

Issue Analysis Form

Date: March 20, 2023

Item: Conditional Rezoning Request (RZ-22-05)

Applicant: HB Property Associates, LLC

Lead Department: Community Development

Contact Person: Andre M. Greene, Planner II



Description and Current Status

The applicant would like to conditionally rezone approximately 19.836 acres from M-1 Light Industrial to M-2 General Industrial. The purpose of the rezoning is to allow overflow tractor - trailer parking for e-commerce fulfillment transportation services.

The proposed use of the property for tractor trailer parking is considered a "Truck Terminal" land use which would be permitted by-right under Section 90-492(1) if the land is rezoned to M-2.

Staff and the Planning Commission recommended **APPROVAL** of this request, subject to several conditions contained in the draft ordinance.

Staff on behalf of the Planning Commission has attached the draft ordinance for consideration and is requesting a motion to **APPROVE** the ordinance.

Sample Motion:

*"I move that the Board approve the Rezoning Request (RZ-22-05) of HP Property Associates, LLC to conditionally rezone approximately 19.836 acres from M-1 Light Industrial to M-2 General Industrial to allow overflow tractor-trailer parking off Corporate Road and further identified as **Tax Parcel 330(0A)00-016-0** subject to proffered conditions."*

Government Path

Does this require IDA action?

☐ Yes ☒ No

Does this require BZA action?

☐ Yes ☒ No

Does this require Planning Commission action?

☒ Yes

Does this require Board of Supervisors action?

☒ Yes

Does this require a Public Hearing?

☒ Yes ☐ No

If so, before what date?

N/A

February 23, 2023 PC
Recommended
Approval by **5-0** vote
Public Hearing on
March 28, 2023

Fiscal and Economic Impact Statement

If approved, the proposed use would generate additional tax revenue from a business.

County Impact

The rezoning would allow a small business to open in the County, and allow a new industrial use in an existing industrial area.

Notes

Attached: Draft Ordinance; Staff report; Application and attachments; APO letter, map, list, newspaper ad

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 28th day of March, 2023:

Present:

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

Vote:

REZONING RZ-22-05: Request of HB Property Associates, LLC to conditionally rezone approximately 19.836 acres from M-1, Light Industrial to M-2, General Industrial. The purpose of the rezoning is to allow overflow tractor-trailer parking for e-commerce fulfillment transportation services. The subject property is located at the end of Corporate Lane (a road that is accessed off Rives Road in the corporate limits of the City of Petersburg). The property is identified as Tax Map 330(0A)00-016-0. The Comprehensive Plan Future Land Use Map indicates the property is planned for Industrial development.

BE IT ORDAINED by the Board of Supervisors of Prince George County that the Rezoning Application identified as RZ-22-05 is granted as an amendment to the official zoning map; and

The Property known as Tax Map # 330(0A)00-016-0, consisting of approximately 19.836 acres, is hereby rezoned from M-1 Light Industrial District to M-2 General Industrial District; and

The Owner in this zoning case, pursuant to §15.2 2303 of the Code of Virginia (1950 as amended) and the Zoning Ordinance of Prince George County, for themselves and their successors or assigns, proffer that the Property will be developed in accordance with the following conditions voluntarily agreed to by the Applicant:

1. Prohibited Uses. The following uses shall be prohibited on the Property:
 - a. Automotive assembling, painting, upholstering, repairing, rebuilding, reconditioning, body and fender work, truck repairing or overhauling, tire retreading or recapping.
 - b. Blacksmith shops, welding or machine shops.
 - c. Building material sales yards and plumbing supplies storage.
 - d. Contractor's equipment storage yard or plant or rental of equipment commonly used by contractors.
 - e. Petroleum Storage.

- f. Sawmills and planing mills.
- g. Brick manufacture.
- h. Boiler shops.
- i. Meat, poultry and fish processing.
- j. Public Utilities.
- k. Concrete products or central mixing and proportioning plants.
- l. Vehicle impound facility.

2. Natural Buffer.

- a. The owner shall include a minimum twenty-foot wide landscaped area buffer along all frontages of the Property abutting a right-of-way. The final location of the buffer shall be approved in connection with the approval of a site plan for the Property.
- b. Best tree preservation practices shall be followed within the aforesaid buffer areas to minimize large tree clearing. Any road, utility easement, signage, fences or use permitted within the aforesaid buffer area shall be extended generally perpendicular to the buffer area unless otherwise requested and specifically permitted, or is required, by the County at the time of site review and where permitted, areas disturbed for utility installations shall be restored to the extent reasonably practical.

Adopted on March 28, 2023 and becoming effective immediately.



BOARD OF SUPERVISORS STAFF REPORT

Public Hearing March 28, 2023

RZ-22-05: HB Property Associates, LLC Rezoning Request

Applicant: Matthew G. Roberts, Esquire, Hirschler Fleischer, P.C.

Owner: HB Property Associates, LLC

Case Manager: Andre Greene - (804)722-8678

I. Request

This request is to conditionally rezone approximately 19.836 acres from M-1 Light Industrial to M-2 General Industrial to allow overflow tractor-trailer parking for E-commerce fulfillment transportation services.

II. Property

Address: N/A

Tax Map: 330(0A)00-016-0

Site Size: Approximately 19.86 acres

Legal Owner: HB Property Associates, LLC
Developments LLC

RE Taxes Paid?: Yes

Zoning District: M-1, Light Industrial

Current Use: Vacant and partially wooded

Comp Plan Land Use: Industrial

Planning Area: Prince George Planning Area

Previous Zoning Cases: ZM-84-3

III. Meeting Information

Planning Commission Public Hearing: February 23, 2023

Board of Supervisors Public Hearing: March 28, 2023

IV. Background

1. The property in question was rezoned to the present zoning designation of M-1, Limited Industrial, in 1984 (ZM-84-3). There are no conditions on the site in question that would affect or restrict its use.
2. The property is immediately south and adjoins the property owned by MAT Developments, LLC who was recently approved by the County for the location of 169 tractor trailer spaces (RZ-21-05).

V. Applicant Proposal

1. The applicant is requesting a rezoning in order to use the property as overflow tractor-trailer parking for E-commerce fulfillment transportation services.
2. The rezoning request includes a conceptual plan which shows the parking area(s) along with a storm water management BMP Pond (see attached).
3. The conceptual plan included with the application has 303 parking spaces to be located on the property. As with the recently approved rezoning request of MAT Developments, the proposed truck terminal will be a trailer storage facility where the trailer portion of the tractor trailer is stored when not in use.
4. The turn warrant analysis submitted as part of the application indicates that the proposed facility will generate only 4 truck trips during the weekday AM peak hours (6:00 AM-9:00 AM) and 4 truck trips during PM peak hours (3:00PM-6:00PM).
5. The number of trailers on the site will fluctuate during holidays, thus being a seasonal location.
6. There are no structures planned for construction and no extensions of public water and sewer utilities.
7. A proffer statement was voluntarily submitted with the rezoning request.

VI. Exhibits

Exhibit 1: Aerial view of request area



Exhibit 2: Conceptual Plan

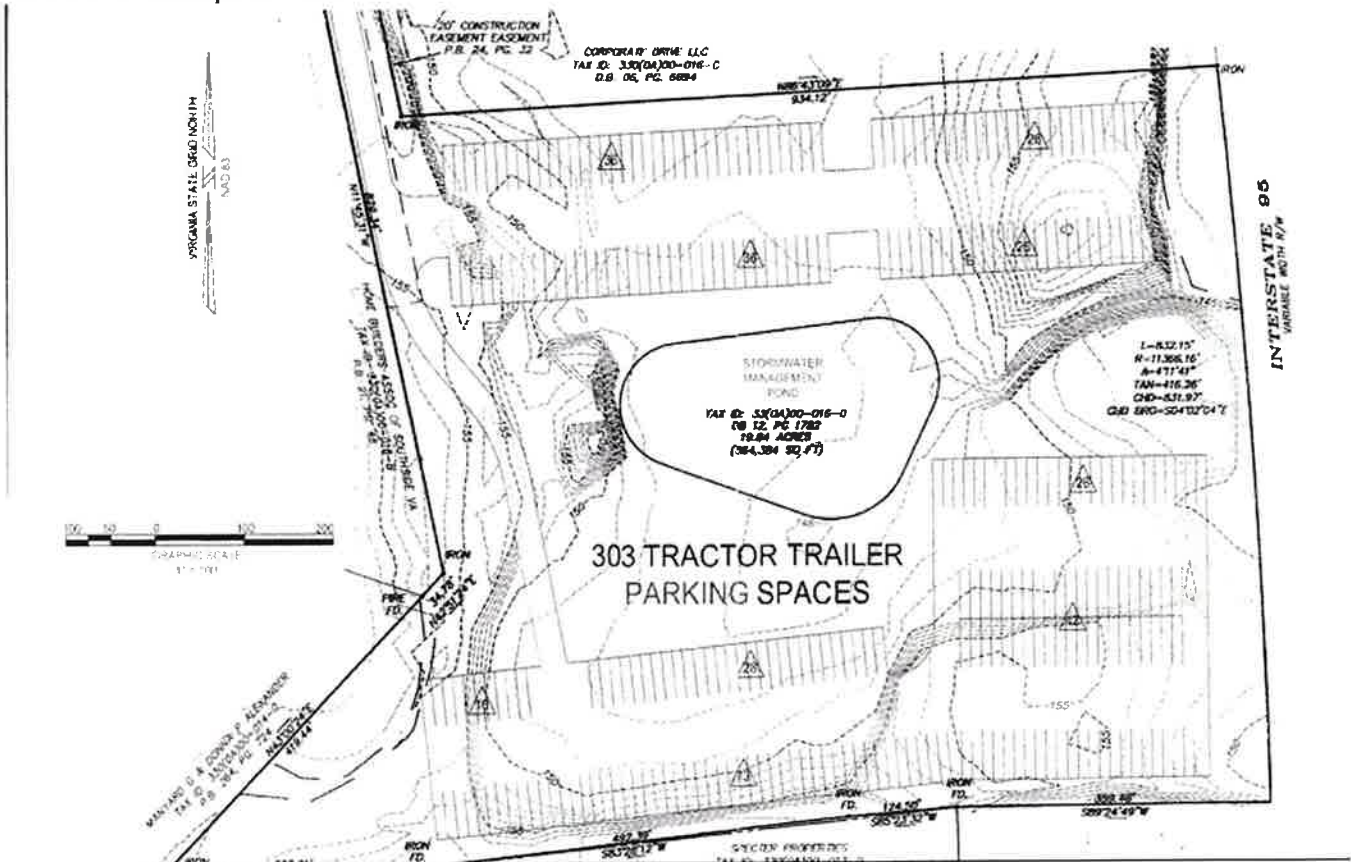
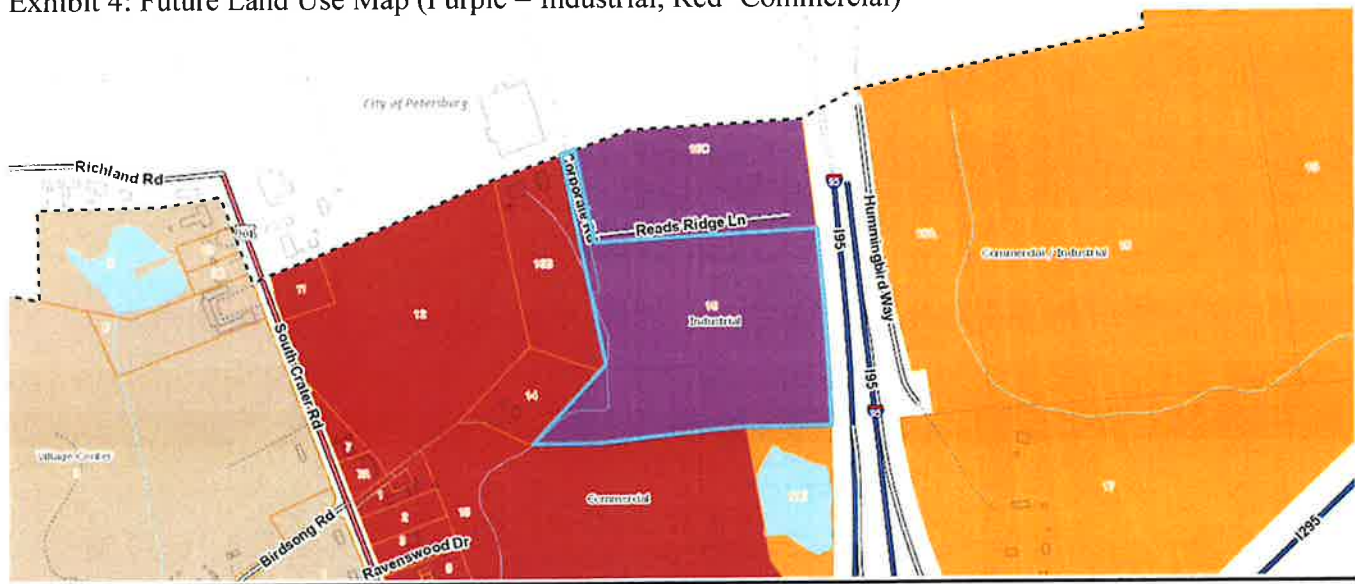


Exhibit 3: Zoning Map (Light Grey- M-1 Limited Industrial)



Exhibit 4: Future Land Use Map (Purple = Industrial, Red=Commercial)



VII. Planning and Zoning Review Comments

1. Case ZM-84-3 rezoned the property to M-1. There are no conditions.
2. The proposed use of the property for tractor-trailer parking is considered a “Truck Terminal” land use which would be permitted by-right under Section 90-492(1) if the land is rezoned to M-2 General Industrial.
3. Expected impacts of proposed uses on adjacent properties and roadways include:
 - a. Additional traffic on Rives Road and Corporate Road (located in the corporate limits of the City of Petersburg).

- i. The applicant prepared a Turn Lane Warrant Analysis for the City of Petersburg. The City of Petersburg and Paul Hinson with VDOT reviewed the analysis and concluded that based on the existing traffic volumes and projected site usage, neither a left-turn lane nor right-turn lane is warranted at the intersection of Rives Road and Corporate Drive. No other road improvements have been required.
 - b. It has been determined that Corporate Road is a public road located in the jurisdiction of the City of Petersburg. The City of Petersburg maintains roads and has not requested a maintenance agreement with the applicant.
4. The proposed use appears to be compatible with the existing surrounding uses, which includes offices, warehousing/distribution, and a similar parking terminal.
5. The proposed zoning district and land use is compatible with the Comprehensive Plan because the Future Land Use Map calls for Industrial Uses in this area (See Exhibit 4).
6. The proposed use requires no extension of public water and sewer and therefore will have minimal impact on County services.

VIII. Supplemental Staff Review Comments

Virginia Department of Transportation (VDOT) - Paul Hinson, Area Land Use Engineer

1. Access to the parcel is provided by Corporate Road which is a public street in the City of Petersburg that connects SR 629 Rives Road within the City limits. Corporate Road does appear to be a public roadway, but VDOT could not verify whether it is publicly maintained. As the proposed use will introduce heavy truck traffic on this roadway and maintenance responsibilities are not defined, it is recommended that the County require that a road maintenance agreement be required that defines maintenance responsibilities and responsible parties for the roadway to ensure Corporate Road can continue to provide access for the parcel.

Most of the road used to access the property is owned by the City of Petersburg. The City of Petersburg is not requiring a road maintenance agreement at this time.

2. VDOT has no objection to the zoning application.

Utilities Department - Frank Haltom, Director of Engineering and Utilities

1. If public utilities are required to serve this facility or needed for future development of the parcel, the water will be provided by the City of Petersburg. Sewer will be provided by the County.
2. The city may require an assessment to determine the impact the development within PG would have on city's water facilities. If required, the developer will be responsible for providing the assessment.

Economic Development – Yoti Jabri, Director of Economic Development & Tourism

1. This property is located in the Enterprise Zone.

The departments below reviewed this request and had no comments.

Environmental Division

Fire & EMS Department

Building Inspections Division

Virginia Department of Health

Prince George Police Department

IX. Public Notice and Community Feedback

- Staff notified adjacent property owners by mailing prior to the public hearing.
- Staff ran the required legal ads for this request in the *Progress-Index* prior to the public hearing.
- The applicant reviewed a copy of this report prior to the Planning Commission hearing date.
- No comments from the community were received prior to finalizing this report.

X. Planning Commission and Staff Recommendation

Approval, subject to the applicant's proffered conditions.

This recommendation is based on the following considerations:

1. The applicant's request is compatible with existing and surrounding land uses.
2. A rezoning from M-1 Light Industrial to M-2 General Industrial is consistent with the Prince George County adopted Comprehensive Plan.
3. The site currently adjoins property zoned M-2 (General Industrial) and recently rezoned for a similar use (truck terminal for the parking of tractor trailers).
4. Concerns of VDOT have been addressed.
5. A site plan is required which will address erosion and sediment control, storm water runoff, buffering, landscaping, parking area construction and outdoor lighting concerns.
6. No negative feedback was received from adjacent property owners and community prior to publishing this staff report.
7. The applicant has proffered several conditions which staff finds acceptable and supports (see proffer statement).

XI. Recommended/Proffered Conditions

The following conditions were proffered by the applicant in their proffer statement dated November 30, 2022 and are acceptable to Staff:

1. Prohibited Uses. The following uses shall be prohibited on the Property:
 - a. Automotive assembling, painting, upholstering, repairing, rebuilding, reconditioning, body and fender work, truck repairing or overhauling, tire retreading or recapping.
 - b. Blacksmith shops, welding or machine shops.
 - c. Building material sales yards and plumbing supplies storage.
 - d. Contractor's equipment storage yard or plant or rental of equipment commonly used by contractors.
 - e. Petroleum Storage.
 - f. Sawmills and planing mills.
 - g. Brick manufacture.
 - h. Boiler shops
 - i. Meat, poultry and fish processing.
 - j. Public Utilities.
 - k. Concrete products or central mixing and proportioning plants.
 - l. Vehicle impound facility.
2. Natural Buffer.

- a. The owner shall include a minimum twenty-foot wide landscaped area buffer along all frontages of the Property abutting a right-of-way. The final location of the buffer shall be approved in connection with the approval of a site plan for the Property.
- b. Best tree preservation practices shall be followed within the aforesaid buffer areas to minimize large tree clearing. Any road, utility easement, signage, fences or use permitted within the aforesaid buffer area shall be extended generally perpendicular to the buffer area unless otherwise requested and specifically permitted, or is required, by the County at the time of site review and where permitted, areas disturbed for utility installations shall be restored to the extent reasonably practical.

XII. Additional Information

The following is a list of all M-2, General Industrial Uses (uses that have been struck thru will not be allowed).

Sec. 90-492. - Permitted uses.

In the M-2 general industrial district, buildings to be erected or land to be used shall be for one or more of the following uses:

- (1) Truck terminals.
- ~~(2) Automobile assembling, painting, upholstering, repairing, rebuilding, reconditioning, body and fender work, truck repairing or overhauling, tire retreading or recapping.~~
- ~~(3) Blacksmith shops, welding or machine shops.~~
- ~~(4) Building material sales yards and plumbing supplies storage.~~
- ~~(5) Contractors' equipment storage yard or plant or rental of equipment commonly used by contractors.~~
- ~~(6) Petroleum storage.~~
- ~~(7) Sawmills and planing mills.~~
- ~~(8) Brick manufacture.~~
- ~~(9) Boiler shops.~~
- ~~(10) Meat, poultry and fish processing.~~
- ~~(11) Public utilities.~~
- (12) Conservation areas.
- (13) Game preserves.
- (14) Accessory uses.
- (15) General advertising signs.
- (16) Location signs.
- ~~(17) Concrete products or central mixing and proportioning plants.~~
- (18) Agriculture. Notwithstanding any other provision of this article, only accessory structures may be erected for the use of agriculture in an M-2 district; site plan review is not required on land used exclusively for agricultural pursuits.
- ~~(19) Vehicle impound facility.~~
- (20) All M-1 permitted uses.

Sec. 90-493. - Uses and structures permitted by special exception.

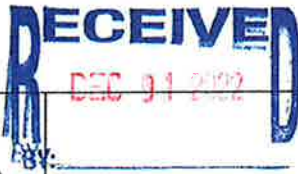
The following uses are permitted by special exception in the M-2 general industrial district:

- (1) Sanitary landfill in accordance with the requirements of [section 90-1033](#).
- (2) Tree stump landfills. Stumps and other natural vegetation may be buried in designated areas, provided:
 - a. A surveyed plat of the landfiling site so designated is recorded in the clerk of the circuit court's office;
 - b. All county erosion control and reclamation ordinances are adhered to; and
 - c. Such other conditions as required by the board of supervisors that are deemed appropriate.

- (3) Dredged material disposal site.
- (4) Public utility generating station, transmission station, transmission line and tower other than normal distribution facilities, pipe, meter, railroad, water and sewerage installation, compressor station, measurement station, regulation station.
- (5) Small solar energy facility.
- (6) Large-scale solar energy facility.
- (7) Tier 2 battery energy storage system, in accordance with [section 90-1042](#).

Sec. 90-493.1. - Uses and structures permitted by special exception granted by the board of zoning appeals.

Animal boarding place, private.



Enter Gov R2-22-0009

REZONING APPLICATION

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

OFFICE USE ONLY

APPLICATION #:

R2 22-05

DATE SUBMITTED:

RECEIVED

DEC 01 2022

APPLICANT FILL-IN ALL BLANKS

REQUEST DETAILS	REQUEST: Rezone subject property from M-1 to M-2, with proffers, to permit development of truck terminal use.				
	REQUEST PROPERTY ADDRESS / LOCATION: 330 / 0A 00 / 016 0				
	REQUEST TAX MAP(S): (List all) 330 / 0A 00 / 016 0	AFFECTED ACREAGE: 19.836 AC	ENTIRE PARCEL?: (Y / N) Yes	CURRENT ZONING: M-1	PROPOSED ZONING: M-2
	REQUIRED ATTACHMENTS: (Check if Attached; * = Required) <input checked="" type="checkbox"/> APPLICANT STATEMENT* (Specify goals, details, etc.) <input checked="" type="checkbox"/> PROPOSED CONDITIONS / PROFFER STATEMENT <input checked="" type="checkbox"/> CONCEPTUAL SITE PLAN* (Show any planned improvements; Use GIS or Engineer Drawing) <input type="checkbox"/> COMMUNITY MEETING SUMMARY <input checked="" type="checkbox"/> SURVEY OR LEGAL DESCRIPTION OF REZONING REQUEST AREA (If different than recorded lot) <input checked="" type="checkbox"/> ADDITIONAL ATTACHMENTS: Turn lane warrant analysis				
LEGAL OWNER	NAME(S): HB Property Associates, LLC, a Virginia limited liability company				
	MAILING ADDRESS (Incl. City, State, Zip) c/o Erik Hickenlooper, 10412 Jordan Parkway North, Prince George, VA 23860				
	E-MAIL: chrisbeahr@yahoo.com		PHONE: 757-619-8745		
APPLICANT CONTACT	NAME(S) (If different than owner): Matthew G. Roberts, Esq./Hirschler Fleischer, P.C.				
	RELATION TO OWNER: Attorney/Agent				
	MAILING ADDRESS: (Incl. City, State, Zip) 2100 East Cary Street, Richmond, VA 23223				
	E-MAIL: mroberts@hirschlerlaw.com		PHONE: 804-771-9570		
OFFICE USE ONLY (Completed at time of application)					
COMMENTS:					
PAYMENT	FEE DUE: Rezoning: \$1,050 + [See Fee Schedule] Amend Existing Zoning Case: \$1,050		FEE PAID: Fees waived Enterprise Zone		PAYMENT TYPE: N/A
	CHECK # / TRANSACTION #: N/A		DATE RECEIVED: N/A		RECEIVED BY: N/A

OWNER AFFIDAVIT

The undersigned Property Owner(s) or 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: HB Property Associates, LLC, a Virginia limited liability company
By: Matthew G. Roberts, Esq., u/a/d November 23, 2022

NAME:

SIGNED:

M.G. Roberts

SIGNED:

DATE: November 30, 2022

DATE: _____

NOTARIZATION:

STATE OF VIRGINIA

CITY OF: Richmond

Subscribed and sworn before me this 30th day of November, 20 22.

Cassandra M. Terrell

Notary Public

My Commission expires: March 31, 2023



AFFIDAVIT



Matthew G. Roberts
D: 804 771 9570
mroberts@hirschlerlaw.com

Hirschler Fleischer | hirschlerlaw.com
2100 East Cary Street | Richmond, VA 23223
P: 804 771 9500 | F: 804 644 0957

November 30, 2022

VIA OVERNIGHT MAIL

Julie C. Walton
Director of Community Development
and Code Compliance
County of Prince George, Virginia
6602 Courts Drive
PO Box 68
Prince George, VA 23875

**Re: Final Rezoning Application
Tax Map No. 33(0A)00-016-0 (the “Property”)
STATEMENT OF SUPPORT**

Dear Director Walton,

On behalf of HB Property Associates, LLC (the “Applicant”), please accept this letter as a statement in support of the Applicant’s request to rezone the Property to the M-2, General Industrial District (the “M-2 District”). Rezoning the Property to the M-2 District will facilitate the development of a new overflow truck terminal that will enhance the County’s tax base with minimal impacts to County services and adjacent road corridors.

Background, Planning, and Zoning

Located east of U.S. Route 301 in the Rives Magisterial District, the Property is currently vacant and contains approximately 19.8 acres of undeveloped land. The Property is bounded on the north by vacant property, which is subject to a recent rezoning approval for a similar overflow truck terminal use (RZ-21-05) (the “Adjacent Property”), on the east by the southbound lanes of Interstate 95, on the south by vacant land, and on the west by office and manufacturing uses along Corporate Road. The primary access to the site is from Corporate Road, as accessed via Rives Road in the City of Petersburg.

The Property is presently zoned to the M-1, Limited Industrial District, pursuant to Case ZM-84-3. No conditions were proffered at the time of this rezoning. To the best of the Applicant’s knowledge, there are no other zoning entitlements affecting the Property.

According to the Comprehensive Plan, the Property is located within the Prince George Planning Area. The Future Land Use Map (2018) designates the Property and the surrounding area for Industrial

use. Compatible land use designations, including Commercial and Commercial/Industrial, are located in the vicinity of the Property. The Property is also included in a designated Enterprise Zone.

Proposed Development

As more fully described on the attached plan entitled “Overflow Tractor Trailer Parking Exhibit” prepared by Christopher Consultants and dated October 11, 2022, the Applicant proposes to develop the Property as an overflow truck terminal (the “Proposed Use”). To facilitate the Proposed Use, the Applicant is seeking to rezone the Property to the M-2 District. While the Proposed Use is a by-right use pursuant to Section 90-492(1) of the Zoning Ordinance, the Applicant is proposing proffered conditions to mitigate its impacts.

The Proposed Use will introduce up to 303 trailer parking spaces. The intended primary users of the Proposed Use are e-commerce transportation vehicles. At this time, the Applicant does not intend to develop an ancillary onsite office space or manager’s residence. The area of the truck terminal parking lot will consist primarily of eight inches (8”) of base material and topped with crush-and-run. New, onsite stormwater management facilities will be provided as indicated on the attached plans. Presently, there are no stormwater facilities onsite. Site lighting will be provided in conformance with all Zoning Ordinance requirements.

The Applicant proposes that trucks will access the Property from Corporate Road via Rives Road. Access for inbound and outbound truck traffic will be further coordinated with the owner of the Adjacent Property to ensure safe and efficient vehicle trips to the sites. While the Proposed Use will not be visible from U.S. 301, the Applicant is proposing landscaped buffering to ensure views of the site from adjacent roads and properties are mitigated. The Applicant anticipates the Proposed Use will generate only four (4) net new AM and PM peak hour trips.

With nearby access to Interstate 95 and U.S. Route 301, the Property serves as a logical location for the Proposed Use. Further, as there are compatible adjacent uses, the Proposed Use will not negatively impact adjacent properties or property values. The Proposed Use will also facilitate several County comprehensive planning goals. First, the Proposed Use will facilitate the planned industrial utilization of the Property, in line with Land Use Objective #1 and the Future Land Use Map. Second, the Proposed Use will help the County develop a diversified tax base, pursuant to Economic Development Objective #1, by developing the otherwise vacant and unused Property with an industrial use. As e-commerce and delivery services continues to expand, the Proposed Use offers an opportunity for the County to capture and participate in this growing segment of the economy. The Proposed Use will also have minimal impacts on County services, thereby making it net accretive to the County’s tax base.

Request for Waiver of Rezoning Fees

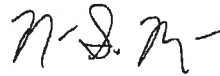
As the Property is located in an Enterprise Zone and the Proposed Use will constitute an investment of at least \$250,000.00, the Applicant requests a waiver of the rezoning fees that might otherwise be charged to file this request.

Conclusion

For the reasons noted above, the Board of Supervisors should approve this rezoning application. The Proposed Use and the rezoning request are compatible with the Property's land use planning designation and surrounding land use designations. Importantly, the Proposed Use will expand and diversify the County's tax base, while minimizing impacts to County services and adjacent landowners.

Thank you for your time and attention to this matter. We look forward to working with you, the community, and the Board of Supervisors on this request.

Very truly yours,

A handwritten signature in black ink, appearing to read "M.G. Roberts", with a stylized flourish at the end.

Matthew G. Roberts, Esq.
Counsel for Applicant

15563660.1 047142.00001

LEGAL DESCRIPTION
TAX MAP NO. 33(0A)00-016-0

All that certain tract or parcel of land, with any improvement thereon and appurtenances thereto being, shown as Parcel "E" on the plat attached and made a part of the deed recorded in the Clerk's office, Circuit Court, Prince George County, Virginia, in Deed Book 237, page 66, containing 35.5513 acres, and described in detail by metes and bounds on the said Plat No. 2, entitled "Plat Showing Property of John H. and Rheta N. Burks on East and West Side of Interstate 95, South of Rives Road Petersburg, VA and Prince George, Virginia, made by R. Chard A. Bristow, C.L.S. and revised June 20, 1978 and August 7, 1978.

LESS AND EXCEPT that certain parcel containing 5.725 acres located at the terminus of Eastwood Road, Rives District, Prince George County Virginia, as shown on a plat of survey made by Timmon S. Consulting Engineers, dated September 29th, 1995, recorded with the deed from H Lee Griffin and Betty Ann T. Griffin, husband and wife to Home Builders Association of Southside Virginia, dated November 17th, 1995, recorded in the Clerk's Office, Circuit Court, Prince George County, Virginia, in Deed Book 410, page 224; and

LESS AND EXCEPT a ten (10.00) acre portion of the property, together with an appurtenant easement, conveyed to Corporate Drive, L.L.C., a Virginia Limited Liability Company, by deed dated December 14th 2006, recorded in the Clerk's Office, Circuit Court, Prince George's County, Virginia, as instrument No. 060006694.

The Property is more particularly described by the following Metes and Bounds:

Beginning at a point situated on the western line of Corporate Road, a variable width right of way, said point being 1080.00 feet, more or less, to the right of way of Rives Road a/k/a State Route 629, (a variable width right of way), leaving said westerly line of Corporate Road and running, North 70 Degrees 27 Minutes 35 Seconds East, a distance of 60.37 feet to an iron pin on the easterly side of Corporate Road; running thence in a south easterly direction along the easterly side of a 60.00 foot access and utility easement (DB 410 page 221), an arc distance of 84.95 feet, which arc is subtended by a chord having a chord bearing of South 12 Degrees 29 Minutes 50 Seconds East, a chord distance of 84.94 feet and which curve to the right had a radius of 3294.27' to an iron pin; running thence, South 11 Degrees 45 Minutes 31 Seconds East, a distance of 315.80 feet to an iron pin; running thence, North 86 Degrees 43 Minutes 09 Seconds East along the southerly line of the property now or formerly owned by Corporate Drive LLC (

tax ID: 330-(0A) 00-016-C), a distance of 934.12 feet to an iron pin on the Western line of the Interstate 95, (a variable width right of way); running thence, in a southerly direction along the westerly side of interstate 95, an arc distance of 832.15 feet, which arc is subtended by a chord having a chord bearing of South 04 Degrees 02 Minutes 04 Seconds East, a chord distance of 831.97 feet and which arc has a curve radius of 11366.16' to a pipe found and the northerly line of the property now or formerly known as Magdalene L. King (Tax ID: 330 (0A) 00—017-0); running thence, South 89 Degrees 24 Minutes 49 Seconds West, a distance of 359.48 feet: to an iron pin found; running thence in a westerly direction along the northerly line of the property now or formerly owned by Specter Properties, (Tax ID: 330 (0A) 00-013-0), South 85 Degrees 23 Minutes 32 Seconds West, a distance of 124.50 feet to an iron pin found; running thence and continuing along the property now or formerly owned by Specter Properties, South 83 Degrees 28 Minutes 12 Seconds West, a distance of 492.39 feet to an iron pin found; running thence, South 89 Degrees 46 Minutes 45 Seconds West, a distance of 282.21 feet to an iron pin; running thence in a northerly direction following the easterly line of the property now or formerly owned by Manyard G. and Donna P. Alexander (TAX ID: 330 (0A) 00—014-0), North 43 Degrees 00 Minutes 24 Seconds East, a distance of 419.44 feet to a pipe found; running thence, North 42 Degrees 51 Minutes 24 Seconds East, a distance of 34.78 feet to an iron pin; running thence in a northerly direction along the easterly line of the property now or formerly owned by Home Builders Associates of Southside VA, (TAX ID: 330 (0A) 00—016-B), North 11 Degrees 45 Minutes 31 Seconds West, a distance of 829.34 feet to an iron pin; running thence in a northerly direction, an arc distance of 76.77 feet, said arc being subtended by a chord having a chord bearing of North 12 Degrees 26 Minutes 19 Seconds West, a chord distance of 76.77 feet and said arc having a curve radius of 3234.27 to the Point of Beginning.

STATEMENT OF CONSENT AND DESIGNATION OF AUTHORIZED AGENTS

The undersigned, as the title owner ("Owner") of that certain property identified as Tax Map No. 330 / 0A 00 / 016 0, hereby consents to the submission of a land use application for a conditional rezoning affecting the subject property, including filing, signing, and delivering such application, and any and all other documents necessary for or related thereto. Matthew G. Roberts, Esq. and Hirschler Fleischer, a Professional Corporation are hereby designated by Owner as its attorneys and authorized agents to execute those certain documents, including but not limited to applications, affidavits, proffer statements, and statements of justification, that are required to be filed and deemed necessary or reasonable to pursue the land use application on Owner's behalf.

[SIGNATURES APPEAR ON FOLLOWING PAGE]
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HB Property Associates, LLC, a Virginia limited liability company

By:

Eric Craig Hickenlooper
Name: Eric Craig Hickenlooper
Title: Manager

STATE/Commonwealth of Virginia,

CITY/COUNTY OF Richmond, TO WIT:

The forgoing Statement of Consent and Designation of Authorized Agents was acknowledged before me this 23 day of November, 2022 by Eric Craig Hickenlooper, as Manager of HB Property Associates, LLC, a Virginia limited liability company, on behalf of the company.

[Signature]

Notary Public

My commission expires: 3-31-26

Registration number: 198693

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PROFFERS

RZ-22-05

Date: November 30, 2022

Pursuant to Section 15.2-2303(A) of the Code of Virginia, 1950, as amended, and Section 90-782 of the Prince George County Code, 2005, as amended, HB Property Associates, LLC, a Virginia limited liability company (the "Owner"), for and on behalf of itself and its successors and assigns, in Case RZ-22-05 filed on property identified as Prince George County Tax Parcel No. 330/ 0A 00/016 0 (the "Property") hereby voluntarily proffers the following conditions ("Proffers"), provided that the Board of Supervisors (the "Board") approves a rezoning of the Property from the M-1, Limited Industrial District to the M-2, General Industrial District. These Proffers will replace and supersede any previously approved proffers on the Property. In the event the rezoning request is denied by the Board, these Proffers will immediately be null and void.

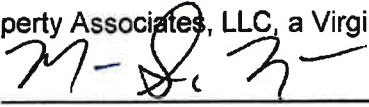
1. Prohibited Uses. The following uses shall be prohibited on the Property:
 - a. Automobile assembling, painting, upholstering, repairing, rebuilding, reconditioning, body and fender work, truck repairing or overhauling, tire retreading or recapping.
 - b. Blacksmith shops, welding or machine shops.
 - c. Building material sales yards and plumbing supplies storage.
 - d. Contractors' equipment storage yard or plant or rental of equipment commonly used by contractors.
 - e. Petroleum storage.
 - f. Sawmills and planing mills.
 - g. Brick manufacture.
 - h. Boiler shops.
 - i. Meat, poultry and fish processing.
 - j. Public utilities.
 - k. Concrete products or central mixing and proportioning plants.
 - l. Vehicle impound facility.
2. Natural Buffer.
 - a. The Owner shall include a minimum twenty-foot wide landscaped area buffer along all frontages of the Property abutting a right-of-way. The final location of the buffer shall be as approved in connection with approval of a site plan for the Property.

- b. Best tree preservation practices shall be followed within the aforesaid buffer areas to minimize large tree clearing. Any road, utility easement, signage, fences or use permitted within the aforesaid buffer area shall be extended generally perpendicular to the buffer area unless otherwise requested and specifically permitted, or if required, by the County at the time of site review and where permitted, areas disturbed for utility installations shall be restored to the extent reasonably practical.

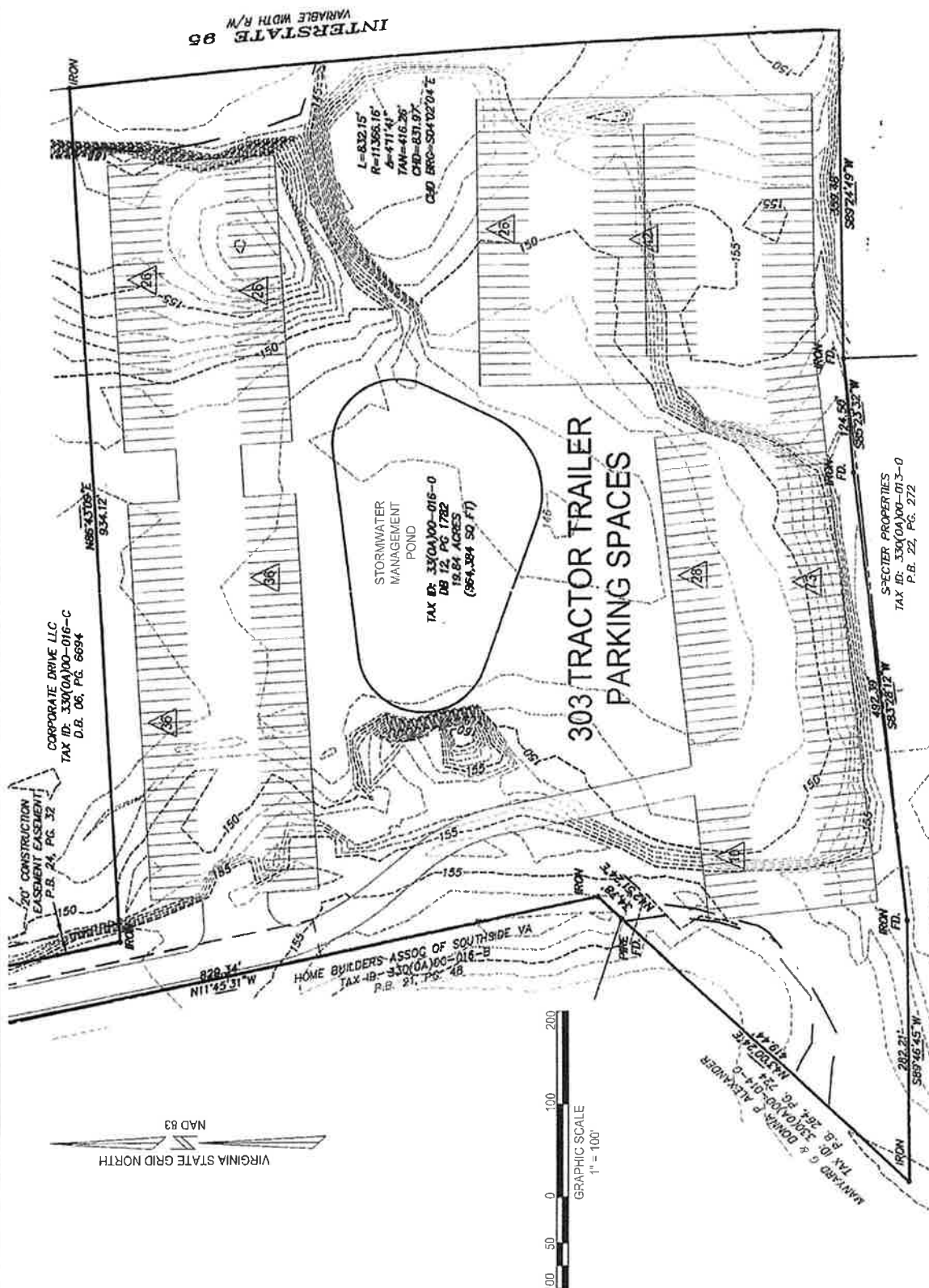
Owner:

HB Property Associates, LLC, a Virginia limited liability company

By:


Matthew G. Roberts, Esq., u/a/d November 23, 2022

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County of Prince George, Virginia
"A global community where families thrive and businesses prosper"

March 17, 2023

BOARD OF SUPERVISORS - NOTICE OF PUBLIC HEARING

Dear owner, agent or occupant of each parcel that is abutting, immediately across the street or road, or within close proximity of the property affected:

This is notification that the Board of Supervisors will hold a public hearing on **Tuesday, March 28, 2023 beginning at 7:30 pm** to consider the following request that involves the Prince George County Zoning Ordinance:

REZONING RZ-22-05: Request of HB Property Associates, LLC to conditionally rezone approximately 19.836 acres from M-1, Light Industrial to M-2, General Industrial. The purpose of the rezoning is to allow overflow tractor trailer parking for e-commerce fulfillment transportation services. The subject property is located at the end of Corporate Road (a road that is accessed off Rives Road in the corporate limits of the City of Petersburg). The property is identified as Tax Map 330(0A)00-016-0. The Comprehensive Plan Future Land Use Map indicates the property is planned for Industrial development.

The public hearing will be held in the Board Room, third floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia 23875, pursuant to §15.2-2204, §15.2-2225, §15.2-2232, and §15.2-2285 of The Code of Virginia (1950, as amended). A copy of the related material may be reviewed or obtained at the Community Development and Code Compliance Department in the County Administration Building between 8:30 a.m.-5:00 p.m., Monday-Friday. All interested persons are invited to participate in the public hearings in person. A live video stream will be available at https://www.princegeorgecountyva.gov/live_stream/. Public comments can be submitted prior to 4:30 p.m. on the public hearing date. Public Comment submittal forms and information on accessing this meeting electronically are available at <https://www.princegeorgecountyva.gov>.

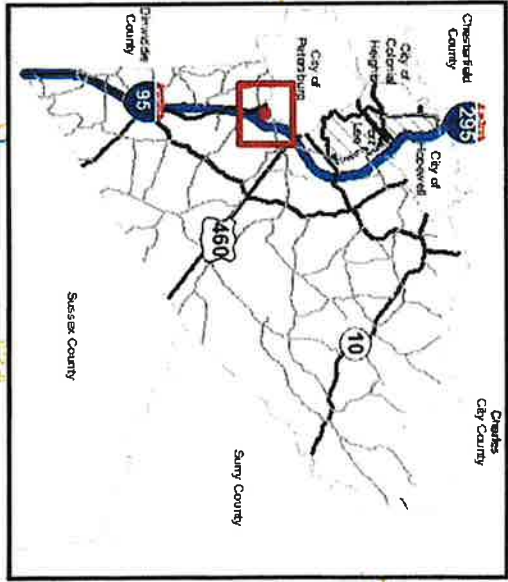
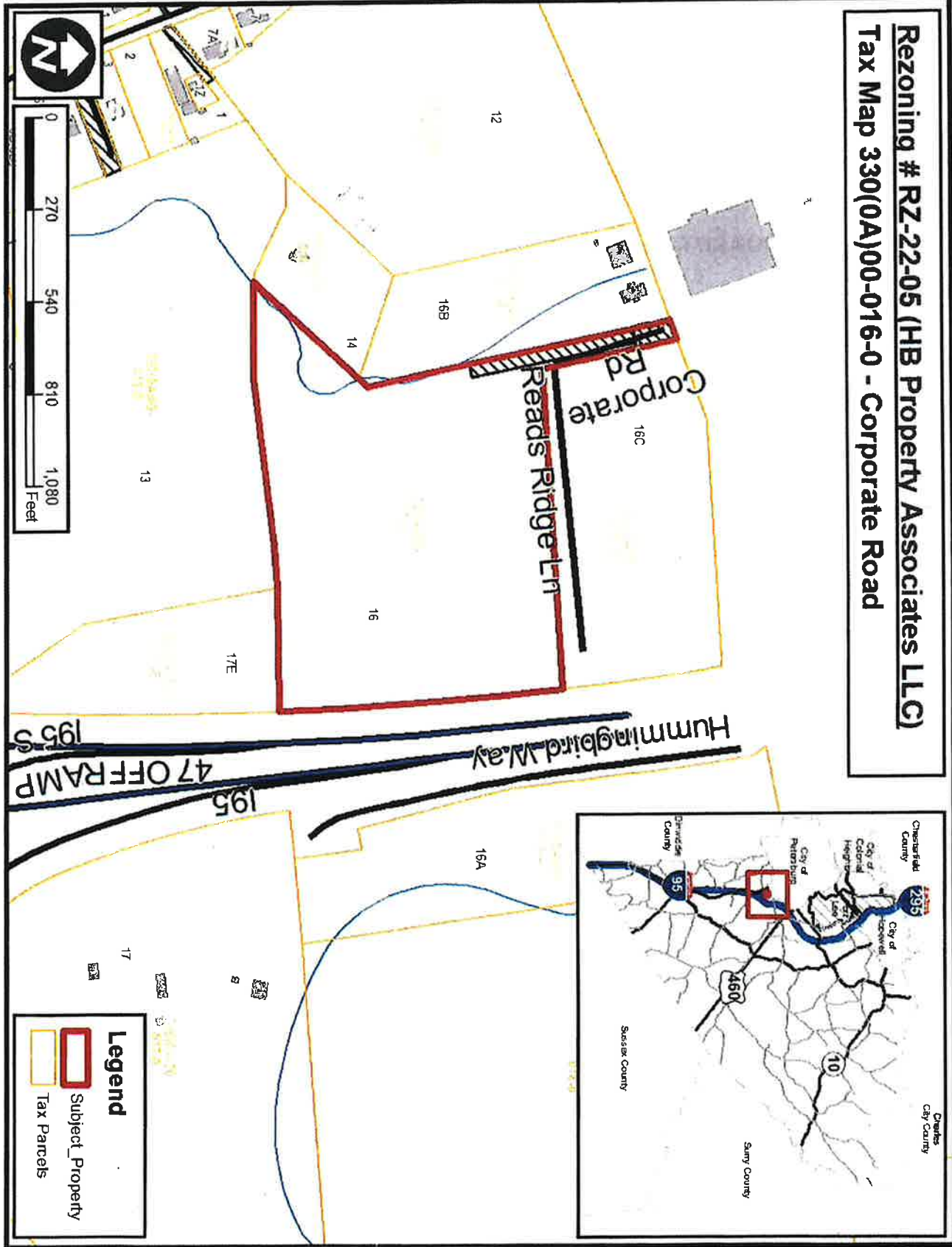
You may also contact Planning and Zoning Division at (804)722-8678 or by e-mail at planning@princegeorgecountyva.gov with any questions prior to the scheduled meeting. We have included a GIS Map showing the general location of the request.

Sincerely,

A handwritten signature in black ink that reads "Andre M. Greene".

Andre Greene
Planner II

Rezoning # RZ-22-05 (HB Property Associates LLC)
Tax Map 330(0A)00-016-0 - Corporate Road



Legend

- Subject_Property
- Tax Parcels

RZ - 22-05

SPECTER PROPERTIES LLC
PO BOX 2455
CHESTERFIELD, VA 23832

ALEXANDER DONNA P
10500 S CRATER RD
SOUTH PRINCE GEORGE, VA 23805

H B PROPERTY ASSOCIATES LLC
8544 CULFOR CRES
NORFOLK, VA 23503

ROSLYN FARM CORPORATION
PO BOX 727
COLONIAL HEIGHTS, VA 23834

COMSTOCK PAMELA M
117 ROANOKE AVE
COLONIAL HEIGHTS, VA 23834

MAT DEVELOPMENTS LLC
265 PEMBROKE CT
RICHMOND, VA 23238

QUALITY PROPERTIES OF VA LLC
4013 WOODCROFT DR
DISPUTANTA, VA 23842

**PUBLIC NOTICE
PRINCE GEORGE COUNTY**

Notice is hereby given to all interested parties regarding the following public meeting:

The Prince George County Board of Supervisors will hold a public hearing on Tuesday, March 28, 2023 beginning at 7:30 p.m. concerning the following request:

REZONING RZ-22-05: Request of HB Property Associates, LLC to conditionally rezone approximately 19.836 acres from M-1, Light Industrial to M-2, General Industrial. The purpose of the rezoning is to allow overflow tractor trailer parking for e-commerce fulfillment transportation services. The subject property is located at the end of Corporate Lane (a road that is accessed off Birdsong Road in the corporate limits of the City of Petersburg). The property is identified as Tax Map 330(0A)00-016-0. The Comprehensive Plan Future Land Use Map indicates the property is planned for Industrial development.

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Jeff D. Stoke
County Administrator