecious metals or stone, shell, straw, textiles, tobacco, wood, yarn and paint.

6). The Project personnel will meet with VDOT prior to start of construction activities to walk the roadway that will be used to access the site and document the current condition. Upon completion of the construction, the Project will return the roadway to as found condition prior to the start of construction per the appropriate VDOT specifications.

7). The development of the subject property of this application shall be in accordance with the conditions set forth as proffers and as depicted on the attached Conceptual Plan entitled "Service Center Metals Micro-Mill XP3" dated March 29, 2019, and prepared by the Hollingsworth Companies Industrial Building Program. These proffers shall be enforceable in the event of transfer of the property to other parties.

SIGNATURE PAGE FOLLOWS

I hereby acknowledge that the Rezoning of the Subject Property gives rise to the need for these conditions.

Brenda S. Starwalt, president
Property Owner – Signature

Date: 7-22-19

Brenda S. Starwalt, President of SI Virginia II, LLC
Type or print name



I Amanda W. Hensley a Notary for the State of Tennessee, City of Knoxville do verify that the foregoing instrument was signed before me this the 22 day of July, 2011.

[Signature]

2-29-20
My commission expires

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 10th day of September 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-19-02 Request of SI Virginia II, LLC to conditionally rezone 141.79 acres from M-1, Limited Industrial Zoning District to M-3, Heavy Industrial Zoning District. The subject property is located along Quality Way and Hardware Drive in the Southpoint Business Park, Lot 10, and is identified as Tax Map 340(22)00-010-0. The Comprehensive Plan indicates that the subject property is appropriate for industrial uses.

BE IT ORDAINED by the Board of Supervisors of Prince George County that the Conditional Rezoning Application identified as RZ-19-02 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. The Project shall be generally developed consistent with that certain conceptual plan entitled "Service Center Metals Micro-Mill XP3" dated March 29, 2019, and prepared by the Hollingsworth Companies Industrial Building Program (the "Conceptual Plan").
2. The applicant shall maintain the existing natural mature tree buffer at the edge of the wetlands as delineated by Timmons Group on the attached drawing

“SouthPoint Business Park Lot 10, Figure 4: Wetlands and waters of the U.S. Delineation Map”, dated April 3, 2019 which surrounds the north, east and south boundary of the site. The remaining edges of Lot 10 border on the other industrial lots in the SouthPoint Business Park. The placement and design of any additional landscape buffering shall be subject to approval by the Director of Community Development and Code Compliance. The trees and shrubs shall be mostly native or direct cultivars of native plants (Nativars) to Virginia. The Director of Community Development and Code Compliance, in consultation with the Police Department, shall approve a landscape plan as part of the site plan for 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.

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Adopted on September 10, 2019 and becoming effective immediately.

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 10th day of September 2019:

Present:

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

Vote:

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Adopted on September 10, 2019 and becoming effective immediately.